

ORDINANCE 79-6

To Repeal and Reenact Chapter 4.24 of the Bloomington
Municipal Code, Entitled "Taxicabs"

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Chapter 4.24 of the Bloomington Municipal Code, entitled "Taxicabs", shall be repealed and re-enacted to read as follows:

Chapter 4.24
TAXICABS

Sections:

- 4.24.010 Definition.
- 4.24.020 Operation generally.
- 4.24.030 Business license - Required.
- 4.24.040 Business license - Application.
- 4.24.050 Business license - Insurance required.
- 4.24.060 Business license - Office and parking lot required.
- 4.24.070 Business license - Safety inspection required.
- 4.24.080 Business license - Issuance.
- 4.24.090 Business license - Information.
- 4.24.100 Business license - Term and fee.
- 4.24.110 Business license - Suspension and revocation.
- 4.24.120 Business license - License card.
- 4.24.130 Taxicabs - Fare and name card - Fares.
- 4.24.140 Taxicabs - Display of cards.
- 4.24.150 Taxicabs - Signs.
- 4.24.160 Drivers of taxicabs.
- 4.24.170 Discontinuation of service by licensee.
- 4.24.180 Violations of chapter.

4.24.010 Definition. For purposes of this chapter, "taxicab" shall mean every motor-driven vehicle used within the city for public hire and carrying passengers for hire or furnishing for use passenger transportation for hire along or over the public streets, avenues or other highways of the city, the destination or route of which is under the direction of a passenger transported therein; but this term does not mean any ambulance, funeral car, city passenger bus or school bus.

4.24.020 Operation generally. No person shall drive or operate any taxicab upon or along any street, avenue or other highway in the city except in accordance with the regulations, terms and conditions established by this chapter.

4.24.030 Business license - Required. No person shall drive or operate any taxicab upon or along any street, avenue or other highway in the city without first having secured a license to do so as provided by this chapter.

4.24.040 Business license - Application. Any person desiring to operate a new taxicab service, renew an existing taxicab license or expand existing service in the city shall file an application form with the city controller. Such application shall be in writing, signed and duly sworn by the applicant, and shall contain the following information:

- (a) The name and address of the person, partnership, firm or corporation requesting the license and, if the applicant is a firm or partnership, the name and address of each of the officers;
- (b) A statement that the applicant is financially able to render taxicab service, has adequate resources and financial backing, and has insurance sufficient to meet the current requirements of the Indiana Department of Motor Vehicles and this chapter;

- (c) A list of the make, model, factory number and state license number of each motor vehicle to be used as a taxicab; and
- (d) A statement that the applicant owns the motor vehicles described in subsection (c) above and that the applicant will operate these vehicles in providing taxicab service.

4.24.050 Business license - Insurance required. No license shall be issued to operate a taxicab unless the applicant files with the city controller an indemnity undertaking or policy of insurance executed by an insurance company legally authorized to execute such instruments in the state, running for the duration of the license and providing 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 such person may be found liable while operating a taxicab, in a sum of fifteen thousand dollars (\$15,000) for property damage, fifty thousand dollars (\$50,000) for the injury or death of one person as a result of any one accident, and one hundred thousand dollars (\$100,000) for the injury or death of two or more persons as a result of any one accident.

4.24.060 Business license - Office and parking lot required. No license shall be issued to operate a taxicab unless the applicant has a central office in the city from which to control and regulate the operation of the taxicab service and has a parking lot in which to park his taxicabs.

4.24.070 Business license - Safety inspection required. No license shall be issued to operate a taxicab unless the chief of police has made a safety inspection of each motor vehicle designated in the application. The chief of police shall send a report of the inspection and his recommendation to the controller.

4.24.080 Business license - Issuance. The controller shall within fourteen (14) days of receipt of the safety inspection report issue the business license to the applicant provided there is compliance with all other provisions of this chapter.

4.24.090 Business license - Information. The following information shall be included on the business license and shall be kept current:

- (a) the name and address of the licensee;
- (b) the name and address of the taxicab company;
- (c) a list of the make, model, factory number and state license number of each motor vehicle to be used as a taxicab;
- (d) a statement that the licensee has sufficient insurance to meet state and local requirements;
- (e) a schedule of fares and rates; and
- (f) the date of issuance of the license with the signature of the controller.

If a change is made in the information contained in the license, the old license shall be delivered to the controller, cancelled and destroyed and a new license issued in its place.

4.24.100 Business license - Term and fee. The license shall be valid for a period of one year from the date of issuance. The fee for a taxicab license shall be one hundred dollars (\$100.00) for the first taxicab and ten dollars (\$10.00) for each additional taxicab. The fee shall be paid to the city controller in the form of either cash or certified check.

4.24.110 Business license - Suspension and revocation. Any license properly issued under the terms and conditions of this chapter may be revoked or suspended by the city controller upon the failure of the owner or operator

to operate any taxicab in compliance with the terms of this chapter and the laws of the state. The owner or operator shall be given five (5) days written notice of such violation, and upon hearing and adequate proof of noncompliance the license may be suspended or revoked. Appeal of the decision may be made to the common council within thirty (30) days of the decision of the controller. The council shall, at the next regular meeting at which it can be made an agenda item, review the decision of the controller. The council shall then decide by a majority vote to either affirm, reverse, or modify the decision of the controller.

4.24.120 Business license - License card. (a) At the time the business license is issued by the controller, a separate license card for each vehicle covered by the license shall also be issued. The license card shall be framed and prominently displayed in the vehicle for which it was issued. It shall be unlawful for any person to use the license card on any vehicle other than the vehicle for which the card was issued.

(b) The license card shall be kept current as to make, model, factory number and state license number of the vehicle and name of the owner. If a change is made in the information on the license card, the old license card and license shall be delivered to the controller, cancelled and destroyed and a new license card issued in its place with necessary corrections made in the original license.

4.24.130 Taxicabs - Fare and name card - Fares. Each person operating a taxicab within the city shall have printed on a card a zone and rate map, the fare and rate of transportation of passengers as specified in the business license, and the name and photograph of the driver operating the taxicab. The fares and rates charged shall at all times be the fares and rates specified on the fare card and business license.

4.24.140 Taxicabs - Display of cards. Every licensed taxicab shall be equipped with frames for the proper display of the license card, the fare card, and the name and photograph card of the driver. The front of the frames facing the passenger shall be clearly discernible and easily read from the rear seat. Such frames shall be placed over the windshield to the right of the driver so that they are in full view of the passenger at all times.

4.24.150 Taxicabs - Signs. Any motor vehicle licensed as a taxicab shall be designated by the name of the company as it appears on the business license and the name shall be printed in legible letters at least four (4) inches in height on each side of the taxicab. The name of the licensee shall be printed in legible letters at least two (2) inches in height immediately below the name of the company. Licensed taxicabs shall not be painted in any manner that tends to deceive the public.

4.24.160 Drivers of taxicabs. It shall be the obligation of the owner or operator of any licensed taxicab company to ascertain that each driver has a current public passenger chauffeur's license to operate for hire passenger transporting conveyances, and that each driver has been advised of the traffic ordinances of the city.

4.24.170 Discontinuation of service by licensee. Any person with a valid taxicab license shall not discontinue service to the public on holidays or at any other time without giving notice to the press at least forty-eight (48) hours in advance.

4.24.180 Violations of chapter. It shall be the duty of the licensee to ensure compliance with this chapter. Violations of this chapter may result in suspension or revocation of the taxicab license or in a fine as provided in section 1.01.130 of the Bloomington Municipal Code.

SECTION II. Severability. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this chapter are declared to be severable.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor and with publication and promulgation required by law.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this day of , 1979

Tomilea Allison, President
Bloomington Common Council

ATTEST:

Karel Dolnick, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this day of , 1979, at the hour of o'clock, .m.

SIGNED and APPROVED by me upon this day of , 1979, at the hour of o'clock, .m.

Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

This ordinance would reorganize some of the existing provisions on taxicabs and add several new provisions. Major changes include the removal of the common council from the licensing process and giving the power to license to the controller after certain basic requirements are met. A new avenue for public comments has been created by providing for civil penalties for violations of the ordinance, so that a dissatisfied customer could file a complaint with the Legal Department if certain practices occurred, such as charging rates different from those listed in the business license. The sponsor of the ordinance is Councilmember Pat Kinzer.

I HEREBY MOVE THAT ORDINANCE # 79- 6 ,
ENTITLED Amend GUC re: "TAXICABS" ,
BE INTRODUCED AND READ FOR FIRST READING BY TITLE
ONLY AT THE COUNCIL MEETING HELD ON 1/17/79

John F. Richardson
(Signature)