



Legislation Text

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Amending Chapter 376 of the Saint Paul Legislative Code updating taxicab regulations within the City of Saint Paul and creating a new license type for taxicab service companies.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

SECTION 1

Chapter 376 of the Saint Paul Legislative Code is hereby amended to read as follows:

Chapter 376. - Taxicabs

Sec. 376.01. - License required.

No person may use, operate or keep for pay or hire in Saint Paul any taxicab, or operate a taxicab service company without a license granted pursuant to this chapter.

Sec. 376.02. - Definitions.

Except where otherwise expressly stated, the following terms, wherever used in this chapter, have the following definitions:

Affiliated. The term "affiliated" means operating under a taxicab service company's name and common color scheme.

Director. The term "director" means the director of the department of safety and inspections.

Driver. The term "driver" means the individual in immediate control of the taxicab.

Owner. The word "owner" means any person, firm, copartnership, corporation or association that has the bona fide legal title and the right of control, direction, operation and maintenance of such licensed taxicab so operated for hire on the streets of the City of Saint Paul.

Person(s) with disabilities. The term "person(s) with disabilities" means any person for whom, by reason of age, or disability as defined in Minnesota Statutes, Section 363.01, subdivision 13, their access to and use of taxicabs would be facilitated by being able to ride in the front passenger seat of the taxicab.

Taxicab. The term "taxicab" means any motor-driven vehicle for the transportation for hire of passengers, which is equipped with a taximeter and a distinctive color scheme as hereinafter defined.

Taxicab Service Company. The term "taxicab service company" means any corporation or association with affiliated taxicabs operating within the City of Saint Paul.

Taximeter. The term "taximeter" means any mechanical or digital instrument or device, approved by the inspector, by which the charge for hire of a taxicab is mechanically or digitally calculated, and on which such charge is plainly indicated.

Waiting time at address. The term "waiting time at address" means the time beginning when a cab arrives at an address to which it has been called, and ending when it departs from such address.

Waiting time after engagement. The term "waiting time after engagement" means the time a cab is not in motion at the request of the passenger or passengers after the cab has commenced the transportation of such passenger or passengers.

Sec. 376.08. - Taxicab Vehicle License Applicant - Applicant Requirements.

- (a) Each applicant for license to operate a taxicab must comply with the following conditions to the satisfaction of the inspector:
- (1) Be the state license registered owner or a lessee, if the motor vehicle is the subject of a lease having an initial term of six (6) months or longer.
 - (2) Be of the age of eighteen (18) years, or over, in the case of an individual, and in the case of any copartnership or corporation, must be authorized to operate taxicabs and carry on business in accordance with the laws of the State of Minnesota.
 - (3) Obtain a license for each and every such vehicle to be operated.
 - (4) Complete on a form to be provided by the inspector a statement covering each vehicle to be so licensed, giving full name and address of the owner; the class and passenger-carrying capacity of the vehicle for which a license is desired; the length of time the vehicle has been in use; the make of car; the engine number; the serial number and the state license number; what insurance or bond against personal injury or property damage is carried, and in what amount. If said application is made by an individual owner, said owner must sign and swear to said application; if said application is made by a partnership, then by one (1) of the partners; and if by a corporation, then by one (1) of the duly elected officers of said corporation.
- (b) Said application must also include an accurate and detailed description of the color scheme of the taxicab, if it is to be used as a taxicab, including inscriptions or monograms thereon, proposed to be operated by said applicant, which must be distinctly different from that of the taxicabs of any other licensed owner or operator, so that the ownership and identity may be readily ascertained by the department of police and patrons of any taxicab, except that one (1) or more applicants who are ~~members of the same association affiliated with the same service company~~ and who are authorized to use the color scheme of taxicabs, including the inscriptions or monograms thereon, of such ~~associations~~ service companies may be licensed to do so when proper evidence of their right from such ~~association~~ service company to use such color scheme and inscriptions or monograms must be filed with their application; and it is unlawful for the owner of any such taxicab, or the operator or driver thereof, licensed under the terms of this chapter to make any change whatever in the color scheme of the taxicabs or the inscriptions or monograms thereon without first obtaining approval from the Department of Safety and Inspections.
- (c) Upon satisfactory fulfillment of the requirements of Section 376.06, Section 376.09, this section and all other related laws and regulations, the Department of Safety and Inspections shall issue taxicab vehicle licenses to qualified candidates.

Sec. 376.09. - Vehicles-Requirements.

No taxicab may be licensed until it has been thoroughly and carefully examined and found to comply with the following:

- (1) To be in a thoroughly safe condition for the transportation of passengers, each vehicle must be inspected at the city service garage, at a cost determined by the license inspector to be paid by the applicant. The inspection must include, but not be limited to, inspection of tires, brake system, lights,

electrical system, steering, wheel alignment, suspension, exhaust system, engine, transmission, drive train and frame in accordance with standards adopted by the inspector. Any taxicab owner failing to show proof of vehicle passage of the Minnesota Motor Vehicle Inspection Program, pursuant to rules established under Minnesota Statutes, Section 116.62, in a period of six (6) months prior to the September and/or April inspection date, must submit the vehicle or vehicles to a similar emissions test performed at the fire/police equipment garage at a cost to be determined by the license inspector. If such test shows repairs to be required, the owner must order the repairs made by an authorized dealer or licensed repair garage and the taxicab returned to the city garage to pass inspection. For purposes of this subsection, "authorized dealer" means an automobile dealership which deals in that particular make of automobile.

- (2) Every taxicab must have a means to raise and lower windows and to open the doors from the inside of the rear passenger area, if so equipped by the manufacturer.
- (3) Every taxicab must be equipped with fully operable safety belts for all passengers in both front and rear seats.
- (4) Every taxicab, except those operated solely upon the hour basis, must be equipped with a taximeter in good working order, having a light, and sealed, and so placed as to enable the passenger at all times to see the fare registered when operating on the meter basis. No taxicab may be operated except upon the meter or hour basis.
- (5) There must be conspicuously displayed in the compartment of the taxicab occupied by the passenger and on the outside right and left rear doors of the taxicab a printed card or sign showing the rate of fare charged, as hereinafter provided.
- (6) Each taxicab must be equipped with a top light on the roof of the cab which must be lighted when the cab is in service and available to receive passengers. Such light must be visible from all directions.
- (7) Each taxicab must be equipped with a radio or mobile telephone capable of two-way voice communication with the taxicab licensee's or affiliated licensee's base station from all locations within the city limits. The radio or mobile phone must be in operation at all times that the vehicle is available for service or in service for the purpose of dispatching taxicabs and receiving calls from drivers of such taxicabs. Every taxicab licensee must provide twenty-four-hour taxicab service and twenty-four-hour radio dispatch service within the city.
- (8) The license inspector must make, or have made, by competent inspectors, such examination and inspection before a license is issued. A license will be refused to any vehicle found to be unfit or unsuited for public patronage.
- (9) Subject to the exception set forth in section 376.17(b), each taxicab must be affiliated with a licensed taxicab service company affiliated with no less than five (5) city licensed vehicles.
- (10) Each taxicab at the time of application or renewal must not exceed ten (10) years of age from the current model year.

Sec. 376.10. -- License Issuance.

- (a) **Renewal licenses.** Upon satisfactory fulfillment of the requirements of sections 376.08, 376.09 and the following threshold criteria enumerated below, it is the duty of the license inspector to issue licenses to qualified applicants. The threshold criteria are:
- (1) Affiliation with a capable service company that provides 24-hour radio dispatching, advertising, record keeping and other common services to a group of taxicab owners and operators with a minimum of five (5) vehicles using a distinctive color scheme and company name;

- (2) ~~Demonstration of financial ability to operate taxicab services;~~
- (3) ~~Adequate level of past service, if any.~~
- (b) *New licenses.* Any new applicant for a vehicle license must, in addition to the requirements above, meet the following criteria:
 - (1) ~~The vehicle(s) that applicant intends to license must be a maximum of five-years old from the current model year. Any replacement vehicles must meet these same requirements.~~
 - (2) ~~The applicant must affiliate with a service company with a minimum of five (5) city licensed vehicles. The service company must maintain a minimum of five (5) licensed vehicles. If the number of licensed vehicles drops below five (5), the remaining licenses must be revoked.~~

Sec. 376.14 10. - Regulations.

- (a) *Trip sheets.* Each and every taxicab driver must keep a trip sheet or digital log documenting the starting point and termination of each trip of such vehicle, the amount of the fare charged, whether upon the meter or hour basis, and the driver's name and number, which sheet or log must be retained by the driver of the vehicle if he or she is the owner thereof, and if he or she is not the owner, then the driver must deliver such sheet or log to the cab-owner, and in either case, such trip sheets or logs must be retained for a period of sixty (60) days; provided, that if such licensee is a member of a group operating as an association under the same name and colors, such trip sheet or log must be filed with the manager thereof at the office of such association. Such sheets or logs must be open to the inspection of the chief of police or his or her representatives at all times and failure to make and keep such trip sheets or logs will constitute a violation of this chapter and, in addition thereto, may be cause for the revocation of the vehicle license.
- (b) *License tags.* The department will deliver to the owner of each taxicab a ~~metal~~ license tag decal that must be fastened and displayed on the outside of every licensed taxicab and plainly visible at all times. Said license tag may not exceed six (6) inches in the longest measurement, and must bear the license number of the taxicab and the proper descriptive words, including the year for which the license was issued, and such license tag must be of distinctly different color for any three (3) successive years. If any licensee loses a license or ~~metal~~ license tag decal, he or she must obtain a duplicate and pay a fee of \$5.00 for each duplicate license or tag.

Every taxicab licensee who solicits or accepts business in the city must have the taxicab license number of said vehicle plainly painted in letters at least two (2) inches in height, with at least one-quarter-inch stroke, and proper and distinct colors on both sides of such taxicab and on the rear and approximately at the center thereof, and no other such number that would interfere with identification of the vehicle may appear on the sides or rear of such taxicabs.

- (c) *Transfer.* No taxicab may be sold, leased or transferred except as herein provided nor may any licensed vehicle be operated by any other person than the licensee or his or her duly licensed driver.
- (d) *Scheduled rates only.* No licensee, driver, employee or ~~member of any such association service company~~ may charge any rate for the carrying of passengers in any licensed taxicab in excess of that set forth in section 376.15, and any deviation from such schedule by the licensee or any employee or ~~member of such association service company~~ is a violation of this chapter.
- (e) *Meters.* No taxicab hired upon a meter basis may be operated when a taximeter is broken and out of order, or for any other reason does not correctly register the fare to be charged. All taximeters with which such taxicabs are equipped must be inspected by the inspector or his or her representatives before being placed in use under this chapter and are subject to his or her approval, and when so inspected, such

taximeters must be sealed and a card or certificate showing inspection and sealing must be filed with the inspector at the time of the installation thereof. In the event any taximeter becomes broken or has to be repaired or does not register correctly, the same must be again inspected and again sealed, and a certificate or card of such inspection and sealing must be filed with the inspector.

- (f) *Computation of charges.* When the charge is to be paid for on the meter basis, the charge must begin at the place where the passenger is received and will continue until he or she is delivered at his or her destination. When the charge is to be paid for on the hour basis, the time must begin when the automobile is ready at the time and place requested by the passenger and will continue until the taxicab has been released by the passenger; provided, that when any person engages or hires a taxicab equipped with a taximeter, unless otherwise agreed at the time of hiring, the fare for such taxicab must be determined and fixed by the taximeter according to rates provided for in this chapter; and provided further, that no taxicab driver may charge more for the use of said taxicab than is shown to be due by said taximeter thereon.
- (g) *Deceptive practices.* No person owning or driving any taxicab may deceive any passenger as to his or her destination or the price authorized to be charged for such person, or convey such passenger other than as directed.
- (h) *Refusal of service; more than one (1) fare.* No taxicab driver may refuse or neglect to convey any orderly person or persons upon request anywhere in the city, unless previously engaged or unable to do so, provided such person or persons agrees or agree to pay the legal rate of fare. No taxicab driver may carry any other person than the person first employing the taxicab without the consent of said passenger.
- (i) *Receipts.* If requested, the owner, driver, chauffeur or person in charge or control of a taxicab must provide a receipt to the person paying for the hire. This receipt must contain in legible type or writing the name of the owner, the number of the meter, in case of an automatic receipt, or the taxicab license number, in the case of a written receipt, the total amount paid and the date of payment.
- (j) *Solicitation of passengers-Regulations for.* No person may solicit passengers for a taxicab upon the streets and highways of the city, except the driver of a taxicab when sitting upon the driver's seat of his or her vehicle, or a starter for a hotel in a hotel entrance, but the fact that such vehicle displays a device to indicate that it is not engaged will not be considered as soliciting patronage. The driver of any taxicab must remain on the driver's seat or inside his or her vehicle at all times when such vehicle is standing upon the taxicab stands or when actually engaged in carrying passengers; provided, that nothing in this section will be held to prohibit such driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.
- (k) *Loitering.* It will be unlawful for any person other than the taxicab driver or owner of a taxicab standing upon the public streets to loiter at, within or near any taxicab.
- (l) *False representations.* It will be unlawful for any taxicab driver to misrepresent in any manner whatsoever the character of the business engaged in, or being solicited for, or to impersonate or attempt to impersonate any other taxicab driver, or to convey or transport persons to any place or destination other than as directed by the passenger.

No person having charge of soliciting patronage for any taxicab will, for the purpose of securing patronage, make any false representations concerning the ownership or employment of such taxicab.

- (m) *Manner of solicitation.* It will be unlawful for any taxicab driver to solicit patronage in loud, noisy or boisterous tone of voice, or manner, or to lay hands upon the person or baggage of any person without the consent of such person, or to obstruct the movement of any person or to follow any person for the purpose of soliciting patronage.
- (n) *Interference with other drivers.* It will be unlawful for any taxicab driver to scuffle or crowd about or to interfere with any other driver with whom any person is negotiating or inquiring about the transportation of persons or baggage.

- (o) *Use of cab for improper purposes.* It will be unlawful for the taxicab driver to permit any person to occupy or use such vehicle for the purpose of prostitution, lewdness or assignation, or to direct, take or transport, or offer or agree to direct, take or transport, any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution, lewdness or assignation.

Any violation of this paragraph by the taxicab driver is grounds for the revocation of any license issued for the operation of such vehicle.

- (p) *Lost articles.* Whenever any package or article of baggage or goods of any kind is left in or on any taxicab, or when any such package or article is left in the custody of the driver of any vehicle, such driver must, upon the discovery of such package or article, forthwith deliver the same at the central police station of said city into the hands of the officer in charge of said station, unless such package or article may be sooner delivered to the owner thereof on order of said owner.
- (q) *Crowding prohibited.* No taxicab driver or owner may permit or allow more persons to ride in such vehicle than is provided for by its normal seating capacity, nor may any taxicab driver or owner permit or allow any person to ride in the front seat of any such vehicle beside the driver while engaged in the business of carrying persons for hire at any time when there is unoccupied and available any seat in the rear of such vehicle, except persons with disabilities as defined in section 376.02 of this chapter. In no event may more than one (1) person, in addition to the driver, be permitted in the front seat of such vehicle.
- (r) *Employment of drivers.* No person possessing one (1) or more taxicab licenses under this chapter may employ or contract with any other person for the driving or operation of any such taxicab without first making diligent inquiry into the character and background of such other person. Without being limited by reason of the specificity herein, such inquiry must include past employment, any relevant medical history, criminal convictions, addiction to or abuse of alcohol or any controlled substance, and any other matter relevant to the protection of the public health, safety and welfare, such that the public will not be unreasonably exposed to any danger in their use of taxicabs. In addition, effective January 1, 1991, and thereafter, no person possessing one (1) or more taxicab licenses under this chapter may employ or contract with any other person who does not possess all legally required licenses.
- (s) *Taxi stands.* The director of the department of public works may from time to time, designate certain portions, other than sidewalks, of public highways in said city to be used and known as public taxicab stands. Such stands will be equally free and open to access to all vehicles whose owners are licensed under the provisions of this chapter. All such stands will be plainly marked as public taxicab stands. No motor vehicle other than a taxicab licensed for use of such stand may make use of any such public taxicab stand.
- (t) *Safe and legal operation.* Every taxicab driver must operate his or her taxi in accordance with the laws of the state and the city, and with due regard for the safety, convenience and comfort of passengers and the general public.
- (u) *Driver appearance.* Every taxicab driver, while on duty, must keep a clean and well-groomed appearance.
- (v) *Number to call.* The license inspector must provide a card to be conspicuously placed in every licensed taxicab that must be plainly visible to passengers that identifies the number of the public information and complaints office and solicits the opinions of the public in regard to taxi service in the city.

Sec. 376.12 11. - Taxicabs-Regulations.

- (a) *Taxicab defined.* The term "taxicab," whenever and wherever used in this section, will be held to mean and

embrace all motor vehicles as defined by the laws of the State of Minnesota, the rental for which is computed from the distance traveled by means of a taximeter attached thereto; the term "taximeter" will be held to mean and embrace any instrument or device attached to a motor vehicle designed or intended to mechanically or digitally measure the distance traveled, to record the time said vehicle is waiting, and upon which said taximeter there must be a record indicating, by means of figures or designs, the amount of the fare.

- (b) *Taximeters required.* All taxicabs must have affixed thereto a taximeter, and no person, firm or corporation owning or operating any taxicab will offer or let the same for hire or reward, anywhere within the city, unless the taximeter does properly and correctly register, indicate or display the amount of the fare according to the distance traveled and the time consumed.
- (c) *Register of taximeter visible to passenger.* Every taximeter must be connected and affixed to the taxicab so that the amount of fare determined and charged for its use is plainly visible to all passengers or occupants of the taxicab and from one (1) hour after sunset to one (1) hour before sunrise must have the face of said taximeter illumined so as to make plainly visible the amount of the fare determined and charged for its use, and there must be posted in a conspicuous place in the inside of the taxicab and on the outside right and left rear doors of the taxicab a card on which must be printed in plain, legible type, the rates of fare provided for herein and reference to the ordinance by number.
- (d) *Taximeter.* It is the duty of the operator or driver of every taxicab, at the termination of his or her service or trip, to stop the taximeter and call the passenger's attention to the amount of the fare registered. The taximeter must not be changed so as to destroy the amount of the fare registered until after the fare is paid or a charge ticket therefore made out and delivered to the person hiring such taxicab.

No driver or operator of any taxicab will permit any person to ride thereon or therein, without the consent of the owner thereof, when the flag is up or toward a vertical position where the fare is not being recorded on the taximeter, and no person may tamper with, break or mutilate any taximeter or its attachments with the intention of causing the same to register improperly, incorrectly or inaccurately.

Waiting time must include the time during which the taxicab is not in motion, beginning with its arrival at the place to which it has been called, or the time consumed while standing at the direction of the passenger, but no charge will be made for the time lost due to the inefficiency of the taxicab or its operator or for the time consumed by premature arrival in response to a call.

- (e) *Rules to determine time.* When the charge is to be paid on the meter basis, the charge will begin at the place where the passenger is received and will continue until he or she is delivered at his or her destination, excepting as hereinbefore or hereinafter provided. When the charge is to be paid for on the hour basis, the time will begin when the motor vehicle is ready at the time and place from which it has been called by the passenger and will continue until the passenger has been discharged and until the car has returned to the place from which it has been called by the most direct route, and at the maximum speed permitted by law; provided, that when any person engages or hires a taxicab, unless otherwise agreed at the time of hiring, the fare for such taxicab will be determined by the taximeter according to the rates provided for in this chapter; and provided further, that no driver of any taxicab will charge more for the use of said taxicab than is shown to be due upon the face of said taximeter.
- (f) *Deceit as to direct route.* No person owning or driving or operating any motor vehicle used for carrying passengers for hire will deceive by trick or device any passenger who may ride in any such motor vehicle or who may desire to ride in any such motor vehicle as to his or her destination or the price authorized by ordinance for such person, or will convey such person or cause him or her to be conveyed to a place other than that directed by him or her, or in any other manner convey such person to the place directed by him or her except by the shortest and most direct route.

(g) *Intoxication of driver.* No driver or operator of any motor vehicle used for carrying passengers for hire will be found to be or known to be in a state of intoxication while on duty as such driver.

(h) *Inspections.*

- (1) *Annual inspections:* Any taxicab owner must submit each and every licensed taxicab to an annual inspection. The schedule for such inspections will be maintained by the license inspector. The inspections will be carried out at the fire/police equipment services garage located at 1675 Kasota Street, Saint Paul, at a cost to be established by the city garage and approved by the license inspector to be paid by the licensee. If the inspection shows repairs to be required, the owner will order the repairs made and the taxicab returned to the city garage to pass inspection.
- (2) *Periodic inspections:* The license inspector may examine and inspect each and every licensed taxicab at any time. The intent of such an inspection is to ensure compliance with all applicable safety requirements of the state and the rules established herein.
- (3) *Appearance inspections:* The license inspector may also require appearance inspections, up to six (6) times per year, to ensure that vehicles have:
 - a. An clean, intact interior free of debris, clutter, tears, rips or other needed repair; and a clean exterior of good appearance, free from rust, discoloration, scratches, dents, body damage or other needed repair that are clean and have a good appearance;
 - b. Head lights, high beams, brake lights and turn signals that are in good working order;
 - c. A means to raise and lower windows and to open the doors from the inside of the rear passenger area, if so equipped by the manufacturer;
 - d. Safety belts for all passengers in both front and rear seats;
 - e. A taximeter in good working order, having a light and sealed, and so placed as to enable the passenger at all times to see the fare registered when operating on the meter basis;
 - f. A printed card or sign with lettering that can be clearly read showing the rate of fare charged for the minimum fare, fare per mile or fraction thereof, and notifying passengers that a different taxicab companies may charge different rates, conspicuously and permanently displayed, not temporarily affixed, in the compartment of the taxicab occupied by the passenger and on the outside right and left rear doors of the taxicab;
 - g. A top light on the roof of the cab which can be lighted when the cab is in service and available to receive passengers;
 - h. A radio or mobile telephone capable of two-way voice communication with the taxicab licensee's or affiliated licensee's base station;
 - i. Safe tires.
- (4) *Penalty:* Failure by an owner to submit each and every licensed taxicab for a periodic inspection and/or appearance inspection at an authorized inspection station and/or for an annual inspection by the fire/police equipment services garage will result in the following:
 - a. The license inspector may seize the taxicab license sticker of each and every uninspected taxicab;
 - b. The license inspector will hold the seized license plates stickers until the taxicab is inspected and found to be in a safe condition by an authorized inspection station or the fire/police equipment services garage or until action of the council as provided for herein; and
 - c. Immediately after such seizure, the inspector will notify the licensee, specifying in detail the cause

for seizure, and stating that the licensee has a right to a hearing on the seizure. The hearing must be held at the next license meeting of the city council after the receipt of a written request for hearing unless a later hearing is requested by the licensee. After such hearing, the council will determine whether the plates stickers will still be held and whether such license will be revoked.

Sec. 376.13 12. - License-Transfers.

- (a) *License not transferable.* Notwithstanding the provisions of any other ordinance to the contrary, a taxicab license is not be transferable from person to person on and after January 1, 1993.
- (b) *Transfer of stock in corporate licensees; changes in officers.*
 - (1) The transfer of stock in any corporate license will be deemed a transfer within the meaning of this section and no such transfer of stock will be made without the consent of the city council. Any such transfer or sale without the consent of the city council will be deemed sufficient cause for revocation by the council of any license granted to the corporation under the authority of this chapter. Application for consent to the transfer or sale of shares pursuant to this section must be made by the transferee upon forms provided by the department of safety and inspections, and must be made at least thirty (30) days prior to the meeting at which the request for transfer approval will be considered by the council.
 - (2) It is hereby made the duty of the officers of any corporation holding a license issued under the authority of this chapter to notify the city council whenever any change is made in the officers of said corporation. Failure to so notify the council is sufficient cause for revocation of any license granted to the corporation under this chapter.
 - (3) Notwithstanding the provisions of this section, publicly owned corporations whose stock is traded on the open market may comply with the requirements pertaining to stock ownership, stock transfer and change in corporate officers by furnishing the council with the names and addresses of all stockholders of record and corporate officers upon each renewal of the license.

Sec. 376.14 13. - Same-Revocation.

- (a) *Revocation for cause; failure to pay judgment.* Taxicab licenses may be revoked by the city council at any time for cause, after hearing, and will be revoked upon it appearing to the council that any owner or licensee has failed to pay within ninety (90) days after the time to appeal has expired from any judgment against said licensee for damage to person or property resulting from the negligent operation, use or defective condition of any taxicab, there being no appeal taken from such judgment; and in case an appeal is taken, will have failed to pay within ninety (90) days after the determination of the appeal any such judgment for damages to person or property resulting as aforesaid.

Where such revocation is for failure to pay any such judgment, any and all other taxicab licenses issued to the judgment debtor for other vehicles will likewise be revoked. When the license is revoked, notification of the same will be forwarded by the inspector to the director of the department of police, and the taxicab or taxicabs will not be allowed to operate thereafter, nor will any new license be issued to the judgment debtor while any such judgment remains unsatisfied. The inspector will keep a complete record of each taxicab license issued and all renewals and revocations thereof.

- (b) *Failure to operate vehicles.* Whenever any person, firm, copartnership or corporation holding one (1) or more licenses for taxicabs for hire will, for a period of thirty (30) days consecutively, fail to make a reasonable and consistent effort to operate such vehicles, except on account of an emergency over which

the licensee has no control, the city council, upon hearing after five (5) days' notice to the owner or operator, must revoke all licenses covering such vehicles.

- (c) *Unsafe vehicles.* In any case where the inspector determines, on the basis of an inspection of a taxicab, that use of the taxicab for public patronage constitutes a serious threat to the public health or safety, or the health or safety of passengers, the inspector may suspend the license issued to that vehicle and seize the license plates of that vehicle. Such suspension will last until the condition causing the threat to health or safety is corrected to the satisfaction of the inspector, or until action of the council as provided for herein. Immediately after such seizure or suspension, the inspector must notify the licensee, specifying in detail the cause for the seizure or suspension, and stating that the licensee has a right to a hearing on the suspension. The hearing will be held at the next license meeting of the city council after the receipt of a written request for hearing unless a later hearing is requested by the licensee. After such hearing, the council will determine whether such suspension will continue or not, or whether such license will be revoked.

Sec. 376.15 14. - Fares and charges; regulations.

- (a) *Fares.* No person, firm or corporation owning, operating or controlling any motor vehicle operated and licensed as a taxicab may charge any other rate except as herein provided:
- (1) The maximum rate of fare for taxicabs operating within the city will be two dollars and fifty cents (\$2.50) for the first fraction of a mile of one-fifth ($1/5$) of a mile or fraction of greater proportion. The rate for each additional mile beyond the first mile may not exceed two dollars seventy-five cents (\$2.75). All fares beyond the first fraction will be calculated in fifty-five cent (\$0.55) increments of one-fifth ($1/5$) of a mile, or a fraction of greater proportion. Each taxicab company's minimum and per-mile rates must be registered with the department of safety and inspections. Minimum and per mile rates may be changed following a seventy-two-hour notice to the department of safety and inspections and approval of said rate change. Rates must be posted on the outside right and left rear doors of the taxicab and inside the passenger compartment in the following manner and of sufficient size and shape so as to be clearly legible:

Taxicab Fares

(Maximum not to exceed) two dollars and fifty cents (\$2.50) first one-fifth ($1/5$) mile

(Maximum not to exceed) fifty-five cents (\$.055) each one-fifth ($1/5$) mile

(Maximum not to exceed) minimum fare six dollars (\$6.00).

- (2) No greater for the operation of such taxicabs, than as described in subsection (1) above may be charged by the operators thereof; provided, however, that discounts of up to fifteen (15) percent may be applied to the total fare on the following conditions:
- a. Such discounts are clearly posted inside the passenger compartment of the taxicab;
 - b. Such discounts may be given only to persons in one (1) or more of the following groups:
 1. Senior citizens (age fifty-five (55) or older);
 2. Persons with disabilities; and
 3. Officers and employees of businesses located within the city whose volume use of taxicabs is significant.
- (3) No extra fare will be charged by the owner or operators of such taxicabs for additional passengers.

(b) *Waiting time.* Charges for waiting time may not exceed the following:

- (1) For each hour of "waiting time at address," and "waiting time for engagement," twenty-four dollars (\$24.00).

(c) *"Waiting time" defined.* "Waiting time at address" is herein defined to mean the time beginning when a cab arrives at an address to which it has been called, and ending when it departs from such address.

"Waiting time after engagement" means the time a cab is not in motion at the request of the passenger or passengers after the cab has commenced the transportation of such passenger or passengers.

(d) *Review of fares and charges every three (3) calendar years.* Every three (3) calendar years, the department of safety and inspections will, review the maximum allowable fares and charges for taxicab services to determine the amount fares and charges should be adjusted. The department of safety and inspections will make such recommendation to the city council.

Sec. 376.15 14.12. - Temporary fares and charges.

Hourly rates. Nothing herein contained will prevent any person from making an agreement with the operator of a taxicab to furnish transportation at a rate to be agreed upon between them for an hour, day, week, month or longer period.

Sec. 376.16 15. - Taxicab driver's license.

(a) *License required.* Effective March 15, 1991, no person may drive a taxicab, nor may any owner or lessee of a taxicab allow any other person to drive a taxicab, within the city unless that person has first obtained and displayed a taxicab driver's license under the provisions of this Code.

(b) *Drivers from other cities.* Any driver licensed to operate a taxicab in another city may carry passengers from that city to any place within the city and may freely enter and travel upon the streets for that purpose. In that case, it will not be deemed necessary for the taxicab driver to obtain a city license, but the driver will not be permitted to accept or offer any passenger for hire in the city, or otherwise operate a taxicab within the city without first obtaining a license under the provisions of this Code. While within the city, the taxicab driver must observe all of the applicable regulations and conditions of this section and must have in possession and display to any person upon demand the license certificate for the taxicab.

(c) *License application.* Every applicant for a taxicab driver's license must file an application with the department of safety and inspections. The application must be made on a form provided by said division, containing such information as the license inspector may require, including, but not limited to, a complete employment history, to verify that the terms and conditions of this chapter have been met. The application must be signed and sworn to by the applicant. Prior to the issuance of the license, every licensee must be photographed. The chief of police or his representative will investigate each applicant and will forward the results of the application to the license inspector. Any false statement on the application is grounds for denial, refusal to renew or revocation of a license.

(d) *License fee.* The fee required for a license will be established by ordinance as specified in section 310.09 (b) of the Legislative Code.

(e) *Prerequisites to license.* Eligibility to be licensed to operate a taxicab is as follows:

- (1) Possess a valid Minnesota or Wisconsin driver's license;

- (2) Possess a current DOT medical card, have it on their person or in the vehicle while operating, and provide it for inspection upon the request of a representative of law enforcement or the department of safety and inspections;
- (3 2) Be at least eighteen (18) years old;
- (4 3) Not be under sentence or have been discharged from sentence for a felony conviction within the ten (10) years immediately preceding application for a license for the following offenses: Murder (Minn. Stat. §§ 609.185 to 609.195), manslaughter (§§ 609.20 to 609.205), criminal vehicular homicide and injury (§ 609.21), assault I-III (§§ 609.221 to 609.223), criminal sexual conduct (§§ 609.342 to 609.3451), indecent conduct (§ 617.23, subd. 2 or 3); or any violation of the controlled substance law (§ 152 et al) which is punishable by a maximum sentence of fifteen (15) years or more; as allowed under Minn. Stat. § 364.09.
 - a. Not be under sentence or have been discharged from sentence for any felony conviction within the five (5) years immediately preceding application for a license, or under sentence or have been discharged from sentence for any non-traffic gross misdemeanor or non-traffic misdemeanor conviction within the three (3) years immediately preceding application for a license.
 - b. The license inspector may grant, pursuant to Minn. Stat. § 364.03, an exception to paragraph a. upon evidence that either the offense is not related to the occupation of taxicab driver, or upon evidence of rehabilitation.
 - c. A person holding a license on the effective date of this section (July 14, 2006) will be disqualified from license renewal only for convictions that occur after the effective date of this section. However, no licensee will be eligible for renewal if the licensee has any felony convictions in the five (5) years preceding renewal; or any nontraffic gross misdemeanor or misdemeanor convictions in the three (3) years preceding renewal involving the use or threat of use of force, possession or sale of a controlled substance, prostitution or indecent conduct.
- (5 4) Must have a driving record meeting the following standards:
 - a. No convictions in the last ten (10) years for any of the following offenses involving injury or death; no conviction in the last three (3) years for any of the following offenses not involving injury or death:
 - 1. Leaving the scene of an accident under Minn. Stat. 609.21, or 169.09, or similar law of another state or Minnesota law as amended;
 - 2. Driving while impaired under Minn. Stat. § 169A.20, subd. 1, or similar law of another state or Minnesota law as amended.
 - 3. Misdemeanor Reckless or Careless Driving under Minn. Stat. § 169.13, or similar law of another state.
 - 4. Refusal to submit to a chemical test under Minn. Stat. § 169A.20, subd. 2.
 - 5. A person holding a license on the effective date of this section (July 14, 2006) will be disqualified from license renewal only for convictions that occur after the effective date of this section. However, no licensee will be eligible for renewal if the licensee has any convictions for the above-listed offenses in the five (5) years preceding renewal or in the three (3) years preceding renewal if the offense did not involve injury or death.
 - b. No prior license revocation within one year immediately preceding application as defined in Minn. Stat. § 169A.03, subd 21.
 - c. For original licensure: No more than four (4) moving violations within the last three (3) years, and no more than two (2) moving violations in the last year. For renewal: No more than four (4)

moving violations within the last three (3) years and no more than three (3) moving violations in the last year. A moving violation means, for this subsection, a violation of a traffic regulation but does not include a parking violation, vehicle equipment violation, or warning citation.

- d. Every new applicant must have at least one (1) year's driving experience as a licensed driver.
- e. An applicant who has had a driver's license outside the state of Minnesota at any time during the ten (10) years prior to application must submit a copy of that applicant's driving record from that state.
- f. Upon submission of proof of suitability and evidence of insurability, the license inspector may waive one (1) or more of the requirements listed above; provided, that any such waiver will indicate the grounds for the inspector's decision and must be approved by the director of the department of safety and inspections.

(6 5) Have a demonstrated knowledge of the provisions of the taxicab ordinance relating to the conduct of taxicab drivers and the operation of a taxicab.

(7 6) Failure to apply for renewal of any taxicab operator's license within thirty (30) days after expiration will be deemed an abandonment of the licensee's right to such renewal.

(8 7) For any driver seeking original licensure, or any driver whose taxi license has lapsed for more than one (1) year if the driver never completed the taxicab driver training course, or whose taxi license has lapsed for more than two (2) years if the driver previously completed the taxicab driver training course, or as deemed necessary by the license inspector: must have successfully completed the taxicab driver training course as set forth in section 376.17.

- (f) *Duty to exhibit license.* Effective March 15, 1991, every taxicab driver while on duty must display the front of his or her taxicab driver's license on the dashboard of the vehicle in a location readily visible to passengers, which license displays the driver's photograph and license number on the front in a manner approved by the license inspector. In addition to any other penalties, a deputy inspector or police officer may order the licensee to discontinue operations until such time as the licensee has a license in possession.
- (g) *Issuance of license.* Each taxicab driver's license must have upon it a number by which the license will be designated, a photograph of the licensee, and such other information as the license inspector may require. The license inspector may issue licenses for a term of less than one (1) year for a prorated initial fee in order to evenly distribute license expiration dates throughout the year.
- (h) *Requirement of valid Minnesota or Wisconsin driver's license.* Any time that a licensee's Minnesota or Wisconsin driver's license is suspended, revoked or canceled, his or her taxicab driver's license will likewise be immediately suspended, revoked or canceled. No person may operate a taxicab without a valid Minnesota or Wisconsin driver's license.
- (i) *Renewals.* A taxicab driver's license will be issued annually. The license inspector may cause the renewal of a taxicab driver's license from year to year by appropriate endorsement upon the application for renewal and payment of an annual fee as set forth in Saint Paul Legislative Code section 310.18. The driver must make such renewal application upon a form to be furnished by the department of safety and inspections. The renewal form must be filled out with the full name and address of the applicant, together with the date and number of the original license. If a driver has not been licensed in the previous license year, he or she will be considered a new applicant.
- (j) *Suspension, revocation and nonrenewal.* A taxicab driver's license may be revoked, suspended or not renewed by the license inspector at any time for cause pursuant to the provisions of this chapter and chapter 310 of the Legislative Code. When a taxicab driver's license has been revoked or suspended, it must immediately be returned to the department of safety and inspections. If the city council stipulates that a licensee whose taxicab driver's license has been revoked may reapply after a specific period of time has elapsed, that period of time will not commence until the taxicab driver's license has been returned to

the department of safety and inspections.

(k) *Revocation of state driver's license; limited licenses; impaired driving conviction.*

- (1) Any person holding a taxicab driver's license whose Minnesota or Wisconsin driver's license is suspended, canceled or revoked for any reason must immediately surrender his or her taxicab driver's license to the department of safety and inspections. The taxicab driver's license will be returned to the licensee upon reinstatement of the Minnesota or Wisconsin driver's license or issuance of a limited license authorizing operation of a taxicab; provided, however, that suspension, cancellation or revocation of a Minnesota or Wisconsin driver's license due to refusal to submit to a legally required blood alcohol test under the state implied consent statute is grounds for the revocation, non-issuance or nonrenewal of the taxicab driver's license.
- (2) Any licensed taxicab driver whose Minnesota or Wisconsin driver's license has been revoked and who has been issued a limited license authorizing the operation of a taxicab must immediately notify the department of safety and inspections of the same. At that time, the licensee must furnish to the license inspector a copy of the limited license and a written statement containing a schedule of the days and hours of each day during which he or she will be driving a taxicab during the term of the limited license. No deviation from the schedule will be permitted. In addition, the licensee must personally furnish to the license inspector copies of all trip sheets for all shifts worked during the term of the limited license.
- (3) Any person holding a taxicab driver's license must notify the department of safety and inspections immediately whenever he or she is convicted of an impaired driving offense.
- (4) Refusal to take and/or failure to pass a chemical test administered pursuant to 169A.51 while on duty is grounds for revocation of a taxicab driver's license.
- (5) Failure to comply with the provisions of this section is grounds for revocation of a taxicab driver's license.

(l) *Notification of change of address.* Any person holding a taxicab driver's license, must notify the department of safety and inspections immediately whenever he or she has a change of address.

Sec. 376.47 16. - Taxicab driver training course.

- (a) *Taxicab driver training course required.* The license inspector will establish a taxicab driver training course pursuant to the terms of this section. The course will be designed to enhance the proficiency of drivers in all aspects of taxicab driving, and may include topics such as geography of the metropolitan area, traffic laws, vehicle safety, taxicab licensing laws and driver code of conduct, radio communications, cab stand and call procedures, taxicab fares, vehicle cleanliness and maintenance, customer relations, and courtesy.
- (b) *Component of driver training.* The driver training course may consist of components taught by city staff, or ~~components taught by an educational institution approved by the director, or taught by a service provider company if approved by the director. the city, or by a combination of such components~~
- (c) *Prerequisite for licensure.* Successful completion of the taxicab driver training course is a prerequisite for obtaining a license for:
 - (1) Any taxicab driver seeking original licensure after the effective date of this section;
 - (2) Any taxicab driver whose license has lapsed for more than one (1) year if the driver never completed the taxicab driver training course;
 - (3) Any taxicab driver whose license has lapsed for more than two (2) years even if the driver previously completed the taxicab driver training course;

- (4) As deemed necessary by the license inspector.
- (d) *Provisional operator status.* An applicant who has met all of the requirements for an original license except for the successful completion of taxicab driver training may obtain a provisional license authorizing the applicant to operate as a provisional operator for up to ninety (90) days. After ninety (90) days, the provisional operator license will expire. The provisional operator must enroll in and successfully complete the driver training class within the ninety (90) days to obtain full licensure. Upon proof of successful completion of the training class, the applicant for a full license will receive a license valid through the remainder of the one-year licensing period. Provisional operator status may be revoked for failure to enroll in the first available opening in the training class, or failure to successfully complete the class. The applicant is entitled to written notice of the intent to revoke provisional operator status, sent to the applicant's last known address and published once on the notice and communications agenda of the city council. The notice will advise the applicant of the right to request a public hearing before the council to determine whether revocation is appropriate. If a provisional operator fails to respond to the notice or to request a hearing, the department of safety and inspections may administratively revoke the license. For any other basis proposed for adverse action, an applicant is entitled to the hearing procedures of section 310.05. An applicant whose provisional operator status has expired or has been revoked may reapply no sooner than six (6) months after the date of expiration or revocation.

Sec. 376.17. - Taxicab service company licenses.

(a) Any applicant for a taxicab service company license must demonstrate financial ability to operate taxicab services, be affiliated with no less than five (5) taxicabs actively licensed within the City of Saint Paul, and provide 24-hour dispatching, advertising, record keeping and other common services to a group of taxicab owners and operators and an adequate level of past service, if any. All taxicabs affiliated with a taxicab service company must share the same distinctive color scheme and company name. In addition to any other applicable grounds set forth in this chapter, or other chapters of this code, taxicab service company licenses are subject to adverse action for the following violations:

- (1) Failure to maintain no less than five (5) licensed, affiliated taxicabs within the City of Saint Paul at all times.
- (2) The operation of unlicensed affiliated taxicabs within the City of Saint Paul.

(b) Any taxicab service company that was in operation within Saint Paul prior to 1995, and have remained in uninterrupted operation since that time, may continue to operate with their current number of actively licensed taxicabs, provided that such taxicab service companies may not reduce the number of affiliated taxicabs. Should the number of taxicabs affiliated with such a taxicab service company reach five (5) or more, this provision shall cease to apply to that taxicab service company.

Section 2

That the following fee shall be added to Sec. 310.18, subd. (f) ENFORCEMENT LEVEL 6:

No.	License Description	Fee
376.17	Taxicab Service Company	400.00

Section 3

This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication.