

HOUSE No. 3213

The Commonwealth of Massachusetts

PRESENTED BY:

John P. Fresolo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act establishing a vehicle for hire law

.

PETITION OF:

NAME:

John P. Fresolo

DISTRICT/ADDRESS:

16th Worcester

HOUSE No. 3213

By Mr. Fresolo of Worcester, a petition (accompanied by bill, House, No. 3213) of John P. Fresolo for legislation to further regulate vehicles for hire. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 4685 OF 2009-2010.]

The Commonwealth of Massachusetts

An Act establishing a vehicle for hire law
□.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any general or special law, rule or regulation to the contrary, the
2 General Laws are hereby amended by inserting, after chapter 90 the following chapter:-

3 Chapter 90 ½

4 Section 1 For the purpose of this chapter, the following words shall have the following
5 meanings :

6 livery car service, an unmarked vehicle with a seating capacity not to exceed the
7 manufacturer’s recommended seating capacity that is operated for hire and used to provide livery
8 service, by or on behalf of a named insured, or by an employee of the named insured, and which
9 displays a livery registration number plate issued by the registry of motor vehicles. A livery car
10 service shall:

11 (A) be hired on a prearranged basis only, with a minimum of 12 hour notice;

12 (B) not pick-up fares on the street;

13 not take on-demand requests for transportation;

14 not contain a rate meter, and shall not charge for services based upon miles traveled if
15 the trip is less than 25 miles;

16 manage on a prearranged, scheduled business day and return to the vehicle's base of
17 operation (fixed business address) for a continuous period of a least 4 hours in each 24 hour
18 period;

19 be managed by the licensed, named insured or a licensed employee of the named
20 insured, who shall be in attendance as a chauffeur;

21 be managed from a base of operation, which is a fixed business address that is properly
22 insured and zoned for said business and whose vehicles shall each have two-way telephone or
23 cell phone communications between each driver of a vehicle and the base of operations;

24 (H) shall have in each vehicle for hire, at the start of each shift, a pre-completed schedule
25 trip sheet including all of the following information for each vehicle:

26 (i). current date including date, month and year;

27 (ii). the name of the vehicle's associated company and licensed owner;

28 (iii) the name of the vehicle's driver;

29 (iv) the vehicle's license number or permit number,;

30 (v) the time of all prescheduled pick-up of passengers;

31 (vi) the name of each passenger and total number of passengers for each prescheduled
32 pick-up;

33 (vii) the origin number, street and city of each passenger;

34 (viii) the time of all prescheduled drop-off and actual drop-off time of passengers,;

35 (ix) the name of each passenger and total number of passengers for each prescheduled
36 drop-off,;

37 (x) the place of destination, including number, street and city for each passenger; and

38 (xi) the form of primary payment method and amount received.

39 livery limousine service, an unmarked luxury vehicle with a seating capacity not to
40 exceed the manufacturer's recommended seating capacity, which is operated for hire by or on
41 behalf of the licensed, named insured, or by a licensed employee of said, named insured and is
42 operated for hire and used to provide limousine service by or on behalf of the named insured, or

43 by an employee of said named insured and displays a livery registration number plate issued by
44 the registry of motor vehicles. A livery limousine service shall:

45 (A) be hired on a prearranged hourly basis for weddings, funerals, religious ceremonies or
46 other social events or functions; (B) be hired on an exclusive, dedicated basis for the duration of
47 said event or function, not limited to drop-off and pick-up;

48 be managed by the licensed, named insured, or by a licensed employee of the said named
49 insured, and who shall be in attendance as a chauffeur, at the beginning, during, and at the
50 ending of said function;

51 not pick-up hailed fares on street;

52 (E) not take on-demand requests of any type for transportation;

53 (F) not contain a rate meter, and does not charge for services based upon miles traveled if
54 the trip is less than 25 miles;

55 (G) be managed on a prearranged, scheduled business day, and returned to the vehicle's
56 base of operation for a continuous period of a least 4 hours in each 24 hour period;

57 (H) Manages from a base of operation, which is a fixed business address that is properly
58 insured and zoned for said business,

59 have vehicles which have two-way telephone/cell phone communications between each
60 driver of the vehicle and the base of operations,

61 have in each said vehicle for hire, at the start of each shift, a pre-completed schedule trip
62 sheet including all of the following information for each vehicle:

63 (i) current date;

64 (ii) name of the vehicle's associated company and licensed owner;

65 (iii) the name of the vehicle's driver;

66 (iv) the vehicle's license number or permit number;

67 (v) the time of all prescheduled pick-up of passengers;

68 (vi) the name of each passenger and total number of passengers for each prescheduled
69 pick-up;

70 (vii) the number street and city of origin of each passenger listed;

71 the time of all prescheduled drop-off and actual drop-off time of passengers;

72 the name of each passenger and total number of passengers for each prescheduled drop-
73 off,
74 the number, street and city of destination of each passenger listed; and. . .
75 the form of primary payment method and amount received.

76 Taxicab, a metered or unmetered motor vehicle with a seating capacity not to exceed
77 manufacturer's recommended seating capacity, displaying on its exterior, permanently painted or
78 decal identification markings, a light, which shall be affixed to the roof of said vehicle, and a taxi
79 registration number plate issued by the registry of motor vehicles, operated for hire by or on
80 behalf of the named insured or by an employee or independent contractor of said named insured;
81 but which does not pickup, transport, or discharge passengers along a route A taxicab shall:be
82 hired on a hailed, on an on-demand or on a prearranged basis and shall:

83 may contain a rate meter and charge for service based upon time and miles traveled, or on
84 a flat rate basis, or on a prearranged billed basis;

85 be managed by the licensed, named insured, a licensed employee, or licensed
86 independent contractor of the named insured, and who is in attendance as the driver of the
87 taxicab;,,

88 manage from a base of operation, which is a fixed business address that is properly
89 insured and zoned for said business;

90 have vehicles with each have a two-way radio dispatching or two-way computerized
91 dispatching communications system with said base of operations;

92 maintain at the start and end of each shift, way bills including all of the following
93 information for each vehicle:

94 current date by date, month and year;,,

95 (ii). the name of the vehicle's associated company and/or licensed owner;

96 (iii) the name of the vehicle's driver,

97 the vehicle's license,pPermit, or medallion number;,,

98 the time of pick-up of passenger(s),

99 the place of origin by number, street and city of each passenger;

100 the place of destination by number, steet and city of each passenger; and . .

101 the form of primary payment method and amount received.

102 Section 2. Primary payment method shall be by cash, voucher, credit card, check, or
103 prearranged billing including name of billed individual or company.

104 Section 3. No person shall set up, employ or use, for the conveyance of passengers for
105 hire, any motor vehicle, coach, van, cab or other means of conveyance, without a license to own
106 and operate a taxicab or livery vehicle for hire from the department of telecommunications and
107 energy or the municipality in which the main office is located. In the absence of a local
108 government authority, the police department shall be responsible for all licensing under this
109 chapter.

110 Section 4. Prior to the registry of motor vehicles issuing the appropriate registration plate
111 for a vehicle for hire, the vehicle for hire must have a license or permit from the local governing
112 authority that corresponds with its main office, which is where said vehicle is owned and
113 operated as a licensed taxi or a licensed livery or limousine. The owner of the vehicle for hire
114 must also insure each licensed vehicle, from the city or town from which its base of operation is
115 maintained. Each licensed vehicle must also have the appropriate type and amount of insurance
116 that corresponds to its issued license or permit for the type of business it is licensed, such as a
117 taxi, livery or limousine, before said registration plate is issued.

118 Section 5. Every person granted a vehicle for hire license or permit under this section
119 shall be duly established in the particular type of business for which the license has been by the
120 local governing authority, shall operate said vehicle from a base of operation, which is a fixed
121 address that is properly zoned for said business and which the vehicle is properly insured in the
122 municipality from which it is licensed to operate its business.

123 Section 6. No vehicle for hire license shall be issued unless the person owning or in
124 possession of such vehicle for hire shall file with the local governing authority, a written petition,
125 addressed to that local governing authority, in a format prescribed by that local governing
126 authority, and which includes the following information:

127 1. The full legal name) of each person who is the owner of the vehicle or the vehicle's
128 applicant. In the event of a name change, a notarized document from the appropriate municipal
129 registry or court shall be submitted reflecting each name change for each person,

130 2. the birthdate and place of birth by, city, state, country, for each vehicle owner or
131 applicant including notarized birth certificates and proof of citizenship or legal

132 immigration card,

133 3. The social security number of each person,

134

135 valid and current, commonwealth driver's license number,

136 ,
137 current residences and mailing address for each person,
138 previous residence and mailing address, if current or any residence is less than 5 years,
139 Two telephone numbers to contact each person, personal and business, if applicable
140 and...

141 The owner and applicant, of said vehicle, shall, in no event, be less than 18years of age.

142 Section 7. The said petition shall also state the following:

143 The year, make, model, and type of the vehicle, the vehicle identification number and the
144 purpose of each vehicle for hire that is being petitioned by said owner and applicant,

145 The state registration number of said vehicle,

146 If the petition is made by a corporation, then the full names, addresses and telephone
147 numbers of each corporate office shall also be provided, along with a copy of its articles of
148 incorporation.

149 Section 8. Vehicle for hire license shall be renewable on an annual basis, with each
150 license expiring on a date approved and assigned by the local governing authority of said vehicle.

151 Section 9. The total number of taxicab licenses, which may be granted and outstanding at
152 any one time in the local governing area , shall not exceed the quantity which was pre-
153 established by that local governing authority. The total number of taxi vehicles allowed to be
154 licensed, at any one time, in said local governing area, shall be the quantity established by that
155 same local governing authority.

156 Section 10. No vehicle for hire license shall be sold, transferred or assigned without the
157 consent of said vehicle's local governing authority.

158 Section 11. Any license required by this section shall only be issued after the applicant
159 has acquired a policy of insurance and has delivered a copy of it to the local governing authority,
160 issued by an insurance company authorized to transact business specified in sub-division (b) of
161 section 47 of chapter 175 of the General Laws, and conforming to the provisions of sections 112
162 and 113 of chapter 175, nor until the applicant has also delivered to the local governing
163 authority, a certificate of the insurance from the insurance company issuing the policy showing
164 that the policy shall not be cancelled or in any manner, amended, changed, or altered, without
165 giving said local governing authority, 5 business days written notice, and upon receiving written
166 approval from said local governing authority, thereof.

167 Section 12. Every vehicle for hire owner shall be licensed as such, and shall, at all times,
168 carry liability insurance which provides indemnity for or protection to the insured, and any
169 person responsible for the operation of the insured's vehicle with the insured's express or
170 implied consent, against loss by reason of the liability to pay damages to others for bodily
171 injuries, including death at any time resulting therefrom, sustained during the term of the policy
172 by any person, other than employees of the insured, or, of such other person responsible as
173 aforesaid, who are entitled to payments for benefits under the provisions of chapter.152, and
174 arising out of the ownership, operation, maintenance, control or use upon the ways of the
175 commonwealth of such vehicle, to the amount and limit, as set forth by the on account of injury
176 to or death of any one person, and, subject to such limits as respects injury to or death of any one
177 person, of the amount and limit, on account of any one accident resulting in injury or death of
178 more than one person. In addition, the owner shall carry a property damage policy in the amount
179 set forth by the commonwealth.

180 Section 13. The local governing authority may accept from the insurance company, a
181 statement in writing, on a temporary basis, for a term that is not to exceed 30 calendar days from
182 the date of issuance of said written statement, certifying that a policy of insurance is to be issued
183 to the applicant and identifying the vehicles insured in lieu of the certificate of insurance.
184 Following said 30 day temporary period, the certificate of insurance shall be received by the
185 local governing authority and include in its body, whether the vehicle is being insured as a
186 taxicab, livery, or limousine. The certificate of insurance shall be filed with the local governing
187 authority immediately following preparation and issuance of the policy of insurance and also
188 include the notice of cancellation of insurance to the local governing authority as specified in this
189 chapter.

190 Section 14. Any licensed vehicle for hire whose insurance has been terminated, cancelled
191 or expired, shall cease to operate said vehicle until the insurance has been properly renewed,
192 reinstated, or reissued by the insurance company for said vehicle as required by these Articles,
193 covering the vehicle licensed.

194 Section 15. Each and every holder of a license issued pursuant to this chapter, shall be
195 responsible for ensuring that each of said licensee's vehicles is maintained and operated in full
196 compliance with this chapter. Owners shall not allow operation of any vehicle that is unsafe for
197 passenger service.

198 Section 16. Each holder of a vehicle for hire license issued pursuant to this chapter, shall
199 personally, or by an agent, inspect, repair and clean the interior and exterior of such vehicle on
200 each day that the vehicle is operated. Such inspection shall be for the purposes of ascertaining
201 vehicle compliance with these articles.

202 Section 17. Each holder of a vehicle license issued pursuant this chapter, shall instruct
203 each licensed operator in the recording and maintenance of a daily log for each vehicle. Such

204 licensee must verify that the daily log has been properly prepared and accept the daily log for
205 filing at the end of each day. The daily logs shall be retained for a period of not less than 4
206 years. Such logs shall, upon request, be open to inspection by the local governing authority and
207 local chief of police or any police officer designated by the chief of police).

208 Section 18. Each holder of an owner license issued pursuant this chapter shall be
209 responsible for training and supervising each and every driver operating any of said licensee's
210 vehicles. Such training shall include but not be limited to the use of two-way radio dispatch,
211 two-way computerized dispatch for taxicabs, or cellular or landline telephones for
212 liveries/limousines, preparation of a daily logs, and proper vehicle operation.

213 Section 19. No persons owning or in possession of a vehicle for hire licensed under this
214 chapter, shall authorize, permit or allow such licensed vehicle to be operated by any person
215 except a licensed public vehicle for hire operator; nor shall any person drive or have charge of
216 any such licensed vehicle except a person licensed under this chapter to operate such vehicles.
217 Except in cases of emergency or training, no person other than a fare-paying passenger, and only
218 when the back seat is filled with passengers, shall ride with or accompany any vehicle for hire
219 operator in the front seat of any licensed vehicle for hire.

220 Section 20. Each and every holder of a license issued pursuant to this chapter shall be
221 responsible for verifying as to each and every driver, operating any of said licensee's vehicles
222 eligibility for employment in the United States as per Title 8, USC, § 1324A.

223 Section 21..Each and every holder of a license issued pursuant to this chapter, shall be
224 required to inform each and every driver operating any of said licensee's vehicles, as to the
225 standards for dress and appearance.

226 Section 22 A driver shall be refused work by the holder of a license issued pursuant this
227 chapter, if in the opinion of the licensee, the driver is in an intoxicated or otherwise unstable
228 state.

229 Section 23. Each licensed driver of a licensed vehicle for hire issued pursuant to this
230 chapter, shall ensure that the local police department, the registry of motor vehicles and said
231 vehicle's insurance company, are each notified in writing, of any motor vehicle accident
232 involving any of said licensee's vehicles for hire drivers, by filing an authorized RMV
233 Automobile Accident Report form, within 5 business days from the date of such accident. The
234 licensed driver shall also immediately notify the owner and the company of the licensed vehicle,
235 before the driver leaves the scene of the accident, and provide the following:

236 (1) All and any personal injury information of all parties and all and any property
237 damage information,

238 (2) Names, addresses, telephone numbers, drivers license numbers and Issuing State,
239 of other

240 Driver's vehicles that were involved in the accident,

241 (3) Names, addresses, telephone numbers, of all passengers in all vehicles involved in
242 accident,

243 (4) Insurance company and policy number of other driver's vehicles involved in
244 accident,

245 (5) Year, make, model, type and color of other driver's vehicles involved in accident,

246 Section 24. When a vehicle for hire owners changes vehicles, he shall bring the new
247 registration certificate to the local governing authority and police department, which shall make a
248 copy of the same. After being approved and properly recorded by said local governing authority
249 and police department, the new or replacement vehicle shall become the licensed vehicle for hire.

250 Section 25. Each holder of a license issued as a vehicle for hire, pursuant this Law, shall
251 not transport any child under 5 years of age or under 40 pounds, without providing the
252 passenger, a child passenger safety seat for the transportation said child, in accordance with
253 section 7AA of chapter 90.

254 Section 26. Failure to comply with the provisions of, chapter 13, regarding vehicles for
255 hire, may result in the immediate suspension or revocation of any vehicle license issued, and/or
256 fines, as pursuant to this chapter.

257 Section 27. A licensed livery vehicle shall bear no external markings of any type, unless
258 otherwise determined by the local governing authority. Nor shall such a vehicle be equipped
259 with any distinguishing lights or other externally mounted instruments so as to distinguish it
260 from any private passenger vehicle.

261 Section 28. The local governing authority, the chief of police, or his designee, may at
262 any time, order a random compliance check of any vehicle for hire's owner, driver, business or
263 vehicle, which was licensed in the commonwealth. Said compliance checks shall not limit the
264 local governing authority or the police officer's ability to stop any vehicle for hire, at any time,
265 for any reasonable suspicion of violations of any statutes, or this chapter. Said compliance
266 checks may include an audit of any vehicle for hire's license, registration, insurance policy, daily
267 logs, vehicle safety, its company's insurance policy, and the driver's licenses.

268 Section 29. If a random vehicle compliance inspection reveals a licensed vehicle to be
269 unsafe for transportation, the vehicle license shall be suspended upon written notice to the
270 licensee of said vehicle's inspection findings. The vehicle shall be immediately removed from
271 service and shall remain out of service until the defect has been corrected and an authorized

272 representative of the police department has re-inspected and approved said vehicle to be fit for
273 service.

274 Section 30. No taxicab shall operate without permanent decals or painted markings,
275 which specify that taxicab's license number, its trade or business name, its company's contact
276 telephone number, and the name of the city or town in which said vehicle is licensed and
277 insured. In accordance with section 22 of chapter.40, the taxicab's trade or business name, the
278 taxicab's license number, its telephone number and the said name of the city or town, shall all
279 have permanent decals or be painted in letters not less than 4inches high and ½ inch wide. The
280 vehicle for hire taxicab shall display on its exterior, its trade's business name, its telephone
281 number, and the said name of the city or town, in which it was licensed and insured, which shall
282 be permanently decaled or painted in the same distinctive color as all other licensed vehicle for
283 hire that are in the same company. The taxicab's license number, its trade or business name, its
284 company's contact telephone number, and the name of the city or town in which said vehicle is
285 licensed and insured. shall be permanently decaled or painted in a contrasting color from the
286 vehicle's body color. The placement of the permanently decaled or painted trade or business
287 name, the taxicab's license number, telephone number, and said city or town, shall be placed on
288 both the left and right side each taxicab, as set forth by its local governing authority.

289 Removable or magnetic decals are expressly forbidden.

290 Section 31. No advertising may appear on a taxicab without prior authorization for the
291 local governing authority No other business information may appear on a taxicab except for the
292 hours of daily operation a designation of handicap-accessible (only if applicable, acceptance of
293 credit cards, availability of customer cellular telephone, no smoking, and air conditioning.

294 Section 32. A licensee shall not permanently decal, paint, or otherwise mark a licensed
295 vehicle for hire or taxicab to resemble a licensed taxicab operated by another licensed taxicab
296 company. However, all licensed taxicabs operated by the same taxicab company, shall be
297 painted with identical colors and markings, distinguishable from other licensed taxicab
298 companies.

299 Section 33. Every taxicab shall be equipped with a two-way radio dispatch or a two-way
300 computerized dispatch communications system. Said dispatch communications systems, shall
301 be used to receive and dispatch fares from its said properly zoned base of operations, pursuant to
302 the communications requirements set forth in this chapter.

303 Section 34. Unless local governing authority rules differently, every taxicab shall be
304 equipped with a tested, approved, and sealed, fare meter, in accordance with the rules and
305 regulations set forth by the commonwealth or said vehicle's local governing authority.

306 Section 35. Every taxicab shall be equipped with a light attached to the roof of said
307 vehicle and must be clearly visible from the front of said vehicle. The taxicab's roof light shall
308 be illuminated during the same time as said vehicle's headlights.

309 Section 36. Each properly licensed and insured vehicle for hire, shall carry the following
310 items:

- 311 Registration card of said vehicle for hire,
- 312 Pre-schedule trip sheets for livery or way bills for taxi) , and
- 313 Blank receipt forms

314 . Every vehicle for hire shall have displayed, a visible driver identification, which
315 includes the following:

316 The first and last name and colored photo of the driver and his license, permit, or hackney
317 number

318 Section 38. Each licensed vehicle for hire, shall be maintained at all times in compliance
319 with the requirements set forth in the 540 CMR 4.04 and the local governing authority.

320 Section 39. Every vehicle for hire livery or limousine, licensed for operation, and having a
321 license or permit, shall display said license or permit on the exterior and/or interior of said
322 vehicle, as designated by the local governing authority.

323 Section 40. All vehicles for hire taxicabs, licensed for operation, and having a medallion
324 or permit, shall display said medallion or permit on the exterior and/or interior of said vehicle, as
325 designated by the local governing authority.

326 Section 41. Each driver of a vehicle for hire licensed pursuant to this chapter, shall at all
327 times, operate it in accordance with the laws of the Commonwealth and the ordinances and
328 regulations of the licensed vehicles' local governing authority. A driver shall not knowingly
329 give direction, information or transportation to a person seeking a place or person for illegal
330 purposes including, but not limited to, the purchase or acquisition of controlled substances within
331 the meaning of chapter 94C.

332 Section 42. No driver shall, while on duty, take or be under the influence of or consume
333 any alcoholic beverages. No driver shall, whether on or off duty, purchase, sell, use or possess
334 any controlled substance as defined by chapter 94C.

335 Section 43. No driver shall, while on duty, take or be under the influence of any
336 prescription drug, which may impair the driver's ability to operate said vehicle safely.

337 Section 44. A driver shall not knowingly operate a taxicab or livery that is unsafe for
338 passenger service.

339 Section 45. All drivers of licensed vehicles for hire shall, except when a passenger directs
340 otherwise, transport passengers via the most direct route to the passenger's specified destination.
341 The driver shall always obtain permission from the passenger to transport said passenger via any
342 route other than the most direct route.

343 Section 46. The driver of a vehicle licensed pursuant to this chapter shall not refuse
344 transportation to any person except for any of the reasons set forth in subparagraphs (1) through
345 (5) and as otherwise provided in this chapter and the ordinances and regulations set forth by the
346 local governing authority:

347 When a person is noisy or disorderly, or the driver has reason to believe that such a
348 person is under the influence of alcohol or drugs unless said driver is directed to transport said
349 person by a police officer, after securing identification of said person and having ascertained
350 such person's ability to pay the driver,

351 When the person represents a threat to the safety of the driver or to his or her ability to
352 drive the vehicle in a safe manner,

353 When a person is unconscious or deceased and placed in the vehicle by others,

354 When to do so would constitute assisting in a crime,

355 When a passenger is unduly discourteous to the driver or emits an offending odor

356 Drivers are to include the reason for refusal in the daily log if they encounter any of the
357 above situations.

358 Section 47. No person other than the licensed driver of a licensed vehicle for hire, shall
359 ride or sit in the front seat of said vehicle unless the rear seat is fully occupied by passengers.
360 This provision shall not apply to passengers who must sit in the front seat for physical or health
361 reasons, or for an authorized trainee having been licensed by the local governing authority.

362 Section 48. At his discretion, a driver may accept or refuse a call when a person is
363 escorting an animal, except if:

364 The animal is properly and adequately secured in a kennel case or other suitable container
365 which would not cause danger to the taxi driver and the interior of the taxicab, or;

366 The person is blind, deaf or otherwise disabled and is accompanied by a properly
367 harnessed muzzled guide dog. No charge shall be made for transporting an animal if
368 accompanied by such passenger;

369 Any driver who is afraid or allergic to animals shall declare his allergy or fear at initial
370 licensing and must have on their person, while on-duty transporting fares, a written approval to
371 drive without accepting animals, from the Local Governing Authority. All existing, licensed
372 drivers who have allergies or fears of animals, shall have 30 calendars days, pursuant to the
373 enactment of these Articles, to declare such position and to obtain written approval to drive
374 without accepting animals from the Local Governing Authority.

375 Section 49. No driver shall refuse transportation to a person with a wheelchair, which
376 folds up. Said person must be able to get into and out of the taxicab without assistance from the
377 driver. Once said person is in the taxicab, the driver, without extra charge, shall fold up the
378 wheelchair and place it in the trunk or in the rear of the taxicab, as well as remove it, for said
379 passenger.

380 Section 50. Drivers of licensed vehicles for hire shall not smoke cigars, cigarettes or
381 pipes while transporting passengers. Drivers of licensed vehicles for hire displaying a “No
382 Smoking” sign shall not be required to transport a passenger who insists on smoking a cigar,
383 cigarette or pipe after being requested to refrain from smoking.

384 Section 51. Upon the request of any passenger, a driver shall provide a receipt to such
385 passenger. Such receipt shall detail the date, time, point of origin and destination as well as the
386 fare charged for such transportation.

387 Section 52. All taxicab drivers shall complete a daily log for each shift, documenting
388 every fare from point of origin to point of destination. This daily log shall include:

389 Current Date by month, date, and year Taxicab’s license number, oOperator’s name, and
390 date and time of last vehicle inspection,

391 Pick-up place of origin by number, street and city of each, passenger

392 Place of destination by number, street and city of each passenger,

393 Total amount of said fare, and whether it was a metered or flat rate fare, and the

394 Form of Payment

395 Section 53. All livery car service drivers must have in each vehicle for hire, at the start of
396 each shift, a pre-completed schedule trip sheet which must have documented, every prearranged
397 fare scheduled for that day, from point of origin to point of destination and shall also include all
398 of the following information:

399 a. Current date by date, month and year

400 b. Name of said vehicle’s associated company and licensed owner,

- 401 c. Name of said vehicle's licensed driver,
- 402 d. Vehicle's license number or permit number,
- 403 Time of prescheduled pick-up of each fare ,
- 404 Name and contact telephone number. of each prescheduled fare to pick-up and drop-off,
- 405 Place of origin,by number. street and city of each fare,
- 406 Time of prescheduled and actual drop-off of each fare,
- 407 Destination by number, street and city of each fare,
- 408 Total number of passengers for each pick-up and drop-off, and . . .
- 409 Form of primary payment method and amount paid.

410 At the end of every shift, the driver shall submit the daily log to the owner and/or
411 company of said licensed vehicle, for filing and storage for a minimum of 4 years.

412 Section 54 All livery limousine drivers must have in each vehicle for hire, at the start of
413 each shift, a pre-completed schedule trip sheet which must have documented, every prearranged
414 fare scheduled for that day, from point of origin to point of destination and shall also include all
415 of the following information:

- 416 a. Current date by date, month and year),
- 417 b. Name of said licensed insured vehicle's associated company and licensed owner,
- 418 c. Name of licensed vehicle's licensed driver,
- 419 d. Vehicle's license number or permit number,
- 420 Time of prescheduled pick-up of each fare ,
- 421 Wait time of each prescheduled event
- 422 Name and contact telephone number of each prescheduled fare to pick-up and drop-off,
- 423 Place of origin by number, street and city of each fare,
- 424 Time of prescheduled and actual drop-off of each fare
- 425 Place of destination by number, street and city of each fare,
- 426 Total number of passengers for each pick-up and drop-off, and . . .
- 427 Form of primary payment method and amount received,

428 At the end of every shift, the driver shall submit the daily log to the owner and/or
429 company of said licensed vehicle, for filing and storage for a minimum of 4 years.

430 Section 55. A licensed taxicab driver may accept a hailed fare while driving through any
431 public, private street or place.

432 Section 56. A licensed taxicab driver may accept an on-demand fare, or a prearranged
433 fare, from dispatch and/or cellular phones.

434 Section 57. No more than one vehicle for hire, for each dwelling unit on a lot, is
435 permitted to be parked or garaged in a residential zone.

436 Section 58. When picking up passengers, vehicle for hire drivers shall refrain from
437 excessive usage of their vehicle's horn.

438 Section 59. A licensed livery driver shall not accept a hailed fare while driving through
439 any public, private street, or place.

440 Section 60. A licensed livery driver shall not accept an on-demand fare of any kind. Said
441 licensed livery driver shall only pick-up fares that have been prearranged, for a minimum of 12
442 hours in advance of pick-up.

443 Section 61. No more than one vehicle for hire, for each dwelling unit on a lot, is
444 permitted to be parked or garaged in a residential zone.

445 Section 62. When picking up passengers, vehicle for hire drivers shall refrain from
446 excessive usage of their vehicle's horn.

447 Section 63. A licensed livery shall only pick-up fares that have been prescheduled for a
448 minimum 12 hours in advance of said pick-up

449 –Section 64. The rates to be charged for a conveyance of a passenger in a taxicab within
450 its municipality, shall be set by the local governing authority.

451 Section 65. The rates to be charged for any prearranged conveyance of a passenger in a
452 livery/limousine, shall not be based upon miles traveled, if the trip is less than 25miles.

453 All fees charged to passengers, shall be agreed upon, in advance of said prearranged trip.

454 Section 66.

455 First Offense:

456 Any livery vehicle for hire, found to be operating illegally as a taxicab, shall result in the
457 issuance of a non-criminal disposition fine of not less than \$5000, payable, in-full, to the local
458 police department or the local governing authority, and the immediate suspension of said

459 vehicle's license or permit to operate, for a period not less than 30 calendar days. All fines must
460 be payable, in-full, and shall become the property of said local governmental agency of police
461 department, prior to the reinstatement of said vehicle for hire's license or permit to operate.

462 Second Offense:

463 Any livery vehicle for hire, found to be operating illegally as a taxicab, for a second
464 offense, shall result in the issuance of a criminal disposition fine of not less than \$5000, payable,
465 in-full, to the local police department or local governing authority, and the immediate suspension
466 of said vehicle's license or permit to operate, for a period not less than 90 calendar days. All
467 fines must be payable, in-full to, and shall become the property of said local governing authority
468 or police department, prior to the reinstatement of said vehicle for hire's license or permit to
469 operate.

470 Third Offense:

471 Any livery vehicle for hire, found to be operating illegally as a taxicab, for a third time,
472 shall result in the issuance of a criminal complaint, and an immediate fine of not less than \$5000,
473 which shall be payable, in-full to, and become the the property of the local police dDepartment
474 or the local governing authority, and shall result in the immediate revocation of said vehicle's
475 license or permit to operate, and the immediate impounding and sale of said vehicle and its entire
476 contents, at a public auction, by the local police department or local governing authority. All
477 proceeds of the sale of said vehicle and its entire contents, shall be payable, in full and the
478 property of the local police department or local governing authority. All fees, legal and
479 otherwise, taxes and any other costs associated with the impounding and sale of said vehicle and
480 its entire contents, shall be the sole responsibility of said vehicle's licensed owner and must be
481 payable in-full, and shall become the property of the local governing authority. In addition, all
482 and any outstanding liens, encumbrances and/or fines, upon said vehicle, shall remain the sole
483 responsibility of said vehicle's licensed owner.

484 Any owner of said livery for hire, found guilty of a third offense, shall not own a livery
485 for hire license, nor operate any livery for hire, for a period of not less than 2 years from the date
486 of revocation of said vehicle's license or permit to operate.

487

488 Section 67. Any vehicle, found to be operating illegally as a taxicab, at any time, shall
489 result in the immediate issuance of a criminal complaint, and an immediate fine of \$5000, which
490 shall be payable, in-full, and become the property of the local police department or local
491 governing authority, and shall result in the immediate revocation of said vehicle's registration to
492 operate, and the immediate impounding and sale of said vehicle and its entire contents, at a
493 public auction, by the local police department or local governing authority. All proceeds of the
494 sale of said vehicle and its entire contents, shall be payable, in full and the property of the local

495 police department or local governing authority. All fees, legal and otherwise, taxes and any
496 other costs associated with the impounding and sale of said vehicle and its entire contents, shall
497 be the sole responsibility of said vehicle's registered owner and must be payable in-full, and the
498 property of the local governing authority. In addition, all and any outstanding liens,
499 encumbrances and/or fines, upon said vehicle, shall remain the sole responsibility of said
500 vehicle's registered owner.

501 Section 68. (1) First Offense:

502 Any taxicab driver, found to be operating a taxicab illegally in any other town or city
503 other than where said taxicab is licensed as a taxicab, by picking up hails, or passengers on any
504 public or private way or at any public or private establishment or residence, without previously
505 being schedule or pre arranged, shall result in the issuance of a non-criminal disposition fine of
506 not less than\$5000, payable, in-full, to the local police department or local governing authority,
507 and the immediate suspension of said vehicle's license or permit and drivers hackney license to
508 operate, for a period not less than 30 calendar days. All fines must be payable, in-full, and shall
509 become the property of said local agencies, prior to the reinstatement of said vehicle for hire's
510 license or permit, and drivers hackney license to operate.

511 (2) Second Offense:

512 Any taxicab driver, found to be operating a taxicab illegally, in any other town or city
513 other than where said taxicab is licensed as a taxicab, by picking up hails, or passengers on any
514 public or private way or at any public or private establishment or residence, without previously
515 being schedule or pre arranged, for a second offense, shall result in the issuance of a non-
516 criminal disposition fine of not less than\$5000, payable, in-full, to the local police department or
517 local governing authority, and the immediate suspension of said vehicle's license or permit, and
518 driver's hackney license to operate, for a period not less than 90 calendar days. All fines must be
519 payable, in-full to, and the property of said local agencies, prior to the reinstatement of said
520 vehicle for hire's license or permit, and driver's hackney license to operate.

521 (3)Third Offense:

522 Any taxicab driver, found to be operating a taxicab illegally, in any other town or city
523 other than where said taxicab is licensed as a taxicab, by picking up hails, or passengers on any
524 public or private way or at any public or private establishment or residence, without previously
525 being schedule or pre arranged, for a third time, shall result in the issuance of a criminal
526 complaint, and an immediate fine of not less than\$5000, which shall be payable, in-full to, and
527 become the property of the local police department or local governing authority, and shall result
528 in the immediate revocation of said vehicle's license or permit, and driver's hackney license to
529 operate, and the immediate impounding and sale of said vehicle and its entire contents, at a
530 public auction, by the local police department or local governing authority. All proceeds of the
531 sale of said vehicle and its entire contents, shall be payable, in full and shall become the property

532 of the local police department or local governing authority. All fees, legal and otherwise, taxes
533 and any other costs associated with the impounding and sale of said vehicle and its entire
534 contents, shall be the sole responsibility of said vehicle's licensed owner and must be payable in-
535 full, and the property of the local governing authority. In addition, all and any outstanding liens,
536 encumbrances and/or fines, upon said vehicle, shall remain the sole responsibility of said
537 vehicle's licensed owner..

538

539 Section 69. Any violations of this chapter, other than the specific violations specified in
540 sections 66 through 68, may result in the issuance of a non-criminal disposition fine of %500and
541 shall be payable, in full, to the local police department or local governing authority.

542 in any other town or city other than where said taxicab is licensed as a taxicab, by picking
543 up hails, or passengers on any public or private way or at any public or private establishment or
544 residence, without previously being schedule or pre arranged, shall result in the issuance of a
545 non-criminal disposition fine of not less than \$5000.