

[Current Taxi Code]

ARTICLE 6. TAXICABS

6-601

DEFINITION.

Whenever used in this Article, the term taxicab shall be defined to mean any motor-driven passenger vehicle used for the purpose of transporting passengers for hire. (Ord. 4747, 6-601)

6-602

LICENSE; REQUIRED; APPLICATION FOR.

No person shall operate, either directly or indirectly or as owner, agent, driver or employee, any vehicle or vehicles for the carriage of passengers for hire within the limits of the City, until there shall have first been procured in the manner provided for in this article a license for each and every such vehicle. Before any license shall be granted under this article, every person desiring a license hereunder shall file with the City Clerk a written statement setting out the type of the vehicle to be used, the

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make, horsepower, factory number, and state license number thereof, the actual seating capacity thereof, the name of the owner or owners of such vehicle or vehicles and a statement that it is of public benefit and convenience that such application be granted. (Code 1979, 6-602)

- 6-603 **RESPONSIBILITY OF LICENSEE.**
Any person who shall make application for a license under this Article shall be held responsible for the driver or drivers placed in charge of the taxicabs operated by the driver and the application shall contain as a part thereof a statement on the part of the applicant acknowledging such responsibility. (Code 1979, 6-603)
- 6-604 **APPLICATIONS TO BOARD OF COMMISSIONERS.**
When an application for a license is made as provided in the preceding sections and properly filed, the City Clerk shall refer it to the Board of Commissioners of the City. (Code 1979, 6-604)
- 6-605 **INVESTIGATION BY BOARD OF COMMISSIONERS.**
In determining whether or not a license shall be issued to an applicant hereunder, the Board of Commissioners shall take into consideration the systems of transportation already operating, the probable congestion of traffic with an additional system of transportation, the question of whether or not the existing systems of transportation are rendering the services required to meet the needs of the public and all other facts which are necessary to determine whether or not public convenience and necessity require the operation of additional taxicab service within the corporate limits of the City. The Board of Commissioners shall likewise make such investigation as it may deem advisable as to the moral and physical fitness of such person to operate such taxicabs.

No application shall be denied without first giving the applicant an opportunity to be heard before the Board of Commissioners or a duly appointed committee. (Code 1979, 6-605)
- 6-606 **APPROVAL OR DENIAL OF APPLICATION.**
If the Board of Commissioners shall find that the granting of a license is required to meet the public convenience and necessity, based upon the factors to be considered as outlined in Section 6-605, and that the applicant is morally and physically fit to engage in such business and has otherwise qualified in accordance with the provisions of this Article, it shall approve the granting of such license; otherwise the application shall be denied. (Code 1979, 6-606)
- 6-607 **CITY CLERK TO ISSUE LICENSE.**
If an application for license is approved by the Board of Commissioners, it shall be referred back to the City Clerk, who shall issue to the applicant a license to operate the vehicle or vehicles designated in such application, upon the payment of license fees and upon the filing with the City Clerk of the insurance policy required by this Article. (Code 1979, 6-607)
- 6-608 **LICENSE FEES.**
The fees for the license required by this Article shall be as set forth in Section 6-108 et seq. Such fees shall be due and payable annually in advance on or before the first day of January of each year hereafter, and there shall be no reduction or deductions on account of fractional periods of time. For each vehicle which is placed in operation after the beginning of such semiannual period, the license fee shall be due and payable at the time such vehicle is placed in operation for such period. (Code 1979, 6-608)

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INSURANCE.

Every applicant for a license under this Article shall file and deposit with the City Clerk a policy of insurance issued either by an insurance carrier which must qualify either by having or maintaining at all times total assets in excess of \$1,000,000 or shall have been engaged as an insurance carrier in the insurance business continuously for more than twenty-five (25) years prior to the date of the issuance of such insurance policy, which insurance company or insurance carrier must be approved as to its qualifications herein defined by the Board of Commissioners of the City, and which insurance policy so issued as aforesaid shall provide insurance coverage for each and every taxicab owned or operated by the applicant with a liability coverage of not less than \$25,000 for any injury to or death of any one person, and \$50,000 for the injury or death of any number of persons in any one accident, and with a property coverage of not less than \$10,000 for property damage in any one accident. The policy shall contain a clause stating specifically that it is given to comply with the terms and provisions of this article. Such insurance policy shall further provide that it cannot be canceled until ten (10) days' written notice of such cancellation has been filed with the City Clerk of the City. If the policy is issued by an insurance company not legally authorized to do business within the state, then and in that event there shall be attached to such policy a written endorsement appointing and designating some person within the state as a resident agent of such company upon whom legal service of summons may be had. (Code 1979, 6-609)

6-610

APPLICATION OF ARTICLE.

The provisions of this Article shall not apply to motor vehicles between fixed points within the City, nor between points without the City and points within the City, nor to vehicles operating between points without the City and whose route lies in or through the City. (Code 1979, 6-610)

6-611

RECEIPT TO PASSENGER IF REQUESTED.

The owner, driver or person in charge or control of a taxicab shall, upon the request of the passenger, furnish the passenger paying for the hire hereof, at the time of such payment, a receipt thereof which shall contain in legible type or writing the name of the owner, a statement of all items for which a charge is made, the total amount paid and the date of the payment. (Code 1979, 6-611)

6-612

TAXIMETER REQUIRED.

(A) All taxicabs operated under the authority of this Article shall be equipped with taximeters fastened in front of the passengers, visible to them at all times day and night; and, after sundown, the face of the taximeter shall be illuminated. Said taximeter shall be operated mechanically by a mechanism of standard design and construction, driven either from the transmission or from one of the front wheels by a flexible and permanently attached driving mechanism. They shall be sealed at all points and connections which, if manipulated, would affect their correct reading and recording. Each taximeter shall have thereon a flag to denote when the vehicle is employed and when it is not employed; and it shall be the duty of the driver to throw the flag of such taximeter into a nonrecording position at the termination of each trip. The taximeters shall be subject to inspection from time to time by the Police Department. Any inspector or other officer of the department is hereby authorized either on complaint of any person or without such complaint, to inspect any meter and, upon discovery of any inaccuracy therein, to notify the person operating the taxicab to cease operation. Thereupon the taxicab shall be kept off the highways until the taximeter is repaired and in the required working condition.

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- (B) The provisions of Subsection (a) of this Section shall not apply to any taxicab operated and licensed under this chapter which charges a flat rate fee. (Ord. 5413)

6-613

RATE CARD REQUIRED; NOTICE OF CHANGE.

Fares for all vehicles for hire operated within the City of Lawrence shall be filed with the City Clerk. Every vehicle for hire operated under the terms of this Article and within the City of Lawrence shall have a rate card setting forth the rates of fare and said card displayed in such a place as to be in view of all passengers. No owner, driver or operator of any vehicle for hire shall charge a greater sum for the use of a vehicle for hire than those rates of fare posted and filed with the City Clerk. No change of fares shall become effective until such schedule of fares has been on file with the City Clerk for a period of thirty (30) days. (Ord. 5044, Sec. 1)

6-614

VEHICLE INSPECTION.

The Police Department is authorized to periodically inspect any vehicle for hire at such intervals as shall be established by the Chief of Police to insure the continued maintenance of safe operating conditions. Failure to comply with the provisions of this section constitutes cause for revocation of the taxi license under Section 6-615 of this Code. (Any vehicles licensed under this article and designed or used to carry more than eight (8) passengers may also be subject to 49 CFR Part 390, et. seq.)

6-615

REVOCAION OF LICENSES.

The Commissioners shall revoke or cancel the license of any person licensed under this Article, if the owner or driver of any licensed vehicle shall be found by the Commission to be incompetent, guilty of misconduct, or to have violated any of the provisions of this Article or of Chapter XVII of this Code, or other traffic ordinances of the City. No license so revoked or canceled shall be restored or reissued until such applicant has made satisfactory showing and proof of his or her fitness, or that of his or her driver, to operate such taxicab. (Code 1979, 6-614)

ARTICLE 7. TRADING STAMPS

6-701

TRADING STAMPS; UNLAWFUL.

It shall be unlawful for any person to use, issue or distribute, or for any person to furnish to any other person to use, issue or distribute, in, with or for the sale of food, goods, wares or merchandise, any stamps, coupons, tickets, certificates, cards or other similar devices or services, which shall entitle the purchaser receiving the same with the sale of food goods, wares, merchandise or services to procure from any person, anything of value upon the production of any number of such stamps, coupons, tickets, certificates, cards or other similar devices. It shall be unlawful for any person, to redeem any stamps, coupons, tickets, certificates, cards or other similar devices, the use, issuance, distribution or furnishing of which is made unlawful by preceding provisions of this Section. (Code 1979, 6-701)

6-702

EXCEPTIONS.

This Article shall not apply to the use, issuance, distribution, furnishing or redemption of any coupon, ticket, certificate, card or similar device which is issued, distributed, furnished or redeemed by a manufacturer, or packer, in connection with the sale of its manufactured or packed products, when such coupon, ticket, certificate, card or other similar device is redeemable, without or with accompanying cash not exceeding five dollars (\$5.00) for any product of said manufacturer or packer or for one specified and particular product not manufactured or packed by said manufacturer or packer. (Code 1979, 6-702)