



OPERATING INSTRUCTIONS

TENANTS

OI NO: 95-06, ~~95-03~~
IAH:
HOU:
EFD:

Original Date: September 1, 1995
Revised Date: February 9, 2001

CODE 5 ENFORCEMENT AND APPEAL

PURPOSE: To establish guidelines and procedures for taxicab companies, drivers and the HAS for Code 5 enforcement and appeal.

RESPONSIBILITY: Ground Transport Section

APPLICABILITY: All companies and drivers providing taxicab service at the airports and HAS Ground Transportation employees.

PROCEDURES: The following procedures shall apply:

I. Enforcement

- A. Taxicab drivers who fail to comply with City of Houston Code of Ordinances or Houston Airport System (HAS) Operating Instructions will be restricted, by designated ground transportation personnel, from picking up passengers at the City's airports for a scheduled period of time by being placed on Code 5 in writing.
- B. Written notification to HAS from a driver's taxicab company that the driver allegedly violated a City ordinance or a HAS Operating Instruction will be investigated, upon good cause shown, by designated Ground Transportation personnel upon the driver's arrival at an airport. If such personnel are able to independently verify that a City ordinance or HAS Operating Instruction has been violated, the driver will be placed on Code 5 for a scheduled period of time.
- C. Written verification to HAS from a driver's taxicab company that the driver has violated a company policy or contractual obligation will not result in an investigation by HAS and driver Code 5 placement. However, HAS will make

reasonable efforts to notify the driver's taxicab company verbally when the driver arrives at an airport.

II. Appeal

- A. Unless the culpable driver files a written request for an appeal with the Ground Transport office specifying the reasons for the appeal within two "business" hours ("business hours" are from 7:00 a.m. to 11:00 p.m., 7 days/week) of receiving written notice from HAS that he/she has been placed on Code 5, the Code 5 restriction shall become final.
- B. If the culpable driver files a written request for an appeal as described in Section A above, HAS will make reasonable efforts to conduct a hearing within seven days of receipt of the request for an appeal. The hearing, if requested, will be held during normal office hours (8:00 a.m. through 5:00 p.m., Monday through Friday - excluding holidays). In no event, except where a driver has allegedly harassed, abused, either verbally and/or physically a passenger, and/or a Houston Airport System employee and/or any other individual, shall HAS place a driver on Code 5 prior to a hearing if the requirements of Section A above have been met by the driver.
- C. The hearing officer shall be either the airport manager, an assistant airport manager or an airport superintendent. The hearing officer shall give the appealing driver an opportunity to present evidence and make argument in his/her behalf. The formal rules of evidence do not apply to an appeal hearing and the hearing officer shall make his/her ruling on the basis of a preponderance of the evidence presented at the hearing.
- D. The hearing officer may affirm, modify or reverse all or part of the Code 5 restriction. The decision of the hearing officer shall be final and the appealing driver shall comply with the decision of the hearing officer.

AIRPORT MANAGER
BUSH INTERCONTINENTAL AIRPORT

MARGARET E. LONERO, A.A.E.
AIRPORT MANAGER
WILLIAM P. HOBBY AIRPORT

Attachment

**HOUSTON AIRPORT SYSTEM
NOTICE OF GROUND TRANSPORTATION OPERATOR VIOLATION**

Name _____ Date/Time: _____
(Last) (First) (M.I.)
Company _____ DOA Badge/AUP#: _____
Taxi DL #: _____ Vehicle #: _____ Vehicle License #: _____

Incident Location: _____

Violation: _____

Remarks: _____

You will not be allowed to pick up passengers at any City of Houston Airport until _____ (time) _____ (date).

Prepared by: _____

Witness: _____

Note: You are entitled to appeal this enforcement action. You must submit to the Department of Aviation within two hours a written request for a hearing. Monday - Friday, 8 a.m. - 5 p.m. your request must be made in the GT office. Other hours, to the GT Supervisor on duty.

Date/Time Notified: _____

For DOA Use Only

Hearing Date _____ Time _____

Hearing Officer _____

Remarks: _____

Decision: _____

Signature _____

Distribution: White - GT; Yellow - Driver; Pink - F&A; Gold - DOA Finance