

**AN ORDINANCE AMENDING CHAPTER 26
OF THE URBANA CODE OF ORDINANCES, AS AMENDED**

(Vehicles for Hire)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. All fees for licenses referenced by this Chapter shall be as set forth in Section 14-7 of the City of Urbana Code of Ordinances.

Section 2. That Chapter 26 of the Urbana Municipal Code, as amended, is hereby repealed and the following is enacted in its place:

"VEHICLES FOR HIRE

ARTICLE I. IN GENERAL

Secs. 26-1 - 26-15. Reserved.

ARTICLE II. VEHICLES FOR HIRE

DIVISION 1. GENERALLY

Sec. 26-16. Definitions.

The following words and phrases, when used in this Article, shall have the meanings respectively ascribed to them in this article, unless the context otherwise requires.

Driver defined. *Driver* shall mean the person in actual physical control of a vehicle for hire.

Licensee defined. *Licensee* shall mean owner of vehicle for hire or the driver of said vehicle.

Limousine defined. *Limousine* shall mean a vehicle classified as such pursuant to Division 6 of this Chapter, and used to carry passengers for hire based primarily on an hourly rate rather than mileage or a zone rate and is arranged between the passenger and operator prior to the arrival of the vehicle at the passenger's location.

Operating defined. *Operating* shall mean owning a vehicle for hire.

Operator defined. *Operator* shall mean owner of a vehicle for hire.

Taxi defined. *Taxi*, also referred to as "taxicab" and "cab", shall mean any vehicle used in the City to carry passengers for hire based on mileage or a zone rate.

Taximeter. *Taximeter* shall mean any mechanical or electronic device that records and indicates a charge or fare measured by distance traveled, waiting time and extra passengers.

Vehicle for Hire defined. *Vehicle for Hire* shall mean any motor vehicle engaged in the business of carrying persons for hire on the streets of the City of Urbana, including taxicabs and limousines.

Sec. 26-17. Applicability.

(a) The provisions of this chapter shall be applicable to all vehicles for hire, whether to transport persons within or outside the corporate limits of the City of Urbana and to the drivers of such vehicles.

(b) These provisions shall not apply to: 1) vehicles operated as school buses as defined by the Illinois Vehicle Code; 2) vehicles provided by employers for the exclusive use of its employees; 3) vehicles devoted exclusively for funeral use; 4) vehicles used in operation of a metropolitan transit authority; 5) vehicles licensed and regulated by the Interstate Commerce Commission as passenger transports; or 6) vehicles specifically designed, constructed or modified and equipped, and are intended to be used for, and are maintained or operated exclusively for the emergency or non-emergency transportation of persons for compensation for the purpose of obtaining medical services.

Sec. 26-18. Reciprocal Issuance.

Licenses issued by or on behalf of the City of Champaign shall constitute the issuance of a license within the City of Urbana for drivers of vehicles for hire and for the business of operating vehicles for hire. Licensees shall pay all applicable fees required by each City, regardless of which City may issue the license.

Sec. 26-19. Expiration.

Each license, other than a provisional license, issued under this Chapter shall expire on the thirtieth (30th) day of June of the fiscal year for which they are issued.

Sec. 26-20 - 26.25. Reserved.

DIVISION 2. DRIVERS' LICENSES

Sec. 26-26. License required.

No person shall drive a vehicle for hire or be hired or permitted to do so, unless he/she is a duly licensed driver by the State of Illinois and has a valid city-issued vehicle for hire driver's license.

(a) The issuing authority may issue a provisional taxicab driver's license to a person who has applied for a taxicab driver's license if the issuing authority finds the applicant is qualified for a taxicab driver's license, but at the time of issuance, the issuing authority has not received information from the State of Illinois regarding the existence or nonexistence of a criminal history of the applicant.

(b) Such provisional license shall be valid for sixty (60) days from the date of issuance, but shall expire sooner upon the issuance of the annual taxicab driver's license that the applicant applied for.

(c) The provisional license shall be revoked immediately upon receipt of information that would disqualify the applicant under section 26-54. The applicant shall be notified of such in writing.

Sec. 26-27. Application; photograph required.

A verified application for a vehicle for hire driver's license shall be made in writing to the Comptroller/Finance Director, upon forms provided. The application shall state the full name of the applicant, his/her age, his/her residence address, the name and address of his/her employer, and whether or not he/she has ever been convicted of a felony. The applicant must undergo a State criminal background check and must complete any forms required by the State to undergo such a background check.

Sec. 26-28. Qualification of driver; certification of driving ability.

(a) No vehicle for hire driver's license shall be issued to any person:

- (1) Who is not competent to drive a motor vehicle;
- (2) Who is not familiar with the traffic laws and ordinances;
- (3) Who has been convicted of a felony within four (4) years of the date of application or has been released from prison or jail for a felony conviction within four (4) years of the date of application;
- (4) Whose license to drive a vehicle for hire in any jurisdiction has been suspended or revoked during the preceding six (6) months; or
- (5) Who is under the age of eighteen (18) years.

(b) The Chief of Police, or his/her designee, shall examine each applicant for a vehicle for hire driver's license to determine the eligibility of the applicant. No such license shall be issued except on certificate of the Chief of Police, or his/her designee that the applicant has demonstrated no traffic violations during the preceding six (6) months.

(c) Repeat violations of Chapter 26 of the Urbana Municipal Code shall be grounds for rejection of a license application, non-renewal of a license or revocation of a current license.

Sec. 26-29. Issuance.

The Comptroller/Finance Director or his/her designee is authorized to issue a driver's license to any qualified applicant for driving a vehicle for hire. The license shall contain the name of the driver and the number of his/her license. Any such license issued shall be conditioned on the licensee successfully passing the State background check required herein.

Sec. 26-30. Identification card.

The Comptroller/Finance Director shall issue to all qualified applicants an identification card containing the driver's first name and license number and his/her photograph attached thereto.

Sec. 26-31. Display of license and identification card.

The driver of a vehicle for hire shall have his/her driver's license in possession at all times while on duty. The driver of a vehicle for hire shall conspicuously display his/her identification card at all times while on duty both on his/her person, and posted in the passenger area of the vehicle so as to be readily visible to a passenger.

Sec. 26-32. Duplicate licenses.

Whenever a driver has lost or destroyed his/her license, identification card, or plate, he/she shall submit an affidavit in writing to the Comptroller/Finance Director, stating that the card or license has been lost or destroyed. The Comptroller/Finance Director shall issue a duplicate copy or substitute thereof upon payment of the sum set forth in Chapter 14-7 of the Urbana Code of Ordinances to the Comptroller/Finance Director for each item so duplicated or substituted.

Sec. 26-33. Suspension or Revocation.

(a) In addition to the provisions of Chapter 14 of the Urbana Code of Ordinances, the issuing authority may initiate suspension and/or revocation proceedings for a license issued under this Chapter if the licensee commits one (1) or more moving violations pursuant to the Illinois Vehicle Code.

(b) Notwithstanding the provisions of Chapter 14 of this Code, the issuing authority may immediately revoke any license issued under this Chapter when the licensee's driving privileges have been suspended or revoked pursuant to the Illinois Vehicle Code. The issuing authority shall send a Notice of Revocation advising of the revocation to the residence address of the licensee filed with the Comptroller/Finance Director. The revocation shall be in effect from the date of the Notice. The licensee shall be entitled to a post-deprivation hearing as soon as practical, but no later than seven (7) days after issuance of the Notice.

(c) Any person whose driver's license has been revoked shall immediately return every license, identification card, licensee's plate, etc., to the Comptroller/Finance Director.

Sec. 26-34 - 26-40. Reserved.

DIVISION 3. BUSINESS LICENSE

Sec. 26-41. License Required.

No person shall engage in the business of operating a vehicle for hire in the City without first having secured a license therefore as provided in this Division.

Sec. 26-42. Application.

A verified application for a vehicle for hire license shall be made in writing by the owner, operator or manager of the vehicle for hire to the Comptroller/Finance Director or his/her designee upon forms furnished by the City. The application shall state:

- (a) The full name of the applicant (if a firm or corporation, provide names, telephone numbers and addresses of the president, secretary and treasurer);
- (b) The applicant's residence (local and permanent) address;
- (c) The full name and intended place of business, the telephone number of the business, and the owner/operator/manager;
- (d) The number of vehicles to be operated, the make and type of each motor vehicle to be used, the vehicle identification number for each vehicle, the proposed vehicle classification as defined in Division 6 of this Chapter, the State license number thereof, the seating capacity thereof according to its trade rating, the company assigned number, the registered owner of the vehicle, the body style, and the color;
- (e) Whether or not the applicant has ever been convicted of a felony. If the applicant is a firm or corporation, the names and addresses of the president and secretary shall be given;
- (f) Issuance and validity statement and insurance certificates; and
- (g) Signature of applicant.

Sec. 26-43. Qualifications of applicant.

(a) No license to engage in the business of operating a vehicle for hire shall be issued to or held by any person:

(1) Who has been convicted of a felony within four (4) years of the date of application or has been released from prison or jail upon a felony conviction within four (4) years of the date of application; or

(2) Whose license to operate a vehicle for hire in any jurisdiction has been suspended or revoked during the preceding six (6) months.

(b) No license to operate a vehicle for hire business shall be issued to or held by any firm or corporation if any officer thereof would be ineligible for a license under the foregoing conditions.

Sec. 26-44. Issuance.

(a) The Comptroller/Finance Director or his/her designee is authorized to issue a license to any qualified applicant for the operation of a vehicle for hire. The license shall contain a distinguishing number, name of the person owning such vehicle for hire, his/her business address, the number of vehicles to be operated, the make and type of each vehicle to be used, the vehicle identification number thereof, and the State license number thereof.

(b) The vehicle for hire license shall be non-assignable and nontransferable.

Sec. 26-45. Duplicate licenses.

Whenever an operator has lost or destroyed his license, identification card, or plate, he/she shall submit an affidavit in writing to the Comptroller/Finance Director, stating that the card, license or badge has been lost or destroyed. The Comptroller/Finance Director shall issue a duplicate copy or substitute thereof upon payment of the sum set forth in Chapter 14-7 of the Urbana Code of Ordinances for each item so duplicated or substituted.

Sec. 26-46. Suspension or Revocation.

(a) In addition to the provisions of Chapter 14 of the Urbana Code of Ordinances, the issuing authority may initiate suspension and/or revocation proceedings for a license issued under this Chapter for any of the following:

(1) Violation of any ordinance provisions regulating a licensee of a vehicle for hire;

(2) Knowingly suffering a driver of a licensee to drive a vehicle for hire with a driver's license that is suspended or revoked under the State Vehicle Code (625 ILCS 5/1-100, et. seq.);

(3) Having as a driver a person who is not licensed as a vehicle for hire driver pursuant to this Chapter.

(b) Any person whose operator's license has been revoked shall immediately return every such license, identification card, licensee's plate, driver's badge, etc., to the Comptroller/Finance Director.

Secs. 26-47 - 26-59. Reserved.

DIVISION 4. RATES

Sec. 26-60. Method of Rate Calculation

(a) Every operator of a vehicle for hire shall establish a method for calculating rates and fares. The methods approved are i) taximeters, ii) zone rates, or iii) individual written contract terms.

(b) Zones. A licensee that uses the zoned method for rate calculation shall use the following boundaries when establishing rates:

1. Zone 1: bounded by I-74 on the north; Lincoln Ave. on the east; Kirby Ave. on the south; and State St. to Bloomington Rd. to Prospect Ave. on the west.
2. Zone 2: bounded by I-74 on the north; Smith Rd. to Main St. (Springfield Ave.) to Philo Rd. on the east; Kirby Ave. on the south; and Lincoln Ave. on the west.
3. Zone 3: bounded by Ford Harris Rd. on the north; Lincoln Ave. on the east; I-74 on the south; and I-74 on the west.
4. Zone 4: bounded by I-74 on the north; Prospect Ave. to Bloomington Rd. to State St. on the east; Springfield Ave. on the south; and I-57 on the west.
5. Zone 5: bounded by Springfield Ave. on the north; State St. to Kirby Ave. to Prospect Ave. on the east; Windsor Rd. on the south; and I-57 on the west.
6. Zone 6: bounded by Kirby Ave. on the north; Race St. on the east; Old Church Rd. on the south; and Prospect Ave. on the west.
7. Zone 7: bounded by Kirby Ave. on the north; Cottonwood Rd. on the east; Old Church Rd. on the south; and Race St. on the west.
8. Zone 8: bounded by University Ave. on the north; Cottonwood Rd. on the east; Kirby Ave. on the south; and Philo Rd. to Main St. (Springfield Ave.) to Smith Rd. on the west.
9. Zone 9: bounded by Ford Harris Rd. on the north; Cottonwood Rd. on the east; I-74 on the south; and Lincoln Ave. on the west.
10. Zone 10: bounded by Springfield Ave. on the north; Mattis Ave. on the east; Windsor Rd. on the south; and I-57 on the west.

11. Zone 11: bounded by Windsor Rd. on the north; Prospect Ave. on the east; Old Church Rd. on the south; and I-57 on the west.
12. Zone 12: bounded by Ford Harris Rd on the north; I-74 and I-57 on the east; Springfield Ave. on the south; and Rising Road on the west.
13. Zone 13: bounded by Springfield Ave. on the north; I-57 on the east; Old Church Rd. on the south; and Rising Rd. on the west.

Sec. 26-61. Established; posting.

(a) All licensees, excluding limousines, shall provide the Comptroller/Finance Director with a written schedule of all rates charged, including but not limited to, zone rates, taximeter rates, flag and mileage rates and rates for transportation and carrying of luggage, hand luggage and parcels. The Comptroller/Finance Director shall be notified in writing ten (10) days prior to the effective date of any rate changes.

(b) All licensees, excluding limousines, shall post conspicuously in each vehicle for hire and keep posted conspicuously at all times or a written notice setting out the schedule of all rates charged by that person and as are on file with the Comptroller/Finance Director. The fares set out in this notice shall not vary from the schedule filed with the Comptroller/Finance Director.

(c) No licensee or driver shall charge a fare in excess of the effective schedule of fares on file with the Comptroller/Finance Director.

(d) If the vehicle for hire is equipped with a taximeter, no fare shall be charged other than that recorded on the dial of the meter for the trip where such meter is required.

(e) No licensee shall operate and no driver shall drive a vehicle for hire unless the fare to be charged is determined in accordance with the posted schedule of rates or provided.

(f) No person shall remove or deface the notice required to be posted in a vehicle for hire or post the notice in a place so as to not be easily readable by a passenger located in the rear of the vehicle.

(g) No licensee shall operate a vehicle for hire with a defaced or missing schedule of rates. This shall be a strict liability offense.

(h) Limousine Only. In the event a vehicle is classified as a limousine, the parties to the contract may establish the rate for services. Said rates must be in writing and a copy of the contract shall be presented to the person who has contracted for such service prior to or at the time of commencement of service. The driver of a limousine shall have a copy of the contract documents in the vehicle and available for inspection at all times.

Sec. 26-62. Waiting time.

Waiting time shall include the time when the vehicle for hire is not in motion, beginning three (3) minutes after arrival at the place to which it has been called, the time consumed by unavoidable delays at street intersections, and the time consumed while standing at the direction of the passenger. No charge shall be made for time lost for inefficiency of the vehicle for hire or its driver or the time consumed by premature response to a call.

Sec. 26-63. Clearance of taximeter.

(a) The taximeter shall be cleared at the destination of each passenger or group of passengers, unless a passenger declares to the driver at or before the time the first destination is reached that no clearance of the meter shall be made until all or certain designated passengers in such vehicle for hire reach their respective destination. The passenger making such declaration shall be liable for the whole fare upon reaching his/her destination.

(b) The clearance of the taximeter at the destination of a passenger or group of passengers shall constitute the end of one trip. Any passengers remaining in the vehicle for transportation to a different destination after the clearance of the meter shall constitute the commencement of a new trip, and shall not be liable for any fare whatsoever until such new trip is commenced.

Sec. 26-64. Sounding horn unnecessarily.

(a) The driver shall call in person for a prospective passenger and shall refrain from using the horn to announce the arrival of the taxicab. Persistent sounding of the horn to the disturbance of the public shall be grounds for revoking the taxicab driver's license.

(b) The sounding of horns by taxicab drivers while picking up passengers in the B-4 central commercial area of the city as classified under the zoning ordinance shall be permitted. However, such taxicab drivers shall not indulge in persistent sounding of horns in such area and may only sound such horns when it is reasonably necessary to indicate to the prospective passenger the arrival of the taxicab.

Sec. 26-65 - 26-75. Reserved.

DIVISION 5. RULES AND REGULATIONS

Sec. 26-76. Proof of Insurance, Bond and Registration.

(a) No person shall operate or drive a vehicle for hire unless such vehicle is covered by a bond or an insurance policy or other proof of insurance in a form prescribed by the Secretary of State and in at least the minimum amounts required by 625 ILCS 5/8-104 or 625 ILCS 5/8-108, as amended from time to time. Evidence that the applicant has filed with the Secretary of State such

bond or insurance policy shall be filed with the Comptroller/Finance Director prior to the issuance of any license.

(b) The operator of a vehicle for hire shall provide proof of Registration of the vehicle as prescribed by the Illinois Vehicle Code on or before January 2 of each and every year in which the vehicle is used as a vehicle for hire.

Sec. 26-77. Responsibility for unlicensed drivers.

No operator shall have as a driver of one of the operator's vehicles for hire a driver who is not licensed pursuant to this Chapter. This shall be a strict liability offense.

Sec. 26-78. False Representation.

No operator, driver or other employee of a licensee shall imitate the vehicle for hire name, colors, emblems, cap bands, caps or uniforms previously adopted and in use by any other licensee or represent himself as an employee of any other licensee.

Sec. 26-79. Issuing receipt upon demand.

Upon paying the fare each passenger may demand a receipt. Upon such demand the driver of any vehicle for hire shall give the passenger a receipt in legible type or writing showing the date and amount so paid, the pick-up and drop-off location of the passenger, the trade name of the vehicle for hire, and the name and the license number of the driver.

Sec. 26-80. Conduct and Appearance of drivers.

(a) No driver of a vehicle for hire while on duty shall use any profane or obscene language or gestures, shout or call to prospective passengers, or engage in violent, abusive, indecent, profane, boisterous, or unreasonably loud conduct.

(b) Every driver of a vehicle for hire shall maintain a reasonable degree of personal hygiene and be dressed in clean clothing that is not soiled or otherwise offensive.

Sec. 26-81. Use of vehicle for crime; alcoholic beverages.

(a) No person shall knowingly permit any vehicle for hire to be used in the perpetration of a crime.

(b) No driver of any vehicle for hire shall have in his/her possession or in or about the driver's compartment of the vehicle any alcoholic liquor while on any street or on public property.

(c) No driver of any vehicle for hire shall use a vehicle for hire for the purpose of transporting or delivering any alcoholic liquor except alcoholic liquor in its original unopened packaging in the possession of and the property of a paying passenger.

(d) No driver of any vehicle for hire while on duty, shall possess or consume any alcoholic liquor.

Sec. 26-82. Obedience to traffic rules.

Every driver of a vehicle for hire shall obey all traffic rules established by statute or ordinance.

Sec. 26-83. Soliciting passengers; direct route to be used.

(a) No vehicle for hire driver shall induce or attempt to make anyone employ him or his vehicle for hire by any false statement or representation of the place or time of arrival or departure of any public conveyance or common carrier.

(b) No person shall be admitted to a vehicle for hire occupied by a passenger without the consent of the original passenger.

(c) The vehicle for hire driver shall take his/her passenger to his/her destination by the most direct available route from the place where the passenger enters the cab.

Sec. 26-84. Duty to accept passengers.

Any driver of any vehicle for hire shall accept as a passenger any person who seeks to so use the vehicle for hire, provided such person is not under the influence of alcohol or drugs and conducts himself in an orderly manner.

Sec. 26-85. Parking in taxicab stand.

A vehicle for hire may be parked in any taxicab stand only while such vehicle is under the control of its driver on duty awaiting a fare. The driver of such vehicle for hire shall remain in the vehicle unless providing immediate assistance to a passenger. No vehicle classified as a-limousine may be parked in any taxicab stand.

Sec. 26-86. Occupancy by person not a passenger.

(a) No licensee or driver of a vehicle for hire shall permit any person except a passenger for hire to occupy or be seated in such vehicle when the vehicle is engaged in the business of transporting passengers.

(b) Operators may temporarily occupy a vehicle for hire for training purposes when a new trainee has obtained a vehicle for hire driver's license. The operator shall notify the Comptroller/Finance Director of the training activities and shall provide a date certain for when said training activities will be concluded.

Sec. 26-87. Number of passengers; seating arrangement.

No driver shall admit or transport in his/her vehicle for hire more than five (5) passengers at any time or permit one (1) passenger to ride in the front seat unless there are three (3) or more passengers in the rear seat of the vehicle for hire. Where such vehicle for hire is equipped with two (2)

additional folding seats in the rear thereof, no driver shall admit or transport in his vehicle for hire more than seven (7) passengers at any time or permit one (1) passenger to ride in the front seat unless there are five (5) or more passengers in the rear seats of the vehicle for hire.

Sec. 26-88. Failure to pay fare prohibited.

No passenger shall fail or refuse to pay the lawful fare at the termination of a trip.

Secs. 26-89. Reserved

DIVISION 6: EQUIPMENT

Sec. 26-90. Ineligible Vehicles

No license to engage in the business of operating a vehicle for hire shall be issued for pick-up trucks of any kind or two-door coupe vehicles.

Sec. 26-91. Vehicle classification

All vehicles for hire shall be registered and classified as either a limousine or taxicab, as defined in this Chapter. The classification under which the vehicle is registered shall remain in effect for the duration of the license period. No vehicle that is registered as a limousine may be used as a taxicab, nor may a vehicle that is registered as a taxicab be used as a limousine unless the vehicle has been reclassified following a Notice of Reclassification with the Comptroller/Finance Director.

Sec. 26-92. Transfer or reclassification of vehicle registration.

A fee as set forth in Section 14-7 of the Urbana City Code shall be payable to the City of Urbana whenever a licensee requests a transfer of registration from one vehicle to another vehicle or a reclassification of a vehicle.

Sec. 26-93. Display of license plate.

Upon the issuance of the vehicle for hire license the Comptroller/Finance Director or his/her designee, shall deliver to the licensee a plate and a sticker with the year for which the license is issued, for each and every vehicle for hire for which a license is procured. The applicant shall affix such plate in an approved place upon the rear of the vehicle for hire. No vehicle for hire, although licensed in accordance with the provisions of this division, shall be used upon the streets, avenues or alleys of the City unless such plate is attached thereto.

Sec. 26-94. Condition of vehicle for hire; inspections.

(a) No license to engage in the business of operating a vehicle for hire shall be issued unless:

(1) The vehicle for hire bears a State license plate duly issued and appropriate for vehicles for hire;

(2) The vehicle for hire is equipped with proper brakes, lights, tires, horn, muffler, rear vision mirror, windshield wiper, speedometer, and when applicable, an approved taximeter in good condition to record the amount of fare to be charged for each trip;

(3) The vehicle for hire has been thoroughly and carefully inspected and found by the City to be in clean, sanitary, safe, and good mechanical condition for the transportation of passengers; and

(4) A written certificate of the inspection required by this section is filed with the Comptroller/Finance Director.

(b) The Comptroller/Finance Director may require the inspection of every vehicle for hire in operation to determine whether such vehicle meets the requirements of this Chapter. The inspections required may be conducted by the City or by such duly qualified persons as the Comptroller/Finance Director may direct. The schedule of inspections shall be as follows:

(1) One inspection per year for vehicles manufactured less than three (3) years from the date of inspection or vehicles with under 75,000 miles on the odometer.

(2) One inspection every six (6) months for vehicles manufactured three (3) to five (5) years from the date of inspection or vehicles with 75,001 miles to 125,000 miles on the odometer.

(3) One inspection every four (4) months for vehicles manufactured over five (5) years from the date of inspection or with over 125,000 miles on the odometer.

(4) Additional inspections may be required as often as the apparent condition of the vehicle warrants.

(c) The licensee shall pay all required fees for all inspections before a certificate of inspection will be issued.

Sec. 26-95. Vehicle markings; similar markings prohibited.

(a) All vehicles for hire, excluding limousines shall, while engaged in or available for the transportation of persons, have painted on each side of the vehicle, the following:

(1) the word "cab" or "taxi" in lettering at least four (4) inches in height; and

(2) the name of the licensee operating it or his trade name as provided to the Comptroller/Finance Director in visible lettering at least three (3) inches in height; and

(3) The vehicle number as provided to the Comptroller/Finance Director.

(b) All vehicles for hire, excluding limousines, shall, while engaged in or available for the transportation of persons, have painted on the rear of the

vehicle, the name of the licensee operating the vehicle or the trade name as provided to the Comptroller/Finance Director, and the vehicle number in approved and visible letters.

Sec. 26-96. Testing of meters.

(a) In the event a vehicle for hire is equipped with a taximeter, every applicant for a license to operate a vehicle for hire and every licensee, shall deliver for testing the vehicle for hire with the meter attached thereto to such person as the Comptroller/Finance Director may direct. Any such applicant or licensee may be present or represented at the time such test is made.

(b) Every meter shall be tested to determine the accuracy of its recording mechanism with respect to distance traveled, either by running the vehicle for hire to which it is attached over a course of standard two (2) miles in length or by a mechanical test. Both of the foregoing tests may be made in the discretion of the Comptroller/Finance Director.

(c) In order to determine whether any meter correctly registers waiting time, the person, such as the Comptroller/Finance Director shall designate, shall test such meter by comparing the time recorded as shown by the fare computed on the dial thereof with the standard time.

(d) When any test shows that a meter correctly records the charge of fare, measured by distance traveled, waiting time and additional passengers, it shall be sealed and a written certificate of the test shall be issued by such person as the Comptroller/Finance Director designates to the licensee.

Sec. 26-97. Condition of meters.

(a) No vehicle for hire equipped with a taximeter shall be operated unless it is equipped with an approved meter in good condition to record the amount of fare to be charged on each trip. The amount shall be shown on the dial of the meter in figures visible to the passenger, and shall also be equipped with a steady, continuous light illuminating the figures during the period between sunset and sunrise.

(b) No operator shall use or permit the use of a meter that shall record the rate of fare in excess of five (5) percent error to the prejudice of any passenger.

Sec. 26-98. Meter flag.

An approved metal flag or indicator with the "For Hire" or words of similar import embossed thereon shall be attached to the taximeter so that the meter cannot operate whenever such meter flag is in an upright position. The meter flag shall be placed and kept in an upright position by the driver of the vehicle for hire at all times except during the trip of a passenger.

Section 3. That this ordinance shall be effective ten (10) days after passage and publication as provided by law.

Section 4. That the City Clerk is hereby directed to publish this ordinance so that its effective date is _____, 2004.

Section 5. If any section, paragraph or provision of this ordinance is held to be invalid or unenforceable, such invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance, or the provisions of the Code.

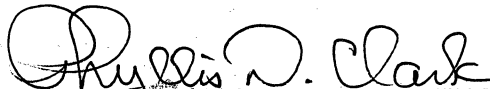
Section 6. The provisions of this ordinance shall take precedence and be interpreted as superseding any other ordinance or statute in conflict with the provisions of this ordinance.

PASSED by the City Council this 17th day of May,
2004.

AYES: Chynoweth, Hayes, Huth, Otto, Patt, Whelan, Wyman

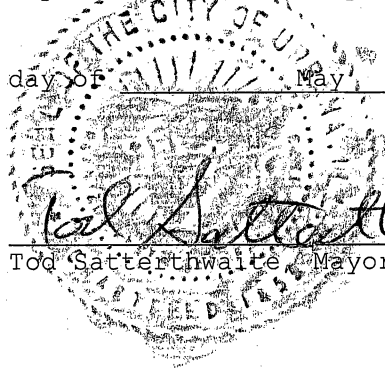

NAYS:

ABSTAINS:



Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 28th day of May,
2004.

Todd Satterthwaite, Mayor