Chapter 5.56

TAXICABS

Sections:
5.56.010 Supervisory duties of officials.
5.56.020 Taxicab owner and for-hire vehicle owner responsibilities.
5.56.030 Vehicle permit required – Application.
5.56.040 Mechanical requirements of vehicle.
5.56.050 Vehicle permit.
5.56.060 Name of owner displayed on vehicle.
5.56.070 Vehicle permit fee.
5.56.080 Maintenance of vehicles – Inspection.
5.56.090 Driver’s license required – Qualifications of drivers.
5.56.100 For-hire driver-passenger relations standards.
5.56.110 Fingerprints and photographs of driver applicant.
5.56.120 Issuance of driver’s license.
5.56.130 Renewal of driver’s license.
5.56.140 Driver’s license fee – Nontransferability of license.
5.56.150 Driver’s license records kept by clerk.
5.56.160 Driver to furnish receipt on demand.
5.56.170 Penalty.
5.56.180 Revocation or suspension of license – Procedure.

5.56.010 Supervisory duties of officials.
(1) The licensing of taxicabs, the examining of the qualifications of applicants to drive taxicabs, and the licensing of drivers as hereinafter provided shall be under the supervision of the city clerk (hereinafter referred to as “clerk”); and

(2) The inspection of taxicabs, inspection and sealing of taxicab meters and the enforcing of the provisions of this chapter shall be under the supervision of the chief of police (hereinafter referred to as “chief”); and

(3) The location and designation of taxicab stands and parking spaces shall be under the supervision of the city council (hereinafter referred to as “council”). (Ord. 1777 § 1, 1999).

5.56.020 Taxicab owner and for-hire vehicle owner responsibilities.
(1) The owner of a taxicab or for-hire vehicle must ensure the taxicab or for-hire vehicle is being operated only by a driver who holds a valid for-hire license.

(2) The taxicab or for-hire vehicle owner must maintain a business address and a mailing address where the owner can accept mail, and a business telephone in working order that can be answered at least 9:00 a.m. to 5:00 p.m., Monday through Friday, and during all hours of operation. The taxicab office or dispatch center may suffice for this requirement.

(3) The taxicab owner shall comply with all requirements for taxicabs within this chapter.

(4) The taxicab or for-hire vehicle owner must notify the clerk or designee within three working days of learning of the following occurrences:
   (a) Any conviction, bail forfeiture or other final adverse finding received by the taxicab driver or for-hire vehicle driver, for any criminal offense that occurs during, or arises out of, the driver’s operation of a taxicab or for-hire vehicle.
   (b) Any conviction, bail forfeiture, or other final adverse finding received by the taxicab or for-hire vehicle driver for any criminal offense involving theft, robbery, burglary, assault, sex crimes, drugs, prostitution, or any related offense.
   (c) Any vehicle accident required to be reported to the state of Washington involving any taxicab operated by the taxicab driver or for-hire vehicle operated by the for-hire driver.
   (d) Any restriction, suspension, or revocation of the taxicab or for-hire vehicle driver’s motor vehicle driver’s license.

(5) The taxicab or for-hire vehicle owner must maintain daily trip sheet records and complaint logs, for all licensed vehicles. The for-hire vehicle owner must keep daily trip sheets and complaint logs for a minimum of three years. The for-hire vehicle owner must provide the clerk or designee upon request the following information compiled from the daily trip sheets:
   (a) Number of service requests (trips) during the last year;
   (b) Average operating hours per week per vehicle for the last year;
   (c) Number of complaints received regarding:
      (i) Driver conduct categorized by driving behavior, communication, personal dress, or hygiene;
      (ii) Vehicle condition categorized by appearance, mechanical, and/or safety;
(iii) Service response; and
(iv) Lack of driver knowledge including incorrect route or no knowledge of destination requested.

(d) All complaints received regarding either the for-hire driver or the taxicab or for-hire vehicle, where such complaint involves an alleged violation of this chapter, including a note of the action taken to resolve the complaint and the disposition, if known. (Ord. 1777 2, 1999).

5.56.030 Vehicle permit required – Application.

No taxicab shall ply or be operated upon the streets of the city without first obtaining a permit so to do. The permit shall be issued by the clerk or designee. The permit if issued shall be for the calendar year and shall be effective for such period of time unless sooner suspended or revoked as hereinafter provided. Applications for permits for taxicabs shall be made by the owner thereof upon blank forms to be furnished by the clerk. The applications shall contain the full name and address of the owner, the type of the vehicle, and its passenger-carrying capacity. (Ord. 001-11 § 2; Ord. 1777 § 3, 1999).

5.56.040 Mechanical requirements of vehicle.

No taxicab shall be issued a permit unless there is installed therein a taximeter capable of mechanically calculating the rates for hire; provided, that the council may, for good cause shown, waive the requirement for installation of the taximeters. (Ord. 001-11 § 3; Ord. 1872 § 1, 2002; Ord. 1777 § 4, 1999).

5.56.050 Vehicle permit.

(1) Upon completion of the appropriate form and payment of the permit fee set forth below, the clerk shall deliver to the owner of the vehicle a vehicle permit of such size and form as may be prescribed by the clerk.

(2) The vehicle permit shall be displayed on the rear bumper of the vehicle to the left of the license plate.

(3) Failure to display the vehicle permit in the manner prescribed in subsection (2) of this section shall result in the penalty as set forth in POMC 5.56.170(4). (Ord. 001-11 § 4; Ord. 1872 § 2, 2002; Ord. 1777 § 5, 1999).

5.56.060 Name of owner displayed on vehicle.

Every taxicab issued a permit under the provisions of this chapter shall have the name of its owner plainly painted in letters at least two inches in height in a conspicuous place on each side of the vehicle. (Ord. 001-11 § 5; Ord. 1777 § 6, 1999).

5.56.070 Vehicle permit fee.

The permit fee shall be $20.00 per annum for each taxicab issued a permit. In the case of permits issued on or after July 1st of each year, one-half only of the above fee shall be paid. Such permit shall not be transferable. (Ord. 001-11 § 6; Ord. 1777 § 7, 1999).

5.56.080 Maintenance of vehicles – Inspection.

The owner of each taxicab shall maintain vigilance over all taxicabs to see that they are kept in a condition of continued fitness for public use. The police department shall inspect all taxicabs on the complaint of any citizen, or from time to time as may be deemed necessary. If the police department has cause to believe a taxicab is not in a condition safe for the transportation of passengers, the chief may order an inspection by an independent certified mechanic at the owner’s expense. (Ord. 1872 § 3, 2002; Ord. 1777 § 8, 1999).

5.56.090 Driver’s license required – Qualifications of drivers.

Every person driving a taxicab must be licensed as such. Each applicant for a driver’s license shall:

(1) Be licensed by the state of Washington to drive a vehicle; and
(2) Be 21 years of age or over; and
(3) Be able to speak, read, and write the English language; and
(4) A for-hire driver shall operate the taxicab or for-hire vehicle with due regard for the safety, comfort, and convenience of passengers; and
(5) Fill out upon a blank form to be provided by the clerk a statement giving their full name; address; age; height; color of eyes and hair; place of birth; whether the applicant has ever been convicted of a felony or a misdemeanor; whether the applicant has been previously licensed as a driver or chauffeur, and if so, when and where; whether their license has ever been revoked and for what
cause. This statement shall be signed and sworn to by the applicant and filed with the clerk. (Ord. 1777 § 9, 1999).

5.56.100  For-hire driver-passenger relations standards.

(1) A for-hire driver shall provide customers with professional and courteous service at all times.

(2) A for-hire driver shall not refuse a request for service because of the driver’s position in line at a taxicab zone; a passenger may select any taxicab in line.
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(3) A for-hire driver shall at all times assist a passenger by placing luggage or packages (under 50 pounds) in and out of the taxicab or for-hire vehicle.

(4) A for-hire driver shall not refuse to transport in the taxicab or for-hire vehicle any passenger’s wheelchair which can be folded and placed in either the passenger, driver, or trunk compartment of the taxicab or for-hire vehicle; an assist dog or guide dog to assist the disabled or handicapped; groceries; packages; or luggage when accompanied by a passenger.

(5) A for-hire driver shall use the most direct available route on all trips unless the passenger specifically requests to change the route.

(6) A for-hire driver shall not permit any person or pet to ride in the taxicab or for-hire vehicle unless that person or pet accompanies, or is in the vehicle at the request of, a fare-paying individual. This requirement shall not apply to identified driver trainees.

(7) A for-hire driver shall not refuse to transport any person except when:
   (a) The for-hire driver has already been dispatched on another call;
   (b) The passenger is acting in a disorderly or threatening manner, or otherwise causes the for-hire driver to reasonably believe that the for-hire driver’s health or safety, or that of others, may be endangered;
   (c) The passenger cannot, upon request, show ability to pay the fare.

(8) A for-hire driver shall not smoke while the taxicab or for-hire vehicle is occupied without the consent of all passengers.

(9) A for-hire driver shall be able to provide a reasonable amount of change, and if correct change is not available, no additional charge will be made to the passenger in attempting to secure the change.

(10) A for-hire driver shall not make any discriminatory charges to any person, or make any rebate or in any manner reduce the charge to any person, unless such is in conformity with the discounts or surcharges contained in the filed rates. (Ord. 1777 § 10, 1999).

5.56.110 Fingerprint and photographs of driver applicant.

Every applicant for a driver’s license must submit to fingerprinting by the chief or designee and must file with their application two recent photo-
graphs of himself or herself of a size designated by the clerk and which may be easily attached to their license, one of which shall be so attached when issued; the other shall be filed with the application. The photograph shall be so attached to the license that it cannot be removed and another photograph substituted without probability of detection. Each licensed driver shall, on demand of the license inspector, police officer or a passenger, exhibit their license and photograph for inspection. (Ord. 1777 § 11, 1999).

5.56.120 Issuance of driver’s license.

Upon satisfactory fulfillment of the five requirements set forth in this chapter, there shall be issued to the applicant a license, which shall be in such form as to contain the photograph and signature of the licensee. Driver’s licenses shall be issued for the calendar year. (Ord. 1777 § 12, 1999).

5.56.130 Renewal of driver’s license.

A driver’s license may be renewed from year to year by clerk or designee. A driver in applying for a renewal of their license shall make such application upon a form to be furnished by the clerk. Application for renewal must be submitted prior to expiration of the current license. (Ord. 1777 § 13, 1999).

5.56.140 Driver’s license fee – Nontransferability of license.

The license fee for a driver’s license shall be $30.00 yearly. The license shall not be transferable. (Ord. 1777 § 14, 1999).

5.56.150 Driver’s license records kept by clerk.

There shall be kept by the clerk a complete record of each license issued to a driver, and of all renewals, suspensions, and revocations thereof, which record shall be kept on file with the original application for a license. (Ord. 1777 § 15, 1999).

5.56.160 Driver to furnish receipt on demand.

If demanded by the passenger, the driver in charge of the taxicab shall deliver to the person paying for the hiring of the same at the time of such payment a receipt therefor in legible type or writing containing the name of the owner, the city vehicle license number or the driver’s city license.
number, any items for which a charge is made, the total amount paid, and the date of payment. (Ord. 1777 § 16, 1999).

5.56.170 Penalty.
In addition to or as an alternative to any other penalty provided herein or by law, penalties shall be assessed by the city license officer, his or her assignee, or by a police officer against any licensee, person, or business that violates any provision of this chapter as follows:

(1) Failure to obtain any licenses required by this chapter, other than a Washington State driver’s license, shall be punishable as follows:
   (a) Each day for which a violation occurs shall constitute a separate offense.
   (b) The first offense shall be punishable by a civil penalty of $500.00.
   (c) The second offense shall be punishable by a civil penalty of $1,000.
   (d) The third or subsequent offense shall be a misdemeanor.

(2) Failure to renew any licenses required by this chapter, other than a Washington State driver’s license, within 30 days after the date of expiration, shall subject the licensee to the penalty set forth in POMC 5.12.090 to reinstate the license. Failure to renew any delinquent licenses required by this chapter, other than a Washington State driver’s license, by December 1st of any year shall subject the licensee to the penalty provisions set forth in subsection (1) of this section.

(3) Operation of a taxicab or for-hire vehicle by a driver without a valid Washington State driver’s license, or when the driver’s Washington State driver’s license is suspended, shall be a gross misdemeanor offense.

(4) Other.
   (a) Except as specified above, failure to comply with any other provision of this chapter shall be punishable by a civil penalty of $250.00. Each five-day calendar period for which a violation occurs is a separate offense.
   (b) Repeated violations will result in revocation of license as stated in POMC 5.56.180. (Ord. 009-08 § 1; Ord. 1777 § 17, 1999).

5.56.180 Revocation or suspension of license – Procedure.
(1) Licenses issued pursuant to the provisions of this chapter may be revoked or suspended for violation of such provisions by resolution of the council whenever it shall find that the licensee or any agent, servant, or employee of such licensee has violated the provisions of this chapter or permitted the same to be violated; provided, however, no such license shall be revoked or suspended unless charges in writing shall first have been filed with the clerk setting forth with reasonable certainty the nature of such charges against the licensee. Upon the filing of charges as aforesaid, the council shall fix a time and place for the hearing of the charges, and a copy of the charges as filed, together with notice of the time and place of hearing, shall be served upon the licensee at least five days prior to the date fixed by the council for the hearing.

(2) Any notice provided for in this section shall be served, either: (a) by delivering copy personally to the licensee, or (b) by leaving a copy with some person of suitable age and discretion at the place of business of the licensee, or if no such person be found at the place of business of the licensee, by leaving such notice in a conspicuous place on the premises, and mailing a copy of the notice to the licensee at his place of business as set forth in his application for license. At the hearing on said charges, the licensee shall have the right to appear and defend the charges and, if licensee so desires, to be represented by counsel. (Ord. 1777 § 18, 1999).