

Ordinance No. 838

AN ORDINANCE to amend and reordain Article 1, Chapter 31 of The Code of the City of Alexandria, Virginia, 1953, as amended, which said Article and Chapter relate to the operation of taxicabs and other vehicles for hire within the City of Alexandria, make general regulations applicable to such vehicles and their owners, operators and drivers, and provide for penalties for violations.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article 1, Chapter 31 of The Code of the City of Alexandria, Virginia, 1953, be, and the same hereby is amended and reordained, to read as follows:

ARTICLE I. TAXICABS AND FOR-HIRE VEHICLES DIVISION I. IN GENERAL

Sec. 31-1 DEFINITIONS

Unless otherwise expressly stated or the context clearly indicates a different intention, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

CERTIFICATE. A certificate of public convenience and necessity issued by the Traffic and Parking Board or any other duly authorized agency of the city, through the Hack Inspector, authorizing the operation of a taxicab or other for-hire vehicle under the provisions of this chapter.

CRUISING. The driving of a taxicab or other for-hire vehicle on the streets, alleys, or public places of the city in search of, or soliciting prospective passengers for hire.

DRIVER. The person in charge or control of or operating any taxicab or for-hire vehicle.

DRIVER'S PERMIT. The permit issued by the Superintendent of Police to a driver of a taxicab or for-hire vehicle under the provisions of this chapter.

FOR-HIRE VEHICLE. Any passenger-carrying, motor-propelled vehicle, 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 in the transportation of restricted classes of passengers, whether over regular or irregular routes, but not including buses or taxicabs.

MANIFEST. A daily record prepared by the driver of a taxicab or for-hire vehicle of all trips made by said driver, showing time and place of origin, destination, number of passengers, and the amount of fare of each trip.

OWNER. The person who holds legal title to any taxicab or for-hire vehicle, including any person owning the beneficial title to any such taxicab of vehicle or any person having control of the operation of any such vehicle under a conditional sales contract, lease, bailment or any instrument in the nature of a lien.

PERSON. Any individual, firm, copartnership, corporation, company, association or joint stock association, including any trustee receiver, assignee or personal representative thereof.

TAXICAB. Any passenger-carrying, self-propelled motor vehicle maintained for hire by the public with a chauffeur or driver

or agent of the owner thereof or by the owner acting as the chauffeur or driver, and operated or driven on the streets of the City of Alexandria in the transportation of passengers for compensation, but not including buses or for-hire vehicles as above defined.

THE BOARD. The Traffic and Parking Board created by Sec. 19-20 of The Code of the City of Alexandria, Virginia, 1953.

TAXIMETER. Taximeter means a meter, instrument or device attached to a taxicab which measures mechanically the distance driven and the waiting time upon which the fare is based.

HACK INSPECTOR. The police officer designated by the Superintendent of police to fill this position.

AGENCY. Any individual or group of persons named by resolution or ordinance of the City Council empowering that person or group of persons to exercise the powers and duties of Article I, Chapter 31 of the City Code.

Sec. 31-2 COMPLIANCE WITH CHAPTER

It shall be unlawful to operate or drive any taxicab or for-hire vehicle on the streets of the City of Alexandria unless the owner and driver thereof shall conform to and comply with the provisions, terms and conditions of this chapter.

Sec. 31-3 FALSE STATEMENTS

It shall be unlawful and constitute a violation of this chapter for any person to knowingly make or cause to be made, either directly or indirectly, any false statement as an inducement for the issuance of a certificate of public necessity and convenience or a driver's permit provided for in this chapter.

Sec. 31-4 VEHICLES EXCLUDED FROM OPERATION OF CHAPTER

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

- (a) Motor vehicles employed solely in transporting school teachers and 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 understanding 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.

Sec. 31-5 HACK INSPECTOR—APPOINTMENT AND DUTIES

The Superintendent of Police shall appoint a police officer to serve at his pleasure as Hack Inspector. The Hack Inspector shall exercise the powers and duties provided for in this chapter and shall make regulations, issue instructions, and do all things necessary to make effective the provisions of this chapter.

DIVISION 2. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**Sec. 31-6 REQUIRED**

No taxicab or for-hire vehicle shall be operated or caused to be operated upon the streets of the City of Alexandria as a vehicle for hire until a valid certificate of public convenience and necessity for such taxicab or for-hire vehicle shall have been issued to the bona fide owner under the provisions of this chapter, and it shall be unlawful to operate or cause to be operated any such vehicle under an expired, suspended or revoked certificate.

Sec. 31-7 APPLICATION FOR CERTIFICATE

An application for a certificate shall be made in writing by the owner upon forms provided by the city and shall be addressed to the Traffic and Parking Board or any other duly authorized agency and filed with the Hack Inspector; and such application shall furnish under oath the following information:

- (a) The full name and the home and business address of the applicant, and a certified copy of the articles of incorporation in the event that the owner be a corporation.
- (b) The trade name under which the applicant proposes to do business.
- (c) 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.
- (d) 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.
- (e) Each conviction, plea of nolo contendere, or forfeiture on a charge of violating any law whether the same be local, state or federal.
- (f) The experience of the applicant in the business of transporting passengers.
- (g) All facts or circumstances upon which the applicant bases his beliefs that the public convenience and necessity require the issuance of the certificate.

No application will be received until the applicant has paid the sum of \$10.00 for each taxicab or for-hire vehicle to the City of Alexandria to cover the expense of investigation and processing. Such payment shall be made at the office of the City Collector; provided, however, that new applications for a color change for the same vehicle within the same year shall be at no additional cost; and provided further that renewals of applications shall be at a cost of \$2.00 per year.

The application shall state thereon that "it is unlawful for any person to make a false statement on this application and discovery of a false statement shall constitute grounds for denial or revocation of any certificate."

Each applicant shall have his fingerprints taken, which fingerprints shall constitute part of the application.

The Hack Inspector shall become a duly authorized notary public at the expense of the City of Alexandria and shall notarize applications without cost to the applicant.

Sec. 31-8 INVESTIGATION OF APPLICANT

Upon the filing of any application for a certificate, the Superintendent of Police shall be notified and he shall make or cause to be made a thorough investigation of the character of and traffic and criminal record of the applicant. The result of this investigation shall be submitted to the Traffic and Parking Board or any other duly authorized agency on or before the public hearing held under Sec. 31-9.

Sec. 31-9 PUBLIC HEARING

Upon the filing of any application for a certificate, the Hack Inspector shall within a reasonable time schedule a hearing on such application before the Traffic and Parking Board or any other duly authorized agency and shall cause a notice of such hearing to be given to the applicant at least ten days before the hearing date.

The Traffic and Parking Board or any other duly authorized agency shall, upon public hearing and after such further investigation as it may deem advisable, determine whether the public convenience and necessity require the operation of the public vehicles for which application has been made. In making this determination, the following matters shall be considered:

- (a) The investigation report of the Superintendent of Police.
- (b) Adequacy of existing public vehicle service and other forms of passenger transportation service.
- (c) The character and responsibility of the applicant.
- (d) The kind, class and character of vehicles proposed to be used.
- (e) The probable permanence and quality of service offered by the applicant.
- (f) All other matters affecting the public welfare.

Sec. 31-10 BURDEN OF APPLICANT

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 a certificate.

Sec. 31-11 AUTHORITY OF BOARD TO GRANT OR REFUSE CERTIFICATE

The Traffic and Parking Board or any other duly authorized agency shall have authority to grant a certificate as applied for or to grant a certificate for a lesser number of taxicabs or for-

hire vehicles than specified in the application, or to deny the application entirely, after consideration of the factors prescribed by Sec. 31-9 of this chapter and the action of the Traffic and Parking Board or other agency shall be final. There shall be no rehearing and an applicant denied in whole or in part may not apply to the Board or other agency for a period of at least 6 months after the denial.

Sec. 31-12 NOTICE TO APPLICANT OF ACTION ON CERTIFICATE

The Hack Inspector shall immediately notify any applicant of the Traffic and Parking Board's or other agency's action on his certificate.

Sec. 31-13 ISSUANCE OF CERTIFICATE

If the Traffic and Parking Board or other authorized agency finds that the public convenience and necessity require the operation of the taxicabs or for-hire vehicles sought by the applicant and that the applicant is fit, willing, and able to perform such public transportation and to conform to and comply with the provisions of this chapter, then the Hack Inspector shall issue a serially numbered certificate to the applicant for each vehicle. Each certificate shall contain the following matters:

- (a) The name and home and business address.
- (b) The number, kind and class of vehicles, the seating capacity of each, the equipment of each vehicle, and the lettering, marks, and color scheme to be used on each vehicle.
- (c) The date of issuance and date of expiration.
- (d) The fact that the certificate is issued subject to the provisions of this chapter and may be revoked or suspended if provisions of this chapter are violated.
- (e) The signature of the Traffic and Parking Board or other agency by the Hack Inspector.

Sec. 31-14 DURATION

Every certificate issued under the provisions of this chapter shall, unless sooner suspended or revoked, expire on June 30th next after issuance.

Sec. 31-15 TRANSFER NOT ALLOWED

Any certificate issued under this chapter shall be non-transferable.

Sec. 31-16 INSURANCE OR BOND REQUIRED

It shall be unlawful for any taxicab or for-hire vehicle to operate on the streets of the City of Alexandria and no certificate shall be issued therefor, unless and until there is in full force and effect and filed with the Hack Inspector for the City of Alexandria either:

- (a) A public liability and property damage insurance policy in at least the amount of \$5,000.00 for death or injury to any one person in any one accident and \$10,000.00 for death or injury to more than one person in any one accident, and \$5,000.00 property damage in any accident, all with a company authorized to do business within the State of Virginia, and every policy under this section shall contain a clause

obligating the company issuing the same to give 15 days notice in writing to the Hack Inspector before any cancellation thereof.

- (b) An indemnity bond of a surety company, authorized to do business within the State of Virginia in the same amounts and for the same purposes as the insurance policy stated in (a) just above, provided the Director of Finance of the City of Alexandria after investigation is fully satisfied as to the financial responsibility of the surety company on said bond.

Sec. 31-17 SUBSTITUTION OF EQUIPMENT OR VEHICLES

With the approval of the Hack Inspector, the holder of a certificate may substitute equipment or vehicles in place of equipment or vehicles specified in his certificate which have become unserviceable or obsolete, but the number of vehicles shall not in any case exceed the number provided for in the outstanding certificate. Proper endorsement of any such substitution shall be made on the certificate by the Hack Inspector.

Sec. 31-18 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 be 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 pro rata as nearly as may be among the holders of certificates then outstanding. Such order may be made effective by revocation of certificates.

Sec. 31-19 SUSPENSION AND REVOCATION

The Traffic and Parking Board or other duly authorized agency shall have power to revoke or suspend any certificate granted under this subdivision for any one or more of the following causes:

- (a) Failure to operate the vehicles specified in the certificate in such a manner as to serve the public adequately.
- (b) Failure to maintain any vehicle in good order or in safe repair.
- (c) Failure to pay taxes or proper charges to the city, state, the Federal Government or any department or board thereof.
- (d) Failure to maintain the required insurance or the required bond.
- (e) Repeated violation of traffic or safety laws of the city, state or Federal Government.
- (f) Failure to report any accident as required by law.
- (g) Failure to install and operate taximeter as required in this chapter.
- (h) Make a false statement as in Sec. 31-3 of this chapter.
- (i) Willful or continued failure to comply with the provisions of this chapter or any other law regulating vehicles in the city.

No certificate shall be revoked or suspended by the Traffic and Parking Board or other agency until the certificate holder 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 or other agency on the grounds, and the City Attorney when requested by the Hack Inspector shall present the case against the certificate holder. The certificate holder 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 30 nor more than 120 days.

The Board or other agency may revoke a certificate for such period of time in excess of 120 days as it may in its discretion see fit, provided, however, that whenever a certificate has been revoked, the Board or other agency shall not issue a new certificate to the same person for at least a period of one year after revocation. Whenever a certificate has been revoked and the person having held the certificate desires one again, he shall apply to the Traffic and Parking Board or other agency as if making an original application under Sec. 31-7 of this chapter. The decision of the Traffic and Parking Board or other agency shall be final in all cases and there shall be no rehearing except in the case of newly discovered pertinent facts.

DIVISION 3. DRIVER'S PERMIT

Sec. 31-20 DRIVER'S PERMIT REQUIRED

No person shall operate a taxicab or for-hire vehicle upon the streets of the City of Alexandria, and no person who owns or controls a taxicab or for-hire vehicle shall permit it to be so driven, and no taxicab or for-hire vehicle licensed by the City of Alexandria shall be so driven at any time for hire, unless the driver of said taxicab or for-hire vehicle shall have first obtained and shall have then in force a taxicab or for-hire vehicle driver's permit issued under the provisions of this chapter.

Sec. 31-21 APPLICATION

An application for a driver's permit shall be made in writing under oath on forms provided for by the city, shall be filed with the Hack Inspector and shall contain the following information:

- (a) Full name of applicant.
- (b) Present address.
- (c) Age of the applicant.
- (d) Place of birth of the applicant.
- (e) Previous employment during past three years.
- (f) Height and weight of applicant.
- (g) Color and color of eyes and hair of applicant.
- (h) Applicant's sex, and whether married, single or divorced.
- (i) Any physical defects of applicant.
- (j) Whether applicant uses or has used intoxicating liquor or any drugs; and if so, to what extent.

- (k) Whether or not applicant has ever been convicted, forfeited, or entered a plea of nolo contendere on any traffic or criminal charge of any kind; and if so, the details thereof.
- (l) What experience the applicant has had in the operation of motor vehicles.
- (m) 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 fingerprints shall constitute a part of the application.

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

The application shall state thereon that "it is unlawful for any person to make a false statement on this application and discovery of a false statement shall constitute grounds for denial or revocation of any driver's license."

Sec. 31-22 CHARGE FOR PERMIT

The following charges shall be paid to the City Collector before any initial application will be considered:

For any application, granted or not	\$3.00
For fingerprinting	1.00

The following charge shall be paid to the City Collector before any initial permit is issued:

\$2.00

The following charge shall be paid to the City Collector before any renewal application is considered:

1.50

The following charge shall be paid to the City Collector before any renewal permit is issued:

1.50

The following charge shall be paid to the City Collector for any duplicate permit:

1.00

Sec. 31-23 MEDICAL EXAMINATION

In instances where the Superintendent of Police is of the opinion that a disease or infirmity of the applicant might make such applicant unsafe or unsatisfactory as a driver, no driver's permit will be issued or renewed until the applicant shall furnish a certificate from a reputable physician within the city, certifying that in his opinion, the applicant is not afflicted with any disease or infirmity to the best of his knowledge which might make him an unsafe or unsatisfactory driver.

Sec. 31-24 INVESTIGATION OF APPLICANT

Upon the filing of any application for a driver's permit, the Superintendent of Police shall be notified and he shall make or cause to be made a thorough investigation of the character and traffic and criminal record of the applicant. The result of this investigation shall be submitted to the Hack Inspector and to the Board or other agency upon appeal.

Sec. 31-25 EXAMINATION OF APPLICANT AS TO DRIVING ABILITY, ETC.

Each applicant for a driver's permit pursuant to this chapter shall be required to pass an examination given under the direction of the Hack Inspector as to his ability to operate a taxicab or for-hire vehicle and as to his knowledge of the traffic laws of the city and state and the laws of this chapter.

Sec. 31-26 REQUIREMENTS FOR ELIGIBILITY

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

- (a) Under twenty-one years of age.
- (b) Not holding a valid chauffeur's permit issued by the State of Virginia.
- (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.
- (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 a city, state or Federal Government.
- (i) Not being the owner or employee or agent of the owner of a taxicab or for-hire vehicle.

Sec. 31-27 ISSUANCE OR DENIAL OF DRIVER'S PERMIT BY SUPERINTENDENT OF POLICE

If the Superintendent of Police finds that an applicant is qualified, he shall promptly issue a driver's permit to such applicant. If the Superintendent of Police finds that the applicant is not qualified because of any of the provisions of this chapter or any other reason that would jeopardize the health, safety or welfare of the public, he shall refuse to issue an applicant such driver's permit.

Sec. 31-28 WHEN APPEAL ALLOWED

When an application is denied, the applicant may appeal to the Board or other authorized agency only in those cases where the application was denied by virtue of paragraph (g) of Sec. 31-26 or where under Sec. 31-27 the Superintendent of Police was of the opinion that the applicant would jeopardize the health, safety or welfare of the public.

Sec. 31-29 MANNER OF APPEAL

The applicant eligible to appeal must file in writing a notice of intention to appeal to the Board or other agency within 10 days after being notified that his application was rejected. The Hack Inspector shall upon the filing of such appeal schedule within a reasonable time a hearing before the Board or other

agency. Notice of such hearing shall be given the applicant at least 10 days before the hearing date.

Sec. 31-30 AUTHORITY OF BOARD ON APPEAL

The Board or other agency shall have authority to grant or deny the driver's permit. If the Board or other authorized agency finds for the applicant, the Superintendent of Police shall issue the driver's permit. If the Board or other agency finds against the applicant, the decision of the Superintendent of Police shall stand. The action of the Board or other agency on appeal shall be final. There shall be no rehearing and any such applicant shall not be considered for a period of at least one year after denial.

Sec. 31-31 NOTICE TO APPLICANT

The Hack Inspector shall immediately notify any applicant of the Board's or other agency's action on appeal.

Sec 31-32 ISSUANCE OF DRIVER'S PERMIT

Each driver's permit issued shall contain the following matters:

- (a) Serial number.
- (b) Name of driver.
- (c) Home address.
- (d) Photograph of driver.
- (e) Date of expiration.
- (f) The fact that the permit is issued subject to the provisions of this chapter and may be suspended or revoked if provisions are violated.

Sec. 31-33 EXPIRATION OF PERMIT

All drivers' permits under this chapter shall expire on December 31 of the year in which issued unless sooner suspended or revoked.

Sec. 31-34 RENEWAL OF PERMIT

Renewals of drivers' permits may be made provided the applicant follows the procedure set forth for original applications.

Sec. 31-35 DISPLAY OF PERMIT

Every driver holding a permit under this chapter shall post his driver's permit in such a place as to be in full view of all passengers while such driver is operating a taxicab or for-hire vehicle.

Sec. 31-36 PERMITS NON-TRANSFERABLE

No driver's permit issued under this chapter shall be transferable.

Sec. 31-37 TEMPORARY SUSPENSION OF PERMITS BY SUPERINTENDENT OF POLICE

The Superintendent of Police shall have the power to suspend any driver's permit and the privileges thereby entailed for a period not to exceed 5 days for any one or more of the following causes:

- (a) Transportation in a taxicab while on duty of a person who is not a bona fide passenger.
- (b) Failure of or refusal to proceed with all reasonable dispatch by the shortest practical route to a destination requested by a passenger.
- (c) Waiting for passengers or taking on additional passengers without the consent of a passenger already in the taxicab.
- (d) Loitering or congregating with others in streets or sidewalks adjacent to a taxi stand.
- (e) Refusal to transport any orderly person applying for transportation within the limits of the city, when the taxicab has not been previously engaged by another.
- (f) Failure, refusal, or neglect to carry or record the entries in the manifest as required by this article.
- (g) Failure, refusal or neglect to keep the taxicab he is driving clean.
- (h) Failure, refusal or neglect to observe and comply with orders given by a police officer by sign or by word.
- (i) Failure to post and display driver's permit as required by this article.

Sec. 31-38 APPEAL FROM SUSPENSION BY SUPERINTENDENT OF POLICE

Whenever the Superintendent of Police suspends a permit by virtue of Sec. 31-37, the driver may appeal to the Traffic and Parking Board or any other duly authorized agency of the city. In order to appeal the driver must within 5 days after being notified of his suspension file a written notice of his intention to appeal with the Hack Inspector. The Hack Inspector shall upon the filing of such appeal schedule within a reasonable time a hearing before said Board or other agency. Notice of such hearing shall be given the applicant at least 5 days before the hearing date. Any such suspension shall be stayed pending the hearing before and decision of such Board or other agency. The Board or agency shall have authority to affirm, disapprove or modify the suspension ordered by the Superintendent of Police within the purview of Sec. 31-37. The action of the Board or agency on appeal shall be final and there shall be no re-hearing.

Sec. 31-39 SUSPENSION AND REVOCATION OF PERMITS BY THE BOARD

The Board or other duly authorized agency of the city shall have the power to suspend or revoke any driver's permit issued under the provisions of this chapter for any one or more of the following causes:

- (a) Violation of any law involving moral turpitude.
- (b) Failure to report any accident in which the driver is involved.
- (c) Violation of any law prohibiting the operation of motor vehicles while under the influence of any intoxicating beverage or drug.

- (d) Operation of a taxicab or for-hire vehicle known by the driver not to be in good order or safe repair.
- (e) Repeated violations of traffic or safety laws of local, state or Federal Government.
- (f) Any driver being inflicted with a disease or infirmity which might make him an unsafe or unsatisfactory driver.
- (g) Violation of any law prohibiting hit and run driving, leaving the scene of an accident or similar law.
- (h) Failure to serve the public adequately.
- (i) Failure to operate a taximeter as required by this chapter.
- (j) Make a false statement as in Sec. 31-3 of this chapter.
- (k) Repeated failure to be clean shaven and neat and cleanly dressed when serving the public.
- (l) Violation of any provision of this chapter.
- (m) Doing any act or the failure to do any act which would jeopardize the health, safety or welfare of the public.
- (n) Repeated suspension pursuant to Sec. 31-37.

In any hearing by the Board or other agency under this section, a conviction, plea of nolo contendere, or forfeiture shall be conclusive evidence of a violation.

No driver's permit shall be suspended or revoked until the holder of the permit has had at least 10 days notice by personal service or by registered mail to the address shown on the permit of the grounds for suspension or revocation and the time and place of hearing.

A hearing shall be heard by the Board or other agency and the City Attorney, when requested by the Hack Inspector shall present the case against the permit holder. The permit holder may present his own case or be represented by counsel.

A suspension by the Board or other agency shall be for not less than 30 days nor more than 120 days, the Board or other agency may revoke a driver's permit for such period of time in excess of 120 days as it may in its discretion see fit, provided, however, that whenever a driver's permit has been revoked, the Board or other agency shall not issue a new permit to the same person for at least a period of one year after revocation. The decision of the Board or other agency shall be final in all cases and there shall be no rehearing except in the case of newly discovered pertinent facts.

When a person has had his permit revoked and desires another after waiting the required time, he may apply only as if he were seeking a new permit in the first instance.

DIVISION 3. EQUIPMENT, MAINTENANCE AND USE OF VEHICLES

Sec. 31-40 VEHICLES TO BE CLEAN

All taxicabs and for-hire vehicles operated pursuant to this chapter shall at all times be kept clean and sanitary to the satisfaction of the Hack Inspector.

Sec. 31-41 UNLAWFUL USE OF VEHICLES

No driver or owner shall use or permit the use of any taxicab or for-hire vehicle for soliciting business for any person or house of ill repute, for selling intoxicating liquors, for lewd or indecent purposes or for transporting persons to houses of ill repute or places used for lewd or indecent purposes.

Sec. 31-42 ACCIDENT REPORTS

The driver of every taxicab or for-hire vehicle operated pursuant to this chapter shall promptly report to the Police Department every accident, however slight, in which a vehicle driven by him is involved.

Sec. 31-43 ENTERING AND LEAVING VEHICLES

No passenger shall enter or leave any vehicle operated pursuant to this chapter by way of the left rear door of such vehicle, except on one-way streets or while parked at right angle to the curb in places where such parking is permitted.

Sec. 31-44 STOPPING AT INTERSECTIONS; INTERFERING WITH TRAFFIC

No driver of any vehicle operated pursuant to this chapter shall stop, load or unload any passengers in the intersection of any streets or on any crosswalk. No such vehicle shall in any way impede or interfere with the orderly flow of traffic on the streets.

Sec. 31-45 INSPECTION OF VEHICLES; CORRECTION OF DEFECTS

It shall be the duty of the Hack Inspector to make or cause to be made periodical inspections of vehicles operated on the streets of the city pursuant to this chapter and the Hack Inspector shall have power at any and all times to inspect any vehicle or the equipment used in connection therewith. The owner of any such vehicle shall make, or cause to be made, such repairs or adjustments as may be ordered by the Hack Inspector.

Sec. 31-46 VEHICLES TO BE IN SAFE CONDITION

Every vehicle and the equipment used in connection therewith, operated on the streets of the city pursuant to this chapter shall, at all times, be kept in proper and safe physical condition to the satisfaction of the Hack Inspector.

Sec. 31-47 VENTILATION OF VEHICLES; LIGHTS

Every vehicle operated pursuant to this chapter shall be sufficiently ventilated, and efficiently lighted at night.

Sec. 31-48 BODY TYPES OF VEHICLES; SEATING CAPACITY

Every vehicle operated pursuant to this chapter shall be of the enclosed or sedan type with four doors, at least two seats and of not less than five-passenger capacity.

Sec. 31-49 SHADES AND CURTAINS

No vehicle operated pursuant to this chapter shall be equipped with shades or curtains which can shield any occupant from observation.

Sec. 31-50 SPEEDOMETERS

Every vehicle operated pursuant to this chapter shall be equipped with a standard speedometer properly installed and kept in good working order at all times.

Sec. 31-51 REAR-VIEW MIRROR

Every vehicle operated pursuant to this chapter shall be equipped with an adjustable rear-view mirror properly installed.

Sec. 31-52 MAINTENANCE OF SERVICE

Adequate and efficient public service shall at all times be maintained by the owner of every vehicle operated pursuant to this chapter.

Sec. 31-53 OWNERS TO HAVE TELEPHONES

Every owner of a vehicle operated pursuant to this chapter shall provide and maintain at all times a listed telephone by which calls can be made for service.

Sec. 31-54 PRIORITY OF CALLS FOR SERVICE

Every owner and driver of a public vehicle operated pursuant to this chapter shall give preference in answering calls for service to such calls in the order of receipt of such calls.

Sec. 31-55 "OFF DUTY" SIGNS

All vehicles operated pursuant to this chapter when off duty shall carry prominently displayed on the front windshield, a sign bearing the words "Off Duty."

Sec. 31-56 MANIFEST KEEPING AND DRIVER RECORD

Every driver shall keep on a form, to be furnished by the city at the cost of the owner, a manifest. The driver shall record on the manifest the place, date and time the transportation of each paying passenger terminated, and the amount of the fare, all of which shall be recorded upon the termination of each such transportation and before transportation of any other passenger is begun. Every driver shall turn in his manifest to the owner of the cab which he drove within 24 hours after each on-duty session. All manifests regardless of whose possession they may be in shall be subject at all times to examination or inspection by the Hack Inspector or any police officer. Owners shall be responsible for the safe keeping and production of manifests to the Police Department except in instances where an owner's cab belongs to a group or association of taxicabs, in which case the owner shall turn in the manifest for his cab to his association within 24 hours after receipt from the driver, and the association shall be responsible. Every manifest shall be kept and preserved for four months. Upon demand from the Police Department, manifests shall be made available for inspection by the owner or the association when an owner belongs to one within 6 hours after demand.

The owner of each taxicab shall keep a record of what taxicabs are in use and what drivers are using them at all times. This record shall be available at all times for examination and inspection by the Hack Inspector or any police officer and shall be preserved for four months.

Sec. 31-57 NON-PAYING PASSENGERS

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

Sec. 31-58 LOUD TALK BY DRIVERS; USE OF HORNS

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

Sec. 31-59 DRIVERS TO TAKE SHORTEST ROUTE TO DESTINATION

The driver of each taxicab operated pursuant to this chapter shall drive the same over the shortest practical route from each point at which such taxicab is engaged by any passenger to the point of destination of such passenger.

Sec. 31-60 NUMBER OF PASSENGERS

No driver of any vehicle operated pursuant to this chapter shall carry at any one time more adult passengers than the number for which the vehicle was normally built to carry.

Sec. 31-61 PASSENGERS TO OCCUPY REAR SEAT FIRST

Passengers shall fill the rear seat before using the front seat and no driver shall carry a passenger in the front seat unless the back seat is filled except when otherwise requested by a passenger.

Sec. 31-62 DISPOSITION OF PROPERTY LEFT IN VEHICLES

Every driver of a vehicle operated pursuant to this chapter 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.

Sec. 31-63 FALSE CALLS FOR SERVICE; INTERFERING WITH SERVICE

It shall be unlawful for any person to make misleading, false or unauthorized calls for vehicle service, or to in any way hinder, retard or interfere with the furnishing of transportation by vehicles in the city operated pursuant to this chapter.

Sec. 31-64 COLOR SCHEME OF VEHICLES; INSIGNIA OR TRADE NAME

An owner of vehicles operated pursuant to this chapter 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. After the Traffic and Parking Board or other authorized agency has granted a certificate under which any such peculiar or unique color scheme is to be used, such owner shall cause all his vehicles to conform to such color scheme. After the Traffic and Parking Board or other agency has so granted a certificate under which any such peculiar or unique color scheme is used, no other owner or driver shall use such color scheme while that certificate is in effect.

Any such owner may likewise adopt any unique insignia or trade name which shall be submitted with the application for a certificate. After the Traffic and Parking Board or other agency has granted a certificate under which any such unique insignia or trade name is to be used, such owner shall cause all his vehicles to bear such-unique insignia or trade name and thereafter, while such certificate is in effect, no other owner or driver shall use such insignia or trade name.

The Board or other agency shall not grant a certificate to any person whose color scheme, insignia, or design in the opinion of the Board or other agency conflicts with or imitates the insignia or design used on a vehicle or vehicles already operating under this chapter, in such manner as to mislead, confuse or tend to deceive the public.

It shall be unlawful and grounds for revocation for any driver or owner to change or allow to be changed the color scheme, insignia, or design set forth in a certificate, except as hereinafter provided.

Any owner or driver connected with a company, association or fleet who is allowed by virtue of that connection to use the color scheme, insignia or design of the company, association or fleet shall immediately upon separation or discharge from the company, association or fleet discontinue use of any taxicabs or for-hire vehicles until the color scheme, insignia and design can be changed on such vehicle so that they will not conflict with those in use by said company, association, or fleet and it shall be unlawful and grounds for revocation for failure to do so. In such cases the person or persons involved shall immediately apply to the Board or other agency for approval of a new color scheme, insignia and design, and he shall be granted an immediate hearing.

Sec. 31-65 INFORMATION TO BE DISPLAYED ON OUTSIDE OF VEHICLE

Every taxicab operated pursuant to this chapter shall bear on the rear thereof and on each side thereof in lettering at least 4 inches high the word "taxicab" or "cab."

The certificate number of the owner clearly visible, shall be placed under or near the word cab on each side and over the rear window of each taxicab.

There shall be printed or painted on each side of every taxicab or for-hire vehicle in letters not less than 2 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 and in addition, the prevailing rates of fare on each side of taxicabs.

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

Sec. 31-66 CRUISING

The Board or other duly authorized agency may on its own motion and after a public hearing prohibit cruising throughout the city or in designated areas within the city in times of emergency or at other times when some activity takes place within the city which will produce abnormal traffic congestion and danger to pedestrians and the Board or other agency finds that cruising would add to the congestion and danger.

When the Board or other agency has issued such prohibition, it shall be unlawful for any person to cruise in the area designated.

Sec. 31-67 REFUSAL TO CARRY PASSENGERS

No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless previously engaged or unable or forbidden by the provisions of this chapter to do so.

Sec. 31-68 DRIVERS TO REPORT CHANGES

Every driver shall immediately notify the Hack Inspector when he changes his employment or changes to another company.

Sec. 31-69 CLEANLINESS OF DRIVERS

Drivers shall be clean shaven and dressed in neat clean clothing at all times when serving the public.

DIVISION 4. TAXICABS AND FOR-HIRE VEHICLE STANDS**Sec. 31-70 ESTABLISHMENT OF STANDS**

The Board or other authorized agency is hereby authorized and empowered to establish stands for one or more owners at such places upon the streets of the City of Alexandria 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. No such stand shall be established unless and until the consent of the owner or the person in control of the abutting property shall have been first obtained. No such stand shall be established which would tend to create a traffic hazard or aggravate an already existing hazardous traffic location.

Sec. 31-71 WITHDRAWAL OF STANDS

The Board or other agency shall withdraw and revoke the use of any stand established at such time as the abutting owner or person in control withdraws his consent. 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, or (c) creating an unduly hazardous traffic condition. The action of the Board or other agency shall be final.

Sec. 31-72 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 chapter to use as a place of business any parking meter space in the city or any portion of a street when the use thereof is objected to by the abutting property owner. 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.

Sec. 31-73 USE OF STAND DESIGNATED FOR OTHERS

It shall be unlawful for any owner or driver of a taxicab or for-hire vehicle operated pursuant to this chapter to use as a place of business any street or part thereof established as a stand exclusively for other owners or drivers.

Sec. 31-74 USE OF STANDS BY OTHER THAN OWNERS AND DRIVERS OF TAXICABS AND FOR-HIRE VEHICLES

Any person other than the driver of a taxicab or for-hire vehicle authorized to use a public vehicle stand 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, and the owner or person in control of the abutting property shall have reasonable right of ingress and egress, but no person other than the driver of a taxicab or for-hire vehicle authorized to use such stand shall park therein.

Sec. 31-75 DRIVERS TO ATTEND AND KEEP NEAR VEHICLES AT STANDS

Drivers of taxicabs and for-hire vehicles, operated pursuant to this chapter, parked at any public vehicle stand on the streets of the city shall at all times keep such vehicle attended and shall at all times keep within five feet of any such parked vehicle.

DIVISION 5. RATES OF FARE FOR TAXICABS**Sec. 31-76 TAXIMETER REQUIRED**

All taxicabs operated under the authority of this chapter shall on and 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 sun down, the face of the taximeter shall be illuminated. Said 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 \$1.00 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 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 of such taximeter into a non-recording position at the termination of each trip. The said 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 said department 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 said taxicab to cease operation. Thereupon said taxicab shall be kept off the highways until the taximeter is repaired and in the required working condition, 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.

Sec. 31-77 DISPLAY LIGHT

Every taxicab shall be equipped with a plainly visible light signal on the exterior of the cab of a design approved by the Hack Inspector, which signal shall be turned on and exhibited

at all times when the taxicab is on duty but not carrying a passenger.

Sec. 31-78 RATES OF FARE

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 mile or fraction thereof for one passenger | \$0.40 |
| (b) For each additional passenger over 6 years of age | 0.10 |
| (c) For each additional 1/3 mile or fraction thereof for one or more passengers | 0.10 |
| (d) For each minute in excess of three minutes of waiting time for one or more passengers including only that time the taxicab is not in motion due to the request, act or fault of the passenger, but not including delays due to traffic or traffic signals | 0.05 |
| (e) No charge shall be made for the transportation of light or small packages. | |

For each hand baggage or grip in excess of two per passenger \$0.10 each.

For each trunk or other bulky or heavy package, not ordinarily considered hand baggage or small or light package, a rate as agreed upon between the passenger and the driver in advance of transportation.

Sec. 31-79 DISPLAY OF RATE OF FARE BY CARD

Every taxicab operated under this chapter shall have displayed in such a place within the vehicle as to be in view of passengers a rate card to be furnished by the Hack Inspector at cost showing the rates prescribed by this chapter.

Sec. 31-80 REFUSAL OF PASSENGER TO PAY LEGAL FARE

It shall be unlawful for any person to ride in a taxicab operated pursuant to this chapter on the streets of the city, with intent to obtain such passenger service without paying the lawful fare under the schedule set out in this chapter. Refusal to pay for such service shall be prima facie evidence of such intent under this section.

Sec. 31-81 RECEIPTS

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 owner, license number or motor number, amount of meter reading or charges and date of transaction.

Sec. 31-82 CARRYING ADDITIONAL PASSENGERS WHEN ENGAGED

When a driver has taken into a taxicab a passenger for transportation and has actually begun the transportation of such passenger, no other person shall be received by the driver into such taxicab until the destination is reached without the consent of such passenger, and no charge shall be made for an additional

passenger except when the additional passenger rides beyond the previous passenger's destination and then only for the additional distance traveled.

Sec. 31-83 CARRYING SEVERAL PASSENGERS TO DIFFERENT DESTINATIONS

In cases where more than one passenger enters a taxicab at the same time 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.

Section 2. Each of the sections, subsections, sentences, clauses and portions of this ordinance is severable and if any such part shall be declared invalid, the remaining parts shall not be affected but shall remain in full force and effect.

Section 3. That this ordinance shall be published in a newspaper of general circulation 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.

MARSHALL J. BEVERLEY
Mayor

Final Passage: November 23, 1954