



1 providing taxicab service, limousine service, luxury-vehicle service, airport-shuttle  
2 service, courtesy-vehicle service, medical-transport service, special paratransit  
3 service, tour service, transportation network company service, and all other  
4 prearranged and demand-response ground transportation services.

5 (b) *Transportation Network Company* or *TNC* shall mean an entity licensed to  
6 do business within the State of Arkansas which holds a valid permit for a ground  
7 transportation service in the city, and which uses a digital network or software  
8 application to connect passengers to services provided by Transportation Network  
9 Company Drivers. A Transportation Network Company does not own or operate the  
10 vehicles used by its drivers, and is not a taxicab as defined in this ordinance.

11 (c) *Transportation Network Company Driver* or *TNC Driver* shall mean an  
12 individual who operates a motor vehicle that is:

13 (1) owned, leased, or otherwise authorized for for-hire use by the  
14 individual;

15 (2) not a taxicab; and,

16 (3) used to provide Transportation Network Company Services.

17 (d) *Transportation Network Company Services* or *TNC Services* shall mean  
18 transportation of a passenger between points chosen by the passenger and  
19 prearranged with a Transportation Network Company Driver through the use of a  
20 Transportation Network Company digital network or software application.  
21 Transportation Network Company Services shall begin when a Transportation  
22 Network Company Driver becomes accessed to a digital network or software  
23 application service which notes that the driver is available to provide ground  
24 transportation services within the City. Transportation Network Company Service  
25 is not a taxicab or street hail service.

26 **Section 3.** Little Rock, Ark., Rev. Code § 34-19 (1988) is hereby amended to address the following  
27 subsections:

28 (f) Except for a Transportation Network Company, each ground transportation  
29 operator shall maintain a central place of business in an area zoned for such, for the  
30 purposes of receiving calls and dispatching vehicles. With the exception of taxicab  
31 operators, livery vehicle operators and premium taxicab operators, such place of  
32 business shall be open and staffed for a minimum of twenty-four (24) hours a day,  
33 five (5) days a week, provided, however, a person that operators a limousine service,  
34 a luxury vehicle service, or a specialized transportation service may maintain such

1 an office that is open a minimum of eight (8) hours each day if such person also  
2 maintains an answering or other call intake service that is available a minimum of  
3 twenty-four (24) hours a day, five (5) days a week. With respect to taxicab operators,  
4 livery vehicle operators and premium taxicab operators, such place of business shall  
5 be open and staffed for a minimum of twenty-four (24) hours a day, seven (7) days  
6 a week. A Transportation Network Company shall maintain a site that can be  
7 reached via the internet, email, or other digital or telephonic communications,  
8 twenty-four hours a day, seven (7) days a week. Each ground transportation service  
9 operator shall file and keep current with the administrator, the address, telephone  
10 number, and internet, email or other digital access information, maintained pursuant  
11 to this subsection.

12 **Section 4.** Little Rock, Ark., Rev. Code § 34-20 (1988) on insurance requirements is hereby amended  
13 to read as follows:

14 (a) *Insurance requirement.* No person, firm or corporation authorized by a  
15 permit to this chapter may operate a vehicle for the transportation of passengers  
16 within the city, without first securing, and maintaining in force at all relevant times,  
17 a commercial auto liability policy insurance policy issued by a company authorized  
18 to do business in the state covering each vehicle to be used for the transportation  
19 service and in the following amounts:

20 (1) For taxicab franchises, livery vehicles, premium taxicabs,  
21 Transportation Network Company Drivers, and all executive sedans  
22 and antique vehicles: two hundred fifty thousand dollars (\$250,000.00)  
23 for the injury or death of any one (1) person and subject to that limit  
24 for each person; Five Hundred Thousand Dollars (\$500,000.00) total  
25 liability for any one (1) accident; and Two Hundred Fifty Thousand  
26 Dollars (\$250,000.00) for each accident regarding damage to property,  
27 with a maximum of Fifty Thousand Dollars (\$50,000.00) deductible  
28 coverage per incident. Said insurance in effect shall be for demand-  
29 response service vehicles, not scheduled or routed service vehicles, and  
30 any vehicle used by a Transportation Network Company Driver.

31 (2) *For SUVs, extended vans, airport shuttle vehicles, and*  
32 *limousines:* Two Hundred Fifty Thousand Dollars (\$250,000.00) for  
33 the injury or death of any one (1) person and subject to that limit for  
34 each person; One Million Dollars (\$1,000,000.00) total liability for any

1 one (1) accident; and Five Hundred Thousand Dollars (\$500,000.00)  
2 for each accident regarding damage to property, with a maximum of  
3 Twenty-Five Thousand Dollars (\$25,000.00) deductible coverage per  
4 incident. Said insurance in effect shall be for scheduled or routed  
5 service vehicles, not demand-response service vehicles.

6 (3) *For specialized transportation service vehicles and courtesy*  
7 *service vehicles, exclusive of those ground transportation service*  
8 *vehicles, or drivers, described above:* Two Hundred Fifty Thousand  
9 Dollars (\$250,000.00) for the injury or death of any one (1) person and  
10 subject to that limit for each person; Five Hundred Thousand Dollars  
11 (\$500,000.00) maximum liability for each accident; and Two Hundred  
12 Fifty Thousand Dollars (\$250,000.00) for each accident regarding  
13 damage to property, with a maximum of twenty-five thousand dollars  
14 (\$25,000.00) deductible coverage per incident.

15 (b) *Certificate of insurance.* The liability insurance coverage shall be evidence  
16 by a current certificate of insurance covering each vehicle permitted pursuant to this  
17 chapter filed annually with the administrator or designated agent.

18 (c) *Notice of insurance policy cancellation to be sent to the city.* Each  
19 insurance certificate shall include a representation by the insurance carrier that  
20 notice of cancellation will be sent to the administrator or his designated agent at least  
21 ten (10) days prior to cancellation. Upon lapse or cancellation of such policy, the  
22 permit granted to the person, firm or corporation shall be temporarily suspended  
23 pending notice of hearing, and no for-hire transportation services will be provided  
24 until the conclusion of such hearing and reinstatement of any suspended permit.

25 (d) To the extent that the insurance of a Transportation Network Company or  
26 a Transportation Network Company Driver may be found to cover actions of  
27 misconduct by the driver, neither the company nor the driver shall rely upon any  
28 language in any personal, corporate or business documents, that would expressly  
29 waive for any passenger or any person other than the driver involved in an incident,  
30 the right to seek any and all liability, claims or damages arising from or in any way  
31 related to the third party transportation provider; for purposes of this subsection, this  
32 lack of a waiver applies only to the Transportation Network Company, and the  
33 Transportation Network Company Driver, and in no way applies to any digital or  
34 internet application company whose involvement with a particular ground

1 transportation service is merely to facilitate the internet or software connection  
2 necessary to accomplish the for-hire transportation.

3 (e) Additional insurance provisions for Transportation Network Companies or  
4 Transportation Network Company Drivers.

5 (1) If an accident occurs involving a motor vehicle that is being used  
6 to provide Transportation Network Company services, the  
7 Transportation Network Company Driver shall provide proof of  
8 insurance information to all parties involved in the accident regarding  
9 liability insurance for the driver's vehicle and the company at the time  
10 of the accident. This information shall include:

11 (A) The amount of insurance provided by the company, and the  
12 amount of insurance provided by the driver including, but not limited  
13 to, the name of the insurance company, its location, and contact  
14 information necessary to make a claim against the insurance;

15 (B) The name and address of a responsible person for the company  
16 with whom a person involved in an accident, or that person's  
17 representative, can discuss the claim with the company.

18 **Section 5.** Little Rock, Ark., Rev. Code, Chapter 34 (1988) is hereby amended to add the following  
19 language:

20 *Rules and Regulations for Transportation Network Companies and for*  
21 *Transportation Network Company Drivers*

22 (a) *Requirement for Transportation Network Company Permit.* A person shall  
23 not operate a Transportation Network Company that conducts business within the  
24 corporate limits of the city without first having obtained a permit from the city.

25 (b) Requirement for Transportation Network Company Driver Permit. A  
26 person shall not provide any ground transportation service as a Transportation  
27 Network Company Driver within the corporate limits of the City without having first  
28 obtained a permit from the City.

29 (c) *Annual Permit Fee.* The city shall issue a permit to each applicant that meets  
30 the requirements for a Transportation Network Company or Transportation Network  
31 Company Driver as set forth in this Article, upon the fulfillment of all requirements  
32 within this Chapter of the Little Rock Code, and upon the payment of the relevant  
33 annual permit fee of:

1 (1) \_\_\_\_\_ for a Transportation Network Company  
2 with 1-50 automobiles approved for service by the company within the  
3 corporate limits of the City; or,

4 (2) \_\_\_\_\_ for a Transportation Network Company  
5 with 50 or more automobiles approved for services by the company with  
6 the corporate limits of the City; or,

7 (3) \_\_\_\_\_ for a Transportation Network Company  
8 Driver.

9 (d) *Agent for Service of Process.* The Transportation Network Company shall  
10 maintain an agent for service of process within the State of Arkansas.

11 (e) *Fare Charged for For-Hire Transportation Services.* A Transportation  
12 Network Company may charge a fare for the services provided to passengers;  
13 provided that, if a fare is charged, the TNC shall disclose to passengers the fare  
14 calculation method on its website or within the software application service. The  
15 TNC shall also provide passengers with the applicable rates being charged and the  
16 option to receive an estimated fare before the passenger enters the TNC Driver's  
17 vehicle. The TNC shall disclose to the passenger prior to making a reservation if it  
18 is operating during a period of dynamic pricing. The TNC Driver shall also provide  
19 the passenger an option to be notified when the time of dynamic pricing is no longer  
20 in effect. In addition to this notice, the TNC shall contact the passenger as soon as  
21 practicable of this same information.

22 (f) *Identification of Transportation Network Company Vehicles and Drivers.*  
23 The TNC's software application or website shall display a picture of the TNC Driver,  
24 and the license plate number of the motor vehicle utilized for providing the TNC  
25 Service before the passenger enters the TNC Driver's vehicle.

26 (g) *No Cash Trip; Electronic receipt.* Because no cash trip is allowed to a TNC  
27 or a TNC Driver, then within a reasonable period of time following the completion  
28 of a trip, a TNC shall transmit an electronic receipt to the passenger that lists:

- 29 (1) The origin and destination of the trip; and,  
30 (2) The total time and distance of the trip; and,  
31 (3) An itemization of the total fare paid, if any.

32 (h) A Transportation Network Company shall adopt a policy of non-  
33 discrimination on the basis of destination, race, color, national origin, religious belief

1 or affiliation, sex, disability, age, sexual orientation or sexual identity with respect  
2 to passengers and potential passengers and notify TNC Drivers of such policy.

3 (i) TNC Drivers shall comply with all applicable laws regarding non-  
4 discrimination against passengers or potential passengers on the basis of destination,  
5 race, color, national origin, religious belief or affiliation, sex, disability, age, sexual  
6 orientation, or gender identity.

7 (j) TNC Drivers shall comply with all applicable laws relating to  
8 accommodation of service animals;

9 (k) Neither a TNC, nor a TNC driver, shall impose additional charges for  
10 providing services to persons with physical disabilities because of those disabilities.  
11 A TNC shall provide passengers an opportunity to indicate whether they require a  
12 wheelchair-accessible vehicle. If a TNC cannot arrange wheelchair-accessible TNC  
13 Service in any instance, it shall direct the passenger to an alternate provider of  
14 wheelchair-accessible service, if available.

15 (l) *Records.* A Transportation Network Company shall maintain:

16 (1) individual trip records for at least one (1) year from the date each  
17 trip was provided; and

18 (2) TNC Driver records at least until the one year anniversary of the  
19 date on which a TNC Driver's activation on the TNC digital network  
20 has ended.

21 (m) *Transportation Network Company Driver*

22 (1) A TNC Driver shall have submitted an application to the TNC  
23 which includes, but is not limited to, information as to age, address,  
24 Arkansas Driver's License Number, motor vehicle registration, and all  
25 automobile liability insurance required by this Chapter; and

26 (2) Shall be at least twenty-one (21) years old; and,

27 (3) Shall not knowingly allow any ground transportation service  
28 vehicle, or other vehicle permitted under this chapter, to be used in the  
29 perpetration of a crime or misdemeanor; and,

30 (4) Shall not drink any intoxicating liquor or be under the influence of  
31 any controlled substance, or alcohol, while operating pursuant to a  
32 TNC Driver's permit; and,

33 (5) Shall not shout, solicit, or call to prospective passengers, or disturb  
34 the peace in any way; and,

- 1 (6) Shall not be available to be hailed for a ride by any person; and,  
2 (7) Shall not smoke, or allow any person to smoke, in a TNC Driver's  
3 vehicle while it is used to provide ground transportation services; and,  
4 (8) Shall comply with the City dress code for for-hire drivers as set  
5 forth in § 34-26 of this Code; and,  
6 (9) Shall otherwise meet all the requirements and be subject to the  
7 provisions for a driver's permit set forth in §§ 34-38, provided that as  
8 to inspections, the TNC Driver's vehicle is not subject to weekly  
9 operator inspections, but may be required to undergo an inspection in  
10 accordance with the provisions of this Code at any time the  
11 Administrator believes it is appropriate to do so; and,  
12 (10) Shall not operate an automobile more than seven (7) years old  
13 pursuant to the provisions of this subsection; and,  
14 (11) Shall have the right to an appeal as set forth in § 34-39 of this  
15 Code.

16 **Section 6.** Little Rock, Ark., Rev. Code, Chapter 34 (1988), is amended to add the following  
17 provision:

18 *Access to Information for Law Enforcement Purposes.* Any ground transportation  
19 service allowed to provide for-hire transportation service within the corporate limits  
20 of the City, shall cooperate to the fullest extent possible with law enforcement to  
21 provide information about specific transportation incidents. If local, state, or federal,  
22 law enforcement asserts that access to such information must be immediate to  
23 prevent a reasonable threat of death, or serious physical injury, to a person, then the  
24 company, or any driver, shall provide that information immediately. Any ground  
25 transportation company that is permitted by the City shall provide an emergency  
26 contact number to the Little Rock Police Department for such instances. In all other  
27 law enforcement situations, such information shall be provided promptly upon the  
28 issuance of a prosecuting attorney's subpoena to review such records. Any failure to  
29 comply with this subsection shall result in the immediate suspension of both operator  
30 and driver permits for any ground transportation service.

31 **Section 7. Severability.** In the event any section, subsection, subdivision, paragraph, subparagraph,  
32 item, sentence, clause, phrase or word of this ordinance is declared or adjudged to be invalid or  
33 unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this ordinance



1 which shall remain in full force and effect as if the portion so declared or adjudged invalid or  
2 unconstitutional was not originally a part of this ordinance.

3 **Section 8. Repealer.** All ordinances and resolutions inconsistent with this ordinance are hereby  
4 repealed to the extent of such inconsistency.

5 **Section 9. Emergency Clause.** *In order to permit a new transportation service and technology to*  
6 *operate within the City, but to be subject to appropriate regulation to preserve the public health, safety,*  
7 *and welfare, an emergency is declared to exist and this ordinance shall be in full force and effect from and*  
8 *after the date of its passage.*

9 **PASSED:**

10 **ATTEST:**

**APPROVED:**

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13 \_\_\_\_\_  
Susan Langley, City Clerk

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Mark Stodola, Mayor

14 **APPROVED AS TO LEGAL FORM:**

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Thomas M. Carpenter, City Attorney

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