

# Ordinance No. 417

AN ORDINANCE to amend the Alexandria City Code enacted as a whole July 2, 1940, and made effective August 5, 1940, by adding a chapter thereto concerning taxicabs and for hire vehicles.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA, AS FOLLOWS:

Section 1. That the Alexandria City Code enacted July 2, 1940, and made effective August 5, 1940, be, and the same hereby is, amended by the addition of a chapter to be designated Chapter XII-A to read as follows:

## CHAPTER XII-A

Concerning the Operation of Taxicabs and For Hire Vehicles on the Streets of the City of Alexandria, Virginia

ARTICLE I. Definitions and Excluded Vehicles.

### Sec. 1. Definitions.

Whenever used in this chapter unless stated otherwise:

(a) The term "person" means any individual, firm, co-partnership, corporation, company, association or joint stock association, and it includes any trustee, receiver, assignee, or personal representative thereof.

(b) The term "public vehicle" means any taxicab or for hire vehicle as defined herein.

(c) The term "taxicab" means any passenger-carrying, motor-propelled vehicle, equipped with or without a taximeter, maintained for hire by the public with a chauffeur or driver or agent of the owner thereof or by the owner acting as chauffeur or driver, and operated or driven on the streets of the City of Alexandria in the transportation of passengers, but not including busses.

(d) The term "for hire vehicle" means any passenger-carrying motor-propelled vehicle, equipped with or without taximeter, maintained for limited hire by the public with a chauffeur or driver or agent of the owner thereof or by the owner acting as chauffeur or driver and operated or driven on the streets of the City of Alexandria in the transportation or restricted class or classes of passengers whether over regular or irregular routes, but not including busses.

(e) The term "owner" means the person who holds the legal title to any public vehicle herein defined. The term shall also include any person owning the beneficial title to any such vehicle or to any person having control of the operation of any such vehicle under a conditional sales contract, lease, bailment, or other document in the nature of a lien document.

(f) The term "driver" means any person in charge of or operating any public vehicle as herein defined.

(g) The term "traffic board" means the traffic board created by Section 36, Chapter 11, of the Alexandria City Code. The term shall also include any duly authorized agent of the traffic board.

(h) The term "certificate" means a certificate of public convenience and necessity issued by the traffic board to owners of public vehicles under the provisions of Title II of this chapter.

(i) The term "permit" means the permit issued to drivers or operators of public vehicles by the captain of police of Alexandria under the provisions of this chapter.

(j) The term "special permit" means the permit issued to owners or drivers of public vehicles by the captain of police of Alexandria under the provisions of Title III of this chapter.

(k) The term "street" means any street, alley, avenue, lane, public place, or highway within the corporate limits of the City of Alexandria.

(l) Words and phrases herein defined used in the singular shall include the plural and when used in the plural shall include the singular.

## **Sec. 2. Vehicles Excluded.**

The provisions of this chapter shall not be construed to include the following vehicles:

(a) Motor vehicles employed solely in transporting school teachers and/or school children, including Sunday School teachers and children.

(b) Motor vehicles owned and operated by the United States, or any state, or any municipality or any political subdivision of this state, or the District of Columbia.

(c) Any motor vehicle with a normal seating capacity of not more than six adult persons while used not for profit in transporting persons who as a common undertaking bear or agree to bear all or part of the actual costs of such operation.

(d) Motor vehicles owned by an employer while used exclusively in transporting bona fide employees to and from work without charge.

(e) Private ambulances or vehicles used exclusively for the purpose of conducting funerals.

## **ARTICLE II. Public Vehicles Operated on the Streets of Alexandria from Points Within the City to Points Within the City.**

### **Sec. 3. Operations to be Governed by and The Scope of Article II.**

The provisions of this article shall apply only to taxicabs and/or for hire vehicles operated on the streets of the City of Alexandria in the transportation of passengers from points within the City to points within the City; and every such taxicab and/or for hire vehicle is hereby declared to be subject to the regulations, conditions, and restrictions, in this article set forth even though operated occasionally to points without the City.

### **Sec. 4. Certificate of Public Convenience and Necessity.**

No taxicab or for hire vehicle shall be operated or caused to be operated on the streets of the City of Alexandria, Virginia until a certificate of public convenience and necessity therefor shall have been issued by the traffic board to the bona fide owner thereof.

**Sec. 5. Application For Certificate; Notice Thereof.**

Application for certificate of public convenience and necessity shall be made in writing by such owner to the traffic board. The application shall be filed in triplicate with the city manager, and it shall furnish the following information under oath of the applicant:

- (1) The full name and the home and business address of the applicant.
- (2) The trade name under which the applicant does or proposes to do business.
- (3) The name and address of any person lending money or furnishing capital to the applicant where the operation or proposed operation is to be financed wholly or in part by means of borrowed money or capital in any form by any person other than the applicant.
- (4) The number, kind and class of vehicles, the seating capacity of each, the color scheme to be used, the equipment thereof, and the lettering and marks to be used thereon.
- (5) Each conviction, plea of nolo contendere, or forfeiture on a charge of violating any criminal law whether the same be local, state or federal.
- (6) The experience of the applicant in the business of transporting passengers.
- (7) All facts or circumstances upon which the applicant bases his belief that the public convenience and necessity require the issuance of the certificate.

The applicant shall deposit the sum of ten dollars with the city manager at the time of filing such application to cover expenses of investigation and other expenses. The city manager with reasonable dispatch shall set a time and place acceptable to the traffic board for hearing on the application and notice of such hearing shall be published by the city manager in a newspaper published in the City of Alexandria at least ten days before such date.

**Sec. 6. Investigation by Captain of Police.**

Upon the filing of any application for a certificate as aforesaid, the captain of police of Alexandria shall be notified and he shall make or cause to be made by one of his Lieutenants a thorough investigation of the character and criminal record of the applicant. In case the applicant is a corporation, the investigation shall cover the officers of the corporation. He shall report his findings in writing on or before the date of hearing on the application.

**Sec. 7. Determination of Public Convenience and Necessity and Other Matters.**

The traffic board shall, upon hearing and after such further investigation as it may deem advisable, determine whether or not the public convenience and necessity require the operation of the taxicabs or for hire vehicles for which application has been made, or for any number thereof. The board shall have authority to grant a certificate as applied for or to grant a certificate for a lesser number of public vehicles than applied for or to deny the application entirely in the exercise of sound judgment. The applicant shall be immediately notified in writing of the action of the board on the application. In making the

determination on the application the following matters shall be considered:

- (1) Adequacy of existing public vehicle service and other forms of passenger transportation service.
- (2) The character and responsibility of the applicant.
- (3) The kind, class and character of vehicles proposed to be used.
- (4) The probable permanence and quality of service offered by the applicant.
- (5) All other matters affecting the public welfare.

**Sec. 8. Temporary Certificates.**

In the event the traffic board shall find that by reason of an emergency, such as a state of war, the public convenience and necessity require the temporary operation of additional taxicabs or for hire vehicles on the streets of the City, then the board may issue temporary certificates of public convenience and necessity to applicants who are qualified or may become qualified to comply with the provisions of this title. Such temporary certificates may be issued without conducting the public hearing and the giving of notice as set forth in Sec. 5 of this title. The issuance of such temporary certificates, the exercise of the privileges granted thereby, and the operation of any public vehicle by authority thereof shall be subject to compliance with all other provisions of this title. The privileges and authority granted by such temporary certificates shall terminate as determined by the traffic board.

**Sec. 9. Burden of Establishing Existence of Public Convenience and Necessity.**

The burden shall be upon the applicant in each case to establish the existence of public convenience and necessity for the operation of the taxicabs or for hire vehicles designated in his application and to establish all other facts required for granting of a certificate.

**Sec. 10. Issuance of Certificate.**

Upon determination by the traffic board that any application shall be granted in part or as applied for, a certificate of public convenience and necessity shall be issued to the applicant by the traffic board through the city manager, and it shall contain the following matters:

- (1) The name and home and business address of the owner.
- (2) The number, kind, class and the equipment therewith of vehicles the operation of which is authorized by the certificate.
- (3) The date of issuance and date of expiration.
- (4) The fact that the certificate is issued subject to the provisions of this chapter.
- (5) If a temporary certificate, that fact shall be stated.
- (6) The fact that the certificate may be revoked.
- (7) The signature of the traffic board by the city manager.

**Sec. 11. Certificates to Present Owners.**

Every person owning and operating one or more public vehicles within the City of Alexandria on the date of the passage of this ordinance shall be entitled to a certificate for the number of such vehicles

of a class in bona fide operation on such date without further proof of public convenience and necessity, provided the applicant can satisfy the traffic board on all other pre-requisites to the issuance of a certificate. Applications of present owners shall be made within ten days after the passage of this ordinance.

**Sec. 12. Life of Certificates.**

Every certificate of public convenience and necessity issue under the provisions of this chapter shall, unless sooner suspended or revoked, expire on the date shown on its face.

**Sec. 13. Transfer of Certificates.**

Any certificate of public convenience and necessity issued under the provisions of this chapter shall be transferable only by and with the consent of the traffic board. Applications for such transfer shall be made jointly by the proposed transferor and the proposed transferee. Such applications shall be made in the same manner and be subject to the same regulations provided for in case of original applications; provided however, with the approval of the city manager, that the holder of a certificate may substitute a new or other vehicles in place and stead of vehicles which have become unserviceable or obsolete, but the number shall not in any case exceed the number provided for in the outstanding certificate. Proper indorsement of any such substitution shall be made on the certificate by the city manager.

**Sec. 14. Increase and Decrease In Number of Public Vehicles.**

The traffic board shall have power on its own motion when the public convenience and necessity and general welfare demands to require any holder or holders of certificates to increase the number of taxicabs or for hire vehicles in service in Alexandria, and the board may when the public convenience and necessity and general welfare demands, order a reduction in the number of taxicabs or for hire vehicles in service. If it be determined that the number of any class of public vehicles should be decreased, the board shall distribute such reduction pro rata as nearly as may be between the holders of certificates then outstanding. Such order may be made effective by revocation of certificates.

**Sec. 15. Revocation and Suspension of Certificates.**

The traffic board shall have power to revoke or suspend any certificate granted under this chapter for any one or more of the following causes:

- (1) Failure to operate the taxicabs or for hire vehicles specified in the certificate or any vehicle substituted therefor in such a manner as to serve the public adequately.
- (2) Failure to maintain any taxicab or for hire vehicle in good order or in safe repair.
- (3) Failure to pay taxes or proper charges to the City of Alexandria, the State of Virginia, the United States or any department or board thereof.
- (4) Failure to maintain insurance as required in this title.
- (5) Repeated violation of traffic or safety laws of the City of Alexandria, any State, or the United States.
- (6) Failure to report any accident as required by law of the City of Alexandria or the State of Virginia.

- (7) Wilful or continued failure to comply with the provisions of this chapter or any other law regulating public vehicles in the City of Alexandria.

No certificate shall be revoked or suspended by the traffic board under this or any other section until the owner has had at least ten days' notice by personal service or by registered mail to the address shown on the certificate of the grounds for revocation or suspension and the time and place of hearing thereon. A hearing shall be held by the board on the grounds, and the city attorney shall present the case against the owner. The owner shall have the right to counsel or he may present his own case. A judgment of conviction, plea of nolo contendere, or forfeiture in a court of competent jurisdiction shall be conclusive evidence of a violation of traffic and safety laws for the purpose of this section. Any such suspension shall be for not less than ten or more than thirty days. Any certificate revoked shall not be renewed for at least one year after such revocation.

#### Sec. 16. Public Vehicle Driver's Permit.

No person shall operate any taxicab or for hire vehicle on the streets of the City of Alexandria until he shall have appeared before the captain of police of Alexandria and passed an examination as to his ability to operate such public vehicle and as to his knowledge of the traffic laws of the state and city and shall have obtained a permit as herein provided.

Application for a public vehicle driver's permit shall be made in writing under oath to the captain of police of Alexandria and shall show the following information:

- (1) Full name of the applicant.
- (2) Present address.
- (3) Age of the applicant.
- (4) Place of birth of the applicant.
- (5) Previous employment during past three years.
- (6) Height and weight of applicant.
- (7) Color and color of eyes and hair of applicant.
- (8) Applicant's sex, and whether married, single, or divorced.
- (9) Any physical defects of applicant.
- (10) Whether applicant uses or has used intoxicating liquor or any drugs; and if so, to what extent.
- (11) Whether or not applicant has ever been convicted, forfeited, or entered a plea of nolo contendere on any criminal charge of any kind; and if so, the details thereof.
- (12) What experience the applicant has had in the operation of motor vehicles.
- (13) What driver's licenses have previously been issued to applicant; and whether or not any such license has ever been revoked or suspended.

Each applicant shall apply for his permit in person and have his fingerprints taken which shall constitute a part of the application.

Each applicant shall file with his application two recent photographs of himself of a size designated by the captain of police, one of which shall be attached to and become a part of the application the other shall be attached to the permit, if issued, in such a manner that no other photograph can be substituted therefor.

If the captain of police finds that the applicant is duly qualified in

every way and of good moral character, he shall issue to the applicant a permit card, but no such permit shall be issued to any person under twenty-one years of age or to any person physically unqualified to operate a public vehicle. No such permit shall be issued to any person unless such person shall be the owner, or the employee and agent of the owner of a public vehicle.

Each permit so issued shall contain the name, home address, business address, employer if any, and photograph of the applicant and it shall bear a number and the date of expiration.

If the captain of police is satisfied that the applicant is not duly qualified in every way to operate a public vehicle on the streets of Alexandria or is not of good moral character, he shall refuse such driver's permit; and a medical examination may be required when deemed proper.

No permit issued under this section shall be transferable, and all such driver's permits shall expire on December 31 of the year issued. Any such permit may be renewed in the same manner as original permit is applied for and issued, and the discretion vested by the provisions of this section in the captain of police of Alexandria shall apply in case of renewals of permits.

#### **Sec. 17. Fees For Public Vehicle Driver's Permits.**

The following fees shall be collected by the captain of police or by one of his lieutenants in the matter of public vehicle driver's permits:

- For each application, granted or not, one dollar.
- For fingerprinting by police department, fifty cents.
- For each permit issued, two dollars.
- For each renewal, two dollars.

All such fees shall promptly be paid to the city collector of Alexandria, and the city auditor shall set up a separate account for such fees out of the proceeds of which all costs under this section shall be paid. The balance, if any, shall be placed in the general fund from time to time.

#### **Sec. 18. Revocation or Suspension of Public Vehicle Driver's Permit.**

The traffic board shall have power to revoke or suspend the public vehicle driver's permit of any person at the instance of any other interested person or on its own motion after ten days' notice by personal service and hearing for any of the following causes:

- (1) Repeated violations of any traffic or safety laws, local, state, or federal.
- (2) Operation of a public vehicle known by the driver not to be in good order or safe repair.
- (3) Violation of any law involving moral turpitude.
- (4) Failure to report any accident in which the driver is involved.
- (5) Violation of any law prohibiting the operation of motor vehicles while under the influence of alcohol or other intoxicant.
- (6) Violation of any substantial provision of this chapter.

In any hearing by the traffic board under this section a judgment of conviction, plea of nolo contendere, or forfeiture in a court of competent jurisdiction shall be conclusive evidence of a violation of laws.

The civil and police justice of the City of Alexandria shall also have

power to revoke or suspend any such permit upon the complaint made and hearing had on any of the above causes or after hearing a criminal charge against a holder of such permit. Revocation shall be mandatory for causes numbered three and five.

**Sec. 19. Physical Condition of Public Vehicles and Inspection.**

Every Taxicab, for hire vehicle and the equipment used in connection therewith, operated on the streets of Alexandria shall at all times be kept in proper and safe physical condition to the satisfaction of the captain of police of Alexandria or his duly authorized representative so as to render safe, adequate and proper public service and so as not to be a menace to the safety of passengers or the general public.

The captain of police or any member of his department shall have power at any and all times to inspect any taxicab or for hire vehicle or the equipment used in connection therewith, and the owner of any such public vehicle shall make such repairs or adjustments or cause them to be made when ordered so to do by the captain of police.

Every such public vehicle shall be kept clean sanitary, sufficiently ventilated, and effeciently lighted at night.

It shall be the duty of the captain of police to make or cause to be made periodical inspections of public vehicles operated on the streets of Alexandria.

**Sec. 20. Type and Equipment of Public Vehicles.**

Every taxicab or for hire vehicle shall be of the enclosed or sedan type with four doors, at least two seats and of not less than five-passenger capacity.

Every taxicab shall be equipped with a standard speedometer properly installed and kept in good working order at all times.

No taxicab or for hire vehicle shall be equipped with shades or curtains which can shield any occupant from observation.

The public vehicle driver's permit of the driver operating any public vehicle shall at all times be kept plainly visible to passengers.

Every public vehicle shall be equipped with an adjustable rear view mirror properly installed.

A schedule of lawful fares in effect in large type shall at all times be kept plainly visible to passengers and to persons about to become passengers of public vehicles.

**Sec. 21. Color Scheme; Insignia; Lettering.**

An owner may adopt any peculiar or unique color scheme different from the coloring of ordinary vehicles which shall be submitted with the application for a certificate as hereinbefore provided. After the traffic board has granted a certificate under which any such peculiar or unique color scheme is to be used, such owner shall cause all his public vehicles to conform to such color scheme. After the board has so granted a certificate under which any such peculiar or unique color scheme is used, no other owner shall use such color scheme while that certificate is in effect.

An owner may likewise adopt any unique insignia or trade name which shall be submitted with the application for a certificate as hereinbefore provided. After the traffic board has granted a certificate under which any such unique insignia or trade name is to be used, such owner shall cause all his public vehicles to bear such unique insignia or trade name; and thereafter, while such certificate is in effect, no other owner shall use such insignia or trade name.

Every public vehicle shall bear on the rear thereof and on each side thereof in large lettering the class of vehicle it is. Taxicabs shall use the word "taxicab" or "cab", and for hire vehicles shall use the words "For Hire Vehicle".

The certificate number of the owner clearly visible shall be placed under or near the lettering designating the class of vehicle.

There shall be printed or painted on each side of every public vehicle in letters not less than two inches high the name of the owner of such public vehicle as the same appears on the certificate and on the records of the Division of Motor Vehicles of Virginia.

#### Sec. 22. General Regulations.

Adequate and efficient public service shall at all times be maintained by the owner of every public vehicle.

Every owner of a public vehicle shall provide and maintain at all times a listed telephone by which calls can be made for service. Every owner and/or driver shall give preference to calls for service in the order of their receipt. Every owner and/or driver shall keep a permanent record of all calls received for service which shall include the address where service is desired, the date and hour of the call, and the response or service rendered in accordance therewith. Such record shall at all times be open to the inspection of the captain of police of Alexandria or to any member of his department.

No public vehicle shall be leased or lent by the owner thereof to any person.

When a driver has taken into a taxicab one or more passengers for transportation and has actually begun the transportation of such passenger or passengers, no other person shall be received by the driver into such taxicab until the destination is reached, without the consent of such passenger or passengers.

No non-paying passenger shall be transported with a paying passenger except bona fide officers or employees of the owner or a police officer engaged in the performance of his duty who is unable to obtain other adequate means of transportation.

Public vehicles shall not cruise seeking employment on the streets of Alexandria.

Drivers of public vehicles parked at any authorized stand on the streets of Alexandria shall at all times keep such vehicle attended and they shall at all times keep within five feet of any such parked vehicle.

Loud talk or calls to and from drivers of public vehicles is prohibited; and the sounding of horns or other mechanical devices for purposes other than lawful traffic signals is also prohibited.

The driver of each taxicab shall operate the same over the shortest practical route from each point at which a taxicab is engaged by any passenger to the point or points of destination of such passenger.

No passenger shall enter or leave any taxicab or for hire vehicle by way of the left rear door or side of such vehicle except on one-way streets or while parked perpendicular to the curb in places where such parking is permitted.

No driver of any public vehicle shall stop, or load, or unload any passengers in the intersection of any streets or on any cross walk, and no such vehicle shall in any way impede or interfere with the orderly flow of traffic on the streets.

No driver of any public vehicle shall at any one time carry more passengers than the number for which the vehicle was normally built to carry.

The driver of every public vehicle shall promptly report every accident, however slight, in which a vehicle owned or driven by him is involved; and every such driver shall carefully preserve all money or other property left in any public vehicle. When such money or other property shall have been identified and the ownership established, the same shall be promptly delivered to such owner.

It shall be unlawful for any owner or driver of a public vehicle to permit such vehicle to be used for lewd or indecent purposes or to transport persons therein to places used for such purposes.

It shall be unlawful for any person to make misleading, false, or unauthorized calls for public vehicle service, or to in any way hinder, retard or interfere with the furnishing of transportation by public vehicles in the City of Alexandria.

#### **Sec. 23. Public Vehicle Stands.**

The traffic board shall have power to designate and to assign to any one or more owners a stand or stands for such public vehicles as it may deem proper and at such place or places on the streets of Alexandria as will best serve the public convenience. Such assignment and designation may be on the board's own motion or on the written application of any owner or owners. No such assignment and designation shall be made unless the consent of the owner or owners or the person in control of the abutting property be first obtained. Any such assignment and designation may be withdrawn and revoked by the board on its own motion or on the motion of any person interested.

Any person other than the one to whom such space has been assigned shall have the right to stop temporarily in any such stand for the purpose of discharging or receiving passengers or for loading or unloading merchandise, but no such other person shall be allowed to park therein.

#### **Sec. 24. Taxicab Rates.**

For the purpose of establishing maximum rates to be charged by taxicabs under Article II of this chapter, the physical area of the City of Alexandria shall be divided into five zones numbered 1, 2, 3, 4, and 5. Such zones shall be bounded as follows:

Zone 1 shall be bounded on the north by Slaters Lane, on the east by the Potomac River, on the south by Hunting Creek, on the west by a line drawn perpendicular to Duke Street from Hunting Creek and connecting at Callahan Drive, thence with a straight line to Princess Street at Buchanan Street on the east side of the railroad tracks, and thence along the east side of the railroad tracks to Slaters Lane.

Zone 2 shall be bounded by beginning at the intersection of Duke Street and Callahan Drive, thence west on Duke Street to Moncure Drive, thence north-erly on Moncure Drive and with a line extended to the intersection of King Street and Janney's Lane, thence with a straight line to the intersection of Ruffner Road and High Street, thence with High Street to the intersection of Russell Road and Monroe Avenue, thence easterly on Monroe Avenue and on in a straight line to Slaters Lane.

Zone 3 shall be bounded by beginning at the inter-section of Moncure Avenue and Duke Street, thence

west on Duke Street to the intersection of Duke Street and Burgess Drive, thence northerly in a direct line to the intersection of Braddock Road and Lloyd's Lane, thence in a direct line to the intersection of Virginia Avenue and Mansion Drive, thence with Mansion Drive to Russell Road, thence easterly along Mt. Ida Avenue to Commonwealth Avenue, thence northerly on Commonwealth Avenue to Hume Avenue, thence easterly on Hume Avenue and a line extended on to the Potomac River.

Zone 4 shall be bounded by beginning at the intersection of Burgess Avenue and Duke Street, thence west on Duke Street to a point opposite Roth Street in Fairfax County, thence in a northerly direction with a line to the intersection of Summit Avenue and Cameron Mills Road, thence in a direct line to the intersection of Mt. Vernon Avenue and Reed Avenue, thence easterly along Reed Avenue and with a line extended on east to the Potomac River.

Zone 5 shall be all the rest and residue of the area of the City and is bounded on the south by Duke Street, on the west by the western corporate limits, on the north by the northern corporate limits, on the east by the Potomac River and the outer line of Zone 4.

Whenever a street divides two zones in the foregoing, both sides of the street shall be considered in each such zone.

The maximum rates to be charged by taxicabs for the transportation of passengers shall be as follows:

From a point within Zone 1 to a point within Zone 1, 35c

From a point within Zone 2 to a point within Zone 2; from Zone 1 to Zone 2, or the reverse, 40c.

From a point within Zone 3 to a point within Zone 3; from Zone 1 to Zone 3 or from Zone 2 to Zone 3, or the reverse, 50c.

From a point within Zone 4 to a point within Zone 4; from Zone 1 to Zone 4 or from Zone 2 to Zone 4, or from Zone 3 to Zone 4, or the reverse, 60c.

From a point within Zone 5 to a point within Zone 5; from Zone 1 to Zone 5 or from Zone 2 to Zone 5 or from Zone 3 to Zone 5 or from Zone 4 to Zone 5, or the reverse, 75c.

The maximum rate for waiting shall be \$2.50

The maximum rate for handling baggage by the driver shall be 10c per bag.

It shall be unlawful for the driver or owner of any taxicab to charge more than the maximum rates established by this section.

It shall be unlawful for any person to ride in a taxicab on the streets of Alexandria with intent to obtain such passenger service without paying the lawful rate or any amount under the maximum rate charged by the driver therefor. Refusal to pay for such service shall be prima facie evidence of such intent under this paragraph.

#### Sec. 25. Insurance Required.

No taxicab or for hire vehicle shall operate on the streets of the City of Alexandria under this article and no certificate shall be delivered therefor unless and until the owner shall deposit with the City

Manager for each such taxicab or for hire vehicle a public liability and property damage insurance policy in form approved by the City Attorney in the sum of ten thousand dollars for public liability and one thousand dollars for property damage. The company undertaking every such contract shall be a public liability company authorized to do business in the State of Virginia.

The said public liability insurance policy shall provide for the payment of any final judgment not to exceed the sum of five thousand dollars for injury to one person and ten thousand dollars for injury to more than one person, and one thousand dollars property damage in any one accident, which may be rendered against the owner or driver for damages to person or property or for damages due to the death of any person resulting from accident or collision and for which said owner or driver may be liable while operating or permitting to be operated any such taxicab or for hire vehicle or by reason of and growing out of the careless or negligent operation of such taxicab or for hire vehicle by such owner, his servant, agent, employee or driver.

No policy of insurance offered under this section shall be approved by the city attorney or be received by the city manager which contains any provision relieving the insurance company from liability because of the failure of the owner or driver to notify the insurance company of the happening of any such accident, collision, injury, death, or damage.

Every insurance policy offered under this section shall contain a clause obligating the company issuing the same to give thirty days' notice in writing to the city manager before any cancellation thereof.

#### **Sec. 26. Bond in Lieu of Insurance.**

In lieu of the insurance required by section 25, the owner may deposit a bond of a surety company authorized to do business in the State of Virginia of the same amounts running to the City of Alexandria indemnifying persons who may be injured or whose property may be damaged by the operation of such taxicab or for hire vehicle conditioned that action may be brought thereon by any person so damaged against the surety company for the amount of such damage up to the amount named therein. The form of any such bond shall first be approved by the city attorney.

### **ARTICLE III. Public Vehicles Operated on the Streets of Alexandria from Points Within the City to Points Without the City and from Points Without the City to Points Within the City.**

#### **Sec. 27. Operations to be Governed by and the Scope of Article III.**

The provisions of this article shall apply only to taxicabs and/or for hire vehicles operated on the streets of the City of Alexandria in the transportation of passengers from points within the City to points without the City and from points without the City to points within the City; and every such taxicab and/or for hire vehicle is hereby declared to be subject to the limited regulations, conditions, and restrictions in this article set forth.

If the owner or driver of any such taxicab or for hire vehicle also engages in the transportation of passengers from points within the City to points within the City, such owner or driver shall comply with all of the provisions of article II of this chapter.

#### **Sec. 28. Special Permits.**

The owner or driver of every taxicab or for hire vehicle subject to the provisions of Title III of this chapter shall obtain a special permit to operate on the streets of Alexandria from the captain of police. The form of the special permit shall be as prescribed by the traffic board, and a fee of one dollar shall be paid therefor to cover the cost of furnishing and issuing such special permit.

No such special permit shall be issued to any such driver to operate any such taxicab or for hire vehicle on the streets of the City unless such driver shall be the owner of such public vehicle or the bona fide employee or agent of the owner.

No such special permit shall be issued to any owner or driver of any such taxicab or for hire vehicle unless such owner or driver shall have been licensed to operate by the Commonwealth of Virginia and shall have complied with all applicable requirements of the state.

No such special permit shall be issued to any owner or driver whose business originates in the City of Alexandria unless such owner or driver shall have first paid to the City of Alexandria all license taxes required for the privilege of doing business in the City.

It shall be unlawful for any person to operate any public vehicle subject to the provisions of this title on the streets of Alexandria without first obtaining such special permit.

#### **Sec. 29. Revocation or Suspension of Special Permits.**

The traffic board shall have power to revoke or suspend any special permit issued under the provisions of Section 28 on its own motion or on the motion of any interested person after ten days' notice by registered mail and hearing on any of the following grounds:

- (1) Repeated violations of any traffic or safety law of the City.
- (2) Violation of any substantial provision of this chapter applicable to the holder thereof.
- (3) Failure to pay any proper tax to the City of Alexandria.

In any such hearing, a forfeiture, plea of nolo contendere, or conviction in any court of competent jurisdiction shall be conclusive evidence of a violation of grounds one and two above.

The civil and police justice of the City of Alexandria shall also have power to revoke or suspend any such special permit upon due complaint made and hearing had on any of the above grounds.

#### **Sec. 30. Mileage Records.**

Every driver or owner of any taxicab or for hire vehicle subject to the provisions of this title who so operates such public vehicle on the streets of Alexandria shall keep an accurate written record of the number of miles the streets of the City are used for the transportation of passengers. It shall be the responsibility of the owner to see that such records are correctly kept, and all such records shall be exhibited to the commissioner of revenue of Alexandria or to any other proper official of the City immediately upon request.

#### **Sec. 31. Physical Condition of Public Vehicles Subject to Title III.**

Every public vehicle subject to the provisions of this title and the equipment used in connection therewith shall at all times be kept in proper physical condition to the satisfaction of the captain of police of Alexandria or his duly authorized representative so as not to be a menace to the safety of passengers or of the general public while on the streets of the City; and the captain of police or any member of his

department shall have power at all times to inspect such vehicles while used upon the streets of the City.

**Sec. 32. General Regulations under Title III.**

Every owner or driver operating a taxicab or for hire vehicle on the streets of Alexandria from points within the City to points without the City and from points without the City to points within the City shall be subject to the following general regulations:

No such taxicab or for hire vehicle shall cruise on the streets of the City seeking employment.

The driver of each such public vehicle shall operate the same over the shortest practical route from the corporate limits to the place of destination or from the place of origin to the corporate limits.

No passenger shall enter or leave any such taxicab or for hire vehicle by way of the left rear door or side of the vehicle except on one-way streets or while parked perpendicular to the curb in places where such parking is permitted.

No driver of any such public vehicle shall stop or load or unload any passengers in the intersection of any streets or on any cross walk; and no such vehicle shall in any way impede or interfere with the orderly flow of traffic on the streets.

The driver or owner of every such public vehicle shall promptly report every accident in which a vehicle driven or owned by him is involved to the police department of the City.

No such public vehicle shall be leased or lent by the owner or driver thereof to any other person.

The owner or driver of any such public vehicle shall not permit the same to be used for lewd or indecent purposes or to transport persons therein to places used for such purposes.

**Sec. 33. Insurance Required under Title III.**

No public vehicle subject to the provisions of this title shall be operated on the streets of the City unless and until such vehicle is insured against public liability and property damage in amounts at least equal to the amounts set forth in Section 25 of this chapter and providing for the payment of any final judgment which may be rendered against the owner or driver for damages to person or property or for damages due to the death of any person resulting from accident or collision for which said owner or driver may be liable while operating or permitting to be operated by reason of and growing out of the careless or negligent operation of such vehicle by the owner, his agent, servant, employee or driver.

Such policy shall at all times be kept in force while any such vehicle is operated on the streets of the City.

No special permit shall be issued under the provisions of Section 28 of this title until proof of the existence of such policy of insurance is submitted to the captain of police. And the captain of police shall have power to require proof of the continuance of existence of any such policy at any and all times.

In case proof of the continued existence of any such policy is not immediately forthcoming as so required, that shall constitute an addi-

tional ground for the revocation of the special permit, and the operation of any such vehicle on the streets of the City without such insurance shall be unlawful.

**Sec. 34. Suspension of Enforcement of Certain Sections.**

The traffic board shall have power in the exercise of sound discretion in case of an emergency such as a state of war to suspend the enforcement of Sections 28 and 30 of this title for and during such emergency only.

**TITLE IV. Penalties and Miscellaneous.**

**Sec. 35. Penalties.**

Any person who violates any provision of this chapter or who fails, refuses, or neglects to perform any duty required herein or who makes any false statement in any writing or oral statement required hereby shall be guilty of a misdemeanor and he shall be fined not less than ten dollars or more than three hundred dollars or shall be imprisoned not more than three months or both.

Each day's continuance of any failure to conform to the requirements of this chapter shall constitute a separate offense.

**Sec. 36. Intention and Effect.**

The provisions of this chapter are adopted in the exercise of the police power granted to the City of Alexandria by its charter and by general law.

If any section, part or provision of this chapter shall be declared invalid for any reason by a court of final jurisdiction, such section, part or provision shall cease to operate; but the remainder of the chapter and every part thereof shall continue in full force and effect.

No provision of this chapter is intended to grant or to offer any franchise or franchises, but the intention is to regulate public vehicles within the City and the use of the streets thereof.

Section 2. This ordinance shall become effective the day after it is published in the Alexandria Gazette.