

Chapter 90 - VEHICLES FOR HIRE<sup>11</sup>

Footnotes:

--- (1) ---

**Cross reference**— Businesses, ch. 14; streets, sidewalks and other public places, ch. 74.

ARTICLE I. - IN GENERAL

Secs. 90-1—90-25. - Reserved.

ARTICLE II. - TAXICABS

DIVISION 1. - GENERALLY

Sec. 90-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Taxicab means any motor vehicle used for or engaged in the transportation of passengers for hire or compensation, except vehicles commonly known as buses.

(Ord. No. 1062, § 20-01, 3-14-1995)

**Cross reference**— Definitions generally, § 1-2.

Sec. 90-27. - Compliance; exceptions.

No person shall drive a taxicab or engage in the business of operating taxicabs upon the city streets until that person has complied with this article. This article shall not apply to vehicles operating under a special franchise or to vehicles transporting persons to and from school or college.

(Ord. No. 1062, § 20-02, 3-14-1995)

Sec. 90-28. - Annual inspection required.

- (a) All taxicabs operating in the city and licensed by the city to do business in the city shall be inspected annually to determine their safety. The inspection shall be made by a certified ASE (U.S. National Institute for Automotive Service Excellence) mechanic. The inspection shall take place a minimum of 30 days before the permit expiration date and proof of satisfactory inspection must be presented with permit renewal application.
- (b) The inspections required in subsection (a) of this section shall be for the purpose of determining the safety of the vehicles, and the following items shall be included in the inspection: brakes, tires, lights,

windshield wipers, horn, steering, glass of windshield and windows, muffler, and the general condition of the vehicle, including but not limited to the facility with which doors and the hood of the rear compartment latches work and any other factors which, whether enumerated or not, would contribute to the safety of the traveling public.

- (c) If, in the opinion of the inspecting professional, any taxicab does not meet the safety standards set forth in subsection (b) of this section, the operating license of the taxicab shall be suspended until the condition causing the suspension is corrected.

(Ord. No. 1062, § 20-03, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

Sec. 90-29. - Collision.

If any taxicab shall have been involved in any collision or upset, it shall not be permitted to operate until after satisfactory repairs thereto have been made and the taxicab inspected by a certified ASE mechanic. An accident report and mechanic inspection form must be submitted to the licensing division within 30 days of the collision.

(Ord. No. 1062, § 20-04, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

Sec. 90-30. - Driver's report of suspicious person or activity.

Every taxicab driver shall report to the police department any suspicious person or activity coming to his attention as soon as possible or immediately upon the discharge of that person from his cab.

(Ord. No. 1062, § 20-05, 3-14-1995)

Sec. 90-31. - Vehicles from other areas.

Taxicabs or other public vehicles for hire, having no city license and whose place of business is not in the city, may bring passengers into the city, but shall not solicit any passengers for any destination within or without the city.

(Ord. No. 1062, § 20-06, 3-14-1995)

Secs. 90-32—90-60. - Reserved.

DIVISION 2. - BUSINESS OPERATORS

Sec. 90-61. - Ownership of vehicle required.

It shall be unlawful for any person to engage in the business of operating or maintaining taxicabs in the city pursuant to a license issued in accordance with this division unless such person shall be the bona fide owner of the motor vehicles so operated or maintained. All such persons shall deposit with the city a certificate or other satisfactory evidence covering each motor vehicle so operated or so maintained, which certificate or evidence of title shall be retained by the city for such period of time as the motor vehicle is used as a taxicab in the city.

(Ord. No. 1062, § 20-15, 3-14-1995)

Sec. 90-62. - Lease of vehicles to third parties.

It shall be unlawful for any person to engage in the business of operating or maintaining taxicabs in the city, pursuant to a license issued in accordance with this division, to rent or lease any motor vehicle, the operation of which is covered by such license, to any other person without first surrendering to the city for cancellation the license covering the operation of such motor vehicle as a taxicab.

(Ord. No. 1062, § 20-16, 3-14-1995)

Sec. 90-63. - Application for operator's business license; contents.

- (a) Any person desiring a license to operate a taxicab business, as required by chapter 14, shall file an application for a license upon a form to be furnished by the city, provided that the license shall be issued within 30 days after a written application has been made.
- (b) If the applicant for a license to operate a taxicab business is a firm or corporation, the requirements of subsection (a) of this section shall be complied with by each member of the firm or by the principal or managing officer of the corporation in charge of actual operation of the business in the city.

(Ord. No. 1062, § 20-17, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

Sec. 90-64. - Investigation report with recommendations by licensing division.

The licensing division shall investigate the applicant for the license required by this division and the facts stated in the application and shall report its findings together with its recommendations to the finance director for final approval.

(Ord. No. 1062, § 20-18, 3-14-1995; Ord. No. [4131](#), 8-13-2013; Ord. No. [4137](#), 9-10-2013)

Sec. 90-65. - Information as to vehicles to be operated.

At the time of issuing any license for the operation of a taxicab business, the owner shall specify upon a blank furnished by the city the make, body type, year, model, state license tag number, and the motor serial number of each vehicle or taxicab to be operated under the license, together with any other information in regard thereto as may be required.

(Ord. No. 1062, § 20-19, 3-14-1995)

Sec. 90-66. - Payment of city ad valorem tax prerequisite to license issuance.

No license shall be issued by the city for the operation of any taxicab business unless, with the application for the license, satisfactory evidence is submitted of the payment of the city ad valorem tax upon any vehicle to be operated thereunder, if any tax shall have been assessed against any vehicle. If no tax has been assessed against any vehicle, there shall be submitted satisfactory evidence that the vehicle was not properly assessable for taxation by the city. In the latter event, evidence of the payment of taxes assessed against any other vehicle for which the unassessed vehicle has been substituted shall be submitted before a license may be issued.

(Ord. No. 1062, § 20-20, 3-14-1995)

Sec. 90-67. - Age limit of licensees.

No license for the operation of a taxicab business shall be issued to any person under the age of 21 years.

(Ord. No. 1062, § 20-21, 3-14-1995)

Sec. 90-68. - Liability insurance prerequisite to issuance of license.

No license shall be issued by the city to any person to operate a taxicab or other like vehicle within the city unless the vehicle is covered by a liability insurance policy with limits of at least \$25,000.00 for the protection of any one person injured by the negligent operation of such taxicabs and not less than the sum of \$50,000.00 for two or more persons injured at the same time by the negligent operation of such taxicabs and not less than the sum of \$25,000.00 for property damages resulting from the negligent operation of the taxicabs for taxicabs carrying one to seven passengers. For taxicabs carrying eight to fifteen passengers, the limits are as follows: at least \$25,000.00 for the protection of any one person injured by the negligent operation of such taxicabs and not less than the sum of \$100,000.00 for two or more persons injured at the same time by the negligent operation of such taxicabs and not less than the sum of \$25,000.00 for property damages resulting from the negligent operation of the taxicab. Proof of such insurance coverage must be exhibited to the city by delivering a copy of the liability insurance policy for each vehicle insured. The city must be listed as a certificate holder for the policy.

(Ord. No. 1062, § 20-22, 3-14-1995; Ord. No. [4131](#), 8-13-2013; Ord. No. [4137](#), 9-10-2013)

**Editor's note**— Ord. No. [4131](#), adopted Aug. 13, 2013, repealed the former § 90-68, which pertained to residence requirement for licenses and derived from Ord. No. 1062, § 20-22, adopted March 14, 1995. Ord. No. [4131](#) renumbered §§ 90-69—90-75 as §§ 90-68—90-74 as set out herein.

Sec. 90-69. - Notice of cancellation of insurance policy; revocation of business license upon notice.

Each policy of insurance required under this division shall contain a clause authorizing and directing the insurer to notify the city of any cancellation thereof, and immediately upon notice of cancellation the city shall revoke the license to operate a taxicab or other like vehicle within the city.

(Ord. No. 1062, § 20-24, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

**Note**— See editor's note to § 90-68.

Sec. 90-70. - Issuance of license.

- (a) No taxicab shall be operated within the city until a business license from the license division authorizing such operation has been first obtained. Any person desiring a taxicab license shall file an application for such license with the license division located in city hall upon such form as may be prescribed by it. Upon approval of an application for a taxicab license, such license shall be issued by the license division subject to the terms of this chapter and upon payment to it of a license tax in such sum as may be computed to be due in accordance with section 90-66.
- (b) The licensing division shall authorize the issuance of a license to operate a taxicab business if it finds that the applicant therefor has complied with all requirements of this division. Per normal licensure procedure, the licensing division shall issue to the applicant a license to operate a taxicab business upon payment to the city of the license fee required.

(Ord. No. 1062, § 20-25, 3-14-1995; Ord. No. [4131](#), 8-13-2013; Ord. No. [4137](#), 9-10-2013)

**Note**— See editor's note to § 90-68.

Sec. 90-71. - Employment of driver without taxicab driver's permit prohibited.

It shall be unlawful for any person engaged in the business of operating or maintaining taxicabs pursuant to this division to permit the driving of such taxicab in the city by any person to whom a taxicab driver's permit shall not have been granted and currently in effect.

(Ord. No. 1062, § 20-27, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

**Editor's note**— Ord. No. [4137](#), adopted Sep. 10, 2013, repealed the former § 90-71, which pertained to placement of licensee's name and business license number on taxicabs and derived from Ord. No. 1062, § 20-26, adopted March 14, 1995; and Ord. No. 4131, adopted Aug. 13, 2013. Ord. No. [4137](#) renumbered §§ 90-72—90-74 as §§ 90-71—90-73, as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

Sec. 90-72. - Revocation of license.

The city manager shall have power to revoke any license for the operation of a taxicab business for any violation of this article.

(Ord. No. 1062, § 20-28, 3-14-1995; Ord. No. [4131](#), 8-13-2013; Ord. No. [4137](#), 9-10-2013)

**Note**— See editor's note to § 90-71.

Sec. 90-73. - Annual renewal of license required.

The business license required for the operation of each taxicab operated within the city pursuant to this division must be renewed annually, including the payment of the annual business license fee required by the city's business license fee schedule. It shall be unlawful for any person to engage in the business of operating or maintaining any taxicab without first having paid for and obtaining the license required by this division as a prerequisite to the operation or maintenance of such taxicab.

(Ord. No. 1062, § 20-29, 3-14-1995; Ord. No. [4131](#), 8-13-2013; Ord. No. [4137](#), 9-10-2013)

**Note**— See editor's note to § 90-71.

Secs. 90-74—90-100. - Reserved.

**Note**— See editor's note to § 90-71.

### DIVISION 3. - DRIVERS

Sec. 90-101. - State driver's license required.

The possession of a current and valid driver's license, issued by the state, shall be a condition precedent to the issuance of a city taxicab driver's permit.

(Ord. No. 1062, § 20-35, 3-14-1995)

Sec. 90-102. - Age limit.

No city taxicab driver's permit shall be issued to any person under the age of 20 years.

(Ord. No. 1062, § 20-36, 3-14-1995)

Sec. 90-103. - Permit application; contents.

- (a) Before any person shall drive any of the vehicles regulated by this article, he shall complete and file with the city a written application for a driver's permit upon forms to be furnished by the city and retrievable from the city licensing department. The application must be first approved and a taxicab driver's permit issued by the city before legal operation of the cab shall be allowed.
- (b) The applicant's signature upon the application constitutes the applicant's agreement to the terms and stipulations of the application.
- (c) The applicant shall include in his application packet the following items: a nonrefundable fee payment of \$5.00, a certified three-year driving record from the state department of motor vehicles, a background check from the state law enforcement division, and any other materials as prescribed by the licensing department.

(Ord. No. 1062, § 20-38, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

**Editor's note**— Ord. No. [4131](#), adopted Aug. 13, 2013, repealed the former § 90-103, which pertained to residence requirements and derived from Ord. No. 1062, § 20-37, adopted March 14, 1995. Ord. No. [4131](#) renumbered § 90-104 as § 90-103 as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

Sec. 90-104. - Permit application fee.

At the time of the filing of an application for the issuance by the city of a taxicab driver's permit, a fee of \$5.00 dollars must be paid. This fee is nonrefundable, whether the application is accepted or denied by the city.

(Ord. No. 1062, § 20-40, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

**Editor's note**— Ord. No. [4131](#), adopted Aug. 13, 2013, repealed the former § 90-105, which pertained to physician's certificates and derived from Ord. No. 1062, § 20-39, adopted March 14, 1995. Ord. No. [4131](#) renumbered §§ 90-106—90-111 as §§ 90-104—90-109, as set out herein. The historical notation has been retained with the amended provisions for reference purposes.

Sec. 90-105. - Investigation and report with recommendations by licensing division; issuance of permit.

- (a) The licensing division shall investigate the applicant and the facts stated in the application referred to in subsection 90-103(a), and shall make a report of its findings, together with its recommendations, to the finance director for final approval.
- (b) The city may issue a taxicab driver's permit to any applicant therefor upon a favorable report of investigation by the licensing department pursuant to subsections 90-103(a) and (c).

- (c) The city shall not grant a permit to any person who has been convicted of any major crime or felony or the violation of laws and ordinances involving moral turpitude within the five years immediately preceding the day of the application. No such permit shall be granted to any person who has more than four points on his driving record at the time of application or who has been convicted of an offense involving intoxicating or illegal substances during the last two years. No such permit shall be granted to any person who is found not to be a careful and experienced driver of motor vehicles, and not well versed in the city traffic ordinances and state statutes and regulations relating to the operation of motor vehicles on the highways of the state.

(Ord. No. 1062, § 20-41, 3-14-1995; Ord. No. [4131](#), 8-13-2013; Ord. [4137](#), 9-10-2013)

**Note**— See editor's note to § 90-104.

Sec. 90-106. - Posting of permit and driver's photograph in taxicab required.

It shall be unlawful for any person to drive any taxicab in the city without having posted, at all times, in such taxicab the taxicab driver's permit issued to such person pursuant to this division. There shall also be so displayed a photograph of the holder of such permit.

(Ord. No. 1062, § 20-42, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

**Note**— See editor's note to § 90-104.

Sec. 90-107. - Annual renewal of taxicab driver's permit.

The term of each taxicab driver's permit ends one year from the date of issuance; therefore, the old permit must be surrendered for cancellation and the old permit must be renewed. A new application along with the nonrefundable fee for a taxicab driver's permit is required prior to reissuing a new permit. These items must be submitted a minimum of 30 days before the permit expiration date.

(Ord. No. 1062, § 20-43, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

**Note**— See editor's note to § 90-104.

Sec. 90-108. - Revocation of taxicab driver's permit.

A taxicab driver's permit shall be revoked upon bond forfeiture, guilty plea or conviction in connection with the violation of any city ordinance or state statute relating to the operation of motor vehicles. Additionally, the city manager shall have power to revoke any taxicab driver's permit for any violation of this article or for the violation of any agreement contained in the permittee's application for the taxicab driver's permit.

(Ord. No. 1062, § 20-44, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

**Note**— See editor's note to § 90-104.

Sec. 90-109. - Appeals.

Upon the failure of the city to issue a taxicab driver's permit or upon the city's revocation of a taxicab driver's permit, such aggrieved applicant or licensee shall have the right to appeal to the city council and

be heard in connection therewith. The city council may only override the decision of the city administration if it finds that the standards for review and approval were not applied properly.

(Ord. No. 1062, § 20-45, 3-14-1995; Ord. No. [4131](#), 8-13-2013)

**Note**— See editor's note to § 90-104.

Secs. 90-110—90-140. Reserved.

DIVISION 4. - FARES

Sec. 90-141. - Schedule of maximum fares generally.

It shall be unlawful for the driver or operator of any taxicab to charge or attempt to collect from any passenger in such taxicab operated within the city more than the fixed fare rate for transportation or waiting time as determined or prescribed by the city council or under its authority. A schedule of such rates, as determined by the city council, shall be maintained on file in the office of the city clerk where it shall be available for public inspection during the normal office hours of the city clerk.

(Ord. No. 1062, § 20-55, 3-14-1995; Ord. No. 3011, 11-8-2005)

Sec. 90-142. - Display of maximum fares.

It shall be unlawful for any person holding a license to engage in the business of operating or maintaining taxicabs in the city pursuant to this article to fail or refuse to display or cause to be displayed in any taxicab so maintained or operated pursuant to the license issued to him pursuant to this article the schedule of maximum charges set out in section 90-141. It shall also be unlawful for the holder of any taxicab driver's permit to drive a taxicab unless such schedule is so displayed.

(Ord. No. 1062, § 20-56, 3-14-1995)