

**HOUSE . . . . . No. 3213**

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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 adoption of the accompanying bill:

An Act establishing a vehicle for hire law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John P. Fresolo</i>	<i>16th Worcester</i>	<i>1/20/2011</i>

**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

\_\_\_\_\_  
In the Year Two Thousand Eleven  
\_\_\_\_\_

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, permit, 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, street 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 18 years 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.