

## CHAPTER 866 Taxicabs

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### CROSS REFERENCES

Carrying passengers; locking of doors - see MCLA Secs. 256.531, 256.532  
 Application for registration of taxicabs - see MCLA Sec. 257.217  
 Discrimination - see MCLA Secs. 750.146, 750.147  
 Uniform Traffic Code/Motor Vehicle Code - see TRAF. Ch. 410

### **866.01 DEFINITIONS.**

As used in this chapter:

- (a) "Taxicab" or "cab" means a motor vehicle with a taximeter, engaged in the business of carrying passengers for hire and not operated on a fixed route.
- (b) "Taximeter" means a meter instrument or device mounted within a taxicab and visible to the passenger, which instrument or device is used to measure the distance driven, upon which distance the fare is based.
- (c) "Class I inspection" means an inspection of the cleanliness, basic safety and functions of a vehicle, including such matters as tires, headlights, horn, and legally required equipment. The exact requirements and methods of a Class I inspection shall be established by the Chief of Police in accordance with the terms of this chapter and shall be available to the public upon request.
- (d) "Class II inspection" means a Class I inspection and, in addition, an inspection of the mechanical and electrical components of a vehicle by an independent certified mechanic, including such matters as brakes, steering and transmission. The exact requirements and methods of a Class II inspection shall be established by the Chief of Police in accordance with the terms of this chapter and shall be available to the public upon request. The cost of a Class II inspection shall be paid by the license applicant.
- (e) "Department" means the Police Department of the City of Traverse City.  
(Ord. 321. Passed 12-26-91.)

### **866.02 LICENSES; DETERMINATION OF FARES; INSURANCE.**

- (a) License Required. No person shall engage in the business of transporting passengers in taxicabs or other vehicles for hire without first obtaining a taxicab license.
- (b) Hearings; Determination. Licenses will be issued at the discretion of the City Commission after a public hearing. Such hearings may be upon the Commission's own motion or upon the

application of any person interested in obtaining a taxicab license. In making its findings, the City Commission shall take into account the best interest of the residents of the City, safety of the public, whether or not existing transportation is adequate to meet the public needs, the effect of regulation (number of taxicabs and number of companies on the type of service to be provided and any other factors deemed pertinent by the City Commission.

- (c) Insurance. No person shall engage in any such business without furnishing to the City Clerk satisfactory evidence of the insurance of each vehicle so used. The insurance documents shall indicate that the City Clerk shall be notified, in writing, immediately, by the insurance carrier in the event of any lapse, reduction or change in insurance coverage.
- (d) Application for License. Any applicant for a license shall file with the City Clerk an application and such information as shall be required by the City before the hearing and:
- (1) The names and addresses of all parties with any ownership interest in the applicant;
  - (2) The current balance sheet of the applicant;
  - (3) The applicant's experience in the taxicab business;
  - (4) The vehicle identification number and identification of the vehicles to be operated and the location of the terminal;
  - (5) Statements from the Police Department that the vehicles to be operated have successfully passed a Class II inspection;
  - (6) The color scheme or insignia to be used to designate the taxicabs;
  - (7) Facts which the applicant believes tend to prove that public convenience and necessity require granting a license; and
  - (8) A non-refundable application fee which shall be established by the City Commission in such amount as it deems appropriate from time to time.

The license holder shall submit to the City Clerk thirty days advance written notification of any proposed changes in the above required information, except for paragraph (d)(4) hereof.

- (e) Expiration and Renewal. All taxicab licenses shall expire on June 30 of each year. The license holder, at the expiration of any license year, shall be entitled to a renewal of the license for the ensuing year by the City Clerk upon compliance with this chapter. The license holder shall submit an application for renewal, such information as shall be required by the City and the following:
- (1) The names and addresses of all parties with an interest in the applicant;
  - (2) The vehicle identification number and identification of the vehicles to be operated and the location of the terminal;
  - (3) Statements from the Police Department that the vehicles to be operated have successfully passed a Class II inspection;
  - (4) The color scheme or insignia to be used to designate the taxicabs; and
  - (5) A non-refundable renewal application fee which shall be established by the City Commission in such amount as it deems appropriate from time to time.

The City Clerk shall approve or recommend denial of the application for renewal no later than thirty days after receipt of the above required information, except for paragraph (e)(4) hereof.

The license holder shall submit to the City Clerk thirty days written notification of any proposed changes in the above required information.

- (f) Conditions for Denial. An application shall not be approved if any of the following conditions exist. An application for renewal or proposed change in items as required under subsections (d) and (e) hereof shall not be approved if any of the following conditions exist:
- (1) The applicant is in violation of any City ordinance or State law.
  - (2) The applicant is in default to the City, including being delinquent in the payment of any taxes, fees or other City charges.
  - (3) The applicant has been convicted of a violation of any Federal, State or City law concerning public transportation.
  - (4) The applicant has made a false statement in the application procedure or has submitted an incomplete application.
- (g) Investigation by City Officials. Upon receipt of an application for a license, an application for a renewal or written notification from a license holder of a proposed change in any licensing information, the City Clerk shall forthwith request an investigation by City officials to determine conditions related to the health, safety and welfare of the City.
- (1) Application for licenses. After investigation by City officials, the City Clerk shall notify the City Commission before the hearing in writing of the results of the investigation.
  - (2) Application for renewals. After investigation by City officials, the City Clerk shall notify the license holder in writing that the renewal is approved or recommended for denial. Upon recommendation for denial, the City Clerk shall forthwith recommend denial to the City Commission, at which time the City Commission shall approve or deny the application for renewal.
  - (3) Notification of proposed changes. After investigation by City officials, the City Clerk shall notify the license holder in writing that the proposed change is approved or recommended for denial. Upon recommendation for denial, the City Clerk shall forthwith recommend denial to the City Commission, at which time the City Commission shall approve or deny the proposed change.
- (h) Transfers. No license or interest therein shall be transferred directly or indirectly without the consent of the City Commission. Transfers shall be construed and processed as a new application for a license.
- (i) Revocation. The City Manager may revoke any license for cause or noncompliance with this chapter following a hearing before the City Commission.

- (j) Notice of hearings. All hearings on the issuance of taxicab licenses shall be held only after ten days' notice of such hearing has been posted at City Hall and published in the official newspaper.

(Ord. 321. Passed 12-16-91. Ord. 817. Passed 1-4-09.)

**866.03 INSPECTIONS BY POLICE DEPARTMENT.**

- (a) All vehicles operated under a taxicab license shall be kept in safe condition, in good repair, in good mechanical order, and in a good, clean and sanitary condition. The Police Department shall have the right to examine or cause to be examined all licensed vehicles for the purpose of ascertaining that the provisions of this chapter are being satisfied. All licensed vehicles shall have a taximeter.
- (b) Each taxicab shall submit to and pass a Class I inspection by the Police Department and, if required, a Class II inspection, once in each calendar month. If the license holder fails to make the necessary repairs or cleaning ordered by the Police Department as a result of such inspection, the vehicle shall be taken out of service and the Police Department shall issue a citation. Upon the license holder's being issued five citations, the City Manager shall forthwith recommend revocation of the license to the City Commission, at which time, the City Commission shall determine whether to revoke the license.
- (c) The Police Department may require a Class II inspection of a vehicle. This inspection may be conducted at such time as the Class I inspection is performed by the Department.
- (d) Additional Class I or Class II inspections will be performed whenever a complaint concerning the cleanliness or safety of a taxicab is received by the Department or by any City official who reports such complaint to the Department.

(Ord. 321. Passed 12-16-91.)

**866.04 QUALIFICATIONS OF DRIVERS.**

A taxicab driver shall be at least eighteen years of age, shall possess a current chauffeur's license and shall have no mental or physical defect which would render him or her an unsafe driver. The Chief of Police will enforce this regulation. The taxicab operator shall send a written notice to the Chief of Police before the employment of any person as a driver.

(Ord. 321. Passed 12-16-91.)

**866.05 TWENTY-FOUR HOUR OPERATION REQUIRED; MEETING PLACE REQUIREMENT.**

- (a) Twenty-four hour operation. All taxicab operations shall operate twenty-four hours per day every day of the year.
- (b) Meeting place. At the request of any customer, the owner or manager of a taxicab company shall meet with any customer within two business days, excluding holidays, at a mutually agreed-upon location within the corporate limits of the City. If a mutually agreed-upon location cannot be reached, the City Clerk shall designate a location. At the request of any City

official, the owner or manager of the taxicab company shall meet with such official at that official's office within two business days.

- (c) **Records.** At the request of any City official, the owner of the taxicab company shall produce any of the company's records required under this chapter within two business days.  
(Ord. 321. Passed 12-16-91. Ord. 618. Passed 1-19-04.)

**866.06 NUMBERS OF VEHICLES.**

Each applicant and license holder shall have at least four taxicabs available for service, with reasonable exceptions to be made for repairs not to exceed twenty-one days.  
(Ord. 321. Passed 12-16-91.)

**866.07 RIDERS; INTOXICATED PERSONS; IMMORALITY.**

The maximum number of passengers, including the driver, allowed to ride in a vehicle, shall not exceed the number of seatbelts. No taxicab driver shall take on or carry any additional passengers without the express consent of the first employing passenger. Taxicabs shall not be used for immoral purposes.  
(Ord. 321. Passed 12-16-91.)

**866.08 FARES.**

- (a) The taxicab fare shall be on a metered basis determined by a taximeter. No fare shall be collectible unless the taximeter is in good working order at the time of rendering service. All maximum rates and charges shall be filed with the City Clerk 30 days prior to becoming effective and shall be certified by the City Clerk.
- (b) Any taxicab operated for hire shall have posted in a conspicuous place within the taxicab, illuminated at night, in full view of the occupant at all times, a copy of the rates and charges schedule certified by the City Clerk, an identification photograph of the driver of the vehicle and the name and chauffeur's license number of the driver as approved by the Police Department.  
(Ord. 321. Passed 12-16-91. Ord. 817. Passed 1-4-09.)

**866.09 RECEIPTS.**

The driver of any taxicab shall, upon request, give a written receipt for the fare charged to any rider.  
(Ord. 321. Passed 12-16-91.)

**866.10 RECORDS.**

A daily manifest shall be maintained for each taxicab upon which are recorded all trips made each day showing time, origin, destination and fare of each trip. The manifest shall be maintained by the license holder and furnished to the City upon request. All manifests shall be retained for three years.  
(Ord. 321. Passed 12-16-91.)

**866.99 PENALTY.**

A person who violates this chapter is responsible for a civil infraction.  
(Ord. 488. Passed 4-17-00.)

BUSINESS REGULATION AND TAXATION CODE

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