

Chapter 21

VEHICLES FOR HIRE*

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*Cross reference--Traffic, Ch. 19.

Section 21-0A ARTICLE I. IN GENERAL

Section 21-1 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bus means any type of vehicle operated for hire and for the transportation of passengers in the city and territory adjacent thereto and which operates on a fixed route and with a fixed schedule.

Driver means the person who is actually involved in the driving of vehicles concerned in this chapter. A driver may or may not be a taxicab owner.

Taxicab means any motor vehicle operated for hire on the streets of the city and territory adjacent thereto, but which is not operated on a fixed route with fixed schedules.

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Taxicab owner means the person to whom the license to operate a taxicab was or is issued. A taxicab owner may also be a driver.

Working days means Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m.
(Code 1958, § 23-1; Ord. of 2-24-97, § I)

Section 21-2 Purpose.

This chapter has been enacted for the purpose of promoting the safety and welfare of the city, to establish reasonable and obtainable standards for the regulation and control of vehicles operating for hire, to protect passengers of such vehicles as well as the general public, and to prevent any undesirable person from engaging in or having interest in the operation of vehicles for hire on the streets of the city or any territory adjacent thereto.

(Code 1958, § 23-2)

Section 21-3 Permit.

(a) No permit for the operation of a motor vehicle for the transportation of persons for hire within the city shall be issued to any person under the age of eighteen (18) years, and no permit shall be issued to any person who has, within one (1) year prior to the date of the application for such a permit, been convicted or plead nolo contendere on any of the following offenses:

- (1) Operating a motor vehicle while under the influence of alcoholic beverages;
- (2) Transporting alcoholic beverages for the purpose of sale contrary to the laws of the state and the laws of the city;
- (3) Transporting persons for immoral purposes;
- (4) Any crime involving moral turpitude which in the opinion of the mayor and councilmembers renders such person unfit to operate a motor vehicle for the transportation of persons for hire;
- (5) More than two (2) moving violations of the traffic regulations of the city or the state;
- (6) More than two (2) taxicab rate overcharges.

(b) No permit for the operation or driving of a motor vehicle for the transportation of persons for hire within the city shall be issued to any person who is suffering from a physical handicap disabling such person to the extent of ten (10) percent or more, it being determined and declared by the city council that the operation of a taxicab within the city by a person suffering a physical handicap disabling him to the extent of ten (10) percent or more creates a hazard to the safety of the citizens of the city and of persons using its public streets.

(Code 1958, § 23-18; Ord. of 2-24-97, § II)

Section 21-4 Liability insurance.

It shall be unlawful for any person to drive, use, or operate on the streets of the city any taxicab, bus, automobile, or any other motor vehicle for the carrying of persons for hire unless the automobile, taxi, bus or other motor vehicle is either:

(a) Insured against liability for any injury to persons or property that may be caused by the operation or running of such vehicles, in the sums of fifty thousand dollars (\$50,000.00) for injury to any one (1) person and three hundred thousand dollars (\$300,000.00) combined single limit for the death or injury to more than one (1) person resulting from any one (1) accident, and one hundred thousand dollars (\$100,000.00) for damage to personal property including baggage; the insurance shall be carried by some reputable insurance company authorized by the laws of Georgia to do business in this state, and a copy of the policy shall be filed with the chief of police, together with a receipted premium from the insurer, or its duly authorized agent, showing payment of the premium on the policy. The insurance policy must provide

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and stipulate therein that the insurer will give notice to the city of at least thirty (30) days before its termination or cancellation, for any reason, of the policy on the person insured; or

(b) Furnishes evidence of a current certificate of self-insurance as issued by the State of Georgia Department of Revenue in accordance with O.C.G.A. 40-9-101, subsection (a)2 to be filed with the chief of police.

(Ord. of 2-24-97, § III)

Section 21-5 Same--Purpose.

The insurance required by section 21-4 shall be conditioned to indemnify passengers and the general public receiving personal injuries or sustaining property damage from any act of negligence or misconduct of the obligor or any of his servants, agents, or employees in the operation of any motor vehicle used in his business of transportation of passengers for hire.

(Ord. of 2-24-97, § IV)

Section 21-6 21-6--21-9. Reserved.

Editor's note--Section V of an ordinance adopted February 24, 1997, deleted former §§ 21-6--21-9, relating to liability insurance, which derived from Code 1958, §§ 23-29--23-32.

Section 21-10 21-10--21-35. Reserved.

Section 21-35A ARTICLE II. TAXICABS

Section 21-35D DIVISION 1. GENERALLY

Section 21-36 Maintenance and inspection of vehicles.

Each person operating or engaging in the taxicab business shall maintain each such vehicle thus operated in a good, safe and serviceable mechanical condition. Such condition shall be evidenced by a certificate executed by a mechanic as specified on a list available from the chief of police. Said certificate on a standard form issued by the city shall state that the subject vehicle is in a good, safe, serviceable mechanical condition after careful examination and inspection thereof has been made. The certificate shall be delivered to the police department no later than June 30th and December 31st of each calendar year.

(Ord. of 2-24-97, § VI)

Section 21-37 Fares--Pricing schedule; posting of same.

(a) *Filing of pricing schedule with city clerk.* Each and every person operating a taxicab business in the city shall file with the city clerk a current schedule of rates or charges for the transportation services furnished. Any changes to the schedule of rates or charges shall be filed with the city clerk five (5) working days before said changes are to be implemented.

(b) *Posting of pricing schedule.* Each and every person operating or engaging in a taxicab business shall at all times carry and maintain within the vehicle a schedule of rates or charges for the transportation

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services furnished. Said schedule shall be plainly marked and conspicuously posted so as to be visible to the occupants of both the front and rear seats of the vehicle.
(Ord. of 2-24-97, § VII)

Section 21-38 Same--Failure to post.

The failure to post the pricing schedule as provided in subsection (a) of section 21-37 of this article shall be punished in the municipal court as otherwise provided in section 1-6 of this Code for the punishment of violation of ordinances of the city.
(Ord. of 2-24-97, § VIII)

Section 21-39 21-39--21-55. Reserved.

Section 21-55D DIVISION 2. DRIVERS

Section 21-56 Violations; suspension or revocation of permits.

In addition to the penalties provided for in this Code, the violation of any provision of this chapter may be deemed by the city council, after a hearing, sufficient grounds for suspension for the stated period of the taxicab driver's permit or revocation of the permit for any period not less than one (1) year from the date of the hearing. The city council may reinstate the driver's permit immediately if the permit has been suspended temporarily by the city manager. However, in addition to any other reasons or grounds, the driver's permit shall be automatically and permanently revoked unless reinstated by the city council after a minimum third conviction of violation of the city traffic ordinance or state traffic regulations during a twelve-month period.
(Code 1958, § 23-16)

Section 21-57 Permit to operate.

No person shall operate or drive a taxicab for the transportation of persons for hire within the city without having first obtained a written permit therefor from the city police. Application for a driver's permit as required by this article shall be accompanied by a fee which shall be reasonable as related to the recovery of expenses incurred by the city, the exact amount to be set by the city manager. The application shall be renewed on or before December 31st in each year and for each renewal the fee provided for herein shall be paid.
(Ord. of 2-24-97, § IX)

Section 21-58 Possession of alcoholic beverages.

It shall be unlawful for any person operating a taxicab to have in his custody and control any quantity of alcoholic beverages whatsoever while that person is in the act of operating the cab. However, this does not prohibit taxicab drivers from transporting passengers to purchase or possess alcoholic beverages for their own use and not for resale. (Code 1958, § 23-19)

Section 21-59 21-59--21-80. Reserved.

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Section 21-80D DIVISION 3. OWNER REQUIREMENTS

Section 21-81 Violations; suspension or revocation of license.

In addition to the penalties provided for in this Code, the violation of any provision of this chapter may be deemed by the city council, after a hearing, sufficient grounds for the suspension of the taxicab owner's license or revocation of the license for a period not less than one (1) year from the date of the hearing. The city council may reinstate the owner's license if the license has been temporarily suspended by the city manager. However, the taxicab owner's license may be suspended or revoked after such hearing upon any second conviction of taxicab rate overcharging involving any one (1) or more of his licensed taxicabs or different drivers.

(Code 1958, § 23-26)

Section 21-82 Make and vehicle identification number of vehicle.

Each person applying for a permit and license to operate a taxi shall at the time of making application for such permit give the make and vehicle identification number of the motor vehicle and, if applying for a license for more than one (1) motor vehicle, give the make and vehicle identification number of each motor vehicle to be operated by him.

(Ord. of 2-24-97, § X)

Section 21-83 Information painted on vehicle.

(a) Before a vehicle is operated as a taxicab, the owner of the vehicle shall cause to be painted upon the body of the taxicab the word "taxi," in two (2) inch letters. Such lettering shall be painted on each side of the taxi on the body space between the front door and the hood or if no space is available at this location on the back edge of the hood or on the upper front corner of the front door and on the rear, just below the rear glass of the taxi. No other numbers, words, printing, or other matter shall be printed or exhibited within twelve (12) inches of the lettering of the taxi. Such lettering shall be of such coloring and against such background as to be plainly visible.

(b) Operators of franchise taxicab companies may submit alternate lettering plans for their vehicles as specified by the terms of their franchise agreements to the Police Department for approval, with the provision that all such plans clearly and plainly identify the vehicle in question as a taxicab.

(Ord. of 2-24-97, § XI; Ord of 5-13-02)

(2002 (21-83), Amended, 05/13/2002)

Section 21-84 21-84--21-85. Reserved.

Editor's note--Section XII of an ordinance adopted February 24, 1997, deleted former §§ 21-84--21085, relating to information painted on vehicles, which derived from Code 1958, §§ 23-35 and 23-36.

Section 21-86 21-86--21-110. Reserved.

Section 21-110A ARTICLE III. BUSES

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Section 21-111 Certificate to operate buses.

No person shall operate any bus or like transportation for the conveyance of passengers without first obtaining from the city a franchise or certificate of permit to operate the bus or like transportation.

(Code 1958, § 23-51)

Section 21-112 Regulations for operation.

The city shall by resolution approve all matters pertaining to the routes for buses, types of equipment to be used, insurance and indemnity, rates and charges and all other regulatory matters.

(Code 1958, § 23-52)

Section 21-113 Existing contractors.

Any and all contracts, franchises and regulations now in force and effect between the city and any person for the operation of buses are recognized and accepted according to the terms and provisions therein stipulated and until amended by proper ordinance or resolution. (Code 1958, § 23-53)