

CHAPTER 25
VEHICLES FOR HIRE¹

Art. I. In General, §§ 25-1. -- 25-15.

Art. II. Taxicabs, § 25-16 -- 25-53.

Div. 1. Generally, §§ 25-16. -- 25-30.

Div. 2. Business License, §§ 25-31. -- 25-45.

Div. 3. Driver's License, §§ 25-46. -- 25-53.

ARTICLE I. IN GENERAL

Secs. 25-1. -- 25-15. Reserved.

ARTICLE II. TAXICABS

DIVISION 1. GENERALLY

Sec. 25-16. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Motor Vehicle for Hire. The term “motor vehicle for hire” shall mean a motor vehicle not equipped with a taximeter designed to carry seven (7) or less persons for public hire at an hourly rate.

Taxicab. The word “taxicab” shall mean a motor vehicle for transportation of seven (7) or less persons for hire upon a trip or mileage basis.

(Code 1957, § 7.131)

Cross reference - Definitions and rules of construction generally, §§ 1-2.

Sec. 25-17. Lost Articles.

Every taxicab driver, immediately after the termination of any hiring or employment, shall carefully search such taxicab for any property lost or left therein, and any such property unless sooner claimed or delivered to the owner shall be taken to the headquarters of the Police Department and deposited with the officer in charge within twenty-four (24) hours after the finding of such article.

(Code 1957, § 7.147)

¹ **Cross reference** – Traffic and motor vehicles, Ch. 22.

Sec. 25-18. Passengers.

Every taxicab driver shall have the right to demand payment of the legal fare in advance, and may refuse employment until so prepaid, but no taxicab driver shall otherwise refuse or neglect to convey any orderly person upon request anywhere in the City unless previously engaged or unable to do so. No driver of any licensed taxicab shall carry any other person than the passenger first employing a taxicab without the consent of the passenger.

(Code 1957, § 7.148)

Sec. 25-19. Soliciting Bus Passengers.

No driver of any taxicab shall solicit persons who are waiting to take passage on a bus at an established loading point for such bus.

(Code, 1957, § 7.149)

Sec. 25-20. Rules and Regulations.

(a) The City Manager is hereby empowered, subject to approval, by the City Council, to make such rules and regulations regarding the dress and conduct of drivers, the maintenance, marking and operation of taxicabs as may be necessary in the interest of providing safe and orderly service to passengers, and no person shall fail to comply with any such rule or regulation. Upon adoption or change in any such rule or regulation, notice thereof shall be furnished to each taxicab licensee and taxicab driver licensee. The City Manager may require periodic reports to be submitted by operators and drivers in order to assist in the enforcement of such rules and regulations or the terms of this article.

(b) Until changed or added to in the manner provided in this Section, the following rules and regulations shall be applicable to taxicabs and taxicab drivers:

- (1) It shall be the duty of every person driving or operating a taxicab to be courteous, to refrain from smoking while actually carrying passengers in his taxicab, to refrain from swearing, loud talking or boisterous conduct, to drive his motor vehicle carefully and in full compliance with the traffic regulations of the City and orders of the police officers of the City, to promptly answer all court notices, traffic violation notices or police notices, to deal honestly with the public and with his employer.
- (2) Any taxicab licensee who is a member of any cooperative association shall furnish the Police Department with the name of such association and shall notify the Police Department of any change in his membership or affiliation within forty-eight (48) hours after such change.
- (3) All taxicabs shall be kept in good running condition and clean and fit for public use and each taxicab shall be inspected at such intervals as the Chief of Police may direct and upon the complaint of any citizen of the city.

- (4) Only licensed taxicabs in such number as may be designated on any taxicab stand sign shall remain at any stand to which such sign refers, while waiting for employment and each taxicab shall be parked in single file. The taxicab standing at the head of such parked line shall not be permitted to refuse to carry any orderly person who offers to hire such taxicab and agrees to pay the proper rate of fare, but any person desiring to hire any taxicab shall be free to select any taxicab he may desire on the stand whether it be at the head of the line or not. As the taxicabs leave the taxicab stand with passengers, those in the rear shall move up, and any taxicab entering such stand shall enter at the rear thereof and shall move up as closely as possible to the last taxicab on the stand.
 - (5) No person shall charge any fare for the hire of any taxicab other than in accordance with the current schedule of rates.
 - (6) No taxicab, while awaiting employment by passengers, shall stand on any public street or place other than upon a taxicab stand, nor shall any taxicab driver seek employment by repeatedly and persistently driving his taxicab to and fro in a short space before or by otherwise interfering with, the proper and orderly access to or egress from any theater, hall, hotel, public resort, ferry station or other place of public gathering, or in any other manner obstructing or impeding traffic; but any taxicab driver may solicit employment by driving through any public street or place without stops other than those due to traffic and at such speed as not to interfere with or impede traffic and may pass and repass any theater, hall, hotel, public resort, ferry station or other place of public gathering, provided that after passing such public place he shall not turn and repass until he shall have gone a distance of two (2) blocks beyond such place.
 - (7) No person shall be permitted to ride on the front seat with the driver of a taxicab.
 - (8) No person shall solicit passengers for a public taxicab upon the streets of the City except the driver of the taxicab when sitting upon the driver's box of his vehicle. Every taxicab driver shall remain on the driver's seat or inside his vehicle at all times when such vehicle is standing upon any taxicab stand or when actually engaged in carrying passengers, except that every taxicab driver shall be permitted to leave his taxicab to assist passengers into or out of such taxicab. Any taxicab driver may leave his taxicab on a taxicab stand to take care of the calls of nature and during such absences his taxicab shall be parked at the rear of such taxicab stand and no such absence shall be for longer than thirty (30) minutes.
 - (9) Any taxicab licensee may place advertising matter on or in any licensed taxicab but the form and content thereof shall first be approved by the Chief of Police.
 - (10) No taxicab driver shall drink any intoxicating beverage while on duty, nor immediately prior thereto.
- (Code 1957, § 7.150)

Sec. 25-21. Rates.

The rates to be charged and collected for service by taxicabs shall be as set by Council resolution from time to time.

(Code 1957, § 7.142; Ord. No. 60, § 1, 1-8-74)

Sec. 25-22. Motor Vehicles for Hire.

(a) No person shall engage in the business of operating or causing to be operated any motor vehicle for hire upon the streets, alleys or public ways of the City, without first having obtained a license for each such motor vehicle for hire. All provisions of this article relating to taxicabs shall be equally applicable to motor vehicles for hire except Section 25-33, and such other provisions as by their nature can have no application to motor vehicles for hire. License applications shall be made as provided for taxicab licenses, but the applicant shall endorse thereon that the application is for a motor vehicle for hire license. The license, if issued, shall be similarly endorsed by the Chief of Police. No person other than a licensed taxicab driver shall drive any motor vehicle for hire on the streets of the City.

(b) For the use of motor vehicle for hire where the vehicle has been used in excess of one hour, additional time may be charged for on the basis of quarter hour fractions of the rate charged for the first hour's use of the vehicle. The time shall begin when the motor vehicle is ready at the time and place requested by the passenger, and shall continue until the passenger has been discharged and the car shall have had time thereafter to return to the garage or stand, by the most direct route, and at the maximum speed permitted by law.

(Code 1957, § 7.151)

Secs. 25-23. -- 25-30. Reserved.

DIVISION 2. BUSINESS LICENSE²

Sec. 25-31. Required.

No person shall engage in the business of operating or causing to be operated, any taxicab upon the streets, alleys or public ways of the City without first having obtained a license for each such taxicab either from the City or from another municipality located within the county which issues taxicab licenses under conditions similar to those set forth in this article.

(Code 1957, § 7.132; Ord. No. 83, § 1, 4-1-79)

Sec. 25-32. Public Convenience and Necessity.

Upon application made for any new taxicab license, as distinguished from any renewal thereof, the City Council shall first consider the question of whether public convenience and

² Cross reference-Licenses generally, Ch. 13.

necessity require the operation of such taxicab. The Council shall consider the number of taxicabs operating in the City and whether the demands of the public require additional taxicab service; traffic conditions on the streets of the city and whether the additional taxicab service will result in a greater hazard to the public and such other relative facts as the Council may deem advisable. The judgment of the Council on the question of public necessity and convenience shall be conclusive.

(Code 1957, § 7.134)

Sec. 25-33. Taximeters.

(a) No license shall be issued until a taximeter has been installed in the taxicab to be licensed and such taximeter has been inspected, tested and approved by the Chief of Police. After issuance of any license, taximeters shall be inspected, tested and approved at such time and in such manner as shall be prescribed by the City Manager by regulation adopted pursuant to the terms of this article. A service fee as set by Council resolution from time to time shall be charged for each inspection. Every taximeter shall be sealed by or under the direction of the Chief of Police. No person shall remove or tamper with the seal of any taximeter.

(b) No person shall engage in business with any taxicab when the taximeter affixed thereto is not in proper working order or the seal of the taximeter is broken or has been tampered with. Every taximeter shall be so affixed that the amount of the fare is plainly visible to the passengers and after sundown such taximeter shall be clearly illuminated. Upon any rate change made pursuant to this article, every taximeter shall be reinspected and tested and approved. No such rate change shall be effective as to any taxicab until approval and resealing of the taximeter of such taxicab by the Chief of Police.

(Code 1957, § 7.133)

Sec. 25-34. Insurance.

(a) Before any license is issued, the applicant therefore shall furnish one or more policies of insurance, prepaid for at least the period of the license, issued by responsible insurance companies providing indemnity for the insured in the amounts specified herein and agreeing to pay, within the limits of the amounts on behalf of the insured, all sums which the insured shall become obligated to pay by reason of the liability imposed upon the insured by law, for damages because of bodily injury, including death, at any time resulting therefrom, or for damages to property, or both, sustained by any other person other than the employees of the insured and caused by accident and arising out of the ownership, maintenance or use of the licensed taxicab.

(b) The minimum amount of the insurance coverage as to any one licensed taxicab shall be:

- (1) On account of injury to, or death of, any person in any one accident: twenty thousand dollars (\$20,000.00).
- (2) On account of any one accident resulting in injury to, or death of, more than one person: forty thousand dollars (\$40,000.00).

- (3) On account of damage to property in any one accident: ten thousand dollars (\$10,000.00).

(Code 1957, § 7.138)

Sec. 25-35. Bonds.

In lieu of insurance required by Section 25-34, the licensee may furnish a surety company bond or bonds, in a form to be approved by the City Attorney, in penal sums of not less for each taxicab than the amounts specified for insurance, and binding the principal and surety to the same conditions as are required in insurance policies as set forth in Section 25-34.

(Code 1957, § 7.139)

Sec. 25-36. Cancellation Notice.

Every insurance policy or bond shall contain a clause obligating the insurer or surety to give the City Clerk, by registered mail, at least ten (10) days written notice before the cancellation, expiration, lapse or other termination of such insurance or bond or the withdrawal of surety from any such bond.

(Code 1957, § 7.140)

Sec. 25-37. Nomination of Agent.

No taxicab license shall be issued until the applicant therefore shall file with the Police Department an instrument in writing, nominating and appointing the Chief of Police, or the person performing the duties of such position, the true and lawful agent of such applicant, with full power and authority to accept and acknowledge service of notice or process for and on behalf of the applicant in respect to any matters or suits at law, connected with or arising out of the license, or the insurance policy or bond given as required by the provisions of this article, or for the performance of any of the conditions of the bond or insurance policy, or for any breach thereof. The instrument in writing so nominating and appointing the Chief of Police as agent shall contain recitals to the effect that the applicant for the license consents and agrees that service of any notice or process may be made upon the agent, and when so made shall be taken and held as valid as if personally served upon the person applying for the license, and waiving all claim or right of error by reason of such acceptance and acknowledgment of service or manner of service. It shall be the duty of the Chief of Police to deliver forthwith by registered mail a notice of the service of such process or notice to the licensee at the address shown upon his license, and to his sureties or insurers in cases where it directly affects their obligations. Every policy of insurance or bond filed shall contain a provision consenting to the provisions of this section.

(Code 1957, § 7.141)

Sec. 25-38. License Plates.

Upon issuance of any taxicab license, the Police Department shall furnish the licensee a metal license plate for each vehicle so licensed.

(Code 1957, § 7.137)

Sec. 25-39. Transfers.

(a) When the ownership of any taxicab shall change, whether by operation of law or otherwise, the taxicab license pertaining to such taxicab shall be automatically revoked. Any transfer of, or attempt to transfer, a taxicab license to any other person shall automatically revoke the license.

(b) The owner of any licensed taxicab who desires to transfer such license to another vehicle owned by him, shall make application to the Police Department on forms provided therefore, and shall state under oath or affirmation such facts as may be required for, or applicable to, such transfer. Upon approval of the Chief of Police such transfer shall be granted.
(Code 1957, § 7.135 - 7.136)

Secs. 25-40. -- 25-45. Reserved.

DIVISION 3. DRIVER'S LICENSE³

Sec. 25-46. Required.

No person shall drive a taxicab on the streets of the City without first having obtained a taxicab license as provided in this division.
(Code 1957, § 7.143)

Sec. 25-47. Application.

Application for a license shall be made to and licenses issued by the Police Department.
(Code 1957, § 7.143)

Sec. 25-48. Certification Required; Temporary License.

(a) No license shall be issued except upon certification of the Chief of Police and the health officer, and unless a photograph and complete set of the fingerprints of the applicant therefore are on file in the noncriminal identification file of the Police Department. Two (2) photographic pictures of each applicant shall be furnished at the time of application. The size and form of such photographs shall be prescribed by the Police Department.

(b) Every applicant shall furnish the Police Department with such information as it may require and as may be reasonably necessary in order to investigate the background and character of the applicant. Every applicant shall file on forms to be furnished by the Police Department, certificates of his good character, from two (2) reputable citizens of the city who have known him personally and observed his conduct during one month next preceding the date of his application.

(c) In the discretion of the Chief of Police a temporary taxicab driver license, valid for a

³ Cross reference - Licenses generally, Ch.13.

period not to exceed twenty (20) days, may be issued to any applicant pending certification by the Chief of Police.

(Code 1957, § 7.143)

Sec. 25-49. Qualifications.

Every applicant under this division shall be eighteen (18) years of age or over and able to read and write.

(Code 1957, § 7.143)

Sea. 25-50. Driving Test.

Each applicant for a taxicab driver license shall, in the case of an original application, and may, in the case of a renewal application, be examined by a person designated by the Chief of Police, as to his knowledge of the provisions of this article, the provisions of this Code regulating traffic and the geography of the City and, by means of a practical demonstration, at to his skill and ability to safely handle the taxicab by driving it through a crowded section of the City. Any applicant who fails to pass any phase of such examination shall be refused a license.

(Code 1957, § 7.144)

Sec. 25-51. Physical Examination.

Each applicant for a taxicab driver license shall, at his own expense be required to submit to a medical examination by a duly licensed physician of his own choosing, and the results of such examination shall be reduced to writing by such physician on a form furnished by the Police Department. Such report of examination signed by the physician shall be attached to the applicant for a taxicab driver license. Upon any application for a taxicab driver license from a person who then holds such a license, the physical examination herein required shall be waived, unless no such examination shall have been had, and a report thereof furnished to the City for longer than two (2) years immediately preceding such application.

(Code 1957, § 7.145)

Sec. 25-52. Display.

That part of Section 13-16 requiring licensees to carry licenses on their persons shall not apply to taxicab drivers. The license issued to a taxicab driver shall be conspicuously displayed on the inside of the taxicab operated by him and illuminated at night.

(Code 1957, § 7.143)

Sec. 25-53. Misuse.

No person having a taxicab driver license shall allow any other person to use or attempt to use such license, or the badge issued in connection therewith, for any purpose. No person shall use or have in his possession while operating taxicab in the City, any taxicab driver license or badge which has been issued to any other person. No taxicab licensee shall permit any person not having a taxicab driver license to operate any taxicab.

(Code 1957, § 7.146)