Chapter 37, VEHICLES FOR HIRE

[HISTORY: Adopted by the City Commission of the City of Kalamazoo 3-25-1985 by Ord. No. 1346. Amendments noted where applicable.]

GENERAL REFERENCES

City bus system -- See Ch. 11.
Carrying explosives or flammable liquids on buses, taxicabs or other public conveyances -- See § 15-1.
Railroads -- See Ch. 27.
Streets -- See Ch. 33.
Traffic Code -- See Ch. 36.
Wreckers -- See Ch. 40.

ARTICLE I, In General

§ 37-1. Definitions. [Amended 9-30-1996 by Ord. No. 1623]

When used in this chapter the following words, terms and phrases shall have the meanings specified herein:

BUSINESS LICENSE -- The document permitting the owner of a vehicle for hire to operate a vehicle for hire business within City limits.

CARD FRAME -- A device which is attached to the dash of a taxicab to enable a driver to display his or her identification card to passengers of a given taxicab.

DRIVER'S LICENSE -- A document granted by the City permitting a person to drive a vehicle for hire upon City streets.

LICENSE TAG -- A document issued by the City which certifies that the owner of a taxicab has received proper approval to operate said taxicab within the City limits.

LIMOUSINE -- A motor-driven vehicle, other than a common carrier, used for the transportation of persons and for which the total charge for any given trip is agreed upon by the driver and the passenger before said vehicle departs from its place of origin.

MANIFEST -- A daily record of all trips made by a given taxicab prepared by the taxicab driver, showing the time, place of origin and destination of each trip as well as the amount of the fare charged.

OWNER -- Any person, firm, copartnership or corporation who either owns, or is the lessee of, or is the purchaser under contract of a motor vehicle used as a vehicle for hire under the provisions of this chapter.

PARTY OF PASSENGERS -- One person traveling alone or two or more persons who have retained the services of a vehicle for hire and have arranged in advance of entering the vehicle for hire to use the vehicle for hire together.

RATE CARD -- The card displayed by a taxicab owner within each taxicab for which a license tag has been issued, describing the current permitted rate of fare.

STAND -- The space reserved upon the public streets for the sole use of taxicabs.

TAXICAB -- A motor-driven vehicle for hire used for the transportation of persons and for which the total charge for any given trip is not agreed upon by the driver and the passenger before the vehicle departs from its place of origin.

VEHICLE FOR HIRE -- Any motor-driven vehicle used for the transportation for hire of passengers and shall include taxicabs and van service vehicles.

VEHICLE LICENSE -- Document issued by the City which certifies that the owner of a vehicle for hire (other than taxicab) has received proper approval to operator said vehicle for hire within the City limits.

§ 37-2. Prior certificates and licenses to remain effective.

All certificates of public convenience and necessity and all licenses granted under [former] Chapter 37 of this Code which are valid and in effect on the date of the enactment of Ordinance No. 1346 shall remain valid and effective through the 30th day of April next following the effective date of Ordinance 1346.

§ 37-3. Exemptions from this chapter. [Amended 7-21-1986 by Ord. No. 1388; 9-30-1996 by Ord. No. 1623]

The provisions of this chapter shall not apply to ambulances, buses operated by the City, church or school buses, common carriers licensed under Act 254 of the Public Acts of 1933[EN(1)] when operating along any route granted in the license or to limousines. The Chief of Public Safety may also exempt from the provisions of this chapter vehicles used in state or local government operated or subsidized programs.

§ 37-4. Regulation of rates of fare.

The rates of fare to be charged by the owner or driver of any vehicle for hire licensed under this chapter may be regulated by the City Commission, and, if rates of fare are regulated, it shall be unlawful for any owner or driver of any such vehicle for hire to charge any rate of fare in excess thereof.

§ 37-5. (Reserved)

§ 37-6. (Reserved)

§ 37-7. (Reserved)

§ 37-8. (Reserved)

§ 37-9. (Reserved)

ARTICLE II, Business License

§ 37-10. Required; licensee must be owner of vehicles for hire.

No person shall operate any vehicle for hire in the City, without first having obtained a business license from the City Clerk authorizing such operation. The licensee must be the owner or lessee of all vehicles for hire operated under its authority.

§ 37-11. Filing and contents of application.

A. All persons applying for a business license for one or more vehicles for hire shall file with the City Clerk a sworn application therefor on forms provided by the City Clerk stating as follows:

   (1) The name and address of the owner or owners. In the event that the owner is a copartnership or a corporation, a certified copy of the certificate of a copartnership or

the articles of incorporation must accompany the application.

(2) The number of vehicles for hire actually owned or leased and operated by such owner on the date of such application.

(3) The number of vehicles for which a vehicle for hire business license is desired.

(4) Such other information as the City Clerk may require.

§ 37-12. License fee.

A. The City Commission may establish, by resolution or motion, license fees for business licenses, vehicle licenses and license tags in such amounts as they shall deem appropriate from time-to-time to defray the reasonable costs of supervision regulation and control connected with the issuance of these licenses. No such licenses shall be issued unless and until the prescribed fee therefor has been paid.

B. If any person holding a business license shall have such license revoked for any reason whatsoever, and other holders of business licenses shall, during the same license year in which such revocation is effected, place additional vehicles for hire in operation on the streets of the City, such vehicles for hire so placed in operation, not exceeding the number authorized under the business license so revoked, shall be authorized to operate without the payment of additional fees, until the expiration of such license year.

§ 37-13. Issuance. [Amended 9-30-1996 by Ord. No. 1623]

For each person who files a properly completed application for a business license, the Clerk, upon approval by the Chief of Public Safety, shall issue a business license, provided the applicant has complied with all the provisions of this chapter.

§ 37-14. Information to be maintained on file with the City Clerk. [Amended 9-30-1996 by Ord. No. 1623]

Every vehicle for hire owner shall maintain on file, with the City Clerk, his or her name, business address, garage address, and all business telephone numbers listed in his or her name, and shall, within 48 hours after any change therein, report such change to the City Clerk.

§ 37-15. Assignment or transfer to new owner of vehicle. [Amended 9-30-1996 by Ord. No. 1623]

Any change of ownership of, or title to, any vehicle for hire shall automatically revoke any license previously granted for the operation of such vehicle for hire unless the purchaser shall obtain the approval of the City Clerk for assignment or transfer of the license to him or her. Such approval shall be granted only upon a written application signed by the vendor and proposed vendee, setting forth the purpose, terms, conditions, and all of the facts of such assignment or transfer. The purchaser shall provide to the City Clerk, prior to the approval of such assignment or transfer, such other information as the Clerk may require consistent with the provisions of this chapter.

§ 37-16. New vehicle license or license tag for replacement vehicle. [Amended 9-30-1996 by Ord. No. 1623]

A. Whenever an owner sells or transfers title to a vehicle for hire for which a vehicle license or license tag has been issued, and within 30 days after such sale or transfer, purchases other vehicles for hire, the City Clerk, as a matter of right, upon written application within 30 days of such purchase, shall issue a new vehicle license or license tag for the operation of no greater number of vehicles for hire than those so sold or transferred, provided such owner has complied with all of the provisions of this chapter.

B. Any owner whose vehicle for hire for which a vehicle license or license tag has been issued, destroys involuntarily or who voluntarily destroys any such vehicle for hire will, as a matter of right, upon written application to the City Clerk, within 30 days after such destruction, be issued a new vehicle license or license tag for the operation of no greater number of vehicles for hire than those so destroyed, upon satisfactory evidence presented to the City Clerk of such destruction, and provided the owner has complied with all provisions of this chapter.

§ 37-17. Surrender when vehicle retired from service and not replaced.

An owner who shall permanently retire any vehicle for hire from service, and not replace the same within 30 days thereof, shall immediately surrender the vehicle license or license tag issued for the operation of such vehicle for hire to the City Clerk.

§ 37-18. Expiration.

All business licenses, vehicle licenses, and license tags shall expire at midnight on the April 30 following the issuance thereof.

§ 37-19. Renewal. [Amended 9-30-1996 by Ord. No. 1623]

Upon application, at least 30 days prior to the expiration of any valid business license, the City Clerk may renew said license, or cause a new business license to be issued to the owner so licensed upon continued compliance with the provisions of this chapter. Once a new business license has been issued, new vehicle licenses or license tags may be issued upon compliance with the provisions of this chapter.

§ 37-20. Suspension or revocation. [Amended 9-30-1996 by Ord. No. 1623]

A. Business licenses may be suspended or revoked by the City Commission at any time in the event:

   (1) The owner fails to operate a vehicle for hire in accordance with the provisions of this chapter.

   (2) A vehicle for hire operated under said business license is used in an illegal business or in violation of any ordinance of the City or state or federal law.

B. No business license shall be revoked unless or until notice and opportunity to be heard has been given to the licensee and until a hearing is duly held and the licensee is given an opportunity to appear and be heard in his or her own defense. The City Commission may designate a hearing officer to hear the evidence submitted and to make a report of findings and recommendation thereon to the commission. The licensee may, at his or her expense, employ a reporter to transcribe the testimony given at the hearing. Following the hearing, the City Commission shall submit to the licensee a written statement of its findings and determination.

C. When a business license has been suspended or revoked, the licensee shall surrender such license, together with all vehicle licenses and license tags issued to him or her under this chapter, to the City Clerk, and the operation of any vehicle for hire covered by such license shall cease.

§ 37-21. (Reserved)

§ 37-22. (Reserved)

§ 37-23. (Reserved)

§ 37-24. (Reserved)

§ 37-25. (Reserved)

§ 37-26. (Reserved)

§ 37-27. (Reserved)

§ 37-28. (Reserved)

§ 37-29. (Reserved)

ARTICLE III, Vehicle Licensing and Operation

DIVISION 1

Generally

§ 37-30. City vehicle license.

When a business license has been issued or renewed and the prescribed fee paid therefor, the vehicle for hire owner shall forthwith obtain from the City Clerk a vehicle license for each vehicle for hire, other than taxicabs, which is to be operated under said business license. The vehicle license shall be furnished by the City, upon compliance with the requirements of this chapter, for use during the period for which the business license has been issued or renewed. Any vehicle license issued under this section shall at all times be maintained in the vehicle for hire for which it was issued and shall be presented to any officer of the Department of Public Safety upon request. The City Clerk, prior to issuing a vehicle license under this section, shall obtain from the owner the make, model, year, and color of the vehicle for which the vehicle

license is sought, its state motor vehicle license number and its vehicle identification number.

§ 37-31. Insurance.

A. The owner of every vehicle for hire shall, before operating the same on the public streets of the City, take out a liability insurance policy in some responsible insurance company authorized to transact business in the state, insuring such owner against liability for personal injury to a passenger in such vehicle for hire, or to a member of the general public, resulting from an accident in which such vehicle for hire may become involved, through the recklessness or negligence of its owner or operator, as well as against damage to property resulting from such accident. Such policy shall contain a provision that the same may not be canceled by the company issuing it, without first giving the City Clerk 10 days' written notice of such intended cancellation. Such policy, or a certificate thereof, shall be filed with the City Clerk.

B. The minimum insurance required to be taken out for each vehicle for hire shall be in such types and amounts as may be set from time to time by resolution of the City Commission.

§ 37-32. Required construction and equipment. [Amended 9-30-1996 by Ord. No. 1623]

A. It shall be unlawful for any vehicle for hire owner to cause or allow a vehicle for hire to be operated if it is not in full compliance with the requirements of Chapter 36 of this code and the provisions of the State Motor Vehicle Code. In addition, each vehicle for hire shall conform to the following:

(1) All vehicles for hire shall have at least four doors, all of which shall be lockable from the inside; both the passenger compartment and the driver compartment of said vehicle must be accessible from the outside by at least two of the four doors.

(2) Every vehicle for hire shall be equipped with a working heater.

(3) Every vehicle for hire shall be equipped with a speedometer properly installed, maintained in good working order and exposed to view. No vehicle for hire shall be operated, by an owner or his or her agent, while such speedometer is out of repair or disconnected, absent the permission of the Chief of Public Safety.

(4) Every vehicle for hire shall be provided with snow tires for use on the two rear wheels or all-weather radial tires when pavement conditions are such as to require their use for the safety of the driver, passengers and the general public.

§ 37-33. Inspection by the Department of Public Safety of applicant's vehicle. [Amended 8-12-1985 by Ord. No. 1354; 9-30-1996 by Ord. No. 1623; 7-16-2004 by Ord. No. 1775]

Prior to the issuance of a license for a vehicle for hire, that vehicle must have been thoroughly inspected within the past 15 days by an automobile mechanic licensed by the State of Michigan. The applicant must present to the City a certificate from the mechanic who performed the inspection certifying that the vehicle is in full compliance with all relevant requirements of the Michigan Vehicle Code. The certificate may be on a form approved by the City. It shall be unlawful for an applicant to submit a fraudulent documentation certifying compliance with the Michigan Vehicle Code, and it shall be unlawful for any person to knowingly make a false statement, written or otherwise, concerning such compliance.

§ 37-34. Owner's records and reports generally. [Amended 9-30-1996 by Ord. No. 1623]

Every vehicle for hire owner shall keep accurate records of receipts from operations and operating and other expenses, capital expenditures, and such other operating information as may be required by this chapter. Such records shall be readily accessible for examination and provided to a designated officer of the Department of Public Safety or the City Manager upon request.

§ 37-35. Inspections by owners; maintenance requirements. [Amended 9-30-1996 by Ord. No. 1623]

Every vehicle for hire owner shall regularly inspect and maintain each said vehicle to ensure that each said vehicle is in a safe, clean and sanitary condition.

§ 37-36. Operation on fixed routes prohibited.

No owner or driver of a vehicle for hire shall cause or permit such vehicle for hire to be operated along routes in a manner similar to that of mass transportation vehicles operating along definite routes or between specific termini.

§ 37-37. First passenger's right to exclusive use. [Amended 9-30-1996 by Ord. No. 1623]

Any person hiring a vehicle for hire may have the sole use of such vehicle for hire, and no other person shall be admitted, unless the permission of the first person hiring the vehicle for hire is obtained.

§ 37-38. Report of articles left by passengers.

When a vehicle for hire driver finds any article left by a passenger and deposits it with the owner, as required by § 37-101, the owner shall report the finding and deposit of said article to Public Safety Department personnel in the information center of the Department of Public Safety within 24 hours.

§ 37-39. (Reserved)

§ 37-40. (Reserved)

§ 37-41. (Reserved)

§ 37-42. (Reserved)

§ 37-43. (Reserved)

§ 37-44. (Reserved)

§ 37-45. (Reserved)

§ 37-46. (Reserved)

§ 37-47. (Reserved)

§ 37-48. (Reserved)

§ 37-49. (Reserved)

§ 37-49. (Reserved)

DIVISION 2

Taxicab Licensing and Operating Requirements

§ 37-50. City license tag.

A. When a business license has been issued or renewed and the prescribed fee paid, the vehicle for hire owner shall forthwith obtain from the City Clerk a license tag for each taxicab operated under said business license. The license tag shall be furnished by the City, upon compliance with the requirements of this chapter, for use during the period for which the business license has been issued or renewed. The license tag shall at all times be affixed to the lower left corner of the rear window of the taxicab for which it is issued.

B. The license tag shall be so attached as to be plainly visible at all times. The City Clerk, prior to issuing a license tag under this section, shall obtain from the owner the make, model, year and color of the vehicle for which the license tag is sought, its state motor vehicle license number and its vehicle identification number.

§ 37-51. Taxicab construction; equipment.

A. Every taxicab operated in the City shall be constructed as required by § 37-32 and in addition shall conform to the following:

(1) Every taxicab shall be equipped with a taximeter properly installed, maintained in good working order and exposed to view. No taxicab shall be operated by an owner or driver while such taximeter is out of repair or disconnected, absent the permission of the Chief of Public Safety.

(2) Every taxicab shall be equipped with a card frame, furnished by the owner, for the proper display of the driver's identification card. The card frame shall be placed in the front of the taxicab and shall face the passenger and be so located as to be, at all times, in plain view of such passenger.

§ 37-52. Identification. [Amended 9-30-1996 by Ord. No. 1623]

Each taxicab shall bear on the outside of each rear door, in letters not less than two inches nor more than six inches in height, the name of the licensee; in addition each taxicab shall bear in two separate places its own identifying numbers (which shall be not less than two inches nor more than six inches in height).

§ 37-53. Rate of fare generally.

No holder of a business license for the operation of a taxicab shall charge any rate of fare greater than any maximum metered rate of fare that the City Commission may from time-to-time establish by resolution or motion.

§ 37-54. Waiting times; stops en route; not to be operated on hourly rate.

Any passenger or party of passengers shall be entitled to a waiting period without charge not exceeding three minutes from the time the taxicab arrives at the point of origin until the passenger or party of passengers enters the taxicab. Each passenger or party of passengers may be charged such amount for additional waiting time or stops en route as the City Commission from time-to-time may establish by resolution or motion. No taxicab shall be operated on any hourly rental or rate basis except as permitted by use of the waiting time procedures herein established.

§ 37-55. Rate cards.

Owners of taxicabs shall furnish an appropriate rate card for each taxicab. Such rate card shall be affixed to each taxicab in such a manner as to be visible from the passenger compartment. No person shall alter, deface or remove such rate card.

§ 37-56. Color and insignia notification. [Added 8-5-1991 by Ord. No. 1516; amended 5-18-1998 by Ord. No. 1654]

To enable the public to identify a licensee's taxicabs and to readily distinguish them from the taxicabs of other licensees, the color scheme and insignia or trademarks of all taxicabs of each licensee shall be uniform and distinct. Each color scheme and insignia or trademark shall be registered with the City Clerk prior to use. Taxicabs shall be marked only with name and color scheme as designated on the trademark.

§ 37-57. Regulations apply to all owners. [Added 9-30-1996 by Ord. No. 1623]

When the owner of a vehicle for hire is something other than a natural person, the duties and prohibitions imposed in this chapter upon an owner shall also be imposed upon those persons involved, in a decision-making capacity, in the day-to-day management of a vehicle for hire business.

§ 37-58. (Reserved)

§ 37-59. (Reserved)

§ 37-60. (Reserved)

§ 37-61. (Reserved)

§ 37-62. (Reserved)

§ 37-63. (Reserved)

§ 37-64. (Reserved)

§ 37-65. (Reserved)

§ 37-66. (Reserved)

§ 37-67. (Reserved)

§ 37-68. (Reserved)

§ 37-69. (Reserved)

ARTICLE IV, Vehicle for Hire Driver's License

§ 37-70. Required. [Amended 9-30-1996 by Ord. No. 1623]

No person shall drive a vehicle for hire within the City, without first having obtained a vehicle for hire driver's license issued in accord with this chapter, nor shall any owner permit a vehicle

for hire to be operated by anyone other than a licensed vehicle for hire driver.

§ 37-71. Application; applicant's photograph and fingerprints. [Amended 9-30-1996 by Ord. No. 1623; 7-16-2004 by Ord. No. 1775]

A. Each applicant for a vehicle for hire driver's license shall make application on forms to be provided by the Department of Public Safety, showing the following information: places of residence for five years prior to the date of the application, age, height, color of eyes, color of hair, place of birth, length of time the applicant has resided in City, whether the applicant is a citizen of the United States, places of previous employment for five years prior to the date of the application, whether applicant has ever been convicted of a felony or misdemeanor, whether applicant has previously been licensed as a vehicle for hire or taxicab driver, and if so, whether applicant's vehicle for hire or taxicab driver's license has ever been suspended or revoked and for what cause, and whether any state motor vehicle operator's permit or license issued to applicant has ever been suspended or revoked, and for what cause. Such application and statement shall be signed and sworn to by the applicant, and any false statement made by the applicant in applying for the license shall invalidate any vehicle for hire driver's license issued to him or her.

B. Each application filed under this section shall have attached thereto two recent photographs of the applicant, of such size as may from time to time be designated by the Chief of Public Safety.

§ 37-72. General qualifications of applicant. [Amended 9-30-1996 by Ord. No. 1623]

A. Each applicant for a vehicle for hire driver's license must meet the following requirements:

(1) Be at least 18 years of age, with good eyesight and not subject to any infirmity of body which might render him or her unfit for the safe operation of a vehicle for hire.

(2) Possess a valid nonprobationary Michigan chauffeur's license (unless said probationary status is only the result of a recent change of residence to the State of Michigan).

(3) Be able to read, write and speak the English language.

(4) Be clean in appearance and person.

(5) Not be addicted to the use of drugs or intoxicating liquors.

§ 37-73. (Reserved) EN(2)

§ 37-74. Driver's license fee.

The City Commission may establish, by resolution or motion, license fees for vehicle for hire driver's licenses in such amounts as they shall deem appropriate from time-to-time to defray the costs of investigation and issuance of these licenses. No such license shall be issued unless and until the prescribed fee therefor has been paid.

§ 37-75. Refusal. [Amended 9-30-1996 by Ord. No. 1623]

A. The Chief of Public Safety may refuse to authorize the issuance or renewal of a vehicle for hire driver's license in the case of an application from any person:

   (1) Whose state automobile operator's or chauffeur's license or vehicle for hire driver's license has been revoked or suspended within two years prior to the date of application.

   (2) Who has been convicted of a felony or any misdemeanor relevant to one's fitness to operate a vehicle for hire.

   (3) Who has been convicted of driving an automobile resulting in death to any person.

   (4) Who has been convicted of a drinking/driving offense.

   (5) Who has failed to comply with the requirements of this chapter.

   (6) Who, for any other reason is unfit to drive a vehicle for hire.

B. Any applicant to whom the Chief of Public Safety has refused to authorize the issuance or renewal of a vehicle for hire driver's license shall be advised in writing of the reason or reasons for such refusal.

C. An applicant refused under this section may appeal within 10 days to the City Commission. In case of such appeal, the Commission may designate a hearing officer to hold a hearing in connection with such refusal, and upon submission of a written report and recommendation from the hearing officer, setting forth the substance of the testimony produced, which shall be taken under oath administered by the hearing officer, shall decide whether or not the action of the Chief of Public Safety shall be affirmed or reversed.

§ 37-76. Issuance. [Amended 9-30-1996 by Ord. No. 1623]

Should the Chief of Public Safety find that the applicant has satisfactorily complied with all of the conditions of this chapter, he or she shall authorize the City Clerk to issue a vehicle for hire

driver's license to the applicant.

§ 37-77. Expiration and renewal. [Amended 9-30-1996 by Ord. No. 1623]

Each vehicle for hire driver's license shall expire on the 30th day of April following the issuance thereof. All applications for license renewal shall be made as provided in § 37-71 and the provisions of this chapter shall be applicable thereto.

§ 37-78. Suspension or revocation. [Amended 9-30-1996 by Ord. No. 1623]

A vehicle for hire driver's license may be suspended or revoked by the Chief of Public Safety if such driver shall use a vehicle for hire for an illegal purpose, or if such driver is guilty of violating the provisions of this chapter or any other ordinance of the City or state or federal law or if such vehicle for hire driver's Michigan chauffeur's license is suspended or revoked. If such violations or illegal purpose are the subject of statutory or common law criminal proceedings, such license shall not be revoked until there has been a conviction of the driver in the appropriate court. In the event that illegal use of the vehicle for hire is resorted to, such suspension or revocation of a vehicle for hire driver's license may not be ordered until after a hearing is held and such driver is given an opportunity to appear and be heard in his or her defense. Any suspension by the Chief of Public Safety may be appealed within 10 days to the City Commission.

§ 37-79. Temporary license.

In the discretion of the Chief of Public Safety, he or she may, upon the filing of the proper application as provided for in § 37-71, issue a temporary vehicle for hire driver's license to the applicant, pending the return from state and/or federal authorities the records of the fingerprints of such applicant. In the event that the Chief of the Department of Public Safety decides that, in the public interest, such temporary vehicle for hire driver's license should be revoked, he or she may do so in his or her discretion.

§ 37-80. Probation. [Added 8-12-1985 by Ord. No. 1354; amended 9-30-1996 by Ord. No. 1623]

A. The Chief of Public Safety may issue a probationary license to a person who has applied for a vehicle for hire driver's license (or convert a vehicle for hire driver's license to a probationary license) when the Chief has reasonable cause for concern regarding the applicant's fitness to drive a vehicle for hire or when the applicant has:

(1) Eight or more points on his or her driving record;

(2) Been placed on probation by the Michigan Secretary of State;

(3) Within the preceding two years, had an accident while driving a vehicle for hire for which said driver has been convicted of a traffic offense or found responsible of a civil infraction in the appropriate court; and

(4) Been denied a license within the preceding three years pursuant to § 37-75.

B. If the Chief of Public Safety issues such a probationary license, the Chief of Public Safety may:

(1) Establish reasonable terms and conditions of said probation related to the operation of a vehicle for hire; and

(2) Revoke said license in the event said driver violates any of said terms or conditions or violates any provisions of this chapter.

§ 37-81. (Reserved)

§ 37-82. (Reserved)

§ 37-83. (Reserved)

§ 37-84. (Reserved)

§ 37-85. (Reserved)

§ 37-86. (Reserved)

§ 37-87. (Reserved)

§ 37-88. (Reserved)

§ 37-89. (Reserved)

ARTICLE V, Vehicle for Hire Drivers

DIVISION 1

Generally

§ 37-90. Record of duty hours.

All holders of business licenses shall keep daily records of drivers who are on duty, and such records shall show their hours of duty and shall be made available to any officer of the Department of Public Safety upon request.

§ 37-91. Current address to be filed with Public Safety Department.

All holders of driver's licenses shall keep on file with the Department of Public Safety their address, and shall, within three days after changing residences, register such change of address with the Department of Public Safety.

§ 37-92. Cleanliness. [Amended 9-30-1996 by Ord. No. 1623]

Drivers shall be clean in appearance while engaged in transporting a passenger.

§ 37-93. Smoking prohibited. [Amended 9-30-1996 by Ord. No. 1623]

No driver shall have in his or her possession a lighted cigarette, cigar or pipe while any passenger is within that driver's vehicle for hire.

§ 37-94. Use of alcoholic beverages or drugs.

No driver shall use any intoxicating liquor, drug or beer or any other malt drink while on duty.

§ 37-95. Receipt and discharge of passengers generally.

Drivers shall not receive or discharge passengers in the roadway, but shall pull up to the right-hand sidewalk as nearly as possible, or in the absence of a sidewalk, to the extreme right-hand side of the road and there receive or discharge passengers, except on one-way streets where passengers may be discharged at either the right-or left-hand sidewalk or side of the roadway, in absence of a sidewalk.

§ 37-96. Not to permit unauthorized occupancy of vehicle for hire. [Amended 9-30-1996 by Ord. No. 1623]

No driver shall permit any person to sit or ride in his or her vehicle for hire while there is a passenger in said vehicle for hire unless said person is an employee of the person or entity holding the business license under which the vehicle for hire is operated.

§ 37-97. Taking on excess passengers; permitting passenger to occupy front seat.

No driver shall permit more persons to be carried in a vehicle for hire than the seating capacity of the passenger compartment, plus two passengers in the front seat, plus the driver. The front seat may only be occupied by a passenger if the passenger compartment is filled to capacity.

§ 37-98. Refusal of passengers. [Amended 9-30-1996 by Ord. No. 1623]

No driver shall refuse to convey any orderly person, upon request, unless previously engaged or unable or forbidden to do so by the provisions of this chapter.

§ 37-99. Deception of passengers; to take passenger only to directed destination.

No driver shall deceive or attempt to deceive any passenger who may ride in his or her vehicle for hire or who may desire to ride in such vehicle for hire, as to his or her destination or the rate of fare to be charged, or convey any passenger, to a place other than directed by such passenger.

§ 37-100. Soliciting passengers; leaving vehicle while on street; cruising. [Amended 8-5-1991 by Ord. No. 1516]

A. No driver shall solicit passengers for a vehicle for hire except when sitting in the driver's compartment of such vehicle for hire or while standing immediately adjacent to the curb side thereof. The driver of any vehicle for hire shall remain in the driver's compartment or immediately adjacent to his or her vehicle at all times when such vehicle is on a public street, except that, when necessary, a vehicle for hire driver may be absent from his or her vehicle for not more than 30 consecutive minutes, and provided further, that nothing herein shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.

B. No driver shall solicit patronage in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct movement of any person, or follow any person for the purpose of soliciting patronage.

C. No driver shall seek employment by repeatedly and persistently driving his or her vehicle for hire 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, railway station or other place of public gathering, or in any other manner obstructing or impeding traffic. Any driver may, however, solicit employment by driving through any public street or place, without stops other than those due to obstruction of traffic, and at such speed as not to interfere or impede traffic, and may pass or repass before any theater, hall, hotel, public resort, railway station or other place of public gathering.

D. No driver shall solicit patronage of persons assembled at the termini of any common carrier, nor at any intermediate points along any established route of such carrier, when such persons have assembled for the purpose of using the service of such common carrier. Nothing herein shall be construed to prohibit or interfere with response to any call for a vehicle for hire made by a signal from a pedestrian.

E. Soliciting will not be permitted at any time on airport property. At no time shall any driver participate in any activity or conduct on the airport premises which would be detrimental to the health, safety, and welfare of the general public.

F. All taxicabs operating from the airport shall be parked only in places where the parking of taxicabs is designated by signs except when actually loading or unloading passengers or baggage.

§ 37-101. Disposition of articles left by passengers.

Any article of value which has been left in a vehicle for hire by a passenger shall be returned to the passenger, if known, otherwise it shall be deposited with the owner of the vehicle for hire at the conclusion of the driver's tour of duty.

§ 37-102. (Reserved)

§ 37-103. (Reserved)

§ 37-104. (Reserved)

§ 37-105. (Reserved)

§ 37-106. (Reserved)

§ 37-107. (Reserved)

§ 37-108. (Reserved)

§ 37-109. (Reserved)

DIVISION 2

Taxicab Drivers

§ 37-110. Identification card. [Amended 9-30-1996 by Ord. No. 1623]

A. When driver's license is issued to a taxicab driver under Article IV of this chapter, there shall, at the same time, be furnished the driver an identification card on which shall appear the driver's name and a photograph of the driver, which shall be attached to the identification card so that the photograph cannot be removed and another photograph substituted, without detection. Such identification card must, at all times, be displayed in the card frame of the taxicab which is being driven. When the driver is off duty, he shall remove the identification card from the taxicab.

B. Except as provided above, it shall be unlawful for any person to remove, alter or deface an identification card issued under this section.

§ 37-111. (Reserved) EN(3)

§ 37-112. Manifest. [Amended 9-30-1996 by Ord. No. 1623]

A. Every taxicab driver shall maintain a daily manifest upon which is recorded all trips made each day, showing the time and place of origin and destination of each trip and the amount of fare charged for each trip. Such manifest shall also show the date thereof, the time that the driver begins work and the time that the driver leaves duty, and shall be signed by such driver and returned to the owner by such driver at the conclusion of his tour of duty. Such manifest shall be shown by the driver or the owner to any officer of the Department of Public Safety upon request. The forms for such manifest shall be furnished to the driver by the owner and shall be of a type approved by the Chief of Public Safety.

B. Every owner shall retain and preserve all taxicab drivers' manifests in a safe place for at least the calendar year next preceding the current calendar year, and such manifests shall be available to the City Manager or Chief of Public Safety upon request.

§ 37-113. Use of shortest route.

A taxicab driver shall transport passengers by the shortest route between the point or points of origin and destination, unless otherwise directed by the passenger.

§ 37-114. Standing vehicle on street.

No taxicab driver, while awaiting employment by passengers, shall stand his or her taxicab on any public street or place other than in a taxicab stand designated or established in accordance with § 36-180 of this code.

§ 37-115. Penalty for violation. [Added 9-30-1996 by Ord. No. 1623]

Any violation of any provision of this chapter shall be a misdemeanor, punishable by not more than 90 days in jail and/or a $500 fine.

Endnotes

1 (Popup - Popup)

Editor's Note: See MCLA § 475.1 et seq.

2 (Popup - Popup)

Editor's Note: Former § 37-73, which pertained to examination of applicant; as amended, was repealed 7-16-2004 by Ord. No. 1775.

3 (Popup - Popup)

Editor's Note: Former § 37-111, which pertained to a requirement that taxicab drivers wear a metal badge, was repealed 9-30-1996 by Ord. No. 1623.