

ORDINANCE NO. 18-2017

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE REPEALING AND DELETING CHAPTER 14, "TRANSPORTATION NETWORK COMPANY SERVICES" OF THE ABILENE MUNICIPAL CODE AS SET OUT BELOW; AND CALLING FOR A PUBLIC HEARING.**

**WHEREAS**, on February 25, 2016, by Ordinance No. 09-2016, the City of Abilene adopted Chapter 14, Transportation Network Company Services; and

**WHEREAS**, effective May 29, 2017, the state of Texas amended Chapter 2402, Texas Occupations Code, which regulates Transportation Network Companies; and

**WHEREAS**, section 2402.003(a)(2), Texas Occupations Code, as amended, provides that "the regulation of transportation network companies, drivers logged in to a digital network, and vehicles used to provide digitally prearranged rides is an exclusive power and function of this state, and may not be regulated by a municipality or other local entity, including by imposing a tax, requiring an additional license or permit, setting rates, imposing operational or entry requirements, or imposing other requirements;" and

**WHEREAS**, H.B No. 100, section 3 provides that "on the effective date of this Act, any municipality's or other local entity's ordinance or policy related to transportation network companies or drivers authorized to access transportation network companies' digital networks is void and has no effect;" and

**WHEREAS**, the City's Ordinance No. 09-2016, Chapter 14, Transportation Network Company Services is now preempted by state law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

**PART 1:** That Chapter 14, "Transportation Network Company Services" is hereby deleted in its entirety and replaced as set out in Exhibit A, attached and made a part of this ordinance for all purposes.

**PART 2:** That this Ordinance is effective immediately upon passage.

**PASSED ON FIRST READING this 8<sup>th</sup> day of June, 2017.**


A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on 18 day of          June         , 2017, the same being more than 24 hours prior to a

public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 22<sup>nd</sup> day of June, 2017, to permit the public to be heard.


**PASSED ON SECOND AND FINAL READING this 22<sup>nd</sup> day of June, 2017.**

ATTEST:

  
CITY SECRETARY

  
MAYOR

APPROVED:

  
CITY ATTORNEY

**EXHIBIT A**

**CHAPTER 14**

**“RESERVED”**