

**MOTORIZED DRIVER PERMIT APPLICATION**

Name of Applicant \_\_\_\_\_ Phone No \_\_\_\_\_

Social Security No. \_\_\_\_\_ Driver's License No \_\_\_\_\_

Address \_\_\_\_\_ Date of Birth \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Prior Experience of Applicant \_\_\_\_\_

Taxi Service employed by \_\_\_\_\_

<b><u>CRIMINAL CONVICTIONS OR OFFENSE</u></b>	<b><u>State of Conviction</u></b>	<b><u>Date of Conviction</u></b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I, the undersigned, hereby certify that I am physically able and mentally competent to perform the duties of driver / operator and that the above information is true to the best of my knowledge.

Signature \_\_\_\_\_

**OFFICE USE ONLY**

PERMIT NO. \_\_\_\_\_ EXPIRES \_\_\_\_\_ DATE APPLICATION REC'D \_\_\_\_\_



## ARTICLE B. MOTORIZED VEHICLES FOR HIRE

SECTION:

### **4-7B-1: Definitions**

### **4-7B-2: Exemptions**

### **4-7B-3: Taximeter Required**

### **4-7B-4: Posting Of Rates**

### **4-7B-5: Manifests**

### **4-7B-6: Open Stands**

### **4-7B-7: Vehicles, License And Maintenance**

### **4-7B-8: Taxicab Business License And Taxicab Driver's Permit**

#### **4-7B-1: DEFINITIONS:**

The following words and phrases, when used in this article, shall have the following meanings:

**CHARTER TRANSPORTATION:** A vehicle furnished with a driver that carries passengers for hire either on a fixed route in the city or pursuant to a written contract with reservations in advance of the service. The vehicle shall operate without a meter installed and charge for services on an hourly basis or longer periods of time.

**DRIVER:** Any person who operates a motor vehicle in the transportation of persons and who receives any compensation for such service in wages or commissions or who is otherwise paid, directly or indirectly.

**EXTRA LUGGAGE:** Luggage in excess of two (2) suitcases per person.

**MANIFEST:** A daily record prepared by a taxicab driver of all trips made by said driver showing time and place of origin, destination, number of passengers, and the amount of fare of each trip.

**MOTORIZED VEHICLE:** A machine which incorporates a motor, sometimes known as an engine, and which is used for transportation.

**NONPROFIT TAXICAB:** A vehicle furnished with a driver that carries passengers on a volunteer basis. The vehicle shall operate without a meter installed and charge for services per ride or on an hourly basis or longer periods of time.

**OPEN STAND:** A public place alongside the curb of a street or elsewhere in the city that has been designated by the city manager as reserved exclusively for the use of taxicabs.

**OPERATOR OR HOLDER:** A person to whom an operator permit has been issued by the city.

**RATE CARD:** A card issued by the operator for display in each taxicab and that contains the rates of fare then in force.

**RELATED GROUP:** A single telephone call to the taxicab company to pick up more than one person with no more than two (2) suitcases per person from the same point of origin to the same destination.

**TAXICAB:** All vehicles furnished with a driver which carry passengers for hire within the city. "Charter transportation", as defined in this section, nonprofit taxicabs, and vehicles owned or operated by any governmental entity that provide public transportation are not taxicabs.

**TAXIMETER:** A meter instrument or device attached to a taxicab which measures electronically the distance driven and the waiting time upon which the fare is based.

**VEHICLE FOR HIRE:** A vehicle providing shared transportation which transports one or more passengers between locations of the passengers' choice, or close to it.

**WAITING TIME:** The time when a taxicab is not in motion from the time of acceptance of a passenger or passengers to the time of discharge, but does not include any time that the taxicab is not in motion if due to any cause other than the request, act, or fault of a passenger or passengers. (Ord. 11-09, 2-16-2009)

#### **4-7B-2: EXEMPTIONS:**

Nonprofit taxicabs and charter transportation shall be exempt from the provisions of this chapter. (Ord. 11-09, 2-16-2009)

#### **4-7B-3: TAXIMETER REQUIRED:**

No person may operate a taxicab without a taximeter fastened in front of the passengers, visible to them at all times day and night, and after sundown the face of the taximeter must be illuminated. Taxicab meters are not required in taxicabs charging a flat rate to passengers, but flat rates must be posted in a taxicab in a location that is visible to passengers at all times. (Ord. 6-13, 2-18-2013)

#### **4-7B-4: POSTING OF RATES:**

No person shall operate a taxicab without posting in a conspicuous place, in clear view within the passenger compartment, a printed rate card large enough to be read by the passengers in the taxicab showing the rates. (Ord. 11-09, 2-16-2009)

#### **4-7B-5: MANIFESTS:**

A. Use Required: Every driver shall maintain a daily manifest upon which are recorded all trips made each day, showing time and

place of origin and destination of each trip and amount of fare and all such completed manifests shall be returned to the owner by the driver at the conclusion of the tour of duty. The form for each manifest shall be furnished to the driver by the owner.

B. Preservation; Inspection: Every holder of an operator permit shall retain and preserve all drivers' manifests in a safe place for at least the calendar year and said manifests shall be open to inspection by the police department. (Ord. 11-09, 2-16-2009)

#### **4-7B-6: OPEN STANDS:**

A. Areas Established: The city manager is hereby authorized and empowered to establish open stands in such place or places upon the streets of the city as deemed necessary for the use of taxicabs operated in the city. The city manager shall prescribe the number of cabs that shall occupy such open stands.

B. Use Of Stands: Open stands shall be used by the different drivers on a first come, first serve basis. The driver shall pull onto the open stand from the rear and shall advance forward as the cabs ahead pull off. Drivers shall stay within five feet (5') of their cabs and shall not engage in loud or boisterous talk while at an open stand. Nothing in this article shall be construed as preventing a passenger from boarding the cab of the passenger's choice that is parked at open stands. (Ord. 11-09, 2-16-2009)

#### **4-7B-7: VEHICLES, LICENSE AND MAINTENANCE:**

A. State License: No person shall operate a vehicle used as a taxicab unless it is licensed by the state.

B. Safe Condition; Authority To Inspect: The owner or driver of a taxicab shall keep it in a safe and operating condition at all times. The chief of police is hereby authorized, either on complaint of any person or without such complaint, to inspect the vehicle and, upon discovery of any unsafe condition, to notify the person operating said taxicab to cease operation. Thereupon said taxicab shall be kept off the street until the unsafe condition has been corrected. (Ord. 11-09, 2-16-2009)

#### **4-7B-8: TAXICAB BUSINESS LICENSE AND TAXICAB DRIVER'S PERMIT:**

A. Taxicab Business License Requirements; Insurance; Fees:

1. Taxicab Business License Required: No person may operate a taxicab alone or as part of a taxicab business without first having obtained a taxicab business license from the city clerk.

2. Application For Taxicab Business License:

a. An application for a taxicab business license must be filed with the city clerk's office on a form provided by the city clerk.

b. The chief of police will investigate each applicant for a taxicab business license and a report of such investigation will be attached to the application for consideration by the city clerk.

3. Consideration Of Application: The city clerk will, in consultation with the chief of police and upon consideration of the application and the required reports attached thereto, approve or reject the application.

4. Insurance Prerequisite To Issuance; Continuance In Effect: The taxicab business owner must at all times while the license is in effect provide insurance as required by the city manager.

5. Fees: No taxicab business license will be issued or renewed unless the holder thereof has paid an annual taxicab business license fee established by the city manager and an annual vehicle fee established by the city manager for each vehicle in such taxicab business. Such fees are for one year commencing April 1.

6. Denial, Suspension, Or Revocation Of License:

a. The city clerk may deny, suspend, or revoke issuance of a taxicab business license for good cause, including, but not limited to, any of the following:

(1) Violation of any of the provisions of this article;

(2) Discontinuation of operations for more than sixty (60) days;

(3) Violation of any ordinances of the city or laws of the United States or the state of Iowa or any other state that demonstrates the lack of fitness of the taxicab vehicle permit holder to offer public transportation; or

(4) Misrepresentation on the application for a taxicab business license.

b. Prior to the denial, suspension, or revocation, the taxicab business license holder must be given not less than ten (10) days' written notice by the city clerk.

c. In the event of a denial, suspension, or revocation of a taxicab business license, no other taxicab business license may be issued to such person for a period of two (2) years thereafter.

7. Appeal: Within ten (10) days after written notice of the revocation, suspension, or denial of issuance of a taxicab business license, an applicant or license holder may file with the city clerk a written notice of appeal to the city manager from such revocation, suspension, or denial. The city manager must provide the taxicab business with notice and an opportunity to be heard on the issue of whether the taxicab business license was properly revoked, suspended, or denied.

8. Taxicabs Registered With City Clerk: The applicant or license holder must register all vehicles operating as taxicabs for the taxicab business with the city clerk. Any new vehicles that begin operating as taxicabs after the taxicab business license is obtained must be registered with the city clerk within fourteen (14) days after such vehicles are acquired.

9. Display Of Taxicab Business License: The taxicab business license must be displayed at the taxicab business location. A copy of the taxicab business license also must be displayed in each vehicle operating as a taxicab for the business and may not be removed until the expiration of the license.

10. Personal Nature; Transferability: The taxicab business license is personal to the business and may not be sold, assigned, mortgaged, or otherwise transferred. The taxicab business license applies to all registered vehicles operating as taxicabs for the license holder.

11. Property Of City Clerk Upon Loss Or Closure: If any taxicab business license issued under this article is lost or mislaid or the taxicab business closes or ceases operations, the license holder must report such fact to the city clerk immediately. Where a taxicab business license is lost or mislaid, a duplicate license will be issued upon payment of the fee as established by the city manager. (Ord. 7-13, 2-18-2013)

B. Driver's Permit Requirements; Fee:

1. Permit Required: No person may drive a taxicab for hire upon the streets of the city and no person who owns or controls a taxicab may allow it to be so driven, unless the driver of said taxicab holds a valid taxicab driver's permit issued under the provisions of this article.

2. Application For Driver's Permit:

a. An application for a taxicab driver's permit must be filed with the city clerk's office on a form provided by the city clerk.

b. An applicant must have, at a minimum, a valid Iowa class D-3 chauffeur's license or equivalent license issued by another state to obtain a taxicab driver's permit. Temporary restricted licenses or work permit privileges are not sufficient to obtain a taxicab driver's permit.

c. An applicant will be ineligible for a taxicab driver's permit if any of the following apply:

(1) The applicant is restricted to operating motor vehicles equipped with an ignition interlock device.

(2) The applicant's driving privileges have been suspended, revoked, barred, canceled, denied, or disqualified in the prior three (3) year period.

(3) The applicant has been convicted of more than three (3) moving violations in the prior three (3) year period.

(4) The applicant has been convicted of violating section 321.218, 321.277, or 321J.21, or section 321A.32, subsection 1, in the prior three (3) year period.

(5) The applicant has been convicted in the prior seven (7) year period of a felony, of violating section 321J.2 or 321J.2A, or of any crime involving injury to another person, damage to the property of another person, or operating a vehicle in a manner that endangers another person.

(6) The applicant is registered on the national sex offender registry.

d. The chief of police will investigate each applicant for a taxicab driver's permit and a report of such investigation will be attached to the application for consideration by the city clerk. Such report will state whether the applicant has, at a minimum, a valid Iowa class D-3 chauffeur's license or equivalent license issued by another state.

3. Consideration Of Application: The city clerk will, in consultation with the chief of police and upon consideration of the application and the required reports attached thereto, approve or reject the application.

4. Issuance Of Permit; Duration; Annual Fee:

a. Upon approval of an application for a taxicab driver's permit, the city clerk will issue a permit to the applicant upon the payment of the fee as established by the city manager or the city manager's designee. Such permit will be in effect for the remainder of the calendar year. The permit must be renewed every calendar year thereafter upon the payment of the fee as established by the city manager unless the license for the preceding year is suspended or has been revoked.

b. The driver must wear the taxicab driver's permit upon the clothing of the driver at all times while operating the taxicab.

5. Compliance With City, State, And Federal Laws: A taxicab driver permitted under this article must comply with all city, state, and federal laws.

6. Denial, Suspension, Or Revocation Of Permit:

a. The city clerk may deny, suspend, or revoke a taxicab driver's permit for good cause, including, but not limited to, any of the following:

(1) Failure or refusal to comply with the provisions of this article;

(2) The taxicab driver is restricted to operating motor vehicles equipped with an ignition interlock device;

(3) The taxicab driver's driving privileges have been suspended, revoked, barred, canceled, denied, or disqualified in the prior three (3) year period;

(4) The taxicab driver has been convicted of more than three (3) moving violations in the prior three (3) year period;

(5) The taxicab driver has been convicted of violating section 321.218, 321.277, or 321J.21, or section 321A.32, subsection 1, in the prior three (3) year period;

(6) The taxicab driver has been convicted in the prior seven (7) year period of a felony, of violating section 321J.2 or 321J.2A, or of any crime involving resisting law enforcement, dishonesty, injury to another person, damage to the property of another person, or operating a vehicle in a manner that endangers another person;

(7) The taxicab driver is registered on the national sex offender registry;

(8) Misrepresentation on the application for a taxicab driver's permit; or

(9) Violations against or loss, denial, suspension, or revocation of a taxicab driver's state of Iowa class D-3 chauffeur's license or equivalent license issued by another state.

b. Prior to suspension or revocation, the taxicab driver must be given not less than ten (10) days' written notice by the city clerk.

c. In the event of such denial, suspension, or revocation of a taxicab driver's permit, no other taxicab driver's permit will be issued to such person for a period of two (2) years thereafter.

7. Appeal: Within ten (10) days after written notice of the denial, suspension, or revocation of a taxicab driver's permit, a taxicab driver may file with the city clerk a written notice of appeal to the city manager from such revocation, suspension, or denial. The city manager must provide the taxicab driver with notice and an opportunity to be heard on the issue of whether the taxicab driver's permit was properly revoked, suspended, or denied.

8. Personal Nature; Transferability: The taxicab driver's permit is personal to the driver and may not be sold, assigned, mortgaged, or otherwise transferred.

9. Job Change: The taxicab driver's permit remains valid and personal to the driver through a change of employment. If a taxicab driver becomes employed by another taxicab company after the issuance of the taxicab driver's permit, such a change of employment must be reported to the city clerk within fourteen (14) days.

10. Property Of City Clerk Upon Loss: If any taxicab driver's permit issued under this article is lost or mislaid, the taxicab driver must report such fact to the city clerk immediately. A duplicate permit will be issued upon payment of the fee as established by the city manager.

11. Reporting Requirements: If suspension, revocation, or any other disciplinary action is taken against a taxicab driver's state of Iowa class D-3 chauffeur's license or equivalent license issued by another state, the taxicab driver must report such action to the city clerk's office. (Ord. 29-16, 6-20-2016)