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## **TITLE 18. TAXICABS**

### **Chapter 18.1. Definitions.**

For the purpose of this chapter, the following definitions shall apply:

- a. *“Driver”* - one who actually engages in the driving of a taxicab.
- b. *“Operator”* - a person engaged in operating a taxicab business.
- c. *“Seating Capacity”* - the number of persons, not including the driver, who can be conveniently seated in a taxicab without crowding.
- d. *“Taxicab”* - a motor vehicle for carrying passengers, with a seating capacity for seven (7) persons or less, not including the driver, not traveling any definite prescribed route, operated by a driver, and carrying or accepting passengers for hire. The term “taxicab” shall not include funeral cars or ambulances.
- e. *“Taximeter”* - an instrument or device attached to a taxicab, and designed or intended to measure mechanically the distance traveled by such taxicab to record the time such taxicab is in waiting, and to indicate upon such record, by figures or designs, the fare to be charged in dollars and cents.
- f. *“Wheelchair Transport”* - a motor vehicle for carrying passengers using a wheelchair and their accompanying guests:
  1. with a seating capacity for seven (7) persons or less, not including the driver;
  2. not traveling any definite or prescribed route;
  3. operated by driver, and carrying or accepting passengers using a wheelchair and their accompanying guests for hire;
  4. shall not include funeral cars or ambulances.

Except as otherwise provided, wheelchair transports and taxicabs shall be subject to the same rules and regulations.

### **Chapter 18.2 License Requirements**

#### **Section 18.2.1. Business License Required.**

No person shall engage in the business of operating a taxicab or taxicabs upon the streets, without a license as provided by this article.

### **Section 18.2.2. Business License Application.**

Every person desiring a license to operate a taxicab business in the City shall make application in writing to the City Council in the general form required for all applications for licenses and shall also give the following additional information:

- a. Previous experience in such business, if the applicant has not been licensed before.
- b. Number of taxicabs to be operated.

### **Section 18.2.3. License Fee.**

The fee for a license under this article chapter shall be:

- a. Initial fee – One hundred fifty dollars (\$150.00)
- b. Renewal Fee – One hundred dollars (\$100.00)

### **Section 18.2.4. Qualifications of Applicant.**

**Article 18.2.4.1** An applicant for license under this section shall be at least eighteen (18) years of age and of sound physique, and free from any infirmity that would affect his ability to properly drive a taxicab.

**Article 18.2.4.2** An applicant for a license under this chapter shall have been a resident of the City of Flandreau or have resided within twenty-five (25) miles of the corporate limits of the City for a period not less than thirty (30) days. The Council may, in its sound discretion, waive the residence requirement upon satisfactory proof of good character of the applicant.

### **Section 18.2.5. False Statements in Application for license under Chapter.**

Any license issued under the provisions of this chapter shall be revoked by the chief law enforcement officer upon discovery of any false statement made in the application for such license.

### **Section 18.2.6. License Issuance.**

The City Council shall approve the issuance of a license applied for under this chapter, if it is satisfied that the applicant has met the following requirements:

- a. That he is a fit person to engage in such business.
- b. That his vehicles and equipment are such as are consistent with the safety of the public.

### **Section 18.2.7. Unlawful Use.**

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All licenses issued under this chapter shall be subject to revocation at any time by the City Council; if any taxicab operated or used by the licensee shall be used for the delivery or transportation of intoxicating liquor or for any other unlawful purpose. Upon such revocation, the City shall retain the license fee paid.

## **Chapter 18.3 Taxicab Operator Requirements**

### **Section 18.3.1. Driver's License Required.**

No person shall drive, or be engaged or employed in the business of driving, upon the public streets of the City, any taxicab, without first having procured a license therefore from the City Finance Officer.

### **Section 18.3.2. Misdemeanor or Felony.**

No person shall be licensed under this section that has pleaded guilty, or has been found guilty of, the commission of a class one misdemeanor or a felony, as defined by state law, within three (3) years of the date of application.

### **Section 18.3.3. Driver's License Applicant to be fingerprinted.**

The city law enforcement department shall fingerprint each applicant for a license under this section.

### **Section 18.3.4. Driver's License Fee.**

The fee for a driver's license under this section shall be as follows:

- a. Initial fee – Fifty dollars (\$50.00)
- b. Renewal fee – Twenty-five dollars (\$25.00)

If any taxicab driver license application is withdrawn or denied by the law enforcement department, no portion of the fee shall be refunded.

### **Section 18.3.5. License Plate to be attached to Vehicle.**

Every operator of any taxicab licensed under this chapter shall carry in each vehicle, on the rear of it and in a conspicuous place, a license plate showing his license number as provided by the City at the time of issuing such license.

### **Section 18.3.6. Driver's License to be carried on Person and Exhibited upon Request.**

Each person licensed under this section shall have such license in his possession whenever he is engaged in driving a taxicab, and shall exhibit the same for inspection whenever he is requested to do so by a police officer.

### **Section 18.3.7. Driver's License Expiration.**

Any driver's license issued under this chapter shall expire on December 31 next following its issuance; provided, however, any license applied for after October 1 of any calendar year shall remain in effect until December 31 of the succeeding calendar year, unless sooner revoked, cancelled or otherwise terminated.

### **Section 18.3.8. Driver's License Revocation.**

The Council may revoke any driver's license issued under this chapter, for cause.

## **Chapter 18.4 Taximeters.**

### **Section 18.4.1. Metering Device Required.**

The owner or driver of a taxicab shall have installed in every such taxicab a metering device approved by the Council for the measuring of the fares established by the schedule of fares set by the Council at their monthly meeting in January of each year. No owner or driver of a taxicab shall operate such taxicab without first having installed such a meter.

### **Section 18.4.2. Exemptions.**

Wheelchair transports are specifically exempt from the provisions of this section.

## **Chapter 18.5 Appeals.**

Any person denied a license upon recommendation of the chief law enforcement officer and feeling aggrieved thereby shall have the right to appeal to the Council for the City of Flandreau. If the Council determines the license shall be issued, the City Finance Officer shall issue a license pursuant to the provisions of this chapter.