

TAXICAB ORDINANCE TOWN OF FARMINGTON

Section Analysis:

1. Declaration of Policy
2. Definitions
3. Taxicab Operator Permit and Fee
4. Taxicab permit and Fee
5. Taxicab Driver's License and Fee
6. General
7. Suspension or Revocation
8. Penalty
9. Severability

1. Declaration of Policy:

Every person owning or operating a motor vehicle who secures or accepts passengers for hire on the public street or in public places, shall be deemed to be operating a taxicab and shall be subject to Farmington Town Regulations in accordance with this ordinance.

2. Definitions:

- a. **"Driver"** shall mean the person in actual physical control of a taxicab.
- b. **"Operator"** shall mean any person owning in part or whole, in charge of, or managing a taxicab business or company in the Town.
- c. **"Taxicab"** shall mean any rubber-tired motor vehicle having a manufacturer's rated seating capacity of not more than seven persons, used in the call and demand transportation of passengers for compensation to or from points chosen or designated by the passengers and not operated on a fixed schedule between fixed terminal, or any such vehicle leased or rented, or held for leasing or renting, with or without drivers or operators.
- d. **"Unengaged Taxicab"** shall mean a taxicab in charge of a driver and neither occupied by or standing at the direction of a passenger not responding to a call of a prospective passenger. A taxicab standing in a taxi stand shall be presumed to be unengaged.

3. Taxicab Operator Permit and Fee:

Every person engaged in the business of operating taxicabs, automobiles or other vehicles for the transportation of persons for hire shall make an application to the Board of Selectmen for an "Operator's Permit" on forms provided by the Town for this purpose. The fee for such permit shall be one hundred dollars (\$100.00) annually which shall be

TAXICAB ORDINANCE (continued)

paid to the Tax Collector at the time the application is made, and on or before January 1st of each calendar year thereafter. Only one operator permit shall be required per business.

- a. **Issuance of Business Operator's Permit:** All permits must be approved by the Board of Selectmen. Before any permit is issued, the Chief of Police shall conduct an investigation of the applicant, including fingerprints and photographs. Any conviction for violation of the laws of the State of New Hampshire, or any other state, may be cause for denial by the Board of Selectmen.
- b. **Insurance:** Before any permit is issued, the Board of Selectmen shall insure that the applicant has provided a certificate of insurance for each vehicle, the minimum limits of liability acceptable shall indemnify the applicant and owner in the amount of \$250,000 for injury to one person, and \$500,000 for injury to more than one person, and \$50,000 for property damage in any one accident. The applicant shall continue such insurance during the period of his permit and it shall be his obligation to turn in his operator's and all taxicab permits upon receiving notice of cancellation of said insurance. It shall further be the responsibility of any Insurance Company or agent to notify the Board of Selectmen ten (10) days prior to any cancellation of any such policy.
- c. **Transfer Prohibited:** No Taxicab Operator Permit may be transferred from one operator to another. Any operator who voluntarily discontinues doing business shall surrender his permit to the Town of Farmington immediately.
- d. **Display of Permit Certificate:** It shall be the duty of Operators of Taxicabs to display their permit certificates in a conspicuous place within their place of business headquarters or have readily available for inspection upon demand by authorized municipal officials at all times.
- e. **Taxicab Records:** All taxicab Operators and Drivers shall keep such records of trips, fares, and destinations as may be required for examination by the Board of Selectmen. Such records will be kept for a period of six (6) months.

4. Taxicab Permit and Fee:

Every person engaged in the business of operating taxicabs, automobiles, or other vehicles for hire shall make application to the Board of Selectmen for Taxicab Permits on forms provided by the Town of Farmington for this purpose. The fee for such permits shall be thirty dollars (\$30.00) for each vehicle which shall be paid at the time the application is made and on or before January first (1st) of each calendar year thereafter.

TAXICAB ORDINANCE (continued)

- a. **Issuance of Taxicab Permits:** Before any new taxicab permits are issued, the Selectmen's Office shall receive a signed report from a garage licensed to inspect the vehicles, who shall inspect the condition of the vehicles proposed for permit, and approve or disapprove the issuance of permits within forty-eight (48) hours, Saturdays, Sundays and holidays excluded. All costs of inspection shall be borne by the owner of the vehicle. Vehicles not meeting the inspection requirements of the State of New Hampshire may be denied permits.
- b. **Transfer of Permits:** Taxicab permits may be transferred from one vehicle to another by making an application for such transfer in the same manner as is required for original permits and making payment of five dollars (\$5.00) to the Town Clerk at the time of making an application for such transfer, together with proper forms as provided by the Board of Selectmen.

5. Taxicab Driver's License and Fee:

Every person engaged in the driving of taxicabs, automobiles, or other vehicles for hire for the purpose of transporting persons shall have attained the age of eighteen (18) years, and hold a valid New Hampshire Operator's License, and shall make application to the Town Clerk for a Taxicab driver's License on forms provided by the Town for this purpose. The fee for such license shall be ten dollars (\$10.00) which shall be paid by applicant at the time of making application, and on or before January first (1st) of each calendar year thereafter.

- a. **Issuance of Taxicab Driver's License:** Before any taxicab driver's license is issued, the Town Clerk shall refer all applications to the Chief of Police who shall conduct an investigation of the applicant and approve or disapprove the issuance of such license within a reasonable time. Saturdays, Sundays and holidays excluded. Any conviction for violation of the laws of the State of New Hampshire, or any other state may be cause for denial.
- b. **Identification:** It shall be the responsibility of all Taxicab Drivers to display their Taxicab Driver's License in a conspicuous place within any taxicab being operated by them. It shall further be their responsibility, upon request of any passenger, to furnish their name.

6. General.

- a. **Condition of Taxicabs:** It shall be the responsibility of all Taxicab Operators to insure that all taxicabs shall be kept in a safe and sanitary operating condition at all times and shall at all times qualify with the standards for inspection of motor vehicles by the laws of the State of New Hampshire. Any

TAXICAB ORDINANCE (continued)

officer observing a violation of this section may obtain the Taxicab Permit of the vehicles involved which shall be temporarily suspended, and returned forthwith upon said violation being properly corrected at the satisfaction of the Chief of Police or his designee.

- b. **Periodic Inspection:** A garage licensed by New Hampshire as an Official Inspection Station shall inspect each taxicab operating in Farmington at least every sixty (60) days. The purpose of periodic inspection shall be for the maintenance of safety and sanitary conditions of the vehicles. All costs of said inspection shall be paid by the owner of the vehicle.
- c. **Parking Limited:** No operator or driver shall park or allow to be parked any taxicab upon any street in any business district at other than an authorized taxicab stand except when actually engaged in taking on or leaving passengers.
- d. **Taxicab Stands:** The Board of Selectmen may establish taxicab stands on such public streets and in such places and in such numbers as shall determine to be of greatest benefit and convenience to the public, business, and every such taxicab stand shall be designated by appropriate markings.
- e. **Limitation On Use:** No operator or drive of any taxicab shall:
 - 1. Accept any other passenger without the consent of the person or persons who have engaged the cab.
 - 2. In no case pick up any adults when children under the age of sixteen (16) years are alone in the cab, unless said juvenile is seated adjacent to the driver.
- f. **Passenger Limited:** The operators or drivers of taxicabs shall not carry more passengers in their taxicabs than the seating capacity as listed in the manufacturer's vehicle specification.
- g. **Service to be Given on Demand:** It shall be the duty of every taxicab driver or operator of an unengaged taxicab, upon request, during their regular business hours, to transport any orderly person between two points within the Town.
- h. **Property Left In Taxicab:** All property of reasonable value left in taxicabs shall be returned to the owner forthwith, or after a diligent attempt has been made to return said property to owner, it shall be delivered over to the police department by the driver of the taxicab.

TAXICAB ORDINANCE (continued)

- i. **Records and Other Privileged Information:** Will be made available only to the police department and the Board of Selectmen.
- j. **Complaints:** Whenever there is a complaint over fare or otherwise, that cannot be agreeably resolved to all parties, the complainant may register such a complaint in writing to the Board of Selectmen's office. The Board of Selectmen shall conduct a hearing. Upon sustaining the complaint, the Board of Selectmen may suspend or revoke such permits as may be required.
- k. **All Taxicab Operators:** Will have on file with the Board of Selectmen rates being charged and shall file new rates as they are changed before they are allowed to be in effect. Such rates shall be posted in a conspicuous place in each taxicab.
 - 1. **Identification:** All taxicabs shall be required to display outside identification.

7. Suspension or Revocation.

- a. Whenever any operator shall be convicted in the Farmington District Court of a violation of any sections of these rules and regulations, shall forthwith return his operator's permit to the Board of Selectmen who shall retain such permit until application is made in the same manner as for an original permit.
- b. Any taxicab driver who shall be convicted of any violation of these rules and regulations, or of any law of the State of New Hampshire shall forthwith return his taxicab driver's license to the Board of Selectmen who shall retain said license until such time as a permit has been filed in the same manner as for an original taxicab license and a determination as to its issuance or denial shall have been made.
- c. The Board of Selectmen may suspend or revoke any operator's permit, taxicab permit, or taxicab driver's license at any time for just cause.

8. Penalty:

Any person, firm or corporation violating any provision of this ordinance shall be guilty of a violation and fined not in excess of one hundred dollars (\$100.00), a separate offense shall be deemed committed upon each day, or part thereof, during or on which a violation occurs or continues.

TAXICAB ORDINANCE (continued)

9. Liability:

The Town of Farmington in licensing any person, firm, or company under the provisions of this ordinance assumes no liability for any of their activities.

10. Severability:

If any part of this Ordinance is invalidated by legislative or administrative action or struck down by the court, it shall not invalidate the rest of the ordinance.

TOWN OF FARMINGTON APPLICATION FOR TAXI CAB OWNER'S PERMIT

Name of Applicant: _____

Date of Birth _____

Legal Address: _____

Local Address: _____

Sex: _____ Age: _____ Weight: _____

Color of Hair: _____ Color of Eyes: _____

If applicant is employed by another, name and address of employer, together with credentials establishing the exact relationship: _____

Description of nature of business:

Location of business: _____

Requested effective date: _____

Hours of Operation: _____

Vehicle Information:

Make and Model of vehicle to be used: _____

Year of vehicle to be used: _____

License Plate number: _____

Vehicle Identification Number #: _____

The following must be submitted at time of application:

1. Current Drivers License
2. Current Vehicle Registration
3. Current Insurance Certificate with coverage's as specified in the Town of Farmington Taxicab Ordinance
4. A signed report of a licensed motor vehicle garage stating the vehicle proposed for permit meets New Hampshire inspection requirements.
5. A signed, notarized Criminal Background Records Release Form (attached)
6. Application fee: \$100.00

I hereby certify that the above statements are true and correct:

Date

Applicants Signature

Approved by the Board of Selectmen:

Approved by the Police Chief:

Chairman, Board of Selectmen

Chief of Police

