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City of Phoenix Aviation Department Rules & Regulations

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**Number:** 08-01

**Authority:** This Rule and Regulation is promulgated pursuant to Phoenix City Code, Chapter 4, Article IV – Commercial Ground Transportation Vehicle Rules and Regulations

**Rule and Regulation:** Phoenix Sky Harbor International Airport (PHX) Ground Transportation Operating Requirements

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### 1. Applicability

This Rule and Regulation applies to all persons engaged in commercial ground transportation at Phoenix Sky Harbor International Airport (PHX), including commercial ground transportation providers, authorized providers, and drivers.

### 2. Definitions

Solely for purposes of this Rule and Regulation, unless the context otherwise requires:

*Airport (or PHX)* means all of the land, buildings, and facilities comprising Phoenix Sky Harbor International Airport, including the Rental Car Center, as now existing or as the same may hereafter be expanded and developed, unless otherwise designated.

*Alternative fuel* means the energy source, other than standard gasoline or diesel, used to power a motor vehicle, as further defined herein.

*ASE certified* means a professional certification given to automotive industry professionals and repair facilities by the National Institute of Automotive Service Excellence.

*Authorized provider* means a person, authorized by the Aviation Director under permit or contract, to engage in commercial ground transportation.

*Authorized signer* means a designated representative of an authorized provider, who is authorized to act on behalf of the provider, including requesting or certifying identification media for a driver, and including accepting service of a Notice of Violation and civil citation.

*Automated vehicle identification (AVI)* means radio frequency identification utilized to track a ground transportation motor vehicle while on an airport.

*Automated vehicle identification tag (AVI Tag)* means a radio frequency identification transponder placed on a ground transportation motor vehicle for the purpose of tracking ground transportation operations on an airport.

*Bus* means a motor vehicle with a designated seating capacity of 16 or more passengers including the driver.

*Commercial ground transportation* means the use of a ground transportation motor vehicle for commercial activity.

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*Commercial ground transportation permit* or *permit* means written permission issued by the Aviation Director to authorize a person to engage in commercial ground transportation.

*Commercial ground transportation provider* or *provider* means a person that engages in commercial ground transportation.

*Courtesy vehicle* means a motor vehicle operated by an authorized provider for the purpose of picking up a passenger at an airport and transporting the passenger to an off-airport location, including a hotel, motel or commercial parking lot, where the authorized provider or driver does not directly charge or receive a fee from the passenger for the transportation service.

*Designated local point of contact* means a representative of an authorized provider, who is authorized to act as an authorized signer in all ways except for signing the permit.

*Designated waiting area* means an area on an airport designated by the Aviation Director where an authorized provider or driver operating under an authorized provider's permit or contract may stop, stand, or park a ground transportation motor vehicle.

*Digital network or software application* means any online-enabled application, software, website, or system that is offered or used by an authorized provider and that enables a potential passenger to arrange a ride with a transportation network driver.

*Disabled services vehicle* means a van or any other motor vehicle that is designated by the Aviation Director as a disabled services vehicle authorized to operate on an airport in accordance with Chapter 4, Article IV of the Phoenix City Code.

*Driver* means any individual who drives, is driving, or is in actual physical control of, a ground transportation motor vehicle.

*Geofence* means an electronic perimeter, designated by the Aviation Director, of airport property and sub-perimeters within airport property.

*Global positioning satellite (GPS)* means any global positioning satellite technology, approved by the Aviation Director, used to track a ground transportation motor vehicle while on an airport.

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*Ground transportation motor vehicle* means a motor vehicle used for commercial activity, including a bus, courtesy vehicle, disabled services vehicle, motorcycle, off-airport rental car company vehicle, shared ride van, taxicab, other designated vehicle, prearranged vehicle, transportation network company vehicle, or intercity provider vehicle.

*Identification media* means a physical identification or digital identification that identifies a driver as required in this Rule and Regulation, issued or approved by the Aviation Director.

*Include or including* means including, but not limited to; and, including, without limitation.

*Intercity provider* means an authorized provider that uses an intercity provider vehicle.

*Intercity provider vehicle* means a motor vehicle used to transport passengers and baggage from Phoenix Sky Harbor International Airport to cities or towns located farther than a thirty-five mile radius from Phoenix Sky Harbor International Airport, and that are otherwise outside of the service areas of other authorized providers under contract with the city to operate at Phoenix Sky Harbor International Airport.

*Motor vehicle* means a device upon which any individual is or may be transported upon a public highway excepting a device moved by human power or used exclusively upon stationary rails or tracks.

*Motorcycle* means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground.

*Notice of violation (NOV)* means a violation of Chapter 4, Article IV of the Phoenix City Code that resulted in the Aviation Director issuing a notice to the authorized provider.

*Off-airport rental car company* means a person or business entity that rents vehicles to airport customers but does not lease space at the airport.

*Off-airport rental car company vehicle* means a motor vehicle operated by or on behalf of an off-airport rental car company for the purpose of transporting customers and baggage between the Rental Car Center (RCC) and an off-airport rental car company facility located off the airport, where no direct fee is paid by the person or baggage transporter for the service so rendered.



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*Other designated vehicle* means a motor vehicle of a type not otherwise defined herein that may be designated by the Aviation Director as a ground transportation motor vehicle authorized to operate on an airport in accordance with Chapter 4, Article IV of the Phoenix City Code.

*Permittee* means any person to whom the Aviation Director has issued a commercial ground transportation permit as provided in Chapter 4, Article IV of the Phoenix City Code.

*Person* means an individual, association, company, corporation, joint venture, limited liability company, organization, partnership, two or more individuals acting as a unit, and any other entity.

*Prearranged provider* means an authorized provider that uses a prearranged vehicle.

*Prearranged vehicle* means a ground transportation motor vehicle used to pick-up a passenger(s) on an airport, where the authorized provider has scheduled the pick-up prior to entering an airport, or while parked in a designated waiting area.

*Rental Car Center* or *RCC* means as defined in Phoenix City Code Section 4-1.

*Safety regulations* means those parts of Title 49 Code of Federal Regulations adopted by the Arizona Department of Transportation-Motor Vehicle Division, as published in the Arizona Administrative Code as R17-5-202, as amended from time to time.

*Shared ride* means non-exclusive use of a ground transportation motor vehicle by two or more unrelated passengers, to pre-determined destinations, or destinations agreed upon by the passengers and driver.

*Shared ride van service* means operation of a fleet of multi-passenger vans, under contract with the City of Phoenix, to conduct shared ride commercial ground transportation.

*Taxicab* means a motor vehicle authorized under a contract with the City of Phoenix, with a designated seating capacity of less than seven passengers, excluding the driver, having four doors for passenger ingress and egress, furnished for hire on an exclusive basis.

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*Taxicab meter* means a meter device that conforms to the standards established by the City Manager pursuant to Section 36-202 of the Phoenix City Code, and that otherwise measures the distance driven and/or time upon which the fare is based, and numerically displays in dollars and cents the fare in a manner readily visible to the passengers.

*Trade dress* means a distinct logo, insignia or emblem attached to, and visible from fifty feet in front of, a ground transportation motor vehicle, as approved by the Aviation Director.

*Transportation network company* means an entity that has been issued a permit by the state of Arizona, that operates in the state of Arizona, that uses a digital network or software application to connect passenger(s) to transportation network services provided by transportation network drivers, and that may but is not deemed to own, operate or control a personal motor vehicle of a transportation network driver.

*Transportation network company vehicle* means a motor vehicle with a seating capacity not exceeding eight passenger(s), including the driver, that is authorized by a transportation network company, and that is used by a transportation network driver to provide transportation network services.

*Transportation network driver* means an individual who receives connections to potential passenger(s) and related services from a transportation network company in exchange for payment of a fee to the transportation network company and who operates a transportation network company vehicle.

*Transportation network services* means the transportation of a passenger between points chosen by the passenger and arranged with a transportation network driver through the use of a transportation network company's digital network or software application.

*Trip fee* means a fee imposed pursuant to Section 4-78 of the Phoenix City Code.

*Trip* means an authorized provider picking up a passenger on an airport.

*Virtual Waybill* means a digital identification of the authorized provider's company, the driver's name, the vehicle make, model, and license plate number, the passenger's name, and the date and time of the transaction.

*Waybill* means a physical document identifying a passenger pick-up including the date, time, company, terminal, license plate number, driver, airline, flight number, and passenger name.



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**3. On-Demand Contracted Authorized Provider Requirements**

The Aviation Department contracts with taxicab companies and a shared-ride van service as the authorized providers of on-demand commercial ground transportation. In addition to these authorized providers' contractual obligations, each such authorized provider must comply with this Rule and Regulation.

**4. Permit and Permittee Requirements**

**4.1. Permit Application**

Other than contracted authorized providers, a person who desires to conduct commercial ground transportation must apply for and obtain a commercial ground transportation permit from the Ground Transportation Office. An application can be obtained from the Ground Transportation Office or online at:

City of Phoenix Aviation Department  
Ground Transportation Office  
3300 East Sky Harbor Boulevard  
Phoenix, Arizona 85034

<https://skyharbor.com/Business/TenantsAndContractors/GroundTransportation/downloadable-forms-and-information-for-gt-section>

No person may engage in commercial ground transportation on the airport until the application is processed and approved by the Aviation Director.

A permit will expire, unless sooner terminated, two years from the date of issuance.

**4.2. Single Use Permit**

The single use permit is intended for commercial ground transportation providers that do not operate regularly at the airport, such as intrastate or interstate charter buses, or as otherwise designated by the Aviation Director.

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A person who desires to obtain a single use permit must, for each pick-up, check in with airport representatives in the west designated waiting area and provide, at a minimum, the following information:

- Driver name;
- Vehicle Department of Transportation number;
- Vehicle license plate number and state;
- Company name;
- Company contact name and phone number; and
- Driver signature.

A single use permittee must:

- Meet all applicable insurance requirements in Section 6;
- Pick-up passengers only in designated pick-up zones;
- Comply with all provisions of Phoenix City Code Chapter 4 and Aviation rules and regulations;
- Comply with all federal, state, and local commercial requirements, including any regulations imposed on interstate travel; and
- Pay trip fees in accordance with Phoenix City Code Section 4-78.

### **4.3. Temporary Use Permit**

The temporary use permit is intended for authorized providers that need to:

- Temporarily replace a permitted vehicle currently displaying an annual decal when their permitted vehicle is temporarily out of commission for repairs; and
- In the event of overflow when additional temporary vehicles may be needed for fleet for unintended situations such as special events.

A person who desires to obtain a temporary use permit must complete an application and obtain a temporary vehicle identification placard and AVI tag from the Ground Transportation Office prior to picking up passengers.



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The authorized provider issued the temporary permit must:

- Meet all applicable insurance requirements in Section 6;
- Pick-up passengers only in designated pick-up zones;
- Comply with all provisions of Phoenix City Code Chapter 4 and Aviation rules and regulations;
- Comply with all federal, state, and local commercial requirements, including any regulations imposed on interstate travel; and
- Pay trip fees in accordance with Phoenix City Code Section 4-78.

### **5. Authorized Signer and Designated Local Points of Contact**

An authorized provider must have at least one representative on file with the Ground Transportation Office identified as that company's primary authorized signer. Unless otherwise specified, the primary authorized signer must sign the permit application. A primary authorized signer may add additional authorized signers or designated local points of contact for all purposes excluding signing the permit and removing from the permit the primary authorized signer. Designated local points of contact must be filed with the Ground Transportation Office and are subject to the same background check requirements as the authorized signer. Authorized signers and designated local points of contact must:

- Submit to security background check option 1, if the authorized provider is approved to operate using background check options 1 or 2; or submit to the authorized provider's standard non-driving employee background check, if the authorized provider is approved to operate using background check option 3;
- Represent the authorized provider and act as an approved liaison to the airport;
- Ensure compliance by drivers, employees, and other representatives operating under the permit or contract;
- Conduct internal training to ensure the highest level of customer service on the airport and compliance with rules and regulations;
- Represent the authorized provider on all matters regarding customer complaints, airport procedures, and notices of violation (NOVs); and
- Represent the authorized provider on all matters involving trip fees, delinquency, disputes, and hearings.

Table 1.1 outlines a sample of issues encountered by the Ground Transportation Office. The authorized signer must respond by email or phone to the Ground Transportation Office as indicated.

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**Table 1.1 Authorized Signer and Designated Local Point of Contact  
 Response Requirement**

Ground Transportation Issues	Authorized Signer/Designated Local Point of Contact Response Requirement
<ul style="list-style-type: none"> <li>• Level 3 NOV*</li> <li>• Security background check/CHRC/STA issues</li> <li>• Failed background check audit issues</li> </ul>	Response or resolution within <u>24 hours</u>
<ul style="list-style-type: none"> <li>• Level 2 NOV*</li> <li>• Lost and found issues</li> <li>• Vehicle/Driver identification issues</li> <li>• Vehicle AVI/GPS tracking issues</li> </ul>	Response or resolution within <u>48 hours**</u>
<ul style="list-style-type: none"> <li>• Level 1 NOV*</li> <li>• Changes of mailing address, email, or phone contact information</li> <li>• Trip fee and billing issues</li> <li>• Any other issues</li> </ul>	Response or resolution within <u>72 hours**</u>

\*NOV levels as defined in Section 15, Table 1.2

\*\*Or next business day if on weekend/holiday

**6. Insurance**

Before commencing commercial activities at the airport, and in accordance with Phoenix City Code Chapter Section 4-68, authorized providers must attest to possessing the minimum insurance coverages required by State law and provide the certificate to the Ground Transportation Office.

A faxed, e-mailed or hand delivered copy of the certificate of insurance is acceptable. Each insurance policy required by the permit or contract must be in effect at or prior to commencing commercial ground transportation, commercial operations, or commercial activities at the airport, and remain in effect for the duration of the permit or contract.

Certificates of insurance for each policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. Any policy endorsements that restrict or limit coverage must be clearly noted on the certificate of insurance and declared to the Ground Transportation Office for review by the Aviation Department.

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- a. Certificates of insurance for all authorized providers must reflect, at a minimum, state-mandated automobile liability limits in accordance with this section and Arizona Revised Statutes:

- \$250,000 for 1-8 Vehicle Seats / \$250,000 Uninsured Motorists (UM)
- \$750,000 for 9-15 Vehicle Seats / \$300,000 Uninsured Motorists (UM)
- \$5,000,000 for 16+ Vehicle Seats / \$300,000 Uninsured Motorists (UM)

In addition to State requirements, the Aviation Department requires the following minimum coverages and provisions for all authorized providers:

- b. Underinsured Motorists

- \$250,000 for 1-8 Vehicle Seats Underinsured Motorists (UIM)
- \$300,000 for 9+ Vehicle Seats Underinsured Motorists (UIM)

- c. The City of Phoenix must be named as an additional insured on the liability policy and listed as such on the certificate of insurance.

The City, its officers, officials, agents, employees, and volunteers shall be additional insureds to the full limits of liability purchased by the authorized provider even if those limits are in excess of those required by permit or contract.

- d. Insurance must be written by an insurance company that possesses a minimum A.M. Best rating of B+VI.

- e. In all instances where a driver operates under an authorized provider's permit or contract, the authorized provider's certificate of insurance shall clearly state that coverage is primary and non-contributory when operating on the airport. A driver's personal vehicle insurance coverages will not be considered primary insurance while operating on the airport.

- f. Certificates of insurance must be issued to the City of Phoenix as the certificate holder as follows:

City of Phoenix Aviation Department  
Ground Transportation Office  
3300 East Sky Harbor Boulevard  
Phoenix, Arizona 85034



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A contracted authorized provider shall ensure that it obtains insurance necessary to meet or exceed requirements specified in the contract, as well as applicable federal, state, and local laws. Failure of a contracted authorized provider to maintain insurance during the term of the contract is a material breach and may result in immediate termination of the contract without notice.

### **7. Vehicle Inspections**

All ground transportation motor vehicles shall be maintained in a clean, neat and proper operating condition which will include good general appearance including upholstery that is intact. All ground transportation motor vehicles shall also comply with the following standards:

- Air conditioners will be operable at all times when temperatures reach eighty-five degrees or upon passenger request.
- Heaters will be operable upon passenger request and sufficiently heat the interior of the vehicle.
- Vehicle shall be free of any extensive body damage.
- The exterior and interior of each vehicle shall be free of dirt, trash, debris, mud, or grime.
- Vehicle license plate shall be uncovered and free of any device which conceals, obscures, or otherwise limits visibility of the license plate.

In addition to the above requirements, any ground transportation motor vehicle using identification markings on the external surface of the vehicle must meet the following standards:

- Vehicle markings shall be formed by clearly readable company logos and lettering.
- All company logos and lettering shall be formed in a manner that is viewable from at least 50 feet.
- All Courtesy vehicles must be marked to identify the authorized provider under which they are operated; these markings must, at a minimum, be located on the passenger entrance door(s).

Prior to operating on the airport, all ground transportation motor vehicles used by an authorized provider must have undergone, and successfully passed, within the previous twelve calendar months, an industry standard inspection. The Aviation Department deems a 19-point inspection by an ASE certified mechanic as industry standard and best practice.

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An equivalent vehicle inspection process may be submitted for review and approval by the Aviation Director.

An industry standard inspection must include the following criteria:

- Foot and emergency brake inspection;
- Steering inspection;
- Windshields (cracks);
- Headlights, stoplights, taillights and turn signals;
- Seat adjustments and seat belts;
- Doors, hood, bumpers (operational and body damage);
- Horn (operational);
- Muffler and exhaust system;
- Tire wear (including tread depth); and
- Interior and exterior mirrors.

Vehicle inspection documentation must include, at a minimum, the following:

- Name and address of the business entity or certified mechanic;
- Date of the inspection;
- License plate of the vehicle;
- A list of the vehicle components inspected;
- Pass/Fail rating(s); and
- Signature of the mechanic or business representative validating such inspection.

Authorized providers may use the Aviation Department standardized 19-point inspection form, which can be found online at:

<https://skyharbor.com/Business/TenantsAndContractors/GroundTransportation/downloadable-forms-and-information-for-gt-section>

Authorized providers must ensure annual vehicle inspections are completed no less than once every 12 months. The inspection certification must be presented to the Aviation Department upon request. Failure to provide evidence of an annual inspection may result in suspension of commercial operating privileges until a valid inspection is provided.

The Aviation Department reserves the right to audit vehicle inspection records or request a physical copy at its discretion.

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### 8. Vehicle Identification

An authorized provider, or driver acting under that authorized provider's permit or contract, must not stop, stand, or park a ground transportation motor vehicle on the airport to load a passenger without proper vehicle identification. All authorized providers must select and comply with one of the following vehicle identification methods:

#### a. Trade Dress

Authorized providers approved by the Aviation Director to use trade dress must display trade dress in the lower right hand corner of the front windshield in a manner that is viewable from at least 50 feet in front of the vehicle, at all times while on the airport. The trade dress displayed on the windshield must correspond with the authorized provider identified on the waybill for each individual passenger pick-up.

#### b. Aviation Department Issued Decal

Authorized providers approved by the Aviation Director to use vehicle decals must obtain a vehicle decal from the Ground Transportation Office for each vehicle operating under the authorized provider's permit or contract and display the decal in the lower right hand corner of the front windshield at all times while on the airport.

Vehicle decals are registered to specific vehicles and are not transferrable. The Ground Transportation Office will not replace a decal reported as stolen until the authorized provider submits a corresponding police report to the Ground Transportation Office. Lost decals will not be replaced until the authorized provider submits a certified statement in a form approved by the Aviation Director. In the event a vehicle with an Aviation Department issued decal is sold, leased, or otherwise transferred, any vehicle decal affixed thereto shall be rendered void.

Each unique vehicle decal shall expire at 11:59 p.m. on the last day of the twelfth calendar month from the date the decal was issued. **There is no grace period when a decal expires.** Authorized providers using ground transportation motor vehicles with expired decals are subject to an NOV, and towing enforcement.



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### 9. Accessible Ground Transportation

Unless a permittee demonstrates that exigent circumstances exist that prevent compliance, a permittee must provide accessible ground transportation to customers protected by all applicable federal, state, and local laws, including the Americans with Disabilities Act, 42 U.S.C. secs. 12101 et seq., and Section 504 of the Rehabilitation Act, or, if unable to do so, make alternative arrangements for the customer to be picked up by accessible transportation within thirty minutes after learning of the customer's needs.

The permittee may seek assistance from authorized providers known to have wheelchair accessible vehicles.

A list of authorized providers may be found at:

<https://skyharbor.com/ParkingTransportation/TaxisAndShuttles>

The list is made available solely for the convenience of authorized providers. The airport makes no representation or warranty as to the accuracy of the list, or that any authorized provider on the list is available to accommodate the permittee's customer's need for accessible transportation. Each permittee is solely responsible to make alternative arrangements for accessible transportation.

Contracted authorized providers must provide wheelchair accessible vehicles 24 hours per day, 365 days per year. Unless otherwise specified in their services contract with the City, contracted authorized providers must dedicate and make available to the airport a minimum of 5% of their vehicle fleet as wheelchair accessible.

### 10. Alternative Fuel Incentive

The Aviation Department recognizes the need to be environmentally conscious through the use of alternative fuel sources. Therefore, effective the sooner of January 1, 2017 or such time as the authorized provider is charged trip fees, upon presentation of satisfactory evidence to the Ground Transportation Office, a permittee will receive a 10% discount on trip fees assessed for all trips conducted by it utilizing approved alternative fuel motor vehicles:

*Alternative fuel motor vehicle* under this provision means a motor vehicle that is powered by one of the following dedicated alternative fuels: propane, compressed natural gas (CNG), liquefied natural gas (LNG), or full-electric only.



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Dual-fuel source vehicles such as those powered on E-85 and/or regular fuel, flex-fuel vehicles, hybrid vehicles, and other similar arrangements do not qualify for the alternative fuel incentive, unless otherwise approved by the Aviation Director.

Unless otherwise approved by the Aviation Director, all contracted taxicabs and shared-ride vans must comply with alternative fuel requirements as set forth in their contracts.

### **11. Driver Requirements**

#### **11.1. Security Background Checks**

All permit applicants shall select, and comply with, one of the following three security background check options during the application process. All drivers operating under an authorized provider's permit or contract must submit to the requirements of the background check option selected by such authorized provider.

##### **11.1.1. Security Background Check Options**

Authorized providers may select one of the following background check options:

1. A finger-print based Criminal History Records Check and Security Threat Assessment (STA) provided by the Aviation Department, at no cost to the applicant.
2. Enhanced name-based security background check, conducted by a third-party agency that is accredited by the National Association of Professional Background Screeners (NAPBS), at the sole expense of the applicant, along with an STA processed by the Aviation Department.
3. Name-based security background check conducted by a third-party agency, at the sole expense of the applicant.

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Any authorized provider using background check options 2 or 3 for drivers operating under its permit or contract shall have an internal adjudication and resolution process for background checks that are not returned with a successful result. Any authorized provider using background check options 2 and 3 for drivers operating under its permit or contract shall conduct recurrent background checks on all drivers eligible to pick-up at the airport not less than once each 24 calendar months.

### **11.1.2. Security Background Check Audits**

Authorized providers using security background check options 2 and 3 will be audited by the Aviation Department. The audit sample may be up to 10% per month of the authorized provider's driver pool who have conducted airport pick-ups in the month preceding the audit request date.

The Ground Transportation Office will randomly select the driver sample and provide the list of driver names and/or unique driver identification numbers to the Security Operations Office. Security Operations will submit the list of drivers to the authorized provider; the authorized provider or its authorized background check company must be prepared within 14 calendar days of receiving the list to attend a meeting with the Aviation Department. The Aviation Department may be represented by its third-party background check auditor. The Aviation Department, or its third-party background check auditor, will schedule the meeting date, time and location.

The authorized provider or its authorized background check provider shall be responsible for bringing to the meeting all records related to the most recent background check conducted on each of the identified drivers for the purpose of inspection by the Aviation Department or its third-party auditor.



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The authorized provider shall immediately suspend any driver operating under its permit or contract from operating at the airport if:

- The driver refuses to consent to the release of information for the purposes of the audit.
- A disqualifying offense is identified during the audit.
- The Aviation Department or its third-party background check auditor determines, based on discrepancies discovered during the audit, that the authorized provider or its authorized background check provider must conduct additional research on any such discrepancy to determine if a disqualifying offense exists.
- The background check was conducted more than 24 calendar months prior to the date of the audit.

Each driver suspension shall remain in effect until the Aviation Department notifies the authorized provider in writing that any discrepancies have been resolved to the satisfaction of the Aviation Department and the authorized provider.

Authorized providers must, for any driver suspended from operating at the airport, provide driver information sufficient to establish identity. Authorized providers must immediately suspend from operating at the airport any driver operating under such authorized provider's permit or contract upon notification from the Aviation Department that that driver has been suspended from operating under another authorized provider's permit or contract.

Authorized providers must conduct a new background check on any audited driver at the request of the Aviation Department or its third-party background check auditor for quality control purposes, or to research, validate, and adjudicate discrepancies discovered during an audit. The authorized provider shall make available to the Aviation Department the complete results of such background check for the purposes of inspection by the Aviation Department or its third-party background check auditor.

From time to time, the Aviation Director may solicit feedback on the auditing processes to ensure the highest level of security involving information exchanged under this section.

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### **11.2. Driver Identification Media**

No driver may engage in commercial passenger pick-up activity on the airport without possessing valid identification media issued pursuant to Phoenix City Code Section 4-69.

Drivers conducting a pick-up under the permit or contract of an authorized provider approved to operate under background check options 1 and 2 must, at all times while at the airport, display the driver identification placard vertically on the dashboard in such manner that can be easily read by passenger(s).

Drivers conducting a pick-up under the permit or contract of an authorized provider approved to operate under background check option 3 with an authorized provider-issued driver identification placard must, at all times while at the airport, display the driver identification placard vertically on the dashboard in such manner that can be easily read by passenger(s). Drivers issued a digital identification media under this option must, at all times while at the airport, be able to display the digital identification media on a mobile device upon request by the passenger(s) or any airport representative.

Drivers who operate under the permit or contract of multiple authorized providers on the airport and, as a result, possess any combination of placard and/or digital identification media, shall at all times display the identification placard, or be able to display the digital identification media, coinciding with the specific authorized provider, but only that authorized provider, for which the pick-up has been arranged. Failure to display the correct identification media specific to the transaction being conducted is prohibited and subject to Phoenix City Code Sections 4-75 and 4-77.

### **11.3. Suspension or Revocation of Driver Identification Media**

In the event the Aviation Director determines additional driver identification information is required for permit and/or rules and regulations enforcement, the authorized provider must furnish such information in writing within three business days.

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In the event the Aviation Director determines a driver approved to operate under an authorized provider's permit or contract has violated federal, state, or local law, statute, ordinance, or rule and regulation, and notifies the authorized provider of a driver's suspension or revocation, the authorized provider shall, within 24 hours, cancel the driver's authorization to operate at the airport.

If a driver operates under the permit or contract of multiple authorized providers, and one or more of the driver's identification media has been suspended or revoked, all identification media for that driver is subject to suspension or revocation.

Tampering with or altering identification media is prohibited under this Rule and Regulation and subject to Phoenix City Code Sections 4-75 and 4-77.

### **11.4. Driver Conduct**

All drivers must conduct themselves in a professional manner and be courteous to the public, passengers, other drivers, airport employees, and airport representatives. Drivers should have the desire and ability to be informative and to provide a positive travel experience for visitors to PHX and local residents. Providing a truly friendly service to users of the system is as important as providing efficient and safe service.

Authorized providers shall be held responsible for the failure of drivers, agents, employees, and other representatives operating under such authorized provider's permit or contract to comply with this Rule and Regulation, including this subsection. The driver and/or authorized provider may be issued an NOV, which may result in suspension and/or revocation of driver identification media, or suspension or revocation of the authorized provider's permit. Such offenses include but are not limited to the following:

- a. Displaying inappropriate, unprofessional driver conduct (e.g., being discourteous or rude; arguing; engaging in loud, boisterous verbal disputes; using profanity; including its likeness or as a gesture);
- b. Engaging in physical fighting, roughhousing, horseplay, or any other unwanted physical contact;
- c. Possessing a deadly weapon as defined in Arizona Revised Statutes;
- d. Coercing, deceiving, or intimidating anyone;
- e. Soliciting passengers;
- f. Scooping passengers for fares;



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- g. Tampering with or circumventing vehicle tracking and billing systems such as automated vehicle identification (AVI) tags, global positioning satellite (GPS) technology equipment, or the AVI Dispatch System;
- h. Altering, defacing, or tampering with driver's identification media;
  - i. Attempting, through device or otherwise, to conceal, obscure, or otherwise limit visibility of a motor vehicle license plate;
  - j. Refusing to accommodate passengers with disabilities (ADA) and/or service animals;
  - k. Interfering in any manner with a passenger's selection of an authorized provider or other form of transportation;
    - l. Allowing another person to use an identification media;
- m. Failing to display vehicle decal or trade dress as directed by the Aviation Director;
- n. Falsifying any documents provided to the Aviation Department;
- o. Interfering with the operation of the airport;
- p. Failing to cooperate with airport staff;
- q. Failing to take the most direct or fastest route, unless otherwise directed by the passenger;
- r. Charging a fare in excess of the established rate or fare agreed upon with the passenger;
- s. Refusing a fare;
- t. Operating a vehicle in an unsafe manner;
- u. Discharging a passenger without cause or in an unsafe manner or location;
- v. Smoking in a non-designated area, including inside a ground transportation motor vehicle;
- w. Bringing unapproved items onto airport property, including the designated waiting areas;
- x. Feeding wildlife, littering, or improperly disposing of trash anywhere on the airport;
- y. Performing vehicle maintenance on the airport;
- z. Stopping, standing, or parking in a non-designated loading zone, or on a crosswalk, sidewalk, or roadway;
- aa. Leaving a vehicle unattended in a posted loading zone at the airport, where "unattended" means the driver is not within 15 feet from the vehicle without approval of Airport Operations staff;
- bb. Using or possessing any alcoholic beverages, dangerous drugs or narcotic while on airport property; and
- cc. Failing to comply with the Phoenix City Code or any other applicable law, ordinance, rule, or regulation.



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In addition to the above, for contracted authorized providers:

- a. Failing to run a taxi meter, as required;
- b. Failing to accept credit cards as a form of fare payment;
- c. Charging a credit card processing fee;
- d. Processing a credit card transaction on equipment outside of the taxicab or shared-ride van service company's system; or
- e. Failing to turn in or notify a company supervisor or operations staff of lost and found property in a timely manner.

### 11.5. Fighting

**The airport has a zero tolerance policy for fighting.** Drivers, operators, and curb coordinators shall not engage in any physical fighting or loud, boisterous verbal disputes. If a dispute develops between a driver and a passenger or another driver, the driver must immediately contact airport operations staff to resolve the dispute.

### 11.6. Driver Attire and Personal Hygiene

Drivers must present a professional appearance at all times. All clothing must be clean and in good condition free from stains, tears, holes, or excessive wear. Clothing should be in good taste and reflective of company professional standards, and not be otherwise offensive to passengers.

To project the best image for airport customers, personal hygiene is required for all drivers and includes maintaining a clean and non-offensive appearance, including clean face, hair, facial hair, body odor, and oral hygiene.

In addition to these Rules and Regulations, contracted taxicab and shared-ride van providers shall comply with driver attire and personal hygiene requirements of their services contracts.

## 12. Vehicle Location Requirements

The Aviation Department and Ground Transportation Office identifies all terminal curbs, designated waiting areas, and other transportation locations that authorized providers and drivers may utilize at PHX. Commercial ground transportation locations may be changed, adjusted, or moved based on airport requirements, construction activity, or other criteria the Aviation Director deems necessary to ensure the safe, orderly, and efficient use of the airport.



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To ensure the safe, orderly, and efficient use of the airport, the Aviation Director may also regulate, limit, or meter the number of authorized provider vehicles on the airport.

### **12.1. Pick-up Locations**

Unless otherwise specified, airport pick-up locations are clearly signed at terminal curbs. Airport pick-up locations, effective June 18, 2016, are identified and depicted in Exhibits A and C through E. Pick-up locations may be adjusted by the Aviation Director from time to time to accommodate construction activity and/or to ensure the safe, orderly, and efficient use of the airport. Authorized providers will be notified of pick-up location changes by the Ground Transportation Office.

Authorized providers entering a designated pick-up location are subject to trip fees established under Phoenix City Code Section 4-78 and the requirements of Section 14 of this Rule and Regulation.

### **12.2. Drop-off Locations**

Authorized providers may only drop-off customers at the inner curbs of all airport terminals, the departure level of Terminal 4, or in parking garages.

Authorized providers, and drivers operating under an authorized provider's permit or contract, who drop-off customers in locations designated as pick-up zones are subject to trip fees established under Phoenix City Code Section 4-78 and Section 14 of this Rule and Regulation.

### **12.3. Designated Waiting Areas**

#### **12.3.1. Locations**

The airport provides two designated waiting areas for drivers operating under an authorized provider's permit or contract to use until such time as the passenger is ready for pick-up in the posted loading zone. There is one designated waiting area located on the west side of the airport along Buckeye Road and one located at 44<sup>th</sup> Street and Washington. Locations are clearly signed. Vehicles must park in marked spaces while in the designated waiting areas. For reference, the designated waiting areas are depicted in Exhibit A of this Rule and Regulation.

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**12.3.2. General**

Drivers operating under an authorized provider's permit or contract may not circle airport terminals while waiting to pick-up customers, unless directed to do so by an airport representative. Authorized providers may use designated waiting areas to wait for a passenger to confirm they have arrived at a designated loading zone. A driver operating under an authorized provider's permit or contract may only proceed to the designated loading zone when a customer confirms that they have arrived at a designated loading zone and are ready for pick-up.

Drivers operating under an authorized provider's permit or contract may not stop, stand, park, congregate, stage, or wait in airport cell phone lots.

**12.3.3. Taxicab Dispatch Procedures**

The first 10 taxicab drivers in line at the designated waiting area must remain with their vehicles, in order to promote the efficiency of the dispatch operation and to ensure timely response to passengers.

When the taxicab is dispatched as shown on the dispatch display board, the driver has three minutes to respond and exit the designated waiting area. If the driver does not respond in three minutes, the vehicle will be placed at the end of the dispatch queue.

A driver who fails to respond three times when dispatched will be removed from the vehicle dispatch queue, at which time the vehicle must exit and re-enter the designated waiting area to be placed back in the queue.

**12.3.4. Care of Designated Waiting Areas**

Drivers must, at all times, be respectful of the equipment, grounds, and buildings provided by the City of Phoenix. At no time may drivers destroy, deface, or tamper with property, or utilize property in a manner inconsistent with its intended purpose or rules and regulations.



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### Drivers:

- a. Must report any damage to the Ground Transportation Office;
- b. Must not feed or provide water to wildlife; doing so presents safety hazards to aircraft operations;
- c. Must dispose of all trash into designated trash receptacles;
- d. Must only bring authorized personal equipment or other items into designated waiting areas;
- e. Must not smoke, except in designated smoking areas;
- f. Must only post on common room bulletin boards items that are professional and relevant to commercial ground transportation at the airport;
- g. Must not solicit customers in any form by vocally calling out or using any other means of attracting customers, nor solicit on behalf of any motel, hotel, day or night club, etc.;
- h. Must not utilize any other person or agent, including but not limited to airport Sky Caps, baggage check persons or any other employees to solicit customers in any manner whatsoever; and
- i. Must not bring food or other items for sale or distribution.

### **12.3.5. Hours of Operation**

The designated waiting areas are operated 24 hours per day and staffed by the Aviation Department.

## **12.4. Parking**

### **12.4.1. Stopping, Standing, Parking**

Drivers operating under an authorized provider's permit or contract may stop, stand, or park only at designated curb locations assigned at each terminal, and only for a period of time long enough to conduct the pick-up/drop-off of passengers and baggage. Extended stopping, standing, parking, or waiting in designated zones is prohibited. Drivers operating under an authorized provider's permit or contract may not stop, stand, or park to pick-up or drop-off passengers in other areas, including bus zones, "no parking" zones, or taxi stands.

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### **12.4.2. Frequent Parker Program**

Effective the sooner of January 1, 2017, or the time an authorized provider is charged trip fees, authorized providers in the prearranged category may enroll in the Frequent Parker Program to receive up to a 25% discount on the first hour parking rate.

### **12.5. Unattended Vehicles**

For security reasons, the airport strictly manages the activity at its terminal curbs and a driver must not leave his or her motor vehicle unattended while in a posted loading zone. A motor vehicle is "unattended" when a driver is not within 15 feet from the vehicle. A driver must remain in his or her vehicle or within a distance of 15 feet for the purposes of meeting/greeting customers and assisting with baggage.

Drivers operating under a prearranged provider's permit, which provider is enrolled in the Frequent Parker Program, may leave their vehicle unattended in the designated public parking garages or parking lots for such duration as is reasonably necessary to greet, pick-up, or drop-off passenger(s).

### **12.6. Commercial Meet and Greet**

In accordance with Phoenix City Code Section 4-68, a prearranged authorized provider, through the permit application process, must be approved by the Aviation Director to conduct meet and greet activity inside the airport terminals. Meet and greet activity is categorized into two types: single party and group.

#### **Single Party Meet and Greet**

A single party meet and greet is an authorized provider picking-up one prearranged party per trip.

During meet and greet activity, an authorized provider's representative or a driver operating under an authorized provider's permit must possess on their person, a waybill and a valid driver's identification placard issued by the Ground Transportation Office. The driver's identification placard must be made available upon request by any airport official.



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Authorized provider representatives or drivers operating under an authorized provider's permit may use a hand-held sign to meet and greet passengers. The signage must comply with the requirements of this section.

Drivers meeting their party must remain a minimum of 15 feet away from any airport information counter, vendor leasehold space, escalator, elevator, or baggage carousel.

### **Group Meet and Greet**

A group meet and greet includes a service organization, generally referred to as a destination management company, whose function is to meet and greet large groups of passenger(s) on a prearranged basis. Organizations shall be registered with the Ground Transportation Office and shall submit a letter of contract and passenger manifest to obtain a meet and greet permit. The organization's representative(s) must possess a paper or electronic copy of the permit while conducting meet and greet activities at the airport and must make such permit available to airport officials upon request.

Additional information regarding meet and greet procedures can be found at <https://skyharbor.com/Business/TenantsAndContractors/GroundTransportation/meet-and-greet-permits> or at the Ground Transportation Office:

City of Phoenix Aviation Department  
Ground Transportation Office  
3300 East Sky Harbor Boulevard  
Phoenix, Arizona 85034

Phone: (602) 273-3383  
Fax: (602) 683-2651  
E-mail: [groundtransportation@phoenix.gov](mailto:groundtransportation@phoenix.gov)

The meet and greet representative must remain at least 15 feet from any airport information counter, vendor leasehold space, escalator, elevator, or baggage carousel.

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### **Meet and Greet Locations**

Meet and greet activity is only permitted in the following regions of each terminal, unless an alternate location is approved in advance by the Aviation Director:

**Terminal 2:** The region east of door five, around baggage claim to the terminal's eastern door.

**Terminal 3:** The region within the central corridor of the baggage claim area between the structural pillars.

**Terminal 4:** The region around the east and west end of baggage claim outside of the glass dividing wall.

**Terminal 4 International:** The region located on the east end of level three, east of Checkpoint B within the seating area near the revolving door.

Meet and greet activity must not impede passenger traffic and is prohibited outside of the listed regions. The Aviation Director may, from time to time, adjust the regions to accommodate airport improvements, construction, or other airport operations.

### **Meet and Greet Signage**

Authorized meet and greet providers are permitted to utilize signage for meet and greet activity. Electronic devices or hand written signage that identifies the customer's name, group name, or logo are required to be small enough to be hand carried and no larger than fourteen inches by eighteen inches (14" x 18"). Signage shall not have connectable parts such as wooden sticks, tri-pods, or other holding devices. At no time shall signage display the name of the authorized provider, hotel, meet and greet organization, or other entity. Signage hardware and messaging must reflect professional business standards.

Signs or electronic devices are not permitted to be placed against any column, counter, or other terminal location. Unattended signs, excess signage, or electronic devices, in addition to any personal belongings, food or beverages, will be confiscated by airport officials.



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**Meet and Greet Activities**

Individuals conducting meet and greet activities shall welcome passengers and assist them in locating their baggage. All meet and greet activity shall be conducted in a professional, orderly, and efficient manner. A person authorized to conduct meet and greet activities under this section shall not solicit or accept, directly or indirectly, any fare other than the prearranged fare.

The Aviation Director may establish apparel requirements for drivers and representatives conducting authorized meet and greet activity, such as hats, t-shirts, small badges, or similar items, consistent with Section 11.6.

**13. Vehicle Trip Tracking**

Unless otherwise specified, and in accordance with Phoenix City Code Chapter 4, Article IV, no authorized provider may engage in the activity of passenger pick-ups on the airport without using AVI, GPS, or other technology-based trip tracking, as approved by the Aviation Director.

All ground transportation motor vehicles must use one of the following vehicle tracking methods:

**13.1. Automatic Vehicle Identification (AVI) System**

AVI is a sophisticated and accurate vehicle tracking system using electronic readers positioned throughout the airport working in conjunction with AVI vehicle tags affixed to vehicles. The system is designed to read AVI tags as they pass by a reader, creating an electronic read event. The system allows the Ground Transportation Office to track vehicle activity and provides reporting information utilized to determine trips.

For authorized providers approved to use AVI trip tracking, every ground transportation motor vehicle used under that authorized provider's permit or contract must have installed a fully operable AVI tag, issued by the Aviation Department. The Ground Transportation Office reserves the right to conduct random inspections of AVI tags issued by the Aviation Department.

AVI tags shall at all times remain the property of PHX. AVI tags issued to an authorized provider shall be returned to the Aviation Department upon request.

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**13.2. Global Positioning Satellite (GPS) Technology**

An authorized provider using GPS trip tracking must comply with the following:

- a. The authorized provider must provide an electronic data feed using standard web service protocol in a format specified by the Aviation Department.
- b. Except as approved by the Aviation Director, the authorized provider must disable the ability for a driver operating under such authorized provider's permit or contract, to accept a reservation while that driver is on the airport, as defined by the geofence in this section, unless the driver is in a designated waiting area, as defined in this section.
- c. Except as otherwise approved by the Aviation Director, the authorized provider must implement a first in, first out dispatch system, or similar system from the designated waiting areas, for drivers operating under the authorized provider's permit or contract.
- d. Drivers operating under an authorized provider's permit or contract must be able to produce a digital identification and virtual waybill in accordance with Phoenix City Code.
- e. Drivers may not circumvent the GPS technology in any way. Illegal technology tampering and pick-ups will be subject to enforcement of this Rule and Regulation and Phoenix City Code Sections 4-75 and 4-77.

Any authorized provider using GPS trip tracking must track, record, and transmit trip information outlined in this section electronically in real-time, and in a monthly report submitted to the Aviation Department as defined in section 13.4 of this rule and regulation. The real time and monthly report must include the date, time, geographic location using latitude and longitude, unique identifying number of the driver operating under that authorized provider's permit or contract that has been linked to the individual driver by the authorized provider, the vehicle license plate number, the geofence identification, and a unique trip identification number, in a manner that allows the Aviation Director to audit the authorized provider's compliance with permit or contract terms and conditions for each of the following:

- Vehicle entrance onto the airport;
- Vehicle entrance into a geofence sub-perimeter;
- Passenger pick-up or drop-off;
- Vehicle exit from a geofence sub-perimeter; and
- Vehicle exit from the airport.



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**13.2.1. Geofence**

The Airport Director will establish the geofence boundaries and geofence sub-perimeters and may adjust the boundaries of the geofence and add or adjust sub-perimeters to ensure the safe, orderly, and efficient flow of traffic, and/or to accommodate new technologies.

The geofence includes an outside perimeter boundary limit and inside sub-perimeter boundaries that identify the specific operating locations on the airport. Each geofence and sub-perimeter is identified by a geofence identification as depicted in Exhibit B.

Authorized providers must comply with zones as identified by geofence sub-perimeters, which establish passenger pick-up areas, blackout areas, designated waiting areas, and other areas as defined by the Aviation Director. Special operating locations are depicted in Exhibit B.

An authorized provider using GPS must:

- a. Be able to demonstrate to the Aviation Director it has installed approved geofence monitoring software that is triggered by or with the provider's mobile application, and that allows the Aviation Director to track drivers upon entrance to, and travel within, the geofence.
- b. Be able to integrate with a third-party monitoring service that allows the Aviation Director to view, search, query, and create reports on trip transactions in real-time, as well as access historical information, in both report and map format.
- c. Be able to integrate with a third-party monitoring service that allows the Aviation Director to access all information required by this section electronically in real-time.

**13.2.2. Virtual Waybill**

A driver operating under an authorized provider's permit or contract using GPS must keep the authorized provider's mobile application open at all times while on the airport.

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A virtual waybill, for every passenger pick-up or drop-off conducted on the airport, must be created and documented electronically by the authorized provider's mobile application before the vehicle enters a designated pick-up or drop-off location, and must be presented in real-time to the Aviation Director upon request. A virtual waybill must include:

- Digital identification of the authorized provider;
- The first and last name of the driver;
- A color photo of the driver depicting current appearance;
- The make, model, and license plate number of the vehicle
- The passenger's name; and
- The date and time of the transaction.

### **13.3. Month-End Reporting**

For billing purposes, authorized providers using GPS trip tracking must submit a trip report to the Aviation Director by the 15<sup>th</sup> calendar day following the previous month's activity. The report must, for each day of operations, include information pursuant to Section 13.2 of this Rule and Regulation for the Aviation Director to validate the number of trips the authorized provider is reporting.

## **14. Trip Fees**

In accordance with Phoenix City Code Section 4-78, all authorized providers shall pay trip fees.

### **14.1. Billing**

The Aviation Department will calculate the number of trips and generate a monthly trip fee invoice using AVI, GPS, or audit of an authorized provider's approved self-report. The Aviation Department:

- a. Will provide a monthly invoice within 20 calendar days following the previous month's activity.



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- b. Requires payment of all invoices in full 30 days from the invoice date. While Aviation intends to make electronic payments available in the future, current payments must be submitted to the following lock-box:

City of Phoenix Aviation Department  
P.O. Box 29110  
Phoenix, Arizona 85038-9110

Payments must indicate the authorized provider's name, customer number, and invoice number to ensure correct processing.

- c. Will assess delinquent fees in accordance with the delinquency account provisions of Phoenix City Code Section 4-7, and Section 14.2 of this Rule and Regulation.
- d. Requires the authorized provider who wishes to dispute a billing error to comply with the trip fee dispute resolution process outlined in Section 14.3 of this Rule and Regulation.

As part of billing account management, all authorized providers will be issued log-on capability to web-based software to track vehicle trips which are published within 24 hours of trip completion. It is the responsibility of the authorized provider to regularly track activity online and communicate with the Ground Transportation Office if a discrepancy is discovered. If a resolution is not reached and a billing error occurs, an authorized provider may file a dispute in accordance with Section 14.3 of this Rule and Regulation.

**14.2. Delinquent Account Fees**

Authorized providers agree to pay trip fee invoices by the due date. All sums unpaid after 30 calendar days from the invoice date will be subject to delinquent account fees pursuant to Phoenix City Code Section 4-7.

Delinquent account fees will be computed and accrued on a daily basis, and assessed until the account balance, including delinquent fees, is paid in full.

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**14.3. Trip Fee Administrative Protest**

If an authorized provider disputes any trip fee, the authorized provider must submit a written protest to the Aviation Director within 30 calendar days from the invoice date. The protest must include detailed documentation of the trip fee calculation the authorized provider believes to be incorrect.

The protest must be delivered via certified mail to:

City of Phoenix Aviation Department  
Ground Transportation Office  
Manager/Superintendent  
Attention: Trip Fee Administrative Protest  
3300 East Sky Harbor Boulevard  
Phoenix, Arizona 85034

The Aviation Director will investigate the protest and deliver a decision to the authorized provider within 15 business days of receipt of the written protest.

Delinquent fees on any outstanding amounts due from the provider will accrue while the fees are being disputed and until the total is paid in full. The delinquent fees will be reversed and the trip fee corrected in the event the Aviation Director's decision confirms the provider's calculation.

**14.4. Trip Fee Administrative Appeal**

If the authorized provider objects to the Aviation Director's decision, the authorized provider may administratively appeal the Aviation Director's decision and obtain a review by a hearing officer designated by the Aviation Director. The hearing officer assigned to the dispute shall in no event be an employee of the Aviation Department.

The authorized provider must submit the appeal, in writing, within 10 business days after receipt of the Aviation Director's decision.



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The appeal must be delivered via certified mail to:

City of Phoenix Aviation Department  
Ground Transportation Office  
Manager/Superintendent  
Attention: Trip Fee Administrative Appeal  
3300 East Sky Harbor Boulevard  
Phoenix, Arizona 85034

The appeal must include the following:

- Statement of the amount in dispute;
- Detailed statement of the authorized provider's trips during the period in dispute and counting methodology;
- Statement of the reasons why the Aviation Director's decision was incorrect and the amount of adjustment to be made; and
- Request for a hearing if one is desired.

The hearing officer will request from the Aviation Department a written response to the issues raised. The Aviation Department will submit to the hearing officer, and mail to the authorized provider, a written response to the hearing officer's request within 15 business days of receipt of such request.

If a hearing is not requested, the hearing officer will make a decision on the appeal based on the written evidence submitted.

A hearing, if requested, shall be scheduled as established by the hearing officer. The hearing will be conducted in accordance with the rules and procedures established by the hearing officer. Hearings will be conducted informally and the rules of evidence will not apply, except that the decision of the hearing officer will be made solely upon substantial and reliable evidence. The authorized provider will have the opportunity to appear with witnesses and counsel to present information and testimony on its behalf. All expenses incurred in the hearing, including counsel fees, witness fees, mileage, reproduction of documents, and other similar costs, will be borne by the party who incurred them.

At the hearing, or within 15 business days thereafter, the hearing officer will make a written determination on the factual evidence presented. A copy of this determination will be sent by registered or certified mail to the authorized provider and the Aviation Department.

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If the hearing officer determines the authorized provider's objection to be invalid, the authorized provider shall be responsible for payment of the trip fees in question and any delinquent fees as applicable.

If the hearing officer determines the authorized provider's objection to be valid, the hearing officer shall have the authority to initiate an appropriate adjustment to the trip fee calculation and billing, including a reversal of any accrued delinquent fees. The determination of the hearing officer shall be final and conclusive between the City and the authorized provider.

### **15. Administrative Enforcement**

#### **15.1. Notice of Violation**

In accordance with Phoenix City Code Section 4-75, the Aviation Director may issue an NOV to an authorized provider, or driver operating under its permit or contract, that by act or omission, has violated Chapter 4, Article IV of the Phoenix City Code, or this Rule and Regulation. NOV's may result in suspension of or revocation of a permit, and suspension or revocation of identification media.

Enforcement staff and contracted staff are present on the airport to ensure the safe, orderly, and efficient flow of traffic and shall have the authority to issue NOV's.

The following violations, to the extent applicable, are categorized by levels and shall apply to any NOV issued to an authorized provider or driver operating under its permit or contract. As operational requirements change, Table 1.2 may be amended from time to time.



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**Table 1.2 Notice of Violation Schedule**

<b>Level 1 – Violations (10 Points)</b>
Attempting, through device or otherwise, to conceal, obscure, or otherwise limit visibility of a motor vehicle license plate
Conducting group meet and greet activity without an authorized permit
Displaying inappropriate, unprofessional driver conduct (e.g., being discourteous or rude, arguing, engaging in loud, boisterous verbal disputes, using profanity, including its likeness or as a gesture)
Failure of contracted authorized provider to accept credit card as form of payment for a fare
Failing to display vehicle decal or trade dress as directed by the Aviation Director
Failing to take the most direct or fastest route, unless otherwise directed by the passenger
Failing to turn in lost and found property
Failing to run taxi meter
Interfering in any manner with a passenger's commercial provider selection
Invalid or missing driver identification media
Invalid or missing vehicle decal or trade dress
Invalid or unable to display physical or virtual waybill
Littering
Non-compliance with airport staff
Not displaying fares
Parking in an area not designated for parking
Parking, stopping, or standing in a non-designated loading zone or on a crosswalk, sidewalk, or roadway
Performing vehicle maintenance on the airport
Smoking in a non-designated area
Vehicle safety repair (windshield, dents, tires, lights, etc.)
Violation of airport rules and regulations
Violation of Phoenix City Code



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<b>Level 2 – Violations (20 Points)</b>
Charging a fare in excess of the established rate
Charging a trip fee to customer (contracted authorized providers)
Charging excessive rates that are not agreed to by the passenger
Coercing, deceiving, or intimidating anyone
Engaging in roughhousing, horseplay, or any other unwanted physical contact
Failing to cooperate with airport and enforcement staff
Picking up passenger in location not designated for passenger pick-up
Processing a credit card transaction on equipment outside of the taxicab or shared-ride van service company's system
Refusing a fare
Unauthorized soliciting of passenger/scooping
Unattended vehicle

<b>Level 3 – Violations (50 Points)</b>
Allowing another person to use an identification media
Altering, defacing, or tampering with driver's identification media
Assault or engaging in physical fighting
Discharging a passenger without cause or in an unsafe manner or location
Falsifying any documents provided to the Aviation Department
Feeding wildlife
Interfering with the operation of the airport
Leaving a vehicle unattended at a terminal curb staging area without approval of Airport Operations staff
Operating a vehicle in an unsafe manner
Possessing a deadly weapon as defined in Arizona Revised Statutes
Possession of an illegal substance
Refusing to accommodate passengers with disabilities (ADA) and/or service animals
Road Rage
Tampering with AVI tags, GPS technology equipment, or circumventing the AVI Dispatch System



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**City of Phoenix Aviation Department Rules & Regulations**

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When an NOV is issued by the Aviation Director, the following point and associated suspension or revocation schedule will apply:

<b>Violation Level</b>	<b>Each Offense</b>
Level 1 Violations	10 points
Level 2 Violations	20 points
Level 3 Violations	50 points

<b>Rolling 36 Months Accumulated Points</b>	<b>Driver Penalty</b>
20 Points	5 Day Driver Suspension
30 Points	15 Day Driver Suspension
40 Points	30 Day Driver Suspension
60 Points	60 Day Driver Suspension and/or Revocation
61+ Points	180 Day Driver Suspension and/or Revocation

Notwithstanding the foregoing schedules, the Aviation Director may issue an NOV to an authorized provider, or to a driver operating under that authorized provider's permit or contract, where the driver engages in conduct that, whether or not identified above, the Aviation Director determines constitutes a threat to airport operations, or to the public health, safety, or welfare.

An authorized provider, or a driver operating under the authorized provider's permit or contract, that accrues violations in a rolling 36-month period may be subject to any combination of suspension or revocation of airport operating privileges. Suspension and/or revocation of operating privileges includes **all** permits or contracts under which the driver conducts passenger pick-ups.

Drivers and authorized providers that commit egregious or unlawful acts are subject to immediate suspension and/or revocation of their operating privileges. If the driver's operating privileges have been revoked, the driver will not be approved to operate at the airport with future authorized providers.



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### 15.2. Aviation Administrative Reviews

Authorized providers may request an administrative review within five calendar days of the date personally served with the NOV, or within seven calendar days from the date the Ground Transportation Office notifies the authorized provider by e-mail or U.S. mail. The protest must be emailed or delivered via certified mail to:

City of Phoenix Aviation Department  
Ground Transportation Office  
Attention: NOV Reviews  
3300 East Sky Harbor Boulevard  
Phoenix, Arizona 85034  
[gtnov@phoenix.gov](mailto:gtnov@phoenix.gov)

Administrative reviews that are requested by an authorized provider will be scheduled by the Ground Transportation Office.

Administrative reviews will be conducted informally by a review officer assigned by the Aviation Director. The authorized provider's authorized signer or designated local point of contact, and the driver operating under the authorized provider's permit or contract, will be required to attend. The driver must bring any and all identification placards issued to that driver to the review. All parties will be notified by the Ground Transportation Office of the scheduled date and time of the review.

Administrative reviews will be held at the Airport Operations offices and attendees must check-in with the Ground Transportation representative 15 minutes prior to their scheduled review time.

The administrative review officer is not bound by technical rules of evidence. The review officer must base the decision on substantial and reliable evidence, and the burden of proof will be on the authorized provider requesting the review.

As part of the request, if the authorized provider submits evidence to demonstrate that the authorized provider has promptly remedied the violation and that remedy is deemed sufficient by the airport representative, then a suspension or revocation of the permit, or the suspension or revocation of the identification media, will be voided.



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Following the administrative review, the review officer has the immediate authority to affirm, modify, or reverse the NOV. If the authorized provider and/or driver fail to appear for the review, the NOV will be upheld and assessed to the driver and/or authorized provider. When an NOV is affirmed, the authorized provider and the driver operating under the authorized provider's permit or contract will be notified either orally, electronically, or by mail.

Points will be added to the authorized provider's and driver's transportation file maintained by the Ground Transportation Office. The Aviation Director may, at the time the authorized provider seeks permit renewal, choose not to renew a permit if such authorized provider has accrued excessive points.

### **15.3. Administrative Appeals**

In accordance with Phoenix City Code Section 4-75, an authorized provider that is aggrieved by the review officer's decision may request an appeal with a hearing officer so designated by the Aviation Director within 10 calendar days of such decision.

## **16. Lost and Found**

### **16.1. Shared-Ride Van and Permit**

Drivers operating under a shared-ride van services contract or under an authorized provider's permit must return all property left by a passenger in a motor vehicle to the owner.

The City will not assume liability in any case where an authorized provider, or driver operating under its permit or contract, makes direct lost and found arrangements with a customer.



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**16.2. Taxicab**

Drivers operating under a taxicab services contract must either:

- A. Return all property left by a passenger in a motor vehicle to one of the following within 30 minutes of its discovery:
  - a. Taxicab service company road supervisor;
  - b. Designated waiting area dispatcher/starter;
  - c. Ground Transportation Office; or
  - d. Airport Operations staff.

Drivers must refer customers to the Ground Transportation Office to retrieve their property. The airport lost and found number is (602) 273-3333; or

- B. Return the property to the owner. Prior to returning the property to the owner, the driver must notify his or her authorized signer or designated local point of contact. The driver may not charge a fare or service fee for delivering the property to the owner, unless the owner has agreed to pay the driver prior to delivery.

The City will not assume liability in any cases where an authorized provider, or driver operating under its permit or contract, makes direct lost and found arrangements with a customer.

**17. Compliance**

Each authorized provider and each driver operating under that authorized provider's permit or contract, must comply at all times with all applicable federal, state, and local laws, statutes, ordinances, and rules and regulations.

Each authorized provider and each driver operating under that authorized provider's permit or contract, must comply at all times with all present and future grant assurances provided by the City to any governmental authority, including, without limitation, to the United States Department of Transportation, the Federal Aviation Administration, and the Transportation Security Administration.



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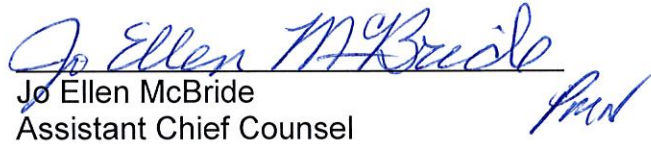
This rule and regulation is intended to supplement and not amend, repeal, or supersede the provisions of Phoenix City Code Chapter 4.

This rule and regulation is hereby adopted and promulgated this 17<sup>th</sup> day of June, 2016.



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James E. Bennett, A.A.E.  
Director of Aviation Services



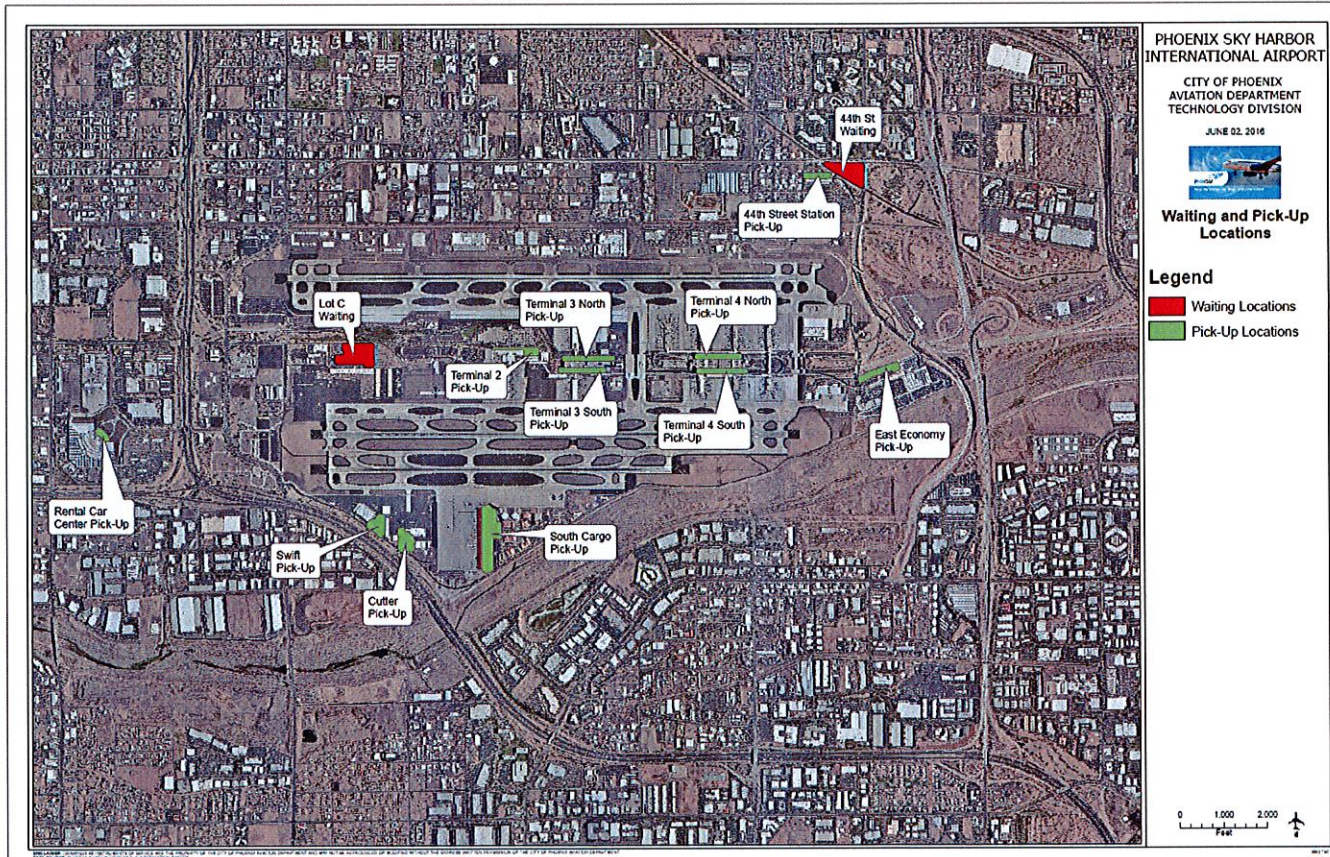
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Jo Ellen McBride  
Assistant Chief Counsel

City of Phoenix Aviation Department Rules & Regulations

Exhibit A

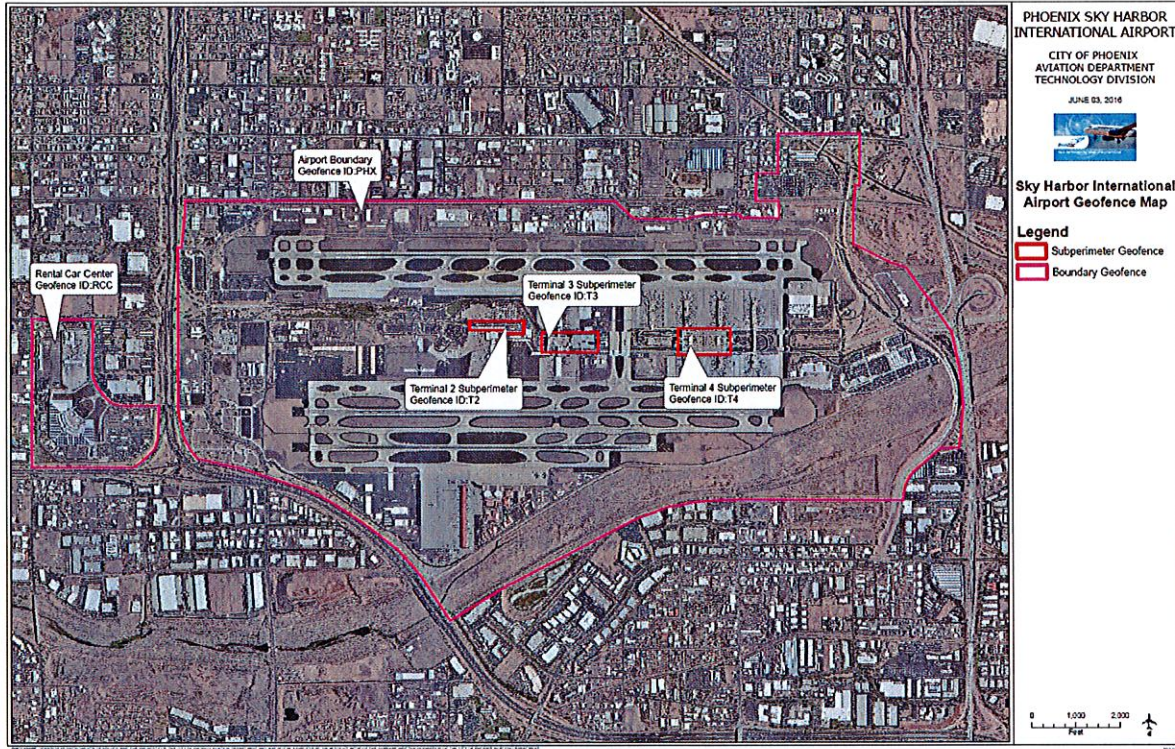
Sky Harbor International Airport Map



City of Phoenix Aviation Department Rules & Regulations

Exhibit B

Sky Harbor International Airport Geofence Map



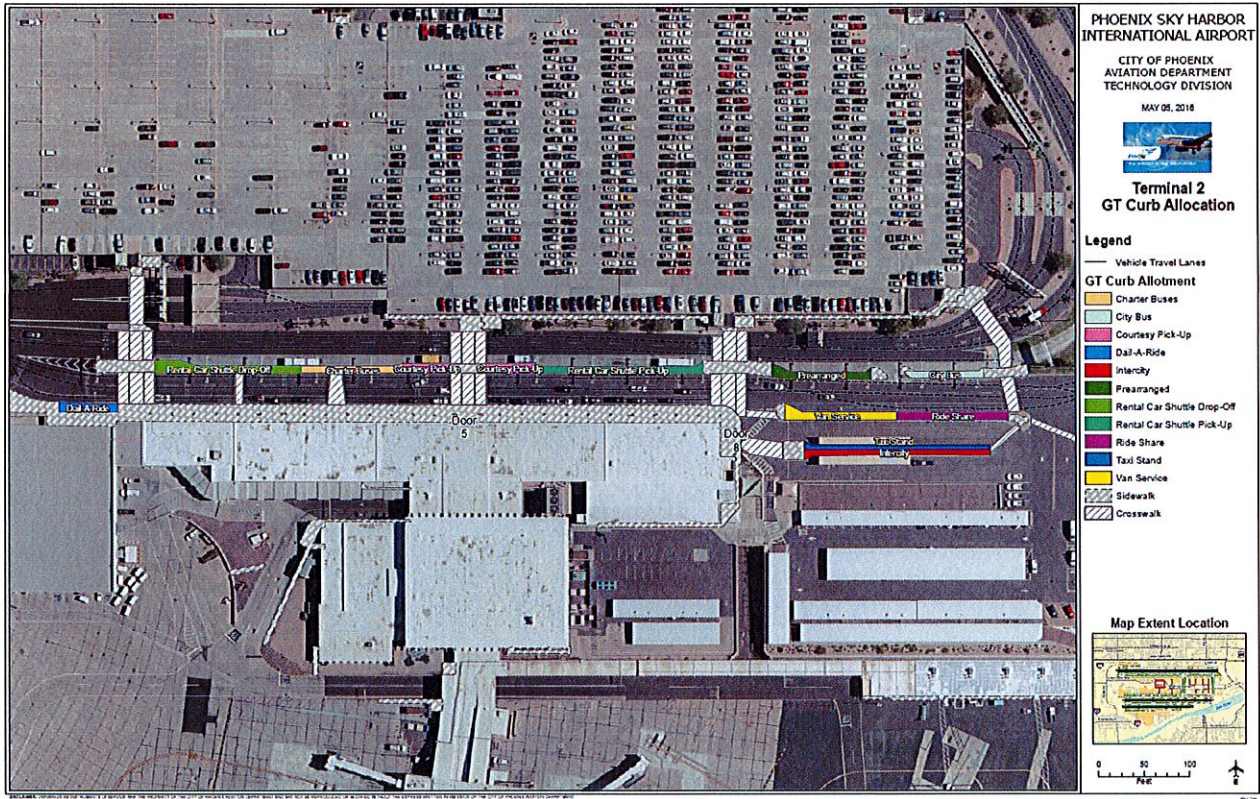


# PHOENIX SKY HARBOR INTERNATIONAL AIRPORT

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## City of Phoenix Aviation Department Rules & Regulations

### Exhibit C Airport Pick-up Location Map Terminal 2

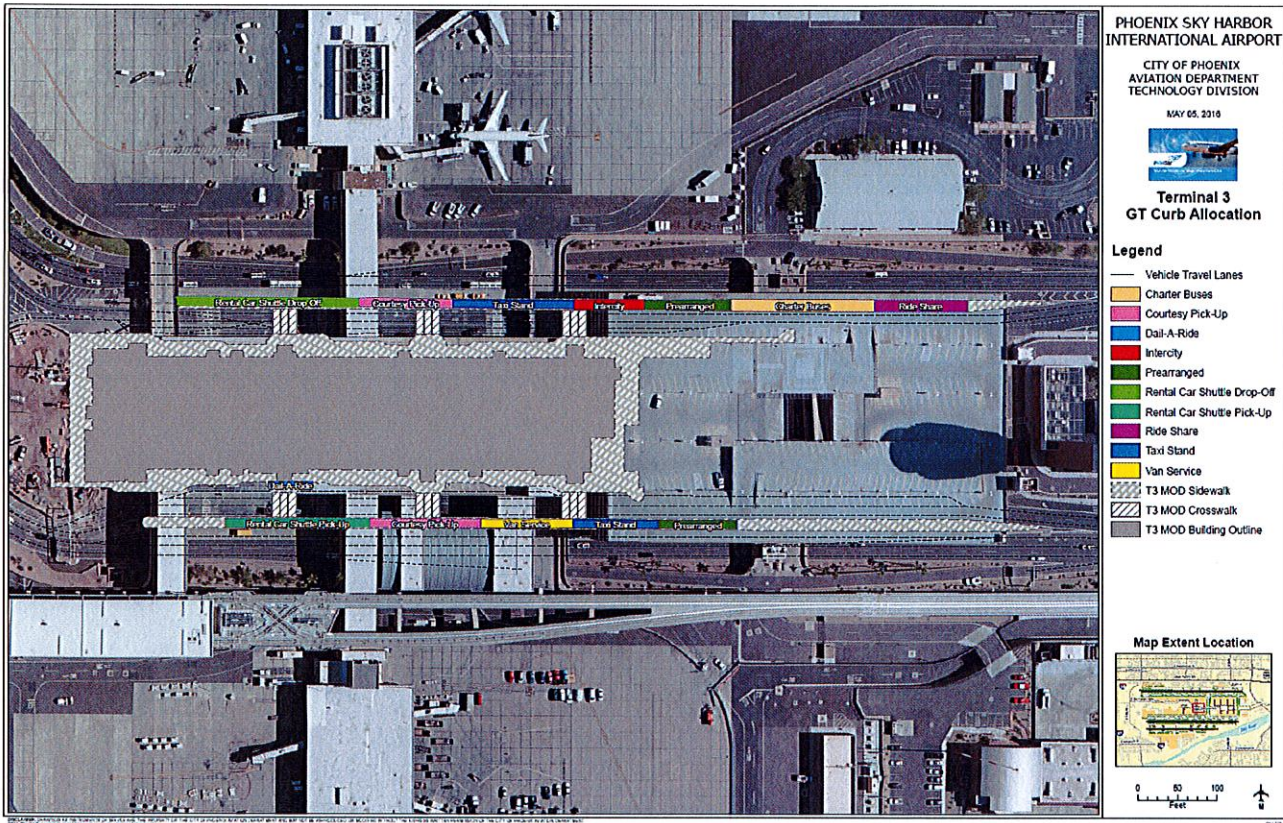




City of Phoenix Aviation Department Rules & Regulations

Exhibit D

Airport Pick-up Location Map  
 Terminal 3





# PHOENIX SKY HARBOR INTERNATIONAL AIRPORT

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### Exhibit E

### Airport Pick-up Location Map Terminal 4

