

CHAPTER 4 - TAXICABS AND LIMOUSINES

6-4-1: - Definitions:

CARRIAGE: Any horse or other animal drawn cart, wagon, vehicle or attached apparatus used for the purpose of transporting persons for compensation.

LICENSING AUTHORITY: The city council or its designee, herein referred to as the city.

LIMOUSINE: Any luxury motor vehicle driven by a chauffeur used for the purpose of transporting persons for hire.

OPERATION: The conducting of a general taxicab, limousine, pedicab or carriage business including, but not limited to, owning the business, contracting or leasing the business or an individual vehicle.

OPERATOR OR DRIVER: An individual, including a taxicab or limousine owner, authorized to operate, drive, or staff a taxicab or limousine upon and through the streets, avenues and alleys of the city.

PEDICAB: Any human powered vehicle that is able to be pedaled without any motor assistance, used for the purpose of transporting persons. A motor assist may be permitted so long as it does not replace or become the primary source of power in moving the unit and is seven hundred fifty (750) watts or less, is one horsepower or less, and cannot exceed twenty (20) miles per hour.

TAXICAB: Any motor vehicle used for the purpose of transporting persons for hire, providing the "taxicab", as herein stated and defined, shall not include school buses or other motor vehicles used exclusively for the transportation of children to and from school, nor a motor bus with a seating capacity of over seven (7) passengers operated on a regular schedule over regularly designated streets, nor companies operating for the purpose of carrying United States mail or other United States property.

TAXICAB, LIMOUSINE, PEDICAB OR CARRIAGE OWNER: The person, firm, copartner, corporation, individual or association securing a license to operate a taxicab(s), limousine(s), pedicab(s) or carriage(s) upon and through the streets, avenues and alleys of the city.

(Ord. 1215, 7-17-2009)

6-4-2: - Licenses Required:

- A. Application For Taxicab, Limousine, Carriage, or Pedicab Business License: No person shall engage in the business of operating a limousine, taxicab or taxicabs, carriage or pedicab within the corporate limits of the city without first complying with all of the provisions of this chapter. Verified applications for a license for taxicabs and limousines shall be made by owner thereof upon forms to be furnished by the city clerk. Such application shall contain the full name and address of the owner, the make, model, motor and factory number of the motor vehicle and the Idaho license number, if applicable, for the current year. All rules and regulations in this chapter pertaining to taxicabs shall likewise pertain to limousine, carriage and pedicab services unless otherwise stated.
- B. Authority to License and Control: The city council or its designee, hereinafter the "city" is hereby vested with complete authority to issue licenses for the operation of taxicabs and to alter, revoke or amend or suspend the said licenses in accordance with the provisions of this chapter and to regulate and limit the method of operation of taxicabs in accordance with this chapter, and to regulate taxicab operators, and is further vested with complete and full authority and responsibility to carry into effect all of the provisions of this chapter relative to the operation of taxicabs. The city reserves the right to do a complete background check on all owners and operators. The city shall have the authority to implement the requirements and restrictions of this chapter. Any license now issued, and which may be hereafter issued to engage in the business of operating taxicabs on or over the streets and public ways, shall mean and be construed to be only a license or privilege to use the streets and public ways for the business of operating taxicabs thereon. The council or its designee may, where appropriate, reduce the conditions or limits established in this chapter if the license applicant is only operating a pedicab or carriage; otherwise, all requirements for a taxicab may apply.
- C. Applicant; Conditions: No person shall be issued a license to engage in the business of owning and maintaining a taxicab, nor shall the owner authorize any person to operate a taxicab when that person:
1. Does not possess a valid U.S. driver's license;
 2. Is under the age of eighteen (18) years;
 3. Is not a bona fide owner of such business, if applying for taxicab owner license;
 4. Has been convicted of a felony involving injury or threatened injury to another person or who is a registered sex offender;
 5. Has been, within three (3) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation, received a deferred sentence, received any withheld judgment, suffered the forfeiture of a bond for failure to appear or completed any sentence for confinement for any felony or any misdemeanor or infraction which involves a moving traffic violation, except that the city may in its discretion waive the disqualification

provided in this subsection upon finding that the nature of the crime committed by the applicant and the extent of the rehabilitation of the applicant does not pose a threat to the safety and health of the taxi passengers;

6. Has ever been convicted of, or pled guilty to, a felony case of driving under the influence of alcohol and/or drugs;
 7. Has, at the time of such application, an outstanding warrant;
 8. Has had a similar license revoked by the city or any other city of this state or of the United States.
- D. Mayor and Council To Approve Application; Renewal: Before the city clerk shall issue a license for any taxicab, the application must first be presented to the city council for approval and upon such approval and the payment of the necessary fees and compliance with all other sections of this chapter, the city clerk shall issue a license in such form as may be prescribed by the city clerk. The clerk is authorized to renew such licenses annually so long as the applicant complies with all provisions of this section.
- E. License Card: Each taxicab shall carry a card issued by the clerk verifying the license. Each card shall contain the name of the licensee, the date of its issuance, the date of its expiration, the official license number of the motor vehicle and the make and model thereof.

(Ord. 1215, 7-17-2009; Ord. 1271, 6-20-2012)

6-4-3: - Authorized Operators/Drivers:

Before any owner/licensee authorizes a person to drive a taxicab, the owner/licensee shall submit the completed application for taxicab driver form containing required information on the driver to the chief of police. All drivers must comply with the following standards and rules:

- A. Applicant Conditions: All requirements of subsection 6-4-2.C this city of this chapter.
- B. Mandatory Drug Testing: Every person authorized to drive a taxicab under this chapter who is involved in an accident resulting in injury to or death of any person, or damage to the property of any one person in excess of one thousand dollars (\$1,000.00) while providing taxicab service shall submit to one or more tests as may be required to determine the amount of alcohol, narcotics, and prescription and nonprescription drugs present in such person. Any such required test(s) shall be at such authorized person's own expense.
- C. Revocation; Denial: If any required test shows the presence of illegal drugs, alcohol in excess of the legal limit established in Idaho Code title 18, chapter 80, prescription drugs used other than as prescribed, or evidence of intoxicants, such person's authorization to drive a taxicab shall be immediately revoked. Refusal to submit to any test required shall result in the

immediate revocation of the authorization to drive a taxicab. Following revocation under this subsection, no authorization to drive a taxicab shall be granted to that person until three (3) years immediately following the last violation of this subsection.

- D. Dangerous Driving: No authorization to drive a taxicab shall be granted to any person where satisfactory proof is submitted that such person operates motor vehicles in an unskillful, dangerous or reckless manner, or who repeatedly violates the laws of the city relating to traffic or this chapter.
- E. Medical Certificate: Every two (2) years each taxicab driver shall submit with the application a medical certificate from a licensed physician specifically stating that the applicant has good hearing, vision, and general health such that the person has no known physical conditions or disabilities which would impair the safe operation of a taxicab. The city's medical certificate form shall be completed and returned with the application for taxicab driver form.
- F. Renewal: Authorization to drive a taxicab shall not be given to a person who, at the time of application for renewal of authorization issued hereunder would not be eligible or qualified for such authorization upon a first application, and a driver must continue to have and maintain all the qualifications. A renewal application will also include an annual background check and medical certification every two (2) years.
- G. Owner Notification: The chief of police shall promptly notify the owner if he is aware a driver is not qualified to drive; however, the owner remains responsible to monitor drivers and ensure they meet the requirements of this chapter.
- H. License Issuance, Transfer, Display: Authorized taxicab drivers will be issued an individual taxicab driver's license authorizing them to operate a taxicab under any taxicab company's license within the City of Sandpoint. The taxi driver may transfer this license to another taxicab company after review of the City of Sandpoint police department. A taxicab driver's license shall be displayed to the public or a law enforcement officer upon request.

(Ord. 1161, 11-15-2006)

6-4-4: - Insurance Required:

Before any license is issued for any taxicab, the owners thereof shall be required to file with the city clerk a certified copy of a policy of insurance executed by an insurance company authorized to do business within the state insuring the public against any loss or damage which may result to any person or persons from the operation of said taxicab, provided the limited amount of liability in such policy of insurance specified shall be as follows:

- A. Property damage: Not less than one hundred thousand dollars (\$100,000.00) except for carriages and pedicabs, which shall be not less than twenty thousand dollars (\$20,000.00).
- B.

Public liability: Minimum five hundred thousand dollars (\$500,000.00) per incident except for carriages and pedicabs, which shall be not less than one hundred thousand dollars (\$100,000.00).

- C. Provide for notice to the city of nonrenewal or cancellation of insurance coverage.
- D. The license to operate such taxicab business shall expire of itself or terminate upon the cancellation of said insurance for failure to pay premiums or for any other reason and no license shall be granted or be effective unless the taxicab for which said license is requested has been fully covered with insurance as hereinabove specified.

(Ord. 1215, 7-17-2009)

6-4-5: - License Fees and Card:

Owners of taxicabs licensed hereunder shall pay to the city clerk an annual license fee set by resolution adopted by the city council. Taxicab drivers shall pay to the city clerk an annual background check fee set by resolution adopted by the city council. Such license shall expire on the last day of each year and must be renewed before the first day of the following year. Proof of the license provided for herein shall be plainly posted in said taxicab in such a manner that the same may be readily readable and legible to the passenger or passengers therein. It shall be printed and posted in such a manner and placed in said taxicab as shall be approved by the chief of police. It shall be unlawful for any taxicab to operate without such proof of license being so posted.

(Ord. 1161, 11-15-2006)

6-4-6: - Transfer of Licenses:

Taxicab business owners' licenses issued under the provisions of this chapter shall be transferable subject to the consent and approval of the city council; provided, however, that no license may be issued to another or to any other person until such licensee or person has applied for a license and has been found to be qualified to obtain such license under the provisions of this chapter; provided, further, that upon the approval of the transfer of any license as herein provided, the city clerk shall charge and collect a fee set by resolution for transferring said license and issue a new license as provided for in this chapter.

(Ord. 1161, 11-15-2006)

6-4-7: - Suspension and Revocation of Licenses:

In addition to other suspensions and revocations provided for in this chapter, the following procedures shall govern the suspension or revocation of licenses:

- A.

Any license granted under this chapter may be suspended at any time by the chief of police for any violation of the provisions of this chapter or of any other ordinance of the city, state or federal law, or if such vehicle shall or has been used for any immoral, illegal, disorderly or improper purpose.

- B. Any licensed owner or licensed operator of a taxicab vehicle within Sandpoint who violates any provision of the Idaho Code or this code, in addition to: 1) the criminal or civil penalties prescribed by law for such violation, and 2) the suspension and revocation provisions of this chapter, shall be subject to a temporary suspension of their taxicab license for a period not to exceed one hundred eighty (180) days.
- C. Notice of a temporary suspension may be personally served which suspension shall be effective upon such service. However, notice shall also be deemed properly served if sent by U.S. postal service certified mail to the address on file in the city clerk's office that was provided by the licensee. Such temporary suspension shall then be effective at one minute after twelve o'clock (12:01) a.m. on the third day following the date written notice is mailed to the licensed owner or licensed operator. A licensee's failure to accept, acknowledge, or receive notification of a temporary suspension shall not invalidate the temporary suspension, provided notice was served as provided in this subsection. Notice of a temporary suspension shall include grounds for the temporary suspension, and shall include a statement that informs the licensee of their right to appeal the temporary suspension. A license may be temporarily suspended for good cause even though no criminal charge or infraction is filed. Any operation of a taxicab during the period of a temporary suspension shall be deemed a separate offense for each day of such operation.
- D. Any licensed owner or licensed operator of a taxicab within the City of Sandpoint whose license is temporarily suspended pursuant to this section may appeal the temporary suspension to the city council by filing a written request with the city clerk's office within fifteen (15) working days of the start of the temporary suspension. Upon appeal, a temporary suspension shall be stayed pending a determination by the city council, unless a separate finding is made by the chief of police that continued operation under the applicant's license would endanger the public, with the reasons for such finding being clearly stated. In the event an appeal of a suspension is denied by the city council, the suspension period shall commence at one minute after twelve o'clock (12:01) a.m. on the day immediately following issuance of the denial by the city council.
- E. The city council may revoke any license issued under this chapter for any cause which would have disqualified the applicant from receiving a license upon a first application. Further, if the city shall receive a complaint of deficiency or violation which, after investigation, proves to be valid, the licensee shall be served with a warning notice and citation providing five (5) working days to rectify. If the deficiency or violation is not corrected within said five (5) working days, the license shall be revoked for the remainder of the year.

(Ord. 1191, 6-18-2008; Ord. 1271, 6-20-2012; Ord. 1274, 7-18-2012)

6-4-8: - Vehicle Inspection:

It shall be unlawful for any person to operate and use or permit or allow the operation and use of any vehicle as a taxicab upon the streets of the city unless such vehicle has been inspected and approved. All vehicles shall be kept in good and proper mechanical order and of sanitary and good appearance, inside and outside. All taxicabs operated by one taxicab company shall be easily distinguishable from taxicabs operated by other companies. Each taxicab shall have a lighted sign to indicate that the vehicle is in service or out of service. All vehicles (carriages and pedicabs excluded) shall be equipped with a taximeter which automatically registers the amount of the fare; such taximeter shall be installed so the taximeter and the amount of fare shall be plainly visible to the passengers riding in the taxicab. There shall be posted in a conspicuous place in each taxicab a rate card or sticker, of not less than four (4) inches by six (6) inches in size, stating the rates of the taxicab, or rate policy of the pedicab or carriage. Inspection of the mechanical safety and sanitary condition of each vehicle shall be made by an ASE certified mechanic designated by the city council or by the police chief for that purpose. Mechanical inspections shall certify the vehicle is equipped with, but not be limited to, properly working brakes (pedicabs must have two (2) sets of operational brakes: one located on the front wheel and the other located on the back axle), lights, turn signals, tires, horn or bell, muffler, rear vision mirrors, seat belts, and windshield wipers in good condition. Windshields shall not have any defect which obstructs or impedes the view of the driver. Further, pedicabs shall only have a single frame; bike trailers or similar devices will not be permitted. Carriages must have appropriate braking systems and lights satisfactory to the city's designee. The mechanical inspection shall be reviewed by the chief of police. The chief of police shall inspect each taxicab concerning its sanitary condition. All taxicabs shall be so inspected on or before January 1 of each year.

(Ord. 1215, 7-17-2009)

6-4-9: - Operating Rules:

- A. The driver of any motor vehicle used within the city to transport passengers for hire shall be required to bring such vehicle to a complete stop before driving across any railroad crossing within the city.
- B. No smoking shall be permitted in a taxicab, pedicab or carriage at any time.
- C. It shall be unlawful for any person operating a taxicab to carry more passengers than the rated seating capacity of said motor vehicle as given by the manufacturer of said vehicle and not more than one person shall occupy the front seat with the driver at the same time while the taxicab is in operation.

- D. All occupants shall wear seat belts (except in carriages and pedicabs, which must be equipped with seat belts that may be worn at the occupants' discretion).
- E. It shall be unlawful for any person driving a taxicab, pedicab, carriage or limousine to use a handheld cellphone while operating the vehicle, when vehicle is in motion.
- F. Taxicab, pedicab, carriage and limousine companies and drivers are subject to all applicable federal, state and local laws.
- G. Horse or animal drawn carriages shall be equipped with a manure catching device which will capture and retain animal manure. All manure will be removed from the capture device as soon as is practical and stored in a covered metal container provided by the carriage operator. The carriage operator will be responsible for the disposal of animal manure at an approved location outside the city limits.
- H. All pedicabs and carriages operating at night must use headlights.

(Ord. 1215, 7-17-2009)

6-4-10: - Penalty:

In addition to being subject to license revocation or suspension, any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed \$300.00.

(Ord. 1161, 11-15-2006)

6-4-11: - Pedicabs and Carriages Prohibited on Certain Streets:

It shall be unlawful for any person to operate or cause to be operated any pedicab or carriage on the following streets (except for crossing the streets):

Highway 2; and

Highway 95 north of Larch Street.

(Ord. 1215, 7-17-2009)