

Sec. 376.06. - Insurance and bond requirements.

- (a) No such license shall be issued for the operation of any public vehicle on any public street or highway in said city until the applicant shall obtain a policy of liability insurance in an insurance company authorized to do business under the laws of the state, or a personal bond with at least two (2) sureties, or a surety company bond. The liability or indemnity insurance or bond for each auto-car or taxicab carrying passengers, as in this chapter specified, shall be in the sum of at least one hundred thousand dollars (\$100,000.00) because of bodily injury to or death of one (1) person in any one (1) accident, and subject to said limit for one (1) person, to a limit of not less than three hundred thousand dollars (\$300,000.00) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and in the sum of at least one hundred thousand dollars (\$100,000.00) against loss for damage to the property of any person or persons in any one (1) accident, resulting from the negligent operation, use or defective condition of any auto-car or taxicab; such policy or bond to be in such form as to provide for the payment of any judgment obtained against the insured therein to the extent of the liability therein provided by any person injured by reason of any act of the owner, driver, chauffeur, manager or other persons in the operation of such vehicle, and for the payment of any judgment obtained against the insured therein by the injured person or the representative of any person killed by such act. Such policy or bond shall have a condition that it cannot be canceled after a loss has occurred under the policy which will affect the company's responsibility therefor under this chapter; and in case of any cancellation, the license shall automatically become inoperative and void, unless another policy or bond is forthwith issued, approved and filed in lieu of such canceled policy or bond.
- (b) The department of safety and inspections may require the licensee to replace said policy or bond if the department of safety and inspections shall deem said policy or bond unsatisfactory or insufficient for any reason; and the default or refusal of the licensee to comply with any such order of the department of safety and inspections shall be ground for the revocation of the license of said licensee. Said policy or bond shall be filed with the department of safety and inspections.
- (c) Every such policy of insurance, or surety bond, shall contain a provision for a continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon.
- (d) Any policy or bond herein required shall contain a clause that the liability of the insurer or surety shall not be affected by the insolvency or bankruptcy of the assured; a clause that any surety bond shall run to the city for the benefit of any and all judgment creditors; a clause obligating the insurer or surety to give written notice to the department of safety and inspections and to the insured or assured prior to any cancellation thereof earlier than its expiration date; a clause requiring the insurance company to notify the certificate holder immediately in writing that a vehicle is being deleted from the policy.
- (e) No such bond or policy shall include or contain any limitation, condition or clause providing in effect that such bond or policy shall not cover public vehicles mentioned or described or included therein when such automobiles are driven, used, operated or maintained while the driver or occupants thereof are intoxicated or engaged in the illicit transportation of liquor; and no such bond or policy shall contain any limitation, clause or provision whatever excepting and releasing any surety or insurer on any such bond or policy from liability thereunder by reason of any such automobile being driven, used or operated while the driver or occupants thereof are intoxicated or engaged in the illicit transportation of liquor. Provided that nothing herein contained shall be construed to affect the defense of contributory negligence by the surety on any such bond or policy.
- (f) The policy or bond hereinbefore provided for may be originally written or later extended to cover, during its term, any additional taxicab under the same ownership or control.
- (g) Any license issued under this chapter shall terminate whenever during the term of said license the owner, lessee, licensee or operator of said taxicab shall fail to keep in full force and effect such insurance or bond in the full amount hereinbefore required. The licensee must remain the owner of the public vehicle during the term of the license, and any change in ownership shall operate as a revocation of the license to operate such public vehicle.

(Code 1956, § 152.06 (a); Ord. No. 17458, § 1, 5-28-87. C.F. No. 97-870, § 1, 8-13-97, C.F. No. 06-460, § 1, 6-14-06; Ord. No. 11-10, § 1, 2-23-11)