Chapter 9.08

VEHICLES FOR HIRE

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Article I. General Provisions

9.08.010 Regulations subject to change.

All licenses or permits granted under this chapter shall be subject on the part of the city to make or adopt any further ordinances, resolutions and regulations further regulating and governing the operation of vehicles for hire, or prescribing additional and other regulations, or changing, modifying or withdrawing, in whole or in part, the approval of any right for the operation of such vehicles, as may, in the judgment of the mayor and council, be consistent and in the best interest of the public welfare. (Ord. 97-3 (part), 1997)

9.08.020 Definitions.

As used in this chapter, the following terms shall have the respective meanings ascribed to them:

“City” means the city of Stockbridge, Georgia.

“Clerk” means the city clerk of the city of Stockbridge, Georgia.

“Driver” means any person in charge of or operating a vehicle for hire, as herein defined, whether as owner, agent, employee or otherwise.
“Street” means public ways intended for motor vehicular travel.

“Vehicle for hire” means a motor vehicle seating not less than five (5) passengers and not more than seven (7) passengers, including the driver. (Ord. 97-3 (part), 1997)

9.08.030 Compliance prerequisite to doing business.

It is unlawful for any person to engage in the business of operating vehicles for hire on the streets of the city until he has complied with the provisions of this chapter. (Ord. 97-3 (part), 1997)

9.08.040 Liability insurance.

No person shall be allowed to drive or operate a vehicle for hire in the city unless and until a liability insurance policy is procured and filed with the city clerk. Said policy shall be signed by a surety or insurance company authorized to do business in the state, the form of the policy to be approved by the mayor and council. The amount of liability insurance for each vehicle for hire shall be as follows: not less than three hundred thousand dollars ($300,000.00) per person per personal injury for any one (1) accident, and not less than one hundred thousand dollars ($100,000.00) for personal injury in any one (1) accident, and not less than one hundred thousand dollars ($100,000.00) for property damage in any one (1) accident. A policy in the above amount shall be furnished for each vehicle for hire operated; said policy may be in the form of a “fleet policy” covering all vehicles for hire operated by any one (1) owner, in which event the policy of insurance shall provide the minimum amount of coverage, as above enumerated for each vehicle for hire operated by the owner. Before any policy of insurance as hereinbefore provided shall be canceled for nonpayment of premiums or otherwise, notice in writing must be given to the city clerk at least ten (10) days before the same shall take effect. The liability insurance shall be for the benefit of the city and for the use and benefit of the public. (Ord. 97-3 (part), 1997)

9.08.050 Safe condition of vehicles—Responsibility.

The license holder of every vehicle for hire operated within the city shall be responsible for maintaining that vehicle in a safe condition for transportation of passengers at all times. (Ord. 97-3 (part), 1997)

9.08.060 Safe and legal operation.

Every driver of a vehicle for hire shall operate his or her vehicle in accordance with the laws of the state and the city, and with due regard for the safety, convenience, and comfort of passengers and the general public. (Ord. 97-3 (part), 1997)

9.08.070 Maintenance inspection of vehicles.

A. Timetable, Etc. Every vehicle operating under this chapter shall be inspected by a licensed mechanic every six (6) months in order to make certain each vehicle is being maintained in a safe and efficient operating condition in accordance with the following inspection requirements:

1. Mechanical and Safety Devices. All mechanical and safety devices must be operable and in good working condition.

2. Tires. Tire tread depth shall be no less than three thirty-seconds inch (3/32") on an original or retreaded tire, with no cuts or breaks in the side wall.
3. General Condition Inspection. The vehicle shall meet the following specifications:

a. Body and Trim. There shall be no tears or rust holes in the vehicle body, no loose pieces such as fenders, bumpers, or trim hanging from the vehicle body. There shall be no unrepaired body damage which would create a safety problem or interfere with the operation of the vehicle or is so noticeable as to make the vehicle unattractive to passengers.

b. Paint. All vehicles shall be properly and adequately painted and numbered.

c. Latches. All hood, trunk and door latches shall be in proper working order.

d. Spare Tire. The spare tire shall be securely attached and in proper serviceable condition.

e. Exterior Cleanliness. The exterior of each vehicle shall be maintained in a clean condition.

f. Interior Cleanliness. The interior of each vehicle shall be maintained in clean condition, free of foreign matter and offensive odors. There shall be no litter in the vehicle or trunk and the seats shall be kept clean and without holes or large wear spots. Door handles must be intact.

B. Corrections; Reinspection. If a vehicle fails to pass the requirements of inspection, a correction slip shall be issued to the operator listing the items that need correction and showing the status of the inspection. The owner of the vehicle shall have fifteen (15) days to correct the items listed. The correction slip must be kept with the vehicle until it passes inspection, and the vehicle may not be operated as a vehicle for hire within the city until it successfully passes inspection.

C. City of Stockbridge Inspection Sticker. Any vehicle which does not have a valid city inspection sticker shall not operate as a vehicle for hire in the city. Such sticker shall be affixed by the inspector designated by the chief of police.

D. Random Inspections. Random inspections are authorized by the city personnel. Authorized city personnel who find that any of the requirements of this section are not met shall report the deficiency to the owner and to the chief of police. In the event the deficiency is not repaired within fifteen (15) days, the owner of the vehicle shall be cited to appear in municipal court. The driver or owner of any vehicle for hire will be notified to produce his or her vehicle for a random inspection at the driver's convenience within twenty-four (24) hours from the time of notification by the inspector. Where an inspection is based upon a valid customer complaint, the random inspection may be held at any time without the twenty-four (24) hours' notice requirement.

E. Where there is an apparent conflict in this chapter between specific and general provisions, it is the intention hereof that the specific shall control. (Ord. 97-3 (part), 1997)

9.08.080 Suspension of unsafe vehicles from operation.

The city may suspend from operation any cab or vehicle for hire found to be unsafe, and any vehicle so suspended shall not be operated again until repaired and put in proper condition for use, and then only after its condition has been approved by the city. All vehicles in excess of fifteen (15) years of age shall be deemed unsafe. (Ord. 97-3 (part), 1997)
9.08.090 Duty to inspect vehicle.

Every driver of a vehicle for hire prior to the beginning of each shift and at the end of each shift shall inspect the vehicle to make sure that all equipment on the vehicle is operating properly and that there is no major body damage to the cab. All equipment defects or body damage shall immediately be reported to the owner and service company. No driver shall operate any vehicle for hire which is unsafe or which has major body damage. (Ord. 97-3 (part), 1997)

9.08.100 Vehicle markings and registration record.

Every vehicle for hire shall have a sign plainly painted on each side and on the rear in letters not less than three inches (3") high, the full name of the company or individual owning and operating the vehicle, and also the words “vehicle for hire,” and in addition thereto, there shall be painted on each side and on the rear of the vehicle a number, such number to be a separate and distinct number from that on any other vehicle in the city. Such number shall be assigned to such vehicle for hire and the owner thereof by the city and shall not be altered or changed without the consent of the city. The city clerk shall keep a register of the name of each person owning and operating a vehicle for hire under the provisions of this chapter, containing the description and make of the vehicle and number of the vehicle assigned by the city. Such records shall be open to inspection by the public at all reasonable hours. (Ord. 97-3 (part), 1997)

9.08.110 Additional passengers—Passenger consent required.

No driver of a vehicle for hire shall carry any other passenger than the passenger first employing the vehicle for hire without the consent of the first passenger. (Ord. 97-3 (part), 1997)

9.08.120 Storage or transport of hazardous materials.

The storage or transport of hazardous material in the exterior, interior compartment, or trunk of a vehicle for hire is prohibited. (Ord. 97-3 (part), 1997)

9.08.130 Service rates.

A. The schedule of rates shall be as established from time to time by the mayor and council, and it is unlawful to charge more or less.

B. The charges herein established shall be binding upon the owners and drivers of such vehicles and any collection of fares or rates in violation of the rates herein prescribed shall be punished as provided in this code.

C. Every vehicle for hire shall have attached to it, in a conspicuous place where the passengers can see it, a schedule of the rates as herein provided. (Ord. 97-3 (part), 1997)

9.08.140 Authority to regulate fares and business generally—Rate schedule to be posted.

The governing body reserves the right to regulate the rates and fares from time to time to be charged by vehicles for hire and owners of vehicles for hire in the city, and to further regulate the vehicle for hire busi-
The owner and driver of every vehicle for hire operated in the city shall have posted at a conspicuous place inside the vehicle for hire where all passengers may see the same, the rates charged for carrying passengers and the manner of determining the fare to be charged passengers. (Ord. 97-3 (part), 1997)

9.08.150 Driver qualifications.
Each driver of a vehicle for hire shall:
A. Be eighteen (18) years of age or over;
B. Have been a resident of the city for six (6) months next preceding employment as a driver, and a person of good character;
C. Be sober and an able-bodied person, with sound physique and good eyesight, and not subject to epilepsy, heart trouble, or any other infirmity of body or mind which might render him unfit for the safe operation of a vehicle for hire;
D. Be a citizen of the United States, and able to speak, read and write the English language;
E. Not be suffering from a contagious or communicable disease. (Ord. 97-3 (part), 1997)

Article II. Permits

9.08.160 Application—Information required—Vehicle ownership required.
Every person desiring to engage in the business of operating vehicles for hire in the city shall, each year in which the business is proposed to be carried on, first make a written application to the city clerk for a permit to operate such business on the streets of the city. The application shall be in writing, verified under oath that the contents are true, and shall be filed with the city clerk. The application shall contain the full name and address of the applicant and the location from which the proposed business is to be operated; if a partnership, the name of all the partners; the number of vehicles to be operated under such permit, if granted; the type of vehicle to be used, together with the motor number and tag number of each vehicle, the driving record issued by the Department of Public Safety of the state of Georgia, that was issued no later than ten (10) days prior to the date of filing of the application, and such other information as the city may require. All of the vehicles operated under a permit must be owned by the applicant. (Ord. 97-3 (part), 1997)

9.08.170 Investigation—Matters considered—Causes for denial.
The city shall make, or cause to be made, an investigation, including any hearing deemed to be necessary as to each application for permit for the operation of such vehicles for hire, and in determining whether a permit shall be issued, the council may investigate the fitness of the applicant to engage in the business of operating vehicles for hire, and whether the public interest requires the services. If the council should find that the public convenience and necessity do not justify the services, or that the applicant is not a fit and proper person or not qualified to engage in the vehicle for hire business, the permit may be refused. (Ord. 97-3 (part), 1997)
9.08.180 Approval conditions—Issuance and display of card.

If the application is approved by the mayor and council, it shall have issued to the applicant a permit to operate upon compliance with all the conditions precedent provided in this chapter. The applicant shall then present the permit to the city clerk and deposit with him an insurance policy as herein required, and shall satisfy the clerk that each vehicle has been properly inspected and approved by a duly licensed mechanic, or his designee; and upon payment of the license fees prescribed by the city, and upon compliance with the provisions of this chapter, a permit card shall be issued by the city clerk by delivering to the owner for each car such a card, signed by the city clerk, which shall contain the official license number of the vehicle for hire. The card shall be continuously displayed in a conspicuous place in the vehicle for hire. (Ord. 97-3 (part), 1997)

9.08.190 Suspension or revocation conditions.

The mayor and council may, at any time, after notice and opportunity to be heard, suspend or revoke any vehicle for hire permit issued under Section 9.08.160, if it should determine that it is to the public interest. (Ord. 97-3 (part), 1997)

9.08.200 Suspension and revocation of vehicle for hire driver permits.

A. The mayor and council shall have the right to suspend for a given number of days, or to revoke entirely, following ten (10) days’ notice and hearing, any permit issued under this article when, in the opinion of the mayor and council, such suspension or revocation is needed to protect the health and welfare of persons and property. Sufficient reasons for suspension or revocation shall include, but not be limited to, the giving of false information on the application to obtain the permit, or a renewal thereof; a failure to comply with the Code of Ordinances of the city; or a failure to maintain a record of safe and lawful driving.

B. In addition to all penalties provided for in this chapter, the mayor and council shall have the right to issue a civil fine not to exceed one thousand dollars ($1,000.00) per violation, and to place license holder under a term of probation that is prescribed by the mayor and council.

C. Also, in addition to other penalties provided in this chapter, the city Code of Ordinances, and laws of the state, the judge of the municipal court shall have the authority to revoke a vehicle for hire driver’s permit when the holder thereof is convicted of a violation of the Code of Ordinances of the city. (Ord. 97-3 (part), 1997)