

ORDINANCE NO. 1909

AN ORDINANCE to amend and reordain Section 37-19, Division 2; Section 37-27 and subsection (k) of Section 37-40, Division 3; Section 37-65, Division 4; Sections 37-71, 37-72, 37-73 and 37-76, Division 5; Sections 37-77, 37-78, 37-81 and 37-83, Division 6; and to repeal Section 37-58, Division 4 and Section 37-74, Division 5, all of Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 37 relates to TAXICABS AND OTHER VEHICLES FOR HIRE, which Article I relates to TAXICABS AND FOR-HIRE VEHICLES, which Division 2 relates to CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, which Section 37-19 relates to DECREASE IN NUMBER OF TAXICABS OR FOR-HIRE VEHICLES, which Division 3 relates to DRIVER'S PERMIT, which Section 37-27 relates to REQUIREMENTS FOR ELIGIBILITY, which Section 37-40 relates to SUSPENSION AND REVOCATION OF PERMITS BY THE BOARD and which subsection (k) thereof relates to APPEARANCE WHEN SERVING THE PUBLIC, which Division 4 relates to EQUIPMENT, MAINTENANCE AND USE OF VEHICLES, which Section 37-65 relates to INFORMATION TO BE DISPLAYED ON OUTSIDE OF VEHICLE, which Division 5 relates to VEHICLE STANDS, which Section 37-71 relates to ESTABLISHMENT OF STANDS, which Section 37-72 relates to WITHDRAWAL OR REVOCATION OF STANDS, which Section 37-73 relates to DOING BUSINESS ON STREET AT OTHER THAN DULY ESTABLISHED STANDS, which Section 37-76 relates to DRIVERS TO ATTEND AND KEEP NEAR VEHICLE STANDS, which Division 6 relates to FARES, which Section 37-77 relates to TAXIMETERS, which Section 37-78 relates to AMOUNT OF FARE TO BE CHARGED, which Section 37-81 relates to RECEIPTS FOR AMOUNTS CHARGED, which Section 37-83 relates to CARRYING SEVERAL PASSENGERS TO DIFFERENT DESTINATIONS, which Section 37-58 relates to LOUD TALK BY DRIVERS: USE OF HORNS, and which Section 37-74 relates to USE OF STAND DESIGNATED FOR OTHERS.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 37-19, Division 2, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-19. Decrease in number of taxicabs or for-hire vehicles.

The traffic and parking board or other duly authorized agency of the city may, when the public convenience and necessity and general welfare demand, order a reduction in the number of taxicabs or for-hire vehicles in service after a public hearing on the matter. If it is determined that the number of any class of such vehicles should be decreased, the traffic and parking board or other agency shall distribute such reduction as equitably as possible among the holders of certificates of public convenience and necessity then outstanding. Such order may be made effective by revocation or granting of certificates.

Section 2. That Section 37-27, Division 3, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-27. Requirements for eligibility.

No driver's permit under this article shall be issued to any person:

- (a) Under eighteen years of age.
- (b) Not holding a valid chauffeur's permit issued by the state.
- (c) Ever convicted, pleaded nolo contendere or forfeited on a charge of violating a law involving moral turpitude.

(d) Having a record of repeated violations of any traffic, safety or criminal laws of the City of Alexandria.

(e) Having had his driver's permit or similar permit permanently revoked in any other jurisdiction.

(f) Ever convicted, pleaded nolo contendere or forfeited on a charge of hit and run, leaving the scene of an accident or any similar charge where injury to a person was involved.

(g) Of such bad character or responsibility that his fitness to properly serve the public is doubtful.

(h) Repeated violations of traffic or safety laws of any city, state or the federal government.

(i) Not being the owner or employee or agent of the owner of a taxicab or for-hire vehicle.

(j) Not having held a valid driver's license for a period of at least six months.

Section 3. That subsection (k) of Section 37-40, Division 3, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

(k) Repeated failure to be clean and dressed in neat, clean clothing at all times when serving the public.

Section 4. That Section 37-58, Division 4, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is repealed.

Section 5. That Section 37-65, Division 4, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-65. Information to be displayed on outside of vehicle.

Every taxicab operated pursuant to this article shall bear on the rear thereof and on each side thereof in lettering at least two and one-half inches high the word "taxicab" or "cab."

The certificate number of the owner, clearly visible, shall be placed on the rear and on each side of each taxicab.

There shall be printed or painted on each side of every taxicab or for-hire vehicle, in letters not less than two inches high, the name of the owner of such vehicle, as the same appears on the certificate and on the records of the state division of motor vehicles. In addition, the prevailing rates of fare for taxicabs shall be displayed on each side of taxicabs by means of cards or stickers placed in the side rear window in such a manner as to be visible from the outside. The form, size and content of the said cards or stickers shall be as approved by the hack inspector.

For-hire vehicles other than taxicabs shall have the certificate number printed or painted under or near the name of the owner.

Section 6. That Section 37-71, Division 5, Article I, Chapter 37 of the Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-71. Establishment of stands.

The board or other authorized agency is hereby authorized and empowered to establish open stands at such places upon the streets of the city as it deems necessary for the use of taxicabs and for-hire vehicles and as will best serve the public convenience. The establishment of any stand may be on the board's or other agency's own motion or on the written application of any owner. However, no such stand shall be established until there is a public hearing and the owner of the property abutting or across the street from the proposed taxicab stand is given written notice of the public hearing at least fifteen (15) days preceding such hearing. No such stand shall be established which would tend to create a traffic hazard or aggravate an already existing hazardous traffic location.

Section 7. That Section 37-72, Division 5, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-72. Withdrawal or revocation of stands.

The board or other agency is authorized and empowered after a public hearing to withdraw and revoke any stand which in its opinion is either:

- (a) No longer necessary for the taxicabs or for-hire vehicles using it;
- (b) No longer in the best interest of the public convenience;
- (c) Creating an unduly hazardous traffic condition; or
- (d) Adversely affecting abutting property or across the street therefrom or the occupants thereof.

The action of the board or other agency shall be final.

Section 8. That Section 37-73, Division 5, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-73. Doing business on street at other than duly established stands.

It shall be unlawful for any owner or driver of a vehicle operated pursuant to this article to use as a place of business any parking meter space in the city or any portion of a street except at an authorized stand. For the purpose of this section, actual transportation of passengers and the loading and unloading of passengers shall not be construed as doing business, but parking or waiting on the streets with a view of obtaining fares or calls, or with a view of obtaining messages or instructions from persons on private premises, shall be construed as doing business.

Section 9. That Section 37-74, Division 5, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is repealed.

Section 10. That Section 37-76, Division 5, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-76. Drivers to attend and keep near vehicles at stands.

Drivers of taxicabs and for-hire vehicles, operated pursuant to this article, parked at any public vehicle stand, shall at all times keep such vehicle attended

and shall at all times keep within twenty feet of any such parked vehicle.

Section 11. That Section 37-77, Division 6, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-77. Taximeters.

All taxicabs operated under the authority of this article shall, on or after March 15, 1955, 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 operated mechanically 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. It shall be inspected and sealed by the hack inspector at an annual cost not to exceed one dollar for each meter, at all points and connections which, if manipulated, would affect its correct reading and recording. Each taximeter shall have thereon a flag or other device to denote when the vehicle is employed and when it is not employed; and it shall be the duty of the driver to throw the flag or other device of such taximeter into a recording position at the commencement of each trip and into a nonrecording position at the termination of each trip. The taximeters shall be subject to inspection from time to time by the hack inspector or the department of police. Any inspector or other officer of the department of police is hereby authorized either on complaint of any person or without such complaint, to inspect any meter and, upon discovery of any inaccuracy therein, to notify the person operating such taxicab to cease operation. Thereupon such taxicab shall be kept off the highways until the taximeter is repaired and in the required working condition, and inspected and approved by the hack inspector or any other officer designated by the superintendent of police, and it shall be unlawful for any owner or driver to operate or allow to be operated any taxicab without a taximeter installed and used in the manner set forth in this section.

Section 12. That Section 37-78, Division 6, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-78. Amount of fare to be charged.

The rates to be charged passengers by owners or drivers of taxicabs shall be as follows, and it shall be unlawful for any owner to permit or a driver to make any greater or lesser charge:

(a) For the first one-third mile or fraction thereof for one passenger, sixty cents.

(b) For each additional passenger over four years of age, twenty-five cents

(c) For each additional one-sixth mile or fraction thereof for one or more passengers, ten cents.

(d) For each one minute of waiting time for one or more passengers, ten cents. Waiting time shall include time consumed while taxicab is waiting and available to passenger beginning three minutes after the time of arrival at the place to which it has been called, time consumed while taxicab is stopped or slowed for traffic to a speed of less than seven miles per hour and time consumed for delays or stopovers en route at the direction of a passenger. No time shall be allowed for a premature response to a call. There shall be no charge for mileage when time is being charged for a taxicab that is stopped or slowed for traffic to a speed of less than seven miles per hour. Waiting time shall not include time lost on account of inefficiency of a taxicab.

(e) No charge shall be made for the transportation of light or small packages.

(f) For each hand baggage, grip or suitcase, in excess of two per passenger, twenty cents.

(g) For each trunk, footlocker or other bulky or heavy item, one dollar, provided that the carrying of same to and from the immediate vicinity of the taxicab and the rate therefor shall be subject to agreement between the driver and passenger.

(h) For each bag of groceries in excess of one per passenger, ten cents, provided that the carrying of same to and from the immediate vicinity of the taxicab and the rate therefore shall be subject to agreement between the driver and the passenger.

(i) For each animal not held by the passenger, fifty cents, provided that there shall be no charge for guide dogs for the blind.

(It is recognized that taximeters cannot be adjusted or replaced instantly to conform to the fare structure becoming effective December 26, 1973.) In order to provide for a gradual changeover it shall be lawful for drivers to charge either the previous fare or the fare established by this section which becomes effective December 26, 1973; provided that in no event shall the previous fare be charged after January 25, 1974.

Section 13. That Section 37-81, Division 6, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-81. Receipts for amounts charged.

The driver of any taxicab shall, upon demand by the passenger, render to such passenger a receipt for the amount charged, either by a mechanically printed receipt or by a specially prepared receipt on which shall be the name of the driver, license number or certificate number, amount of meter reading or charges and date of transaction.

Section 14. That Section 37-83, Division 6, Article I, Chapter 37 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 37-83. Carrying several passengers to different destinations.

In cases where more than one passenger with prior intent to travel together enter a taxicab at or near the same point bound for different destinations, the fare shall be charged as follows: Whenever a passenger gets out and pays the fare, then the meter shall be reset upon that passenger's departure, but when passengers getting out do not pay the fare, then the fare shall be paid by the last passenger delivered, provided that, in cases where one or more passengers independently, and not acting in concert with each other or not intending to travel together enter a taxicab at the same time bound for different destinations, the fare shall be charged as follows: Each passenger or party shall be charged the fare recorded on the meter at the time of arrival at his destination and the meter shall not be reset, however, in no event shall any passenger or party be charged more than the fare would have been if the taxicab had proceeded to his destination over the shortest and most direct route.

Section 15. That this ordinance shall be published in a newspaper of general circulation published in the city not later than five days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

CHARLES E. BEATLEY, JR.
Mayor

Final Passage: December 26, 1973