

ORDINANCE NO. 4952

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER, 5.12, TAXICABS, AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Albany Municipal Code Chapter 5.12 is hereby amended to read as follows:

Chapter 5.12

TAXICABS

Sections:

- 5.12.010 Definitions.
- 5.12.020 Operator's license.
- ~~5.12.030 Taxicab drivers; permit required.~~
- 5.12.035 Operators license/~~Permit~~ revocation.
- 5.12.040 Taxicabs.
- 5.12.060 Fares.
- 5.12.080 Fees.
- 5.12.090 Insurance policies.
- 5.12.100 Violation - Penalty

5.12.010 Definitions. Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meaning given to them by this section:

(1) "Taxicab" means every motor vehicle having seating capacity of five passengers or less, as per manufacturer's rating, except cars for rent without drivers, used for the transportation of passengers for hire, and not operated exclusively over a fixed and defined route.

(2) "Street" means any street, alley, avenue, court, bridge, lane or public place in the city.

(3) "Operator" means any person owning, having control of the use or engaged in the business of operating one or more taxicabs within the city.

(4) "Taxicab driver" means any person who drives a taxicab, whether such person owns the taxicab or is employed by the operator of a taxicab.

~~(5) "Taxicab stand" means any place along the street which is exclusively reserved by the City for the use of taxicabs.~~

(5) ~~(6)~~ "Person" means and includes one or more persons of either sex, natural persons, corporations, partnerships and associations.

(6) ~~(7)~~ "Council" means the council of the City of Albany, Oregon.

(7) ~~(8)~~ "Convalescent taxi" means a motor vehicle designed for transportation of nonambulatory persons on a cot, stretcher, or other recumbent means.

(8) ~~(9)~~ "Wheelchair taxi" means a motor vehicle designed for transportation of persons in a wheelchair.

5.12.020 Operator's license. Each applicant for an operator's license shall apply to the city recorder for such license upon such form as is prescribed by the city recorder and shall include thereon the following information:

~~(1) The applicant shall be over the age of eighteen years;~~

(1) ~~(2)~~ If a corporation, limited partnership or association, the applicant

shall be authorized to conduct business under the laws of the State of Oregon;  
(2) ~~(3)~~ Name and post office address of the applicant. (If a partnership or joint venture, the application must so state and contain the names and addresses of all parties thereto).

~~(4) The class and carrying capacity of each vehicle to be operated under the operator's license;~~

~~(5) The make, year, model, serial number and state license number of each vehicle;~~

(3) ~~(6)~~ The business name under which the operator will do business;

(4) ~~(7)~~ Evidence of insurance as hereinafter required.

~~5.12.030 Taxicab drivers; permit required. (a) The City may issue a taxicab driver permit upon finding that the applicant:~~

~~(1) has a valid license as may be required under the laws of Oregon;~~

~~(2) has not been convicted of a crime or offense involving burglary, theft, narcotics, assault, robbery, kidnapping, homicide, harassment, vice, a major traffic crime except driving while suspended, or a sex related offense:~~

~~A) If a felony, within the preceding five years,~~

~~B) If a misdemeanor, within the preceding two years.~~

~~(b) Every taxicab driver shall obtain a permit from the chief of police containing:~~

~~(1) The present likeness of the taxicab driver in the form of a photograph;~~

~~(2) The permit number;~~

~~(3) The name and address of the driver;~~

~~(4) The taxicab driver's Oregon State license number;~~

~~(5) The signature of the chief of police.~~

~~(c) The permit shall be displayed prominently in the taxicab at all times by the taxicab driver. It is unlawful to drive a taxicab with other than the taxicab driver's permit displayed.~~

~~(d) The chief of police shall keep a duplicate permit file containing the information set forth in subsection (a) and, in addition, each taxicab driver shall have on file in the police department, his or her fingerprints.~~

~~5.12.035 Operator's license/Permit revocation. (a) A taxicab driver's permit shall be revoked by the recorder of the city upon conviction of an offense which would prohibit issuance of the license pursuant to 5.12.030(a).~~

~~(b) No taxicab driver shall knowingly deceive any passenger who may ride with him, or who may desire to ride with him, as to his destination or distance traveled or to be traveled.~~

~~(c) The taxicab driver shall promptly notify the nearest police station within twenty four hours, of all property of value left in his vehicle by any passenger.~~

~~(d) No taxicab driver shall drive or operate the same while intoxicated, or operate the same in a careless or reckless manner, or use any profane or obscene language, or smoke without the consent of the passenger.~~

~~(e) No taxicab driver shall knowingly transport persons who appear to need an ambulance without advising the rider that emergency medical care or equipment is not available.~~

(a) ~~(f)~~ The council may revoke any taxicab driver's permit or operator's license for violation of any provision of this chapter.

5.12.040 Taxicabs. (a) Every taxicab shall be so designated as such by plain visible letters on the side thereof. This shall not be construed as a

limitation.

(b) Convalescent and wheelchair taxis may not display or use emergency vehicle signs, lettering, or warning devices of any kind.

(c) Every taxicab will be provided with windows in the entire seating compartment sufficient in number and size that at all times persons may be readily seen through the windows with sufficient distinctness to identify the person.

(d) Convalescent and wheelchair taxis must be equipped to securely mount a cot, stretcher, wheelchair, or other nonambulatory device. Persons being transported on a cot, stretcher, or other nonambulatory device must be secured with seatbelt type straps which will prevent vertical, horizontal, or longitudinal dislodgement. Persons being transported in a wheelchair must be secured with at least one seatbelt type strap.

~~(e) All taxicabs may be inspected from time to time by the chief of police for the purpose of determining whether the same are in clean, safe condition, and properly equipped.~~

~~(f) No driver of any taxicab shall carry more than two persons in excess of the ordinary seating capacity for which the taxicab or vehicle was designed and built. No more than two persons shall be permitted in the front seat with the driver, and all persons or passengers shall be enclosed within the taxicab while same is in motion.~~

5.12.060 Fares. ~~(a) Before a license is delivered to any operator, he shall provide the city recorder with a written schedule of rates to be charged by all taxicab drivers with his operation in the city. No person shall be charged a rate in excess of this schedule filed with the city recorder.~~

~~(a) (b) The schedule of rates for services shall be posted inside each vehicle where it can be easily read by any and all passengers.~~

~~(c) To change the rates charged by a taxicab operation, the operator must file with the city recorder a revised written schedule of rates. A decrease in rates can be made effective immediately. Increased rates shall not be effective until 30 days after receipt of the revised schedule by the City of Albany. The operator shall post in each vehicle operated or controlled by him a copy of the revised rate schedule, including the effective date of the rate change for at least 30 days prior to the effective date of a rate increase. This notice of change in the rate schedule shall be posted inside each vehicle where it can be easily read by any and all passengers.~~

5.12.080 Fees. (a) Each operator making application for his an operator's license shall pay an initial fee of twenty five one-hundred dollars for the first year and then a renewal fee of ten dollars annually in advance to the recorder of the City, and in addition thereto for each taxicab to be operated under the operator's license there shall be an additional charge of twenty dollars annually, payable in advance to the recorder of the City. The operator's license shall be non transferable.

(b) An operator shall pay a proportionate amount of the above fees for parts of less than a year and thereafter all fees for an operator's license and for taxicab operators thereunder shall become due and payable the first day of each calendar year. The permits as to the taxicabs may be transferred from one automobile to another upon the additional payment of five dollars.

~~(c) A fee for a taxicab driver's permit as provided in Section 5.12.030 shall be fifteen dollars per year or fraction thereof and shall be renewed the first of each year, and the renewal fee shall be ten dollars.~~

5.12.090 Insurance policies. (a) Before a license is delivered to any operator, he shall deposit with the city recorder evidence of a policy or policies of an insurance company or companies duly licensed to transact such business in this state, insuring the operator of any taxicab to be licensed against loss from liability imposed by law for damages on account of bodily injury or death, or for damages to property resulting from the ownership, maintenance or use of any taxicab to be owned or operated under such license, and agreeing to pay to any judgment creditor to the extent of the amounts specified in such policy, any final judgment rendered against the insured by reason of such liability. The insurance policy shall require notification to the city recorder of any amendment, cancellation, or termination of policy. Failure to maintain the prescribed level of coverage shall result in immediate cancellation of the license of the operator and the company's drivers' permits. The policy or policies shall be approved by the city recorder as to form and compliance with this chapter. The limit in any such insurance policy of such liability of the insurer on account of the ownership, maintenance and use of such taxicab shall not be less than one hundred thousand dollars for bodily injuries to and including death on one person and three hundred thousand dollars account of any one accident resulting in injuries to and including death of more than one person, and a total of one hundred thousand dollars liability for damage to property of others, arising out of any one accident.

5.12.100 Violation-Penalty. (a) Any person violating any of the provisions of this chapter is subject to those penalties set forth in Section 1.04.010 of the code.

Section 2. Emergency Clause. Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the city of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council.

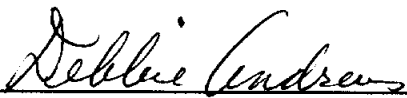
Passed by Council: February 13, 1991

Approved by Council President: February 14, 1991

Effective Date: February 13, 1991

  
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Council President

ATTEST:

  
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Deputy City Recorder