

Chapter 66

VEHICLES FOR HIRE

Article I. In General

Secs. 66-1--66-30. Reserved.

Article II. Taxicabs

Division 1. Generally

Sec. 66-31. Presumption of operation.
Sec. 66-32. Identification and marking of vehicles.
Sec. 66-33. Certificate of vehicle inspection required.
Sec. 66-34. Sale, trade or exchange of vehicle.
Sec. 66-35. Drivers--Minimum age.
Sec. 66-36. Same--Effect of felony conviction.
Sec. 66-37. Same--Driving under influence of intoxicating liquor.
Sec. 66-38. Transporting alcoholic beverages.
Sec. 66-39. Number of passengers.
Sec. 66-40. Receiving and discharging passengers.
Secs. 66-41--66-60. Reserved.

Division 2. Occupational License

Sec. 66-61. Required for drivers.
Sec. 66-62. Required to engage in taxicab business.
Sec. 66-63. Application--Manner and form.
Sec. 66-64. Same--Statement to accompany.
Sec. 66-65. Same--Approval.
Sec. 66-66. Personal appearance of applicant.
Sec. 66-67. Action by on application; issuance and denial; fees.
Sec. 66-68. Action to be taken on application at regular or special meeting.
Sec. 66-69. Subject to county ordinances regulating such business.
Sec. 66-70. Suspension or revocation authorized for good cause.
Sec. 66-71. Revocation--For violation of article.
Sec. 66-72. Same--For failure to provide service.
Secs. 66-73--66-95. Reserved.

Division 3. Insurance

Sec. 66-96. Compliance required.
Sec. 66-97. Coverage required.
Sec. 66-98. Approval.
Sec. 66-99. Deposit of policies.
Sec. 66-100. Notice of cancellation required.
Sec. 66-101. Violation of division; revocation or cancellation of license.

ARTICLE I.

IN GENERAL

Secs. 66-1--66-30. Reserved.

ARTICLE II.

TAXICABS

DIVISION 1.

GENERALLY

Sec. 66-31. Presumption of operation.

Any automobile marked, labeled or identified by lettering or numbers as a taxicab and found upon the streets of the county, or regularly used for transportation of passengers, shall be presumed to be used as a taxicab and for transportation of passengers for hire, for the purpose of this article.

Sec. 66-32. Identification and marking of vehicles.

(a) All motor vehicles operated as taxicabs in the county shall be marked on the outside with the following information:

- (1) The name of the owner;
- (2) The word "taxicab" or "taxi";
- (3) If a fleet or more than one taxicab is operated by one company or owner, a number shall be assigned to each vehicle, which shall be individual and identifying; and
- (4) Any other information deemed necessary by the board of commissioners.

(b) The markings described in subsection (a) of this section shall be stenciled or painted on each side of the taxicab in a permanent paint of contrasting color to the color of the vehicle or affixed by decal or some like manner. The letters of such markings shall not be less than three inches in height and must be printed so that the markings may be easily read at a distance of at least 50 feet.

Sec. 66-33. Certificate of vehicle inspection required.

The owner and operator of each taxicab licensed to operate within the county shall, before having his license either granted or renewed, produce to the county sheriff a written inspection report from a qualified automobile mechanic engaged in business within the county. Such mechanic shall be approved by the county sheriff, showing that the brakes and lights on each unit operated by him are in safe, serviceable condition. The license shall in no case be granted until this section is complied with.

Sec. 66-34. Sale, trade or exchange of vehicle.

(a) *Notice required.* If any owner or operator of a taxicab in the county shall sell, trade or exchange any taxicab being operated in the county and substitute another car, it shall be the duty of the seller to notify the county clerk within ten hours of the sale, trade or exchange of the vehicle, giving the number under which the car traded is identified in the policy of liability insurance on file with the county clerk.

(b) *Transfer of insurance required.* It shall also be the duty of such owner or operator of the car

substituted to furnish the clerk written endorsement of the insurance company issuing the public liability policy, the endorsement to be attached as an endorsement on the liability policy, showing that the car substituted is insured under the terms of the liability insurance.

Sec. 66-35. Drivers--Minimum age.

No person shall drive a taxicab upon the streets of the county who is under 19 years of age.

Sec. 66-36. Same--Effect of felony conviction.

No person shall drive a taxicab upon the streets of the county who has been convicted of an offense constituting a felony, or who has pleaded guilty upon a charge of having committed an offense constituting a felony.

Sec. 66-37. Same--Driving under influence of intoxicating liquor.

It shall be unlawful for any person licensed to drive a taxicab under the provisions of this article to operate such taxicab while he is under the influence of intoxicating liquor. A violation of this section shall be grounds for license revocation.

Sec. 66-38. Transporting alcoholic beverages.

(a) *Prohibited.* It shall be unlawful for any person operating a licensed taxicab service in the county, or any driver operating a taxicab in the county under the license, to knowingly haul wine, liquor or malt beverage in such taxicab; however, this section shall not apply to a driver transporting a fare-paying passenger in possession of alcoholic beverages so long as such alcoholic beverages remain in the possession and control of the passenger and are not opened within the vehicle.

(b) *Revocation of license.* If the driver of any taxicab in the county knowingly allows or permits intoxicating liquor, wine or malt beverage to be hauled in the taxicab operated by him in violation of this section, the license issued by the county shall automatically be revoked. If any license is forfeited and revoked because a driver is guilty of hauling intoxicating liquor, wine or malt beverage, and desires to be heard, he shall have a right to appeal to the board of commissioners for a hearing and be heard at such time and place as the board of commissioners shall designate. Pending the hearing before the board of commissioners, the licensee shall not operate the taxicab service under and virtue of any such license.

(c) *Forfeiture of driver's rights.* It shall be unlawful for any driver guilty of knowingly hauling liquor, wine or malt beverage in any taxicab driven by him to again drive a taxicab in the county.

Sec. 66-39. Number of passengers.

No person shall drive a taxicab upon the streets of the county when such vehicle contains more persons than such vehicle is designed to carry.

Sec. 66-40. Receiving and discharging passengers.

Drivers of taxicabs shall not receive or discharge passengers in the roadway but shall drive to the sidewalk or curb on the righthand side of such roadway and there receive or discharge passengers.

Secs. 66-41--66-60. Reserved.

DIVISION 2.

OCCUPATIONAL LICENSE

Sec. 66-61. Required for drivers.

It shall be unlawful to drive a taxicab or vehicle of any kind for the purpose of transporting passengers or property for hire without first applying for and obtaining an occupational license.

Sec. 66-62. Required to engage in taxicab business.

It shall be unlawful for any person to engage in the business of furnishing taxicab service in the county and maintaining a place of business in the county, without first obtaining a license from the county.

Sec. 66-63. Application--Manner and form.

Application for a taxicab driver's license shall be made in such manner and form prescribed by the county sheriff.

Sec. 66-64. Same--Statement to accompany.

Application for a license to drive a taxicab shall be supported by a sworn statement of the applicant setting forth the following:

- (1) The name and address of the applicant;
- (2) The applicant's age;
- (3) The applicant's habits as to sobriety; and
- (4) Whether or not the applicant has been convicted of any offense against the laws of the state or of any county, and particularly whether or not he has been convicted of violating any traffic regulation of any state or county.

Sec. 66-65. Same--Approval.

No license shall be issued to drive a taxicab until the application has been referred to the county sheriff and approved by him; however, the county administrator may issue the applicant a temporary license good only until action by the board of commissioners on the application.

Sec. 66-66. Personal appearance of applicant.

The applicant shall submit himself personally before the county sheriff, if required, or if he so desires, at the time the application for a taxicab driver's license is considered.

Sec. 66-67. Action by on application; issuance and denial; fees.

If upon a consideration of an application for a license to drive a taxicab, the county sheriff shall decide that the applicant is qualified and entitled to operate a taxicab, having due regard to the safety and morals of the public, the application shall be granted and a license issued by the county clerk, upon payment of the business or occupation tax legally demandable. If the county sheriff shall determine that the applicant is not a fit and proper person to be so licensed, having due regard for the safety and morals of the public, the county sheriff shall refuse such license. Such refusal shall be final.

Sec. 66-68. Action to be taken on application at regular or special meeting.

Applications for licenses under this article may be passed upon at either a regular or special meeting of the board of commissioners and shall be passed upon at the first regular or special meeting after filed, unless continued for good cause until the next regular or special meeting.

Sec. 66-69. Subject to county ordinances regulating such business.

All licenses granted under this article shall be subject to all the ordinances of the county governing and regulating the operation of such business.

Sec. 66-70. Suspension or revocation authorized for good cause.

(a) The board of commissioners shall have authority to suspend or revoke any and all licenses issued under this article, for good cause shown, after five days' notice given the licensee, at either a regular or special meeting. It shall be unlawful for any licensee to operate during the period of suspension. Action by the board of commissioners shall be final.

(b) The term "good cause" shall mean any violation of this article or of any state statutes pertaining to the operation of motor vehicles.

Sec. 66-71. Revocation--For violation of article.

Upon conviction of any person for violating the provisions of this article, he shall be guilty of an offense. In addition, he shall be subject to have his license declared revoked and forfeited and no longer be authorized to operate within the county. This provision for revocation of license shall apply equally to the operator of such taxicab and to the owner if owned by some person other than the operator or person found guilty.

Sec. 66-72. Same--For failure to provide service.

It is the declared policy of the board of commissioners that, in licensing the operation of vehicles under this article, a reasonable service will be rendered to the general public and to the inhabitants of the county by

the persons holding those licenses; and if such service cannot or will not be rendered by any person holding such license, the license should be revoked. Among the causes justifying such revocation shall be unreasonable failure or refusal to render such service.

Secs. 66-73--66-95. Reserved.

DIVISION 3.

INSURANCE

Sec. 66-96. Compliance required.

It shall be unlawful to operate upon the public roads, streets and highways within the corporate limits of the county any taxicab which is subject to the regulations and ordinances of the county unless such operation is done in conformity to this division with respect to insurance protection.

Sec. 66-97. Coverage required.

Before using or operating any taxicab subject to the provisions of this article for transporting passengers, and before allowing any other person to do so within the county upon the roads, streets and highways, the owner shall provide for each vehicle to be so used, and for the benefit of any and all persons having claims against the owner for damage by way of loss of life, damage to property, and/or for injury to the person, minimum liability insurance coverage as follows:

- (1) Minimum personal injury coverage for injuries \$100,000.00
- (2) Minimum property damage coverage 200,000.00

Sec. 66-98. Approval.

Insurance coverage required by this division shall be subject to approval by the county sheriff and shall be with a company and in a form satisfactory to the board of commissioners.

Sec. 66-99. Deposit of policies.

It shall be the duty of the owner to deposit such policies with the county clerk, where they shall remain while in force.

Sec. 66-100. Notice of cancellation required.

It shall be the duty of the insurer to give reasonable notice to the county before canceling any coverage. Any company failing to do so will not be considered an acceptable company for the purpose of furnishing such coverage.

Sec. 66-101. Violation of division; revocation or cancellation of license.

(a) It shall be unlawful for any person to drive or operate within the corporate limits of the county any taxicab subject to the provisions of this article when the coverage required by this division has not been provided. Any person found guilty of violating this section, after due trial, shall be guilty of an offense, and, in addition, such violation may subject the offender to revocation of any license he may hold as an authorized driver, issued or granted by the county, after investigation by the county sheriff.

(b) Violations of the provisions of this division with respect to failing to furnish and maintain the insurance protection required, or allowing the operation without providing the insurance coverage, shall be sufficient reason and justification for the board of commissioners to cancel the license of any operator of taxicabs, or to refuse to issue a license, as the case may be.