

CHAPTER 119: TAXICABS

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119.01 DEFINITION

For purposes of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

“TAXICAB” - Every motor driven vehicle used within the city for public hire and carrying passengers for hire, along or over public streets in the city, the destination or route of which is under the direction of a passenger transported therein. This shall include any shuttle or limousine service operated within the city. (Ord. 112-1996)

119.02 REGULATIONS APPLICABLE

No person shall drive, stand, or park any taxicab on any street except in accordance with the conditions established by this chapter. (Ord. 112-1996)

119.03 LICENSE REQUIRED

No person shall operate a taxicab service on any street in the city without first securing a license to do so. (Ord. 112-1996)

119.04 APPLICATION FOR LICENSES

(a) Any person desiring to operate a taxicab service shall, before providing the service, file with the City Controller a written signed application for a license, sworn to by the applicant, which application shall show the following:

- (1) The name of the person, partnership, firm, or corporation desiring the license; if a firm, the full names of each of the partners;
- (2) The place of residence and principal place of business of the applicant;
- (3) That the applicant intends to and will, if issued a license to do so, operate the taxicabs as shall be necessary in the service and that he owns and is the sole owner of the described taxicabs, and intends to and will operate the taxicabs in such service;
- (4) The age, sex, and the residence of each person who will drive a taxicab for the applicant;
- (5) The make, model, and serial number of each vehicle which will be operated by the taxicab service; and
- (6) The location and address of the office of the applicant.

(b) Each taxicab to be operated within the city must be licensed annually. The license shall be issued by the City Controller after payment of a fee and presentation of proof of insurance and mechanical inspection as required by this chapter. The license shall contain the make, model, and serial number of the taxicab and shall have four spaces for a member of the Traffic Division of the Richmond Police Department to certify that the taxicab has passed the safety inspections required by this chapter. Each license shall be valid for the calendar year and must be carried in the taxicab at all times. A taxicab license shall be revoked upon failure to pass any inspection required by this chapter, and may not be reissued until a member of the Traffic Division of the Richmond Police Department certifies that the taxicab in question has been satisfactorily repaired and /or any substandard conditions corrected. (Ord. 112-1996)(Ord. 51-1998)

119.05 MECHANICAL AND SAFETY INSPECTIONS

(a) In addition to providing an application properly executed, each applicant shall present a Certificate Mechanical Inspection for each taxicab, to be provided by the City Controller's Office, certifying that each of the applicant's vehicles has been inspected by a mechanic licensed by the State of Indiana and found to be mechanically safe. Said mechanic must be certified by the National Institute for Automotive Service Excellence, or ASE, and must be certified as either a Master Technician or have certifications in the areas of A-4 (Suspensions/Steering), A-5 (Brakes) and A-6 (Electrical Systems). Each taxicab must pass such an inspection annually before a license will be given to operate said taxicab. (Ord. 51-1998)

(b) Each taxicab shall be inspected for safety a minimum of four (4) times each year at times designated by the Traffic Division of the Richmond Police Department. It shall be certified on the license for each taxicab that the taxicab was inspected by a member of the Traffic Division of the Richmond Police Department. In order to pass this safety inspection, each taxicab must be inspected by a member of the Traffic Division of the Richmond Police Department and found to be:

- (1) Equipped with safe tires;
- (2) Equipped so that all its operating and functional parts are in proper working order;
- (3) Equipped with any additional necessary safety devices such as hand brakes, rear view mirror, turn signals, safety glass, horns, and so forth;
- (4) In a clean and sanitary condition;
- (5) Equipped with seats and interior in a good state of repair so as not to cause injury or damage to any passenger or his property; and
- (6) Clearly marked as required by this chapter. (Ord. 51-1998)

(c) Failure to present the taxicab license upon request by a member of the Traffic Division of the Richmond Police Department shall subject both the driver and the taxicab company to fines as set forth in this Chapter.

(d) Each taxicab shall at all times be subject to random inspections by the Richmond Police Department to insure compliance with the provisions of this chapter. (Ord. 51-1998)

(e) Each taxicab must at all times be maintained in a safe condition as set forth above. Should any taxicab fail to meet these criteria at any time, it shall be immediately removed from service until properly repaired by a licensed mechanic and re-inspected by a member

of the Traffic Division of the Richmond Police Department. Failure to meet these criteria shall subject the taxicab company to fines as set forth in this Chapter. (Ord. 112-1996)

119.06 LICENSE FEES FOR VEHICLES

The applicant, on presentation of the application to operate a taxicab service and of a certificate of mechanical inspection for each taxicab, shall purchase a license for each taxicab covered by the application from the City Controller. The license fee for each taxicab for the calendar year shall be \$75. This fee must thereafter be paid annually and must be presented with a certificate of mechanical inspection and the properly certified license from the previous year. This fee shall be pro-rated on a monthly basis for any taxicabs brought into service during the calendar year. (Ord. 112-1996)

119.07 ISSUANCE AND DISPLAY OF INSPECTION EMBLEM

Upon presentation of a valid taxicab license for each vehicle, the Traffic Division of the Richmond Police Department shall issue to the applicant an appropriate emblem certifying inspection for each vehicle, as required by this chapter. The emblem shall be valid for the quarter in which it is issued, shall be displayed in the interior left hand corner of the rear window, and shall be re-issued quarterly upon inspection as required by this chapter. The emblem certifying inspection on each licensed taxicab shall not be removed from the rear window except by a member of the Traffic Division of the Police Department. (Ord. 51-1998)

119.08 PERMANENT OFFICE REQUIRED

No license shall be granted to any person to operate any taxicab unless the person has a permanent office from which to control and regulate the operation of his taxicabs. ('72 Code, 37.08) (Ord. 11053-1959)

119.09 ADDING VEHICLES TO THE FLEET

(a) No additional vehicle shall be added to or used by the holder of any license until he has first reported the addition to the City controller, made application for a license for the additional vehicle, paid the required fee, presented proof of insurance and mechanical inspection as required by this chapter, and received the license and an inspection emblem.

(b) In the event of an emergency wherein extra taxicabs would be necessary for the transportation of passengers and subject to the approval of the City Controller, temporary operating permits, good for seven days from and including the date of issuance, may be issued to the applicant on the proper application for and on the payment at the time of application of a fee of five dollars (\$5) for each temporary operating permit. This temporary operating permit shall apply only to taxicab operators

having already secured the regular city license for operation of a taxicab service, provided that each vehicle has been properly inspected as required by this chapter.

(c) In the event of any disaster or emergency such as flood, riot, war, evacuation or any catastrophe, the City Controller shall have the right to suspend the foregoing requirement for a temporary operating permit during the emergency. (Ord. 112-1996)

119.10 SOLICITING FARE

(a) The driver of any taxicab shall not seek employment or patrons by repeatedly and continuously driving his taxicab to and fro along a street which any theater, hotel, railway station, or other place of public gathering is located, and shall not in any other manner obstruct or impede traffic in any of the streets, alleys, or public places of the city. A driver of a taxicab may solicit employment by driving through any street or public place without stopping, at such speed and in such manner as not to interfere with or impede traffic, and may pass and re-pass any theater, hotel, railway station, or other place of public resort or public gathering in the pursuit of the ordinary business of conveying passengers along and on the public streets or other places.

(b) The driver of a taxicab shall not request or solicit persons to take passage in the taxicab when the persons are waiting to take passage on a city bus at a regular loading point, nor shall a driver of a taxicab drive in between a city bus which has stopped for the purpose of taking on passengers, and the curb adjacent to the bus or stop immediately in the rear thereof, for the purpose of soliciting passengers into the taxicab while the city bus has stopped to take on passengers.

(c) A taxicab driver shall not solicit passengers for a public taxicab on the streets and public places in the city by out cry or the blowing of a horn except that at a railroad station the operator may solicit by word-of-mouth while within ten feet of his cab. ('72 Code, 37.10) (Ord. 11053-1959) Penalty, see 10.99

119.11 PARKING TAXICAB

No person driving a taxicab or operating a taxicab business shall stand, park, or permit the parking of a taxicab on any street with or without a driver, for a longer period than five minutes at any one time, unless the taxicab has been engaged and is under the direction of a passenger engaging the taxicab or unless the taxicab is standing or parking at a designated taxicab stand. ('72 Code, 37.11) (Ord. 11053-1959) Penalty, see 10.99

119.12 USE OF ALCOHOLIC BEVERAGES OR CONTROLLED SUBSTANCES

No person shall drive a taxicab while intoxicated, or while consuming or having been consuming any alcoholic beverages. No operator of a taxicab business shall permit any person who is intoxicated, or who has been consuming alcoholic beverages or has the smell or odor of alcoholic beverages on his breath to drive a taxicab. The same shall

apply to the use or possession of any controlled substance. A violation of this section shall subject both the driver and the operator of the taxicab service to fines as set forth in this chapter. (Ord. 112-1996)

119.13 TAXICAB DRIVER'S LICENSE

No person shall drive a taxicab within the City without first securing a license from the City. The license shall be carried on his person while driving a taxicab. The fee payable on the issuance of the taxi driver's license shall be \$5 for each driver's fee for the first year and \$3 per year thereafter. ('72 Code, 37.13) (Ord. 11053-1959) Penalty, see 10.99

119.14 APPLICATION FOR DRIVER'S LICENSE

Every person desiring to drive a taxicab in the City shall, before undertaking to do so, file with the City Controller an application in writing for a taxicab driver's license, sworn to by the applicant and including the following:

- (a) The name and address of applicant
- (b) The address of each place of residence of the applicant during the three years prior to the date of the application
- (c) The place of employment, the kind of employment, and the name of each employer of applicant for the two years immediately preceding the date of the application
- (d) The age and sex of applicant
- (e) Applicant's experience in general motor vehicle operation
- (f) Whether or not applicant has ever been convicted in any court of any crime or misdemeanor, and if so, the facts concerning each conviction
- (g) Whether or not the applicant uses intoxicating liquors
- (h) Applicant's state chauffeur license number
- (i) On the face of the application, a certificate of the Police Chief that the applicant has been examined as to his ability to drive a motor vehicle, the traffic ordinances of the city, and the traffic laws of the state, and as to conviction of any crime or misdemeanor and that in the opinion of the officer, the applicant is a fit and proper person to receive a taxicab driver's license ('72 Code, 37.14) (Ord. 11053-1959)

119.15 CONVICTIONS OF DRIVER APPLICANT; FALSE STATEMENTS

(a) No taxicab driver's license shall be issued to any applicant who has been convicted of a felony, or who has been convicted of a misdemeanor at any time within a period of two years prior to the date of the filing of his application, or who has three or more times been convicted of a misdemeanor, except overtime parking violations. The Police Chief and the Mayor may, nevertheless, issue a license where there has been a conviction of a misdemeanor or misdemeanors as hereinbefore set out, if in their opinion the issuance of the license would not be detrimental to the safety or welfare of the traveling public. Any taxicab driver's license shall be revoked if the license was obtained by a false statement, either voluntarily or involuntarily, made in the application, and the driver may be fined as provided in 10.99.

(b) The operator of a taxicab business shall not knowingly hire any person as a driver or permit any person to drive any taxicab in his service who has been convicted of a felony, or who has been refused a permit pursuant to this section. ('72 Code, 37.15) (Ord. 11053-1959) Penalty, see 10.99

119.16 REVOCATION OF DRIVER'S LICENSE FOR CONVICTION

(a) If a taxicab driver is convicted of a felony, his license shall be immediately and automatically revoked. If he is convicted of a misdemeanor he shall surrender his license to the Police Chief and that license shall be immediately and automatically revoked. No new license shall be granted within a period of two years thereafter, except a license may be renewed on the approval of the Police Chief and the Mayor if they find that the issuance or renewal of the license will not be detrimental to the safety or welfare of the traveling public.

(b) The operator of a taxicab business shall not knowingly permit any person who has been convicted of a felony or misdemeanor after the issuance of a taxicab driver's license to the employee, whether the driver's license has been revoked or not, to drive any taxicab in his service. ('72 Code, 37.16) (Ord. 11053-1959) Penalty, see 10.99

119.17 LIQUOR VIOLATIONS

If any person holding a license under this chapter is convicted of violating any provision of the state liquor laws, the license shall be revoked and the person shall not be granted a new license within three years of the date of the revocation. ('72 Code, 37.17) (Ord. 11053-1959) Penalty, see 10.99

119.18 LOST ARTICLES

It shall be the duty of every person operating a taxicab business to promptly notify the Police Department of any article found in any vehicle operated by him and give a description of the article, and where it is kept and may be recovered so it may be returned to the owner. ('72 Code, 37.18) (Ord. 11053-1959) Penalty, see 10.99

119.19 INFORMATION TO PASSENGERS

Every driver of a taxicab, on request by any person who is, or has been, or is about to become, a passenger in the vehicle, shall give to the person his name, his taxicab driver's license number, his state chauffeur's number, and the license number of the vehicle. ('72 Code, 37.19) (Ord. 11053-1959) Penalty, see 10.99

119.20 BAGGAGE

Every passenger in any taxicab shall be allowed to have conveyed with him in the vehicle, without charge, therefor, his ordinary light traveling baggage in an amount not to exceed in weight 100 pounds. ('72 Code, 37.20) (Ord. 11053-1959)

119.21 PASSENGER VIOLATION OF LAW

Any passenger in a taxicab who violates any law, ordinance, or rule of the Board of Public Works and Safety, may be ejected from the vehicle by the driver. If the passenger has paid his fare in advance the driver shall return to him the unearned balance of the fare. ('72 Code, 37.21) (Ord. 11053-1959)

119.22 PASSENGER REFUSING TO PAY FARE

It shall be unlawful for any person who employs any taxicab and who has been conveyed therein to refuse to pay for the passage. Whoever, with intent to defraud the owner or driver of any public vehicle, engages the vehicle shall be fined not more than \$50. Refusal to pay the lawful charge for carriage or absconding without payment or offer to pay, shall be evidence of the intent to defraud. ('72 Code, 37.22) (Ord. 11053-1959)

119.23 DISABLED TAXICAB

In case any vehicle used as a taxicab becomes disabled for any reason, or there arises a condition that the driver is unable to convey the passenger in whose employ the vehicle may be at the time of the disability, and the disability cannot be remedied so that the carriage of the passenger may be continued within 15 minutes, no fare shall be charged or collected for any service rendered up to the time of the disability. If the passenger elects to remain in the vehicle or continue the employment after the disability is remedied, full rates for the distance or time traveled shall be charged as if no disability had occurred. (72 Code, 37.23) (Ord. 11053-1959)

119.24 RATE CARD POSTED

The operator of a taxicab business shall have printed on a card the maximum fare and rate for transportation of passengers, together with the prevailing schedule of rates for the taxicab. The card shall be prominently displayed in each taxicab so that it can readily be seen and read by all passengers. ('72 Code, 37.24) (Ord. 11053-1959)

119.25 LIABILITY INSURANCE

No license shall be issued and no taxicab shall be operated on any street in the city until there has been filed with the City Controller an indemnity undertaking or policy of insurance, executed by an insurance company authorized to execute the instruments in the State of Indiana, and running for the year of the license to be issued to the applicant, all subject to the approval of the City Controller. The policy shall provide for the payment of any final judgment that may be rendered against the insured for damages to property or for bodily injury or death of passengers or other persons resulting from collision or other accident for which the person may be found liable while operating the taxicab described in the applications, in a sum up to \$300,000 per accident. (Ord. 51-1998)

119.26 TAXICABS TO BE CLEAN

Every taxicab shall be kept in as good a state of repair and in as clean and sanitary a condition as on the date of the issuance of its certificate of inspection. The Traffic Division of the Police Department may make additional and separate inspections of any licensed vehicle at any time during the term of the license. If a taxicab is not in a good state of repair or is not being maintained in a clean and sanitary condition, the Inspector may order the operator to remove the vehicle from service until the conditions are corrected. In the event that the vehicle is not immediately removed from service, the Police Chief shall file a complaint with the County Court, for the revocation or suspension of the license of the operator of the taxicab business. ('72 Code, 37.26) (Ord. 11053-1959) Penalty, see 10.99

119.27 REVOCATION OF LICENSE

(a) A license issued to any driver or operator of a taxicab business may be revoked or indefinitely suspended by the Board of Public Works and Safety if:

(1) Any provision of this chapter is violated by any license holder whether operator or driver;

(2) There is repeated or flagrant violation of any ordinance of the city or the laws of the state regulating or controlling traffic on the streets of the city;

(3) On report of the Police Chief it appears to the satisfaction of the Board of Public Works and Safety that the vehicle so licensed is not properly constructed,

is not in good mechanical repair and condition, or is not a safe conveyance for the transportation of passengers; or

(4) On it being shown to the satisfaction of the Board of Public Works and Safety that any representation made by the licensee in the application for the license is false.

- (b) No license may be revoked or suspended until the Board of Public Works has held a public hearing on the matter with the license holder receiving ten (10) days written notice prior to said hearing. Notice shall be delivered to the address on file with the City Controller and may be hand delivered by a member of the Police Department or sent by certified mail return receipt requested. The City or Police Department shall have the burden of proof in any such hearing. (Ord. 1-2001)

119.28 FARE

The operator of a taxicab business or the driver of any taxicab shall not collect as a fare for the use of a taxicab owned or operated by him, a fee or charge of more than the rate schedules approved by the Board of Public Works and Safety for any single and continuous trip within the city. The operator or driver may charge for standing or waiting time at the rate as approved by the Board of Public Works and Safety. ('72 Code, 37.28) (Ord. 11053-1959)

119.29 TRANSFER OF LICENSE

(a) In the event a taxicab service is sold or transferred to a new owner, the license to operate said taxicab service shall be transferred to the new owner upon the following:

(1) the filing with the City Controller of a written signed application to transfer a license; and

(2) the payment of all taxicab license transfers fees as set forth in subsection (c).

(b) The application to transfer a license to operate a taxicab service shall be sworn to by the applicant and shall contain the following:

(1) The name of the person, partnership, firm, or corporation desiring the license; if a firm, the full names of each of the partners;

(2) The name of the person, partnership, firm, or corporation transferring the license; if a firm, the full names of each of the partners;

(3) The place of residence and principal place of business of the applicant;

(4) That the applicant intends to and will, if issued a license to do so, operate the taxicabs as shall be necessary in the service and that he owns and is the sole owner of the described taxicabs, and intends to and will operate the taxicabs in such service;

(5) The age, sex, and the residence of each person who will drive a taxicab for the applicant;

(6) The make, model, and serial number of each vehicle for which a license is applied; and

(7) The location and address of the office of the applicant.

(c) All existing taxicab licenses shall be transferred to the new owner upon payment of a ten dollar (\$10.00) transfer fee for each vehicle. This fee must be paid before any license will be transferred under this section. Annual license fees shall thereafter be assessed pursuant to Section 119.06. (Ord. 73-1996) (Ord. 112-1996)

119.30 MARKINGS

(a) All taxicabs operated within the City of Richmond shall be clearly marked with the name and phone number of the taxicab company on both the driver's side and passenger side front doors in permanent lettering no smaller than five (5) inches.

(b) Stretched limousines shall be exempt from this section. (Ord. 112-1996)

119.31 FINES AND REMOVAL OF TAXICABS FROM SERVICE

Unless a section provides otherwise, any violations of this chapter shall result in a fine in the amount of one hundred dollars (\$100.00) being assessed against the taxicab company (and/or the driver as authorized in this chapter). Any taxicab that is found not to be in compliance with any of the provisions of this chapter shall be immediately removed from service and may not be operated again within the city until such time as said taxicab is certified by a member of the Traffic Division of the Richmond Police Department to be in full compliance with this chapter. (Ord. 112-1996)