

ORDINANCE NO. 4950

AN ORDINANCE to amend and reordain Title 9 (LICENSING AND REGULATION), Chapter 12(TAXICABS AND OTHER VEHICLES FOR HIRE) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 9, Chapter 12 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained, to read as follows:

(New language is underscored; deleted material is ~~stricken~~)

ARTICLE A. 1 - TAXICABS

DIVISION 1 - Generally

Sec. 9-12-1 - Definitions.

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

(Intervening sections remain unchanged.)

(7.2) ~~Driver transfer. When a driver moves from his existing company to another company through the biennial transfer process set forth in section 9-12-31(i). For each such driver transfer approved, the number of authorizations held under the original company's certificate of public convenience and necessity shall be reduced by one authorization and the number of authorizations held under the new company's certificate of public convenience and necessity shall be increased by one authorization.~~ Reserved.

(Intervening sections remain unchanged.)

(14) *Taxicab.* Any motor vehicle having a seating capacity of not more than six passengers and not operating on a regular route or between fixed terminals, used in transportation of passengers for hire or compensation, and subject to regulation under this article and applicable law.

(15) *Taximeter.* A meter, instrument or device, approved by the hack inspector, attached to a taxicab which accurately and reliably measures ~~mechanically, and/or electronically~~ the distance driven and the waiting time upon which the fare is based.

(Intervening sections remain unchanged.)

(17) *Taxicab services.* The operation of a motor vehicle upon the streets, on call or on demand, accepting or soliciting passengers indiscriminately for transportation for hire between such

points along the streets as directed by the passenger or passengers being transported, except as excluded by applicable law.

(Subsequent sections remain unchanged.)

Sec. 9-12-6 - Insurance or bond required.

- (a) Every taxicab owner for which a vehicle permit has been issued under this article shall ~~file with the hack inspector a certificate of insurance or binder evidencing~~, and keep in full force and effect at all times either:

(1) A public liability and property damage insurance policy with a company authorized to do business within the state covering each driver authorized by the vehicle owner to operate the vehicle as a taxicab in at least the amount of \$450,000 combined single limit, with not less than \$300,000 coverage for death, not less than \$100,000 coverage for bodily injury, and not less than \$50,000 coverage for property damage, and every such policy shall contain a clause obligating the company issuing the same to give 15 days' notice in writing to the hack inspector and the company with which the owner is affiliated before any cancellation thereof.

(2) An indemnity bond of a surety company, authorized to do business within the state in the same amounts and for the same purposes as the insurance policy stated in subsection (1) of this section; provided, that the director of finance of the city, after investigation, shall be fully satisfied as to the financial responsibility of the surety company on such bond.

(3) Each certificate holder shall be responsible for maintaining records documenting compliance with the foregoing insurance requirements, including a certificate of insurance or insurance binder for all affiliated taxicabs and all authorized drivers. Such documents shall be available for inspection by the hack inspector during normal business hours. In addition, each certificate holder shall provide the hack inspector an annual report, at a time of the hack inspector's determination, setting forth:

- A. All affiliated taxicabs, including make, model, production year and VIN;
- B. All drivers authorized to drive each affiliated taxicab vehicle; and
- C. The manner in which each authorized driver and affiliated taxicab comply with the requirements of this section, including, without limitation, the name of the insurer and a certification that the policy complies the requirements of this section.

(4) In the event that the insurance provider or surety changes for one of its affiliated vehicles or authorized drivers, the certificate holder shall report such change to the hack office in writing within 48 hours of receiving notice of same.

Sec. 9-12-32 - Requirements for certificate holders.

Each certificate holder shall:

- (a) provide 24-hour service;
- (b) ~~provide a radio~~ two-way dispatch service located within the boundaries of the city that meets the following:

(Intervening sections remain unchanged.)

- (g) maintain a record of all taxicabs affiliated with the certificate holder, of the owners thereof and of all drivers thereof, including the current address and telephone number for each such owner and driver. This record shall be turned in not less than annually by a date to be determined by the director if T&ES and otherwise be available at all times for examination and inspection by the director, hack inspector or any police officer and shall be preserved for 12 months;

(Subsequent sections remain unchanged.)

DIVISION 3 - Driver's Permit

Sec. 9-12-42 - Application.

- (a) An application for a driver's permit under this division shall be made in writing under oath on forms provided for by the city manager, shall be filed with the hack inspector and shall provide the following:
 - (1) pertinent personal data;
 - (2) physical condition of the applicant;
 - (3) traffic record for five years previous to the date of the application including what driver's licenses have previously been issued to the applicant, and whether such license has ever been revoked or suspended;
 - (4) criminal record including state and local records;
 - (5) prior driving experience; ~~and~~
 - (6) whether or not the applicant has ever been convicted, forfeited or entered a plea of nolo contendere on any traffic or criminal charge of any kind; and if so, the details thereof; and
 - (7) a written certification from a company certificate holder that the applicant has taken and passed a written examination pursuant to Section 9-12-46 herein in a form reviewed and approved by the hack inspector.
- (b) Each applicant shall apply for the permit in person and have his or her fingerprints taken, which fingerprints shall constitute a part of the application.
- (c) Each applicant shall file with the application three copies of a recent photograph, of a size designated by regulation, one of which shall be attached to and become a part of the application, another to be permanently attached to the permit, if issued.
- (d) The application shall state thereon that "It is unlawful for any person to make a false statement on this application and discovery of a false statement shall constitute grounds for prosecution and for denial or revocation of this driver's permit."
- (e) Each applicant shall be subject to a brief oral examination by the hack inspector as to the applicant's ability to operate a taxicab, knowledge of the traffic laws of the city and state, knowledge of the city's roads and the laws of this article applicable to drivers at the time the driver's permit application is submitted; the applicant must successfully pass the oral examination before the hack inspector will further process the application for a driver's permit.

(Subsequent sections remain unchanged.)

Sec. 9-12-46 - Examination of applicant as to driving ability, etc.

Each applicant for a driver's permit pursuant to this division shall be required to pass ~~an~~ a written examination in a form approved by the given under the direction of the hack inspector as to the applicant's ability to operate a taxicab, knowledge of the traffic laws of the city and state, knowledge of the city's roads and the laws of this article applicable to drivers. The content, nature and form of such examination shall be determined by the hack inspector and may be periodically changed by the hack inspector from time to time as may be deemed necessary for the public interest and safety. This examination may be offered and taken by a company certificate holder or a third party and must be successfully completed, with a passing score of 75% or higher prior to application for a driver's permit pursuant to Section 9-12-42. After submission of the information set forth in section 9-12-42, payment of the fees set forth in section 9-12-43 and completion of any investigation required under sections 9-12B44 and 9-12B45, the hack inspector shall administer the referenced examination to the applicant, pursuant to such schedule as the hack inspector may determine. In the event the applicant passes the examination, the hack inspector shall issue a driver's permit to the applicant. Within 90 days after the applicant's passage of the referenced examination, the successful applicant shall complete the training requirements set forth in section 9-12-47 and submit written documentation thereof to the hack inspector. In the event the successful applicant fails to timely complete the training and provide documentation thereof in the manner set forth herein, the hack inspector shall revoke the successful applicant's driver's permit. The hack inspector may reinstate any such revoked driver's permit upon satisfaction of the training and documentation requirements.

Sec. 9-12-47 - ~~Driver training.~~

~~After obtaining the driver's permit set forth in section 9-12-50(c), each successful applicant or holder of a driver's permit pursuant to this division shall attend a driver training course that has been approved by the city prior to receiving an annual driver's permit or any renewal thereof.~~

Reserved.

Sec. 9-12-48 - ~~Company endorsement of driver.~~

~~No person may apply for a driver's permit without the endorsement of a certificate holder. Such endorsement shall be on a form provided by the city, submitted with the application for a driver's permit, and shall indicate the certificate holder's company's consent to authorize the driver, if a driver's permit is issued by the city, to operate a taxicab under the certificate.~~

Reserved.

Sec. 9-12-49 - Requirements for driver's permit.

A driver's permit shall not be issued to any person who:

(Intervening sections remain unchanged.)

- (f) has not provided a written certification from a company certificate holder that the applicant has taken and passed a written examination pursuant to Section 9-12-46 herein in a form reviewed and approved by the hack inspector. ~~endorsement of a certificate holder;~~
- (g) has not held a valid motor vehicle operator's license for a period of at least six months;
- (h) has not passed the applicable examinations required by section 9-12-46 ~~and completed the driver training course required by section 9-12-47, or~~
- (i) does not have a valid work authorization the Immigration and Naturalization Service, if required.

Sec. 9-12-56 - Records and reporting requirements.

(Intervening sections remain unchanged)

- (d) *Drivers and company certificate holders to report changes of affiliation.* Every driver of a taxicab, as well as the company certificate holder to which the driver is changing affiliation, shall notify the hack inspector within five business days when he changes his affiliation to another taxicab company.

Sec. 9-12-75 - Information to be shown on permits.

Each vehicle permit issued pursuant to this division shall contain at minimum the following information:

- (1) vehicle permit number;
- (2) name of the certificate holder under whose certificate the vehicle will be operated;
- (3) name of the owner;
- (4) expiration date;
- (5) year, make, model and vehicle identification number (VIN);
- (6) make and serial number of ~~radio and~~ taximeter; and
- (7) the fact that the permit is issued subject to the provisions of this article and may be suspended or revoked if the provisions of this article are violated.

Sec. 9-12-76 - Expiration of permit.

All vehicle permits issued under this division shall expire one year from the date of issuance ~~of the permit on June 30 next after issuance,~~ unless sooner suspended or revoked. Vehicle permit issuance shall be coordinated with the vehicle and meter inspection schedule promulgated by the hack inspector.

Sec. 9-12-81 - Requirements for vehicles.

Every taxicab and the equipment used in connection therewith, subject to a vehicle permit pursuant to this division, shall at all times comply with the following minimum standards:

(Intervening sections remain unchanged.)

- (k) *Two-way communication ~~radios~~*. Every taxicab shall be equipped with a means of wireless two-way communication ~~radio~~, properly installed and kept in working order at all times. Such means of communication ~~radios~~ shall be operated in compliance with ~~the~~ all applicable regulations of the Federal Communications Commission. Each ~~radio~~ unit will have the ability to conduct a two-way conversation with the taxicab dispatcher. ~~The hack inspector shall be provided with the serial number of each radio.~~

(Subsequent sections remain unchanged.)

DIVISION 6 - Fares

Sec. 9-12-131 - Taximeters.

- (a) All taxicabs 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. Such taximeter shall be approved in advance by the hack inspector, operated mechanically or electronically and accurately track distance 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 the movement of the vehicle via GPS or other commercially reliable means, as approved by the hack inspector in consultation with the director of T&ES. It shall be inspected and certified by the hack inspector at an annual cost determined by regulation for each meter, at all points and connections which, if manipulated, would affect its correct reading and recording. Each taximeter shall be equipped with a mechanism or display which indicates when the vehicle is engaged and when it is not engaged; and the driver shall actuate the taximeter at the commencement of each trip and stop the taximeter at the termination of each trip. Any taximeter shall be subject to inspection upon demand by the hack inspector, or any police officer, and if the taximeter is determined to be inoperative or inaccurate, the taxicab shall cease to be operated until the taximeter is repaired, inspected and certified by the hack inspector.

(Subsequent section remains unchanged.)

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE
Mayor

Final Passage: May 16, 2015