

HOUSE No. 03213

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 bill:

An Act establishing a vehicle for hire law

.

PETITION OF:

NAME:

John P. Fresolo

DISTRICT/ADDRESS:

16th Worcester

HOUSE No. 03213

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 meanings
- 5 :
- 6 livery car service, an unmarked vehicle with a seating capacity not to exceed the manufacturer's
- 7 recommended seating capacity that is operated for hire and used to provide livery service, by or
- 8 on behalf of a named insured, or by an employee of the named insured, and which displays a

9 livery registration number plate issued by the registry of motor vehicles. A livery car service
10 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 the trip is
15 less than 25 miles;

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

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

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

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

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

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

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

- 28 (iv) the vehicle's license number or permit number,;
- 29 (v) the time of all prescheduled pick-up of passengers;
- 30 (vi) the name of each passenger and total number of passengers for each prescheduled pick-up;
- 31 (vii) the origin number, street and city of each passenger;
- 32 (viii) the time of all prescheduled drop-off and actual drop-off time of passengers,;
- 33 (ix) the name of each passenger and total number of passengers for each prescheduled drop-off,;
- 34 (x) the place of destination, including number, street and city for each passenger; and
- 35 (xi) the form of primary payment method and amount received.

36 livery limousine service, an unmarked luxury vehicle with a seating capacity not to exceed the
37 manufacturer's recommended seating capacity, which is operated for hire by or on behalf of the
38 licensed, named insured, or by a licensed employee of said, named insured and is operated for
39 hire and used to provide limousine service by or on behalf of the named insured, or by an
40 employee of said named insured and displays a livery registration number plate issued by the
41 registry of motor vehicles. A livery limousine service shall:

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

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

48 not pick-up hailed fares on street;

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

50 (F) not contain a rate meter, and does not charge for services based upon miles traveled if the trip

51 is less than 25 miles;

52 (G) be managed on a prearranged, scheduled business day, and returned to the vehicle's base of

53 operation for a continuous period of a least 4 hours in each 24 hour period;

54 (H) Manages from a base of operation, which is a fixed business address that is properly insured

55 and zoned for said business,

56 have vehicles which have two-way telephone/cell phone communications between each driver of

57 the vehicle and the base of operations,

58 have in each said vehicle for hire, at the start of each shift, a pre-completed schedule trip sheet

59 including all of the following information for each vehicle:

60 (i) current date;

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

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

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

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

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

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

- 67 the time of all prescheduled drop-off and actual drop-off time of passengers;
- 68 the name of each passenger and total number of passengers for each prescheduled drop-off,
- 69 the number, street and city of destination of each passenger listed; and. . .
- 70 the form of primary payment method and amount received.

71 Taxicab, a metered or unmetered motor vehicle with a seating capacity not to exceed
72 manufacturer's recommended seating capacity, displaying on its exterior, permanently painted or
73 decal identification markings, a light, which shall be affixed to the roof of said vehicle, and a taxi
74 registration number plate issued by the registry of motor vehicles, operated for hire by or on
75 behalf of the named insured or by an employee or independent contractor of said named insured;
76 but which does not pickup, transport, or discharge passengers along a route A taxicab shall:be
77 hired on a hailed, on an on-demand or on a prearranged basis and shall:
78 may contain a rate meter and charge for service based upon time and miles traveled, or on a flat
79 rate basis, or on a prearranged billed basis;
80 be managed by the licensed, named insured, a licensed employee, or licensed independent
81 contractor of the named insured, and who is in attendance as the driver of the taxicab,;
82 manage from a base of operation, which is a fixed business address that is properly insured and
83 zoned for said business;
84 have vehicles with each have a two-way radio dispatching or two-way computerized dispatching
85 communications system with said base of operations;

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

88 current date by date, month and year,;

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

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

91 the vehicle's license, permit, or medallion number,;

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

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

94 the place of destination by number, street and city of each passenger; and . .

95 the form of primary payment method and amount received.

96 Section 2. Primary payment method shall be by cash, voucher, credit card, check, or prearranged

97 billing including name of billed individual or company.

98 Section 3. No person shall set up, employ or use, for the conveyance of passengers for hire, any

99 motor vehicle, coach, van, cab or other means of conveyance, without a license to own and

100 operate a taxicab or livery vehicle for hire from the department of telecommunications and

101 energy or the municipality in which the main office is located. In the absence of a local

102 government authority, the police department shall be responsible for all licensing under this

103 chapter.

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

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

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

- 121 1.The full legal name) of each person who is the owner of the vehicle or the vehicle's applicant.
122 In the event of a name change, a notarized document from the appropriate municipal registry or
123 court shall be submitted reflecting each name change for each person,
- 124 2.the birthdate and place of birth by, city, state, country, for each vehicle owner or applicant
125 including notarized birth certificates and proof of citizenship or legal

126 immigration card,

127 3. The social security number of each person,

128

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

130 ,

131 current residences and mailing address for each person,

132 previous residence and mailing address, if current or any residence is less than 5 years,

133 Two telephone numbers to contact each person, personal and business, if applicable and...

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

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

136 The year, make, model, and type of the vehicle, the vehicle identification number and the

137 purpose of each vehicle for hire that is being petitioned by said owner and applicant,

138 The state registration number of said vehicle,

139 If the petition is made by a corporation, then the full names, addresses and telephone numbers of

140 each corporate office shall also be provided, along with a copy of its articles of incorporation.

141 Section 8. Vehicle for hire license shall be renewable on an annual basis, with each license

142 expiring on a date approved and assigned by the local governing authority of said vehicle.

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

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

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

159 Section 12. Every vehicle for hire owner shall be licensed as such, and shall, at all times, carry
160 liability insurance which provides indemnity for or protection to the insured, and any person
161 responsible for the operation of the insured's vehicle with the insured's express or implied
162 consent, against loss by reason of the liability to pay damages to others for bodily injuries,
163 including death at any time resulting therefrom, sustained during the term of the policy by any
164 person, other than employees of the insured, or, of such other person responsible as aforesaid,

165 who are entitled to payments for benefits under the provisions of chapter.152, and arising out of
166 the ownership, operation, maintenance, control or use upon the ways of the commonwealth of
167 such vehicle, to the amount andr limit, as set forth by the on account of injury to or death of any
168 one person, and, subject to such limits as respects injury to or death of any one person, of the
169 amount and limit, on account of any one accident resulting in injury or death of more than one
170 person. In addition, the owner shall carry a property damage policy in the amount set forth by
171 the commonwealth.

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

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

185 Section 15. Each and every holder of a license issued pursuant to this chapter, shall be
186 responsible for ensuring that each of said licensee's vehicles is maintained and operated in full

187 compliance with this chapter. Owners shall not allow operation of any vehicle that is unsafe for
188 passenger service.

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

193 Section 17. Each holder of a vehicle license issued pursuant this chapter, shall instruct each
194 licensed operator in the recording and maintenance of a daily log for each vehicle. Such licensee
195 must verify that the daily log has been properly prepared and accept the daily log for filing at the
196 end of each day. The daily logs shall be retained for a period of not less than 4 years. Such logs
197 shall, upon request, be open to inspection by the local governing authority and local chief of
198 police or any police officer designated by the chief of police).

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

204 Section 19. No persons owning or in possession of a vehicle for hire licensed under this chapter,
205 shall authorize, permit or allow such licensed vehicle to be operated by any person except a
206 licensed public vehicle for hire operator; nor shall any person drive or have charge of any such
207 licensed vehicle except a person licensed under this chapter to operate such vehicles. Except in
208 cases of emergency or training, no person other than a fare-paying passenger, and only when the

209 back seat is filled with passengers, shall ride with or accompany any vehicle for hire operator in
210 the front seat of any licensed vehicle for hire.

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

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

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

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

226 (1) All and any personal injury information of all parties and all and any property damage
227 information,

228 (2) Names, addresses, telephone numbers, drivers license numbers and Issuing State, of other
229 Driver's vehicles that were involved in the accident,

230 (3) Names, addresses, telephone numbers, of all passengers in all vehicles involved in
231 accident,

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

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

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

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

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

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

249 Section 28. The local governing authority, the chief of police, or his designee, may at any time,
250 order a random compliance check of any vehicle for hire's owner, driver, business or vehicle,

251 which was licensed in the commonwealth. Said compliance checks shall not limit the local
252 governing authority or the police officer's ability to stop any vehicle for hire, at any time, for any
253 reasonable suspicion of violations of any statutes, or this chapter. Said compliance checks may
254 include an audit of any vehicle for hire's license, registration, insurance policy, daily logs,
255 vehicle safety, its company's insurance policy, and the driver's licenses.

256 Section 29. If a random vehicle compliance inspection reveals a licensed vehicle to be unsafe for
257 transportation, the vehicle license shall be suspended upon written notice to the licensee of said
258 vehicle's inspection findings. The vehicle shall be immediately removed from service and shall
259 remain out of service until the defect has been corrected and an authorized representative of the
260 police department has re-inspected and approved said vehicle to be fit for service.

261 Section 30. No taxicab shall operate without permanent decals or painted markings, which
262 specify that taxicab's license number, its trade or business name, its company's contact
263 telephone number, and the name of the city or town in which said vehicle is licensed and
264 insured. In accordance with section 22 of chapter.40, the taxicab's trade or business name, the
265 taxicab's license number, its telephone number and the said name of the city or town, shall all
266 have permanent decals or be painted in letters not less than 4inches high and ½ inch wide. The
267 vehicle for hire taxicab shall display on its exterior, its trade's business name, its telephone
268 number, and the said name of the city or town, in which it was licensed and insured, which shall
269 be permanently decaled or painted in the same distinctive color as all other licensed vehicle for
270 hire that are in the same company. The taxicab's license number, its trade or business name, its
271 company's contact telephone number, and the name of the city or town in which said vehicle is
272 licensed and insured. shall be permanently decaled or painted in a contrasting color from the
273 vehicle's body color. The placement of the permanently decaled or painted trade or business

274 name, the taxicab's license number, telephone number, and said city or town, shall be placed on
275 both the left and right side each taxicab, as set forth by its local governing authority.

276 Removable or magnetic decals are expressly forbidden.

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

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

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

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

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

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

296 Registration card of said vehicle for hire,

297 Pre-schedule trip sheets for livery or way bills for taxi) , and

298 Blank receipt forms

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

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

302 number

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

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

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

311 Section 41. Each driver of a vehicle for hire licensed pursuant to this chapter, shall at all times,
312 operate it in accordance with the laws of the Commonwealth and the ordinances and regulations
313 of the licensed vehicles' local governing authority. A driver shall not knowingly give direction,
314 information or transportation to a person seeking a place or person for illegal purposes including,

315 but not limited to, the purchase or acquisition of controlled substances within the meaning of
316 chapter 94C.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

354 Any driver who is afraid or allergic to animals shall declare his allergy or fear at initial licensing
355 and must have on their person, while on-duty transporting fares, a written approval to drive

356 without accepting animals, from the Local Governing Authority. All existing, licensed drivers
357 who have allergies or fears of animals, shall have 30 calendars days, pursuant to the enactment of
358 these Articles, to declare such position and to obtain written approval to drive without accepting
359 animals from the Local Governing Authority.

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

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

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

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

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

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

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

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

378 Form of Payment

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

383 a. Current date by date, month and year

384 b. Name of said vehicle's associated company and licensed owner,

385 c. Name of said vehicle's licensed driver,

386 d. Vehicle's license number or permit number,

387 Time of prescheduled pick-up of each fare ,

388 Name and contact telephone number. of each prescheduled fare to pick-up and drop-off,

389 Place of origin,by number. street and city of each fare,

390 Time of prescheduled and actual drop-off of each fare,

391 Destination by number, street and city of each fare,

392 Total number of passengers for each pick-up and drop-off, and . . .

393 Form of primary payment method and amount paid.

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

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

400 a. Current date by date, month and year),

401 b. Name of said licensed insured vehicle's associated company and licensed owner,

402 c. Name of licensed vehicle's licensed driver,

403 d. Vehicle's license number or permit number,

404 Time of prescheduled pick-up of each fare ,

405 Wait time of each prescheduled event

406 Name and contact telephone number of each prescheduled fare to pick-up and drop-off,

407 Place of origin by number, street and city of each fare,

408 Time of prescheduled and actual drop-off of each fare

409 Place of destination by number, street and city of each fare,

410 Total number of passengers for each pick-up and drop-off, and . . .

411 Form of primary payment method and amount received,

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

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

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

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

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

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

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

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

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

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

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

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

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

438 Section 66.

439 First Offense:

440 Any livery vehicle for hire, found to be operating illegally as a taxicab, shall result in the
441 issuance of a non-criminal disposition fine of not less than\$5000, payable, in-full, to the local
442 police department or the local governing authority, and the immediate suspension of said
443 vehicle’s license or permit to operate, for a period not less than 30 calendar days. All fines must
444 be payable, in-full, and shall become the property of said local governmental agency of police
445 department, prior to the reinstatement of said vehicle for hire’s license or permit to operate.

446 Second Offense:

447 Any livery vehicle for hire, found to be operating illegally as a taxicab, for a second offense,
448 shall result in the issuance of a criminal disposition fine of not less than\$5000, payable, in-full,
449 to the local police department or local governing authority, and the immediate suspension of said
450 vehicle’s license or permit to operate, for a period not less than 90 calendar days. All fines must

451 be payable, in-full to, and shall become the property of said local governing authority or police
452 department, prior to the reinstatement of said vehicle for hire's license or permit to operate.

453 Third Offense:

454 Any livery vehicle for hire, found to be operating illegally as a taxicab, for a third time, shall
455 result in the issuance of a criminal complaint, and an immediate fine of not less than \$5000,
456 which shall be payable, in-full to, and become the the property of the local police dDepartment
457 or the local governing authority, and shall result in the immediate revocation of said vehicle's
458 license or permit to operate, and the immediate impounding and sale of said vehicle and its entire
459 contents, at a public auction, by the local police department or local governing authority. All
460 proceeds of the sale of said vehicle and its entire contents, shall be payable, in full and the
461 property of the local police department or local governing authority. All fees, legal and
462 otherwise, taxes and any other costs associated with the impounding and sale of said vehicle and
463 its entire contents, shall be the sole responsibility of said vehicle's licensed owner and must be
464 payable in-full, and shall become the property of the local governing authority. In addition, all
465 and any outstanding liens, encumbrances and/or fines, upon said vehicle, shall remain the sole
466 responsibility of said vehicle's licensed owner.

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

470

471 Section 67. Any vehicle, found to be operating illegally as a taxicab, at any time, shall result in
472 the immediate issuance of a criminal complaint, and an immediate fine of \$5000, which shall be

473 payable, in-full, and become the property of the local police department or local governing
474 authority, and shall result in the immediate revocation of said vehicle's registration to operate,
475 and the immediate impounding and sale of said vehicle and its entire contents, at a public
476 auction, by the local police department or local governing authority. All proceeds of the sale of
477 said vehicle and its entire contents, shall be payable, in full and the property of the local police
478 department or local governing authority. All fees, legal and otherwise, taxes and any other costs
479 associated with the impounding and sale of said vehicle and its entire contents, shall be the sole
480 responsibility of said vehicle's registered owner and must be payable in-full, and the property of
481 the local governing authority. In addition, all and any outstanding liens, encumbrances and/or
482 fines, upon said vehicle, shall remain the sole responsibility of said vehicle's registered owner.

483 Section 68. (1) First Offense:

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

493 (2) Second Offense:

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

503 (3)Third Offense:

504 Any taxicab driver, found to be operating a taxicab illegally, in any other town or city other than
505 where said taxicab is licensed as a taxicab, by picking up hails, or passengers on any public or
506 private way or at any public or private establishment or residence, without previously being
507 schedule or pre arranged, for a third time, shall result in the issuance of a criminal complaint, and
508 an immediate fine of not less than\$5000, which shall be payable, in-full to, and become the
509 property of the local police department or local governing authority, and shall result in the
510 immediate revocation of said vehicle's license or permit, and driver's hackney license to operate,
511 and the immediate impounding and sale of said vehicle and its entire contents, at a public
512 auction, by the local police department or local governing authority. All proceeds of the sale of
513 said vehicle and its entire contents, shall be payable, in full and shall become the property of the
514 local police department or local governing authority. All fees, legal and otherwise, taxes and any
515 other costs associated with the impounding and sale of said vehicle and its entire contents, shall
516 be the sole responsibility of said vehicle's licensed owner and must be payable in-full, and the

517 property of the local governing authority. In addition, all and any outstanding liens,
518 encumbrances and/or fines, upon said vehicle, shall remain the sole responsibility of said
519 vehicle's licensed owner..

520

521 Section 69. Any violations of this chapter, other than the specific violations specified in sections
522 66 through 68, may result in the issuance of a non-criminal disposition fine of %500and shall be
523 payable, in full, to the local police department or local governing authority.

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