Chapter 162

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*Charter reference—Bureau of taxicabs and vehicles for hire, § 8-146.
Cross references—Ground transportation services at Hartsfield Atlanta International airport, § 22-201 et seq.; businesses, ch. 30; bureau of taxicabs and vehicles for hire, § 98-29; traffic, ch. 150.
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ARTICLE II. ANIMAL-DRAWN VEHICLES, LIMOUSINES, TAXICABS AND SIMILAR VEHICLES*

DIVISION 1. GENERALLY
Sec. 162-26. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bureau means the bureau of taxicabs and vehicles for hire.

Business license means the license required of any business operating within the city by chapter 30, article III.

Certificate of public necessity and convenience, CPNC means a license permitting a person to operate one vehicle for hire upon the streets of the city.

Company means any person, association, corporation or other organization operating or intending to engage in the business of operating vehicles for hire.

Company lot means the lot maintained by a company for the purpose of parking its vehicles and for other functions in the operation of the vehicle for hire business and subject to approval by the bureau of traffic and transportation.

Company permit means the application for a permit to engage in the business of operating vehicles for hire.

Contract limousine service means the rendering of limousine service by a limousine or extended limousine on a contract basis for any period in excess of 12 hours for any calendar month on hire to any one customer, regardless of whether corre-

*Cross reference—Animais, ch. 18.

sponding fares or fees are collected by the limousine service from the other party contracting or from the passengers of the limousine service.

Director means the director, bureau of taxicabs and vehicles for hire.

Driver means an individual permitted to drive a vehicle for hire.

Extended limousine means a sedan-type motor vehicle capable of normally transporting no fewer than nine persons, including the driver.

Fees means nonrefundable payments required in this article.

Highways means any of the public streets, roads, boulevards, avenues, drives or alleys of the city.

Limousine means any motor vehicle that meets the manufacturer's specifications for luxury limousine with a designed seating capacity for no more than nine passengers with a minimum of five seats located behind the operator of the vehicle and which does not have a door at the rear of the vehicle designed to allow passenger entry or exit; further, no vehicle shall be permitted to be operated both as a taxicab and a limousine.

Limousine service means the service regularly rendered to the public by furnishing transportation for hire, not over fixed routes, by means of limousines or extended limousines operated by chauffeurs, on the basis of telephone contract, written contract or other prearrangement with holder of the certificate of public necessity and convenience.

Narcotic drugs, barbituric acid derivatives and central nervous system stimulants:

(1) Narcotic drugs means coca leaves, opium, cannabis, marijuana, isonipecaine and every synthetic substance known to have narcotic action.

(2) Barbituric acid derivative means each of the salts and derivatives of barbituric acid, also known as malonyl urea, and derivatives, compounds, mixtures or preparations thereof. Barbiturates include all hypnotic or somnifacient drugs, whether or not derivatives of barbituric acids.
hearing officers shall be designated by the director for each case heard. Each panel shall have at least one attorney at law but shall not have more than two attorneys. No person shall be appointed as a hearing officer who holds any interest in any licenses issued under the police powers of the city or who represents any interest which may be adverse to that of the city.

(b) Hearing officers shall have the following functions:

(1) Hold hearings regarding the imposition of any fine by the bureau for violation of any section in this article.

(2) Hold hearings regarding any proposed denial, suspension or revocation of any CPNC, driver permit or company permit.

(3) Hear any other matter which requires approval under this article.

(c) After hearing evidence on the charges presented by the bureau and the individual entity charged, the panel of hearing officers shall issue findings of fact and shall render a recommendation as to any penalties or fines in writing with reasons for the recommendation. Such findings and recommendations shall be submitted to the police chief, whose decision shall be final, subject to the writ of certiorari as provided by law.

(d) No action shall be taken pursuant to this section unless the individual or entity charged has been given five days’ notice prior to the hearing. Hearings shall be scheduled by the bureau as often as necessary to promote expeditious handling of the charges.

(e) All hearings are administrative in nature, and the strict rules of evidence as applied in court trials shall not apply.

(f) Bureau officials and employees shall not communicate with hearing panel members about cases the hearing officers will be deciding except as part of their duties within the context of an administrative hearing.

(g) All testimony at the hearings shall be under oath and shall be subject to cross-examination.

(h) The bureau shall tape record each hearing, and such recording with any documentation presented to the hearing panel shall constitute the official record of the hearing. Such tape recordings shall be maintained until 30 days after final action is taken by the chief. A copy of the tape shall be given to a permit holder upon written request accompanied by a cassette tape.

(Code 1977, § 14-8022; Ord. No. 1995-37, § 20, 7-11-95)

Sec. 162-30. Power of mayor to suspend and revoke permits and CPNCs and impose civil fines.

(a) The mayor or the mayor's designee, upon receiving the recommendation of the hearing officers, shall have the authority to suspend and revoke, where applicable, permits and CPNCs and to impose civil fines for violations of this article. Such fine shall not exceed $1,000.00 per violation.

(b) At the time the driver, company or CPNC holder is cited for a violation in connection with this section, the driver or company shall surrender the permit to the person issuing the citation, who will then give the driver or company a temporary permit good for 30 days or until final action is taken by the police chief. The regular permits will not be returned until any fines imposed by the police chief have been paid and until any period of suspension has expired. Failure to pay any fines imposed pursuant to this section shall constitute due cause for further action by the police chief.

(c) Persons or entities issued citations may elect to pay fines and waive hearing before the hearing officers for certain offenses as provided in this article.

(d) The mayor or the mayor's designee shall make the final determination on all denials, suspensions, revocations or other matters, after hearing as set out in section 162-29.

(Code 1977, §§ 14-8023, 14-8024; Ord. No. 1985-37, § 21, 7-11-95)

Sec. 162-31. Classification of vehicles.

The following classifications of vehicles for hire are established:

(1) Taxicabs;
nism known as a “fifth wheel” that is attached to
the vehicle and that independently measures and
indicates the distance.

*Flag* means a plate at the end of the lever arm
or similar part by which the operating condition
of a taximeter is controlled.

*Hired* means a taximeter that is operative with
respect to all applicable indications of fare or
extras. The indications of fare include time and
distance where applicable unless qualified by
another indication of the term “time not record-
ing” or an equivalent expression.

*Initial distance or time interval* means the in-
terval corresponding to the initial money drop.

*Money drop* means an increment of fare indica-
tion. The initial money drop is the first increment
of fare indication following activation of the taxis-
ter.

*Multiple-tariff taximeter* means one that may
be set to calculate fares at any one of two or more
rates.

*Operating tire pressure* means the pressure in a
tire when the vehicle has been driven for at leastive miles or eight kilometers.

*Road test* means a distance test, over a mea-
sured course, of a complete taximeter assembly
when installed on a vehicle, the mechanism being
actuated as a result of vehicle travel.

*Rolling circumference* means the straight line
distance traveled per revolution of the wheel that
actuates the taximeter. If more than one wheel
actuates the taximeter, the rolling circumference
is the average distance traveled per revolution of
the wheels.

*Simulated road test* means a distance test dur-
ing which the taximeter may be actuated by some
means other than road travel. The distance trav-
elled is either measured by a properly calibrated
roller device or computed from rolling circumfer-
cence and wheel-turn data.

*Single-tariff taximeter* means one that calcu-
lates fares at a single rate only.

*Subsequent distance or time intervals* means
the intervals corresponding to money drops fol-
lowing the initial money drop.

*Taximeter* means a device that automatically
calculates, at a predetermined rate, and indicates
the charge for hire of a vehicle. Taxicabs operat-
ing with nonelectronic taximeters shall be fur-
nished with a sign approved by the bureau imme-
diately adjacent to the taximeter which explains
the way the fare shall be calculated if the taxime-
ter reaches its highest fare before the passenger’s
destination is reached. This sign shall be pointed
out to the passenger by the driver at the begin-
ning of the trip.

(b) *Semiannual inspections required.* In addi-
tion to all other vehicle inspections required by
law, each vehicle for hire shall be subject to a
semiannual inspection.

(c) *Criteria.* All inspections shall be conducted
by the bureau at designated inspection stations
and shall consist of the following:

1. *Animal-drawn vehicles.* Animal-drawn ve-
hicles shall be inspected for proper mark-
ings and materials, exterior lights, glass
(no cracks), license plate and license plate
lights (if applicable), doors and door locks,
body and interior check for conditions of
upholstery and floor and proper lubrication
of body, springs and wheels. In addition,
the harness must be oiled and cleaned so as
to be soft at all times, and the harness
must be properly fitted and maintained
and kept free of makeshift materials such
as wire, sisal rope and rusty chaining.

2. *Taxicabs.* All taxicabs shall be inspected on
a semiannual basis by companies which
shall place on their affiliated vehicles a
sticker approved by the bureau which shall
serve as proof of such inspection for proper
markings, display of information, brakes,
parking brakes, lights, turn signals, wind-
shield wipers, rearview mirrors, wind-
shield and windows, horn, tires and wheels,
steering mechanisms, exhaust systems, mo-
tor vehicle frame, vehicle fluids, emission
control system, seat belts and the following
requirements concerning the exterior and
interior of taxicabs and taximeters in ac-
is set so as to register charges, the indication “registering,” “hired” or an equivalent expression shall be shown.

iii. *Multiple-tariff* taximeter. Whenever a multiple-tariff taximeter is set so as to register charges, the basis for the particular tariff for which it is set shall be shown.

3. *Extra charges.* Extra charges shall be indicated as a separate item and shall not be included in the fare indication. They shall be identified by the term “extras” or by an equivalent expression. Values shall be defined by suitable words or monetary signs.

4. *Protection of indications.* Indications of fare and extras shall be displayed through and entirely protected by glass or other suitable transparent material securely attached to the housing of the taximeter.

5. *Basis of fare calculations.* A taximeter shall calculate fares only upon the basis of distance traveled, time elapsed or a combination of distance traveled and time elapsed.

   i. *Means of control.* A control lever-arm knob, handle or other convenient and effective means shall be provided to set the taximeter mechanism for the desired operating condition and to clear the taximeter.
   ii. *Positions of control.* The several positions of the control lever shall be mechanically defined, and displacement from any of these positions shall be sufficiently obstructed that the accidental or inadvertent changing of the operating condition of the taximeter is improbable. Possible movement of this control to an operating position immediately following its movement to the cleared position shall automatically be delayed enough to permit the taximeter mechanism to come to complete rest in the cleared condition.

7. *Provision for security seals.* Adequate provision shall be made for affixing lead-and-wire seals to a taximeter and to other parts required for service operation of a complete installation on a vehicle so that no adjustments, alterations or replacements affecting in any way the accuracy or indications of the device or the assembly can be made without mutilating the seals. The sealing means shall be such that it is not necessary to disassemble or remove any part of the device or of the vehicle to apply or inspect the seals.

8. *Distance test methods.* To determine compliance with distance tolerances, a distance test of a taximeter shall be conducted utilizing one or more of the following test methods:
   i. *Road test.* A road test consists of driving the vehicle over a precisely measured road course.
   ii. *Fifth wheel test.* A fifth wheel test consists of driving the vehicle in a simulated road test; 150 pounds or 70 kilograms of test weights may be substituted in lieu of the second person.

   i. *Distance tests.* Maintenance and acceptance tolerances for taximeters shall be as follows: A. On overregistration, one percent of the interval under test.
substantially complies with the inspection requirements. The police chief shall forward to the company holder a copy of the correction slip.

(g) Random inspections. All taxicabs may be subject to random inspections at any time.

(h) Schedule. The police chief or the chief's designee shall establish a schedule of inspection for all vehicles for hire for which CPNCs have been issued.

(i) Random inspections for certain violations. Nothing in this section shall prohibit the random inspection of vehicles for hire by personnel of the department of police and of the bureau where possible violations of this article or other violations of law regarding the condition of vehicles for hire are evident by visual inspection.

(j) Limousines. All vehicles rendering limousine service or contract limousine service shall be inspected by the police chief or the chief's designee and found to be limousines or extended limousines, as defined in this article, and found to meet reasonable standards of comfort and safe operation. No vehicle shall be approved for limousine service as a limousine if it bears any advertising or other writing or emblem on the outside, except for license plates, inspection stickers or medallions, as may be required by law, or display of the flag or emblem relating to the office of the passenger while the limousine is in use or which is equipped with an outside roof light or similar roof devices; this shall not apply to extended limousines. Vehicles rendering contract limousine service may display on their sides not more than two signs, logos or other emblems which identify the person or organization making available the service and the class of persons to whom the service is made available, provided the signs, logos or emblems may not exceed in total area 400 square inches each.

(k) Sedan service. All vehicles rendering sedan service shall be subject to the same criteria herein established for taxicabs.

(l) Tape. No tape is allowed on any interior part of vehicle to repair damages (i.e., seats, arm rests, dash board or headliners). Any holes in carpet will require carpet to be repaired or replaced.

(m) Carpet and headliners. Carpet remnants cannot be used to cover holes. Dirty carpet must be cleaned; if cleaning does not remove spots, carpet must be replaced. No staples or thumb tacks will be allowed to repair and/or replace headliners.

(n) Exterior. Grills of all vehicles must be in place and complete. Paint must be well-blended with the natural configuration and color of the vehicle. Repairs should have a smooth surface. Engines must not give off excessive smoke/fumes or noise.

(o) Emission control. All motorized vehicles for hire must show proof in the form of a state issued certificate, that the vehicle is currently in compliance with state established emissions control standards, at the time of each bi-annual inspection.

(p) Responsibility for compliance. Companies and CPNC holders shall be responsible for compliance with this section.

(§ 162-36) Sec. 162-35. Agents for service of citations.

The company and its officers for which a vehicle for hire is driven shall constitute agents of the CPNC holder and the driver of such vehicle for the purpose of serving citations on either the driver or the CPNC holder for failing to comply with this article.

(§ 162-36) Sec. 162-36. Information to be displayed on taxicabs.

(a) Required. All taxicabs shall have affixed to the exterior the following:

(1) CPNC number, affixed by means of permanent, nonmagnetic decals to the front left hood, the rear right trunk lid and each front fender, at least five inches in height, news gothic bold in style, with a width of at least three-eighths of an inch and black or white in color, whichever is most prominent against the background color.
Sec. 162-40. Driver training.

All vehicle for hire drivers operating within the city shall be required to undergo training in the Atlanta ambassador education program. Such training shall be in addition to all other required training and shall include instruction on the topics of courtesy and professionalism, rules and regulations and history, geography and attractions.

(Code 1977, § 14-8005(i); Ord. No. 1995-37, § 9, 7-11-95; Ord. No. 1995-38, § 7, 7-11-95)

Sec. 162-41. Map of metropolitan area.

Each driver shall maintain in each vehicle for hire a suitable map or street guide of the metropolitan Atlanta area.

(Code 1977, § 14-8017)

Sec. 162-42. Miscellaneous requirements and penalties.

(a) Within 24 hours of the discovery of any personal property left by a passenger in a vehicle for hire, a driver shall forward such property to the bureau.

(b) A driver shall take the most direct route to a passenger’s destination unless otherwise authorized or directed by the passenger.

(c) It shall be unlawful for any driver of a vehicle for hire for which a current CPNC has not been issued by the city to solicit or engage passengers within the city. However, this section does not apply to any limousine company if such company is licensed by a local governing authority within the state and if such company has obtained a sticker from the city issued pursuant to section 162-141.1 for each limousine which the company will operate within the limits of the city.

(d) A taxicab driver shall not refuse to accept a passenger unless the passenger is obviously intoxicated or dangerous.

(e) No driver shall refuse to accept a passenger solely on the basis of race, color, national origin, religious belief, sex or sexual orientation.

(f) It shall be unlawful for any driver, company or CPNC holder to operate any vehicle for hire for which a CPNC has been issued which is not insured in the amounts required by the state.

(g) No taxicab shall be permitted to carry non-paying passengers while transporting a paying passenger except for the purpose of driver training.

(h) It shall be unlawful for a driver to operate the vehicle in a manner which threatens a passenger or anyone else or to threaten or otherwise abuse a passenger or for any passenger to abuse a driver, and it shall also be unlawful for a driver to discharge any passenger before reaching the passenger’s destination unless the driver has a reasonable belief that the passenger is dangerous or unless street conditions do not permit a safe discharge.

(i) No television sets may be operated on the front seat on which the driver sits inside of a moving taxicab.

(j) Drivers, companies and CPNC holders shall be prohibited from refusing to display to bureau inspectors or law enforcement officers any information required by this article, and shall be prohibited from failing to cooperate with bureau inspectors in performing their duties.

(k) It shall be unlawful for drivers to drive or for companies or CPNC holders to allow to be driven any vehicle for hire which does not have a valid inspection sticker, correction slip or valid insurance sticker or any unsealed or improperly working taxi fare meter.

(l) Companies operating vehicles for hire shall be prohibited from allowing such vehicles to be operated by persons not holding valid driver permits.

(m) Driver transfer of affiliation from one company to another shall be limited to one per driver per year. For purposes of this subsection, the term “transfer” means a change of a driver’s company affiliation which is the result of a violation of this article relating to such driver’s operation of a vehicle for hire. No company shall be prohibited by this article from terminating a driver’s affiliation with that company. Any time a driver changes
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Fine:
First offense, $50.00.
Second offense, $75.00.
Third offense, $100.00.
Subsequent offenses, over $100.00.

APPEARANCE REQUIRED BEFORE HEARING PANEL

Offense:
Section 162-42(d), refusing a trip.
Section 162-42(b), (h), (j), failure to cooperate; abusing a passenger; overcharge; not taking most direct route

Fine:
First offense, $75.00.
Second offense, $100.00.
Third offense, $125.00.
Subsequent offenses, over $125.00.

APPEARANCE REQUIRED BEFORE HEARING PANEL

Offense:
Section 162-42(f), failure to have insurance.

Fine: $500.00.

CORRECTIONS AND RELATED MATTERS

Information to be Displayed
Company sign not properly affixed
CPNC not placed correctly
Phone number or rate signs not properly located

Taximeter
Meter is fast—6 seconds or more
Meter is slow—6 seconds or more

Mechanism that must be operable
Interior light or electrical problem
(1) Headlights (one beam)
(2) Taillights (one side)
(3) Signal lights (one) tag light
(4) Both signals not operable
(5) Brake lights
(6) Door opener (handles)

Time Given for Corrections
Three days, or next inspection date
Three days, or next inspection date
Three days, or next inspection date
Meter passes between 55 and 65 seconds
Do not operate

Three days or next inspection
Three days or next inspection
Three days or next inspection
Three days or next inspection
Three days or next inspection
Do not operate

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victim of any section of this Code or other ordinance of the city governing the conduct of CPNC holders; provided, however, that all such persons shall be entitled to the full benefits of O.C.G.A. tit. 42, ch. 8, art. 3 (O.C.G.A. § 42-8-60 et seq.), the First Offender Act and be considered as provided in section 30-29.

(b) Should the applicant for a CPNC be a corporation or partnership, the chief executive officer of the corporation or, if a partnership, the partner with the greatest proprietary interest shall possess all of the requirements set out in subsection (a) of this section.

(Code 1977, § 14-8003(c), (d); Ord. No. 1995-37, § 2, 7-11-95)

Sec. 162-58. Insurance; residency requirements; notice of changes; company affiliation.

In order to maintain a CPNC for a vehicle for hire, any person and any taxicab driver or company operating within the city using such CPNC must:

1. Obtain and maintain automobile liability insurance in the same amounts per vehicle for hire as are required of all vehicles by the state:
   a. $10,000.00 property damage;

and provide current certificates of insurance evidencing such coverage, the name of the insurance company supplying the coverage and the policy number. The insurance must provide specific coverage for a vehicle used in the business of transporting passengers. Self insurance programs approved for commercial vehicle by the state insurance commissioner shall satisfy this requirement. For the purpose of proof of insurance, the CPNC holder shall have affixed, a decal obtained monthly from the bureau to the vehicle for hire.

2. All taxicab companies and taxicab drivers holding CPNCs in the city shall be required to prove, on January 1, April 1, July 1 and October 1 in which they intend to do business in the city that they have the amount of insurance which is required by the state for the operation of a motor vehicle in this state with respect to personal injury liability, property damage liability and personal injury protection benefits available to drivers, passengers, pedestrians and others. Such proof of insurance coverage may be made in either of two ways, as follows:

a. By providing to the director, bureau of taxicabs and vehicles for hire the first day of each quarter, in the months mentioned in subsection (1) of this section, either a current insurance identification card for each vehicle intended to be operated in the coming quarter or a verified statement from a licensed insurance agent or licensed insurance company within this state setting forth the identity of the vehicles for which coverage has been procured, by vehicle identification number, make and model, the amount of coverage afforded to each such vehicle and the term for which such coverage has been prepared by the taxicab company or taxicab driver; or

b. If the taxicab driver or taxicab company or both are covered under a self-insurance program, rather than by a licensed insurance company, by providing to the director, bureau of taxicabs and vehicles for hire the following information:

1. The self-insurance certificate number issued by the state department of public safety;
2. The identity of each vehicle for which coverage has been procured or approved under such self-insurance certificate for the coming quarter by vehicle identification number, make and model;
3. The name and address of the self-insurance plan, if other than the taxicab company itself; and
4. A sworn statement by the president or other managing officer of the self-insurance plan or by a certified public accountant for such plan or banking or financial insti-
specifically based upon the relationship between the number of taxicabs operating within a geographic area and the quality of service they provide. An excessive number of taxicabs results in a reduced level of service and more passenger complaints. A taxicab CPNC will be issued to, and can only remain affixed to a vehicle that is six years old or less as of January 1 of the year in question. The age limit will be phased in as follows:

(1) All vehicles will be ten years or less as of January 1, 1996.
(2) All vehicles will be eight years or less as of January 1, 1997.
(3) All vehicles will be six years or less as of January 1, 1998 and thereafter.

(b) The maximum number of animal-drawn vehicle CPNC's outstanding shall be 31, which is the number of CPNC's issued as a result of the legislative limitation established in 1995. This limitation is specifically based upon the quality of service provided by animal-drawn vehicles and upon the necessity for humane treatment of the animals involved.

(c) The maximum number of sedan CPNC's shall be 500. Any entity holding a city limousine CPNC at the time this legislation is enacted, may present the CPNC to the bureau to be converted to as a sedan CPNC. A sedan CPNC will only be issued to and can only remain affixed to a vehicle that is three years old or less as of January 1 of the year in question. This age limit will be phased in as follows:

(1) All sedans will be five years or less as of January 1, 1996.
(2) All sedans will be four years or less as of January 1, 1997.
(3) All sedans will be three years or less as of January 1, 1998 and thereafter.

(d) The cost of each CPNC issued by the bureau shall be $6,000.00 for taxicabs, $6,000.00 for sedans, and $500.00 for carriages. The market value of any type of CPNC will be determined on January 1 of each year and any CPNC sold by the bureau will be sold at market value during that year. No sedan or taxicab CPNC shall be sold for less than $6,000.00. No carriage CPNC shall be sold for less than $500.00.

(e) The maximum number of CPNCs which may be issued to limousines shall be the number of those certificates which are being held on the date the ordinance from which this section derives becomes law.

(Code 1977, § 14-8004; Ord. No. 1995-37, § 2, 7-11-95; Ord. No. 1995-38, § 3, 7-11-95)

Sec. 162-61.1. Renewal.

The CPNC holder shall apply for and obtain an annual renewal of the CPNC upon payment of a fee of $150.00, and providing evidence that the holder continues to possess the necessary qualifications for holding a CPNC. This fee shall be paid by the last day of the month in which the CPNC was initially issued. This fee shall be phased in as follows:

(1) $80.00 per CPNC initially paid by all holders by January 1, 1996.
(2) $100.00 per CPNC paid during month of issuance in 1996.
(3) $150.00 per CPNC commencing in 1997 and thereafter.

(Ord. No. 1995-37, § 2, 7-11-95; Ord. No. 1995-38, § 2, 7-11-95)

Sec. 162-62. Transferability.

(a) A CPNC for a vehicle for hire shall be transferred pursuant to a purchase, gift bequest or acquisition of the stock or asset of a corporation, provided that the following requirements are met:

(1) A written statement is submitted to the bureau including the following information:
   a. The name and address of the transferor and the transferee;
   b. The CPNC number and the date the transferor received same;
   c. A description of the vehicle transferred or a description of the vehicle to which
provided by the person to whom the CPNC has been issued within five days to the bureau on a form provided by the bureau.
(Code 1977, § 14-8014(a), (b); Ord. No. 1995-37, § 15, 7-11-95)

Sec. 162-63. Revocation and suspension.

(a) Upon a finding of due cause, as provided in subsection (b) of this section, the mayor or the mayor's designee shall have the authority to revoke or suspend any CPNC for a vehicle for hire issued by the city.

(b) Due cause for the revocation or suspension of a CPNC shall include but shall not be limited to the following:

1. The failure of the CPNC holder to maintain any and all of the general qualifications applicable to the initial issuance of the CPNC as set forth in sections 162-57 and 162-58.

2. Obtaining a CPNC by providing false information.

3. Violation of any section of this article.

4. If the holder of the CPNC has knowledge or in the exercise of reasonable care should have had knowledge of the violation of a driver who is affiliated with the CPNC holder of any of the following offenses:
   a. Driving under the influence of intoxicating beverages or drugs.
   b. Criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, criminal solicitation to commit any of such, criminal attempt to commit any of such or possession, sale or distribution of narcotic drugs, barbituric acid derivatives or central nervous system stimulants, if such violation is related to the operation of a vehicle for hire or violation of any section of this Code or other ordinance of the city governing the conduct of drivers of vehicles for hire.

5. Failure to operate the vehicle for which the CPNC has been issued as a vehicle for hire six months out of any given one-year period.

(c) No CPNC issued by the city shall be revoked or suspended except upon a finding of due cause as defined in subsection (b) of this section and after a hearing and upon a prior five-day written notice to the CPNC holder stating the place, date, time and purpose of such hearing and setting forth the charge upon which the hearing shall be held. The hearing shall be held within 15 days of the date the notice is issued.

(d) A panel of duly appointed hearing officers shall conduct the hearings and report its conclusions and recommendations to the mayor or the mayor's designee. The mayor or the mayor's designee, upon receiving the report, may revoke or suspend any CPNC. In lieu of suspension or revocation, the mayor or the mayor's designee may impose a fine upon any CPNC holder, such fine not to exceed $1,000.00 for each violation. The maximum period of suspension of a CPNC shall be 12 months.

(e) After revocation of a CPNC pursuant to subsection (b)(2) of this section, no application for a CPNC shall be accepted or considered for a period of 36 months from the date of revocation.

(f) For due cause, for a violation of this article which results in a situation in which continued operation by the CPNC holder endangers the health, welfare or safety of the public, the mayor or the mayor's designee may suspend any CPNC under this section. Such immediate temporary suspension may be done upon summary consideration of facts that indicate due cause and of facts that indicate an immediate danger. Notice of the temporary suspension shall be given immediately to the CPNC holder stating the facts upon which the suspension is based and the time and place of a full hearing as provided in subsections (c) and (d) of this section.

(g) Whenever any person holding a CPNC is convicted of or pleads guilty to or pleads nolo contendere to any of the following offenses in any court, such disposition shall constitute due cause for suspension, revocation or a fine in accordance
served time on a sentence for a period of five years prior to the date of application for the violation of any of the following criminal offenses of the state or any other state or of the United States: criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, driving a motor vehicle while under the influence of intoxicating beverages or drugs, driving with a suspended license, child molestation, any sex-related offense, leaving the scene of an accident, criminal solicitation to commit any of such, criminal attempt to commit any of such, any felony in the commission of which a motor vehicle was used, perjury or false swearing in making any statement under oath in connection with the application for a driver's permit, any law involving violence or theft or possession, sale or distribution of narcotic drugs, barbituric acid derivatives or central nervous system stimulants; provided, however, that all applicants shall be entitled to the full benefits of O.C.G.A. tit. 42, ch. 8, art. 3 (O.C.G.A. § 42-8-60 et seq.), the First Offender Act. If at the time of application the applicant is charged with any of such offenses, consideration of the application shall be suspended until entry of a plea or verdict or dismissal. For the purposes of this subsection, a plea of nolo contendere to any of the offenses set out in this subsection shall constitute a conviction.

(10) Not have been convicted for a period of two years prior to the date of application of the violation of two or more sections of this Code or other ordinances of the city governing the conduct of drivers of vehicles for hire. If at the time of application the applicant is charged with any of the offenses enumerated in subsection (9) of this section, consideration of the application shall be suspended until entry of a plea or verdict or dismissal.

(Case 1977, § 14-8005(c); Ord. No. 1995-37, § 4, 7-11-95)

Sec. 162-78. Duties of driver to maintain permit.

(a) In order to maintain a permit to drive a vehicle for hire, a driver must:

(1) Maintain daily trip sheets, which shall be retained by the driver for a period of 90 days, subject to the inspection of the police chief. As used in this subsection, the term “trip sheet” means a daily log of all passengers, the time, place of entry and the destination of each passenger, the amount charged and an itemization of any personal property left in the vehicle for hire. Trip sheets must be kept in the vehicle for the 48 hours immediately following the date that those trips occur. This subsection shall not apply to drivers of animal-drawn vehicles for hire.

(2) Wear proper dress while operating a vehicle for hire. As used herein, the term “proper dress” shall mean shoes which entirely cover the foot (no sandals) and dark pants to ankle length or dark skirt or dress and solid white or light blue shirt or solid white or light blue blouse with sleeves and folded collar. Shirts or blouses shall be tucked in. No tee-shirts or sweatshirts shall be worn. If a hat is worn, it shall be a baseball-style cap with an Atlanta or taxicab theme. “Proper dress” shall also mean any uniform adopted by the company and approved by the bureau. Clothing shall not be visibly soiled.

(3) Continue to maintain the qualifications set out for obtaining a driver permit contained in section 162-77.

(4) Not smoke or play a radio or tape player if objected to by a passenger. Not alter any documentation issued by the bureau or airport taxi dispatcher.

(5) Provide the bureau with notice of any change of address within five days of such change.

(b) Companies shall be responsible for the compliance of their affiliated drivers with this section. Failure of a driver to comply may result in the issuance of citations to both the driver and the company.

(Case 1977, § 14-8005(d); Ord. No. 1995-37, § 6, 7-11-95)
(5) Charging a fare in excess of those fares set out in section 162-118 or 162-133, if a taxicab driver or limousine driver.

(6) Violation of any section of this Code or other ordinance or law, other than minor traffic offenses, in connection with the operation of a vehicle for hire.

(7) Whenever it shall appear that a driver has disorders characterized by lapses of consciousness or other mental or physical disabilities affecting the driver's ability to drive safely.

(8) Four or more moving traffic violations in any 12-month period.

(c) Any driver charged with vehicular homicide shall immediately have his permit suspended by the bureau until the courts dispose of the case. No driver's permit issued by the city shall be revoked or suspended except upon a finding of due cause as defined in subsection (b) of this section and after a hearing and upon a prior five-day written notice to the driver stating the place, date, time and purpose of such hearing and setting forth the charge upon which the hearing shall be held. The hearing shall be held within 15 days of the date the notice is issued.

(d) A duly appointed panel of hearing officers shall conduct the hearings and report its conclusions and recommendations to the police chief. The police chief, upon receiving the report, may revoke or suspend any driver's permit. In lieu of suspension or revocation, the police chief may impose a fine upon any driver, such fine not to exceed $1,000.00 for each violation.

(e) After revocation of a driver's permit, no application for a driver's permit shall be accepted or considered for a period of 12 months from the date of revocation.

(f) For due cause, for a violation of this article which results in a situation in which continued operation by the driver endangers the health, welfare or safety of the public, the police chief may suspend any driver's permit. Such immediate temporary suspension may be done by summary consideration of facts that indicate due cause and of facts that indicate an immediate danger. Notice of the temporary suspension shall be given immediately to the driver stating the facts upon which the suspension is based and stating the time and place of a full hearing as provided in subsections (d) and (e) of this section. The hearing shall take place as soon as a hearing panel can be assembled but in any case within two weeks.

(g) Whenever any person holding a driver's permit is convicted of or pleads guilty to or pleads nolo contendere to any of the following offenses, in any court, such disposition shall constitute due cause for suspension, revocation or a fine in accordance with subsections (b), (c) and (d) of this section: Driving under the influence of intoxicating beverages or drugs, criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, criminal solicitation to commit any of such, criminal attempt to commit any of such or possession, sale or distribution of narcotic drugs, barbituric acid derivatives or central nervous system stimulants.

(Code 1977, § 14-8008; Ord. No. 1995-37, § 12, 7-11-95)

Secs. 162-85—162-95. Reserved.

DIVISION 4. COMPANY PERMITS

Sec. 162-96. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Company means:

(1) If a corporation, the chief executive officer.

(2) If a partnership, the partner with the greatest proprietary interest.

(3) If an individual, that individual.

(4) If a firm or association, the person with the greatest proprietary interest.

(Code 1977, § 14-8006(b))

Cross reference—Definitions generally, § 1-2.
Sec. 162-100. Report of changes.

Under this division any change of company location must comply with section 162-99. The company shall provide notice in writing to the bureau, including the names of the persons involved, when applicable, within five working days of any of the following:

(1) Change in the chief executive officer, if a corporation.

(2) Change in the holder of 50 percent or more of the proprietary interest, if a partnership, corporation, firm or association.

(3) Change in company phone number.

(4) Change of company name.

(5) Change of company location.

(Code 1977, § 14-8006(e))

Sec. 162-101. Reserved.

Sec. 162-102. Renewal.

After its initial issuance, a company permit under this division shall be renewed during the month of the anniversary of the issuance of the initial company permit, upon the company's providing proof that it continues to possess the requirements necessary to obtain and maintain such company permit.

(Code 1977, § 14-8006(g))

Sec. 162-103. Transferability.

Company permits issued under this division shall be transferable.

(Code 1977, § 14-8014(c); Ord. No. 1995-37, § 15, 7-11-95)

Sec. 162-104. Revocation or suspension.

(a) Upon a finding of due cause, as defined in subsection (b) of this section, the police chief shall have the authority to revoke or suspend any company permit issued by the city under this division.

(b) Due cause for the revocation or suspension of a company permit shall include but shall not be limited to the following:

(1) The failure of the company to maintain any and all of the general qualifications applicable to the initial issuance of the company permit.

(2) Obtaining a company permit by providing false information.

(3) Conviction by a court of competent jurisdiction of any shareholder, partner or member of any corporation, partnership, firm or association holding a 51 percent interest or more in the entity of any violation of this article.

(4) Conviction by a court of competent jurisdiction of any shareholder, partner or member of any corporation, partnership, firm or association holding a 51 percent interest or more in the entity of any of the following: Criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, criminal solicitation to commit any of such, criminal attempt to commit any of such or possession, sale or distribution of narcotic drugs, barbituric acid derivatives or central nervous system stimulants if such violation is related to operation of the company or violation of any section of this Code or other ordinances of the city governing the conduct of holders of company permits.

(5) Violation of any of the sections of this Code or other ordinances regulating vehicle for hire companies or excessive violations of regulations governing vehicles for hire by drivers or CPNC holders affiliated with the company.

(c) No company permit issued by the city shall be revoked or suspended except upon a finding of due cause as defined in subsection (b) of this section and after a hearing and upon a prior five-day written notice to the company stating the
(4) For each additional passenger in excess of one riding in the vehicle on the same trip, $1.00 per person. Only one child in the company of an adult will be charged the additional passenger fee; any additional children will not be charged any additional passenger fee. Children under six will not be charged.

(5) For use of additional space for luggage, trunks or cargo for which the trunk space in a four-door sedan would not be adequate, $5.00. This charge may be assessed only when a passenger has more than three pieces of luggage. The driver must inform the passenger of this fee before luggage is loaded. The term "luggage" shall not mean carry-on bags.

(6) A 20 percent discount on a metered fare be given to a disabled or senior citizen.

(b) For taxicab trips between (to and from) the Atlanta airport and destinations within the downtown zone described in subsection (d) of this section, passengers shall be charged a flat rate fare based upon the number of passengers entering the taxicab at the beginning of the trip. Three or more passengers shall be charged $8.00 each (not to exceed $24.00), two passengers shall be charged $10.00 each ($20.00 for two), and one person traveling alone shall be charged $18.00. In addition to such flat rate fares, a charge of $15.00 per hour of waiting time shall be imposed. If passengers on the same trip desire different locations within the same flat fare zone, after the first stop, a $1.00 charge, in addition to the per-passenger fare, will be assessed to each passenger discharged. Sedans will charge $30.00 per trip for one or two passengers and $35.00 per trip for three or more passengers to and from the Atlanta airport and destinations within the downtown zone described in subsection (d) of this section. For taxicab trips between (to and from) the Atlanta airport and to a destination within the Buckhead business zone described in subsection (d) of this section, passengers shall be charged a flat rate fare based upon the number of passengers entering the taxicab at the beginning of the trip. Three or more passengers shall be charged $10.00 each (not to exceed $30.00), two passengers shall be charged $15.00 each ($30.00 for two), and one (1) person traveling alone shall be charged $28.00. In addition to such flat rate fares, a charge of $15.00 per hour of waiting time shall be imposed. If passengers continue in the same flat fare zone, after the first stop, a $1.00 charge, in addition to the per-passenger fare, will be addressed to each passenger discharged. Sedans will charge $35.00 per trip for one or two passengers and $40.00 per trip for three or more passengers to and from the Atlanta airport and destinations within the Buckhead business zone described in subsection (d) of this section.

(c) If two or more passengers enter the same taxicab at the airport and the destinations of such passengers are not all within the downtown zone, the passenger going to the downtown zone shall pay the flat rate as set out in subsection (b) of this section, and the remaining passenger shall pay the same fare as the first passenger plus the fare computed on the meter as set out in subsection (a) of this section for the remaining segment of the trip. If passengers on the same trip desire different locations within the same flat fare zone, after the first stop, a $1.00 charge or $0.50 for senior and disabled citizens, in addition to the per-passenger fare, will be addressed to each passenger discharged.

(d) The Atlanta downtown zone is described below in subsection (f) as the downtown flat rate zone. The legal description of the Buckhead business zone shall be as follows:

Beginning at a point at the intersection of Peachtree Road and Wieuca Road, and proceeding generally in an easterly direction on Peachtree Road to Roxboro Road; thence proceeding in a southerly direction along Roxboro Road to Buford Highway; thence proceeding in a southerly direction along Buford Highway to Sidney Marcus Boulevard; thence proceeding in a westerly direction on Sidney Marcus Boulevard to its intersection with Piedmont Road; thence proceeding on Piedmont Road in a northerly direction to its intersection with East Wesley Road, continuing on East Wesley Road to West Wesley Road in a westerly direction to Interstate 75; thence proceeding in a northerly direction on I-75 to its intersection with Mount Paran Road; thence proceeding in an easterly direction to its intersection with Northside Drive;
VEHICLES FOR HIRE

(2) Not holding a certificate under this article, to hold such person out to the public or advertise that such person renders a limousine service in the city; or

(3) To advertise rates for limousine service which are not in compliance with the sections governing rates contained in this division.

(Code 1977, § 14-82031)

Sec. 162-133. Fares.

Fares which a limousine service shall charge for limousine rental shall be not less than $25.00 per hour or more than $60.00 per hour. Fares for an extended limousine shall not be less than $25.00 per hour per vehicle or more than $60.00 per hour per vehicle. A limousine service, an extended limousine service, sedans and vans may not charge fares based upon fractions of an hour except after the second hour of service. This schedule of rates notwithstanding, limousines, extended limousines, sedans and vans traveling between the international airport and to points in and beyond the downtown convention area, so long as such points are within the legal limits of the city, shall charge not less than $50.00 per limousine or extended limousine trip, not less than $40.00 per sedan trip and not less than $40.00 per van trip.

(Code 1977, § 14-8202(h))

Sec. 162-134. Limousines at Hartsfield Atlanta International.

This division shall not apply to those limousines which are subject to the regulations set forth in chapter 22, article III, division 7, pertaining to airport ground transportation services.

(Code 1977, § 14-8198)

Sec. 162-135. Inspection of noncity limousines.

The limousines operated by noncity limousine companies and permitted pursuant to this division to operate within the city are subject to the same inspection requirements and procedures as those required pursuant to section 162-34 of limousines owned and operated by city limousine companies.

(Code 1977, § 14-8200)


Subdivision II. Stickers

Sec. 162-141.1. Required for limousine companies located outside city limits.

(a) Any limousine company located outside the city which desires to operate its limousines on the streets of the city for the purpose of soliciting passengers in the city may apply for a sticker from the city bureau of vehicles for hire.

(b) The bureau of vehicles for hire will issue stickers to any limousine company located outside the city limits for each of its vehicles if the company meets the requirements set forth in this subdivision by the bureau.

(Code 1977, § 14-8191)

Sec. 162-141.2. Company requirements to obtain and secure sticker.

(a) In order to obtain a sticker for a limousine that is part of a fleet of limousines owned by a company not located in the city, the company must provide to the bureau of vehicles for hire:

(1) A log listing the year, make, model and vehicle identification number (serial number) of each limousine that the company intends to operate within the limits of the city.

(2) The name, social security number and address of the driver of the vehicle.

(3) The state form G vehicle ID cab card issued by the state public service commission for each limousine that the company intends to operate within the limits of the city; the bureau of vehicles for hire will make a copy of such form to maintain in its files.

(4) The registration permit issued by the state public service commission; the bureau of vehicles for hire will make a copy of such form to maintain in its files.
(c) No sticker which has been issued or which may be issued in the future by the city shall be revoked or suspended except upon finding of due cause, as defined in subsection (b) of this section, and after a hearing and upon a prior five-day written notice to the sticker holder, stating the place, date, time and purpose of such hearing and setting forth the charge or charges upon which the hearing shall be held. The hearing shall be held within 15 days of the date the notice is issued.

(d) A panel of duly appointed hearing officers shall conduct the hearing pursuant to this section and report its conclusions and recommendation to the mayor or designee. The mayor or designee, upon receiving same, may revoke or suspend any sticker. In lieu of suspension or revocation pursuant to this section, the mayor or designee may impose a fine upon any sticker holder, such fine not to exceed $500.00 for each violation. The maximum period of suspension of a sticker shall be 12 months.

(e) After revocation of a sticker pursuant to subsection (b)(2) of this section, no application for a sticker shall be accepted or considered for a period of 12 months from the date of revocation.

(f) For due cause, in the event of a violation of this division which results in a situation in which continued operation by the sticker holder endangers the health, welfare or safety of the public, the mayor or designee may suspend any sticker pursuant to this section. Such immediate temporary suspension may be done upon summary consideration of facts that indicate due cause and of facts that indicate an immediate danger. Notice of the temporary suspension shall be given immediately to the sticker holder stating the facts upon which the suspension is based and stating the time and place of a full hearing as provided in subsections (c) and (d) of this section.

(g) Whenever any person holding a sticker is convicted of or pleads guilty to or pleads nolo contendere to any of the following offenses, in any court, such disposition shall constitute due cause for suspension, revocation or a fine in accordance with subsections (b), (c) and (d) of this section: Driving under the influence of intoxicating beverages or drugs, criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, criminal solicitation to commit any of the above, criminal attempt to commit any of the above or possession, sale or distribution of narcotic drugs, barbiturate acid derivatives or central nervous system stimulants.

(Code 1977, § 14-8193)

Sec. 162-141.4. Fees.

Any limousine company which is not located in the city who applies for a sticker under this division shall pay:

(1) A fee of $150.00 to the bureau of vehicles for hire for the investigation and processing of the application; and

(2) An annual sticker fee in the amount of $375.00 per vehicle for each sticker to operate the limousine within the limits of this division.

(Code 1977, § 14-8196)

Sec. 162-141.5. Reciprocity with other municipalities.

If any other municipality in the state should enact legislation which is similar in nature to that contained in this division, then as to the sticker fee for a particular vehicle required by section 162-141.4, such fee shall be reduced by any vehicle permitting fee charged to that particular vehicle by such municipality; but such sticker fee shall not be reduced to less than $250.00 for any one vehicle. This section applies only when such other municipality grants similar reciprocity to Atlanta companies and drivers.

(Code 1977, § 14-8199)

Secs. 162-141.6—162-142. Reserved.

Subdivision III. Driver's Permits

Sec. 162-142.1. Required for drivers of noncity limousines.

(a) In order to drive a limousine owned and operated by a company which is not located in the
(3) Violation by a driver of any of the following offenses:

a. Driving under the influence of intoxicating beverages or drugs.

b. Criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, criminal solicitation to commit any of the above, criminal attempt to commit any of the above or possession, sale or distribution of narcotic drugs, barbituric acid derivatives and/or central nervous system stimulants if such violation or violations are related to operation of the company, or violation of any ordinances of the city governing the conduct of drivers of vehicles for hire.

(4) Providing false information to the bureau.

(5) Violations of any ordinances or law, other than minor traffic offenses, in connection with the operation of a vehicle for hire.

(6) Whenever it shall appear that a driver has disorders characterized by lapses of consciousness or other mental or physical disabilities affecting such driver’s ability to drive safety.

(7) Four or more moving traffic violations in any 12-month period.

(c) No driver’s permit which has been issued or which may be issued in the future by the city shall be revoked or suspended except upon finding of due cause, as defined in subsection (b) of this section, and after a hearing and upon a prior five-day written notice to the permit holder, stating the place, date, time and purpose of such hearing and setting forth the charge or charges upon which such hearing shall be held. The hearing shall be held within 15 days of the date the notice is issued.

(d) A panel of duly appointed hearing officers shall conduct the hearings pursuant to this section and report its conclusions and recommendation to the mayor or designee. The mayor or designee, upon receiving same, may revoke or suspend any permit. In lieu of suspension or revocation pursuant to this section, the mayor or designee may impose a fine upon any permit holder, such fine not to exceed $500.00 for each violation. The maximum period of suspension of a permit shall be 12 months.

(e) After revocation of a permit pursuant to subsections (c) and (d) of this section, no application for a permit shall be accepted or considered for a period 12 months from the date of revocation.

(f) For due cause, in the event of a violation of this article which results in a situation in which continued operation by the permit holder endangers the health, welfare or safety of the public, the mayor or designee may suspend any permit pursuant to this section. Such immediate temporary suspension may be done upon summary consideration of facts that indicate due cause and of facts that indicate an immediate danger. Notice of the temporary suspension shall be given immediately to the permit holder stating the facts upon which the suspension is based and stating the time and place of a full hearing as provided in subsections (c) and (d) of this section.

(g) Whenever any person holding a permit is convicted of or pleads guilty to or pleads nolo contendere to any of the following offenses, in any court, such disposition shall constitute due cause for suspension, revocation or a fine in accordance with subsections (b), (c) and (d) of this section: Driving under the influence of intoxicating beverages or drugs, criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, criminal solicitation to commit any of the above, criminal attempt to commit any of the above or possession, sale or distribution of narcotic drugs, barbituric acid derivatives or central nervous system stimulants.

(Code 1977, § 14-8195)

Sec. 162-142.3. Fees.

Any limousine driver who applies for a permit under this division shall pay:

(1) A fee of $35.00 to the bureau of vehicles for hire for the investigation and processing of the application; and
Sec. 162-149. Operating specifications.

Animal-drawn vehicles shall adhere to the following operating specifications during the hours of operation:

1. Vehicles shall not make any left turn movements except from one-way streets.
2. Vehicles shall travel in the curb lane except when passing parked vehicles or other obstructions which prevent use of the curb lane.
3. Vehicles shall not travel on streets with grades equal to or greater than ten percent without approval of the bureau of traffic and transportation.
4. Vehicles shall not stop within the roadway other than at designated loading and unloading areas except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.
5. Vehicles shall observe all applicable rules of the road as set forth in the state rules of the road.

(Code 1977, § 14-8047)

Sec. 162-150. Route system.

A proposed detailed route system of an animal-drawn vehicle for hire shall be submitted to the bureau of traffic and transportation for review, recommendation and approval. The bureau of traffic and transportation shall designate streets and hours of the day that animal-drawn vehicles will be prohibited. A route system shall be submitted for each vehicle to be placed into operation. This detailed route system shall include the following information:

1. The hours of operation for the vehicle.
2. The days of the week the vehicle will be in operation.
3. The duration of the operation, i.e., summer only or yearround.
4. All locations for loading and unloading passengers.

(Code 1977, § 14-8046)

Sec. 162-151. Health of animal.

No animal shall be permitted to pull any vehicle for hire unless the animal is in good health and meets at least the following requirements:

1. The animal must be at least 30 months old.
2. The animal must weigh no less than 900 pounds.
3. The animal shall have no open sores or wounds, shall not be lame or have any other ailment. Any animal found to have an ailment shall not be used without the approval of an approved veterinarian.
4. The animal must be groomed daily and not have fungus, a dirty coat or show symptoms of illness or irritation.
5. The animal must have adequate flesh and muscle tone. The ribs showing on the animal must be no deeper than one-fourth inch.
6. The animal must be no more than six months pregnant.
7. The body weight of the animal must be submitted to the bureau and Fulton County once yearly and upon request certified in accordance with standards established by the bureau and Fulton County.

(Code 1977, § 14-8035)

Sec. 162-152. Animal working conditions.

(a) No animal used as provided in this article shall be worked under any of the following conditions, and any owner allowed to let the conditions exist will be found in violation of this article:

1. If the animal or combination of animals shall pull any combined weight, including passengers and driver, in excess of two times the animal's body weight. No animal or combination of animals shall pull any vehicle which is occupied by a number of persons which exceeds such vehicle's normal safe seating capacity;
2. If the animal works more than ten hours in any 24-hour period without at least one 20-minute rest break or two ten-minute rest breaks per hour;
the insurance sticker, on a plate or tag approved by the bureau. Each company will have its listed telephone number printed on the vehicle so as to receive comments and complaints regarding the animal-drawn vehicle service. Each company shall identify each of its carriages by a carriage number assigned by the bureau. This number shall be in addition to the CPNC number and shall be affixed to each side and the rear of the carriage, in a color which contrasts with the carriage background color. The carriage number shall be at least five inches high.
(Code 1977, § 14-8038)

Sec. 162-155. Use of whips.

No driver of an animal-drawn vehicle for hire may whip an animal with more than a light touch by a light whip approved by the Fulton County S.P.C.A.
(Code 1977, § 14-8038)

Sec. 162-156. Diapers.

No animal shall pull a vehicle for hire unless such animal is wearing a diaper. Diapers must be properly fitting and constructed of a sturdy material to ensure comfort to the animal and complete waste disposal.
(Code 1977, § 14-8040)

Sec. 162-157. Shoes.

No animal shall be used to pull a vehicle for hire without properly fitting shoes on each properly trimmed hoof. Should an animal throw a shoe during its shift, the time and location must be noted on the trip sheet, and the hoof must be examined by the driver and any nails removed. If the animal's hoof is grown more than one-fourth inch from the quick, the horse may complete the shift, but must be shod prior to the next day's shift. If the shoe is thrown and the horse put back in service prior to the shoe being replaced, the driver is subject to enforcement procedures, including but not limited to warnings and compliance notices and, in applicable situations, cruelty to animal prosecutions.
(Code 1977, § 14-8041)

Sec. 162-158. Water.

Adequate water for animals pulling vehicles for hire will be provided in the stables at all times and in working areas as often needed and as climate and working conditions require.
(Code 1977, § 14-8042)

Sec. 162-159. Stalls and stables.

(a) Ventilation and fresh air shall be provided in stalls housing animals used to pull vehicles for hire so as to minimize drafts, odors and moisture condensation.

(b) Ceilings in stalls and stables must be at least ten feet high from bedding flooring.

(c) Bedding in stalls and stables shall be highly absorbent and comfortable, if in direct contact with the animal and shall be provided as follows:

(1) Bedding shall be deep enough so as not to show wetness under the pressure of the animal.

(2) Bedding so used shall not be a type that will harm or in any way be a discomfort to the animal.

(3) Bedding shall be deep enough to provide warmth to the animal.

(4) Surfaces, including floors, with bedding shall be free of odor and waste and shall be cleaned and disinfected regularly.

(d) Stalls and stables shall be structurally sound and maintained in good repair to protect the animals from injury, and to contain them.

(e) Stalls and stable floors or surfaces shall be constructed and maintained to protect the animal's feet and legs from injury.

(f) Stalls and stables shall be constructed and maintained so as to enable the animals to remain dry and clean.

(g) Stalls shall be constructed and maintained to provide sufficient space to allow each animal to turn about freely and to easily stand, sit or lie in a comfortable, normal position.
DIVISION 2. PERMIT

Sec. 162-196. Required.

The permit for the rendering of sightseeing service shall be applied for in the same manner as the application for permits pursuant to article II, division 4 of this chapter.
(Code 1977, § 14-8162)

Sec. 162-197. Criteria for issuance.

No permit for sightseeing service shall be issued to or retained by an owner unless the sightseeing service complies with the following:

(1) All operators shall obtain and maintain a driver's permit as provided in article II, division 3 of this chapter.

(2) All vehicles rendering sightseeing service shall be inspected by a police officer and found to be sightseeing cars and found to meet reasonable standards of comfort and safe operation, as prescribed by section 162-34.

(3) The owner shall designate and maintain an office in the city and shall garage the sightseeing cars in the city and make them available for inspection at all reasonable times by a police officer.

(4) The owner shall provide and maintain the bond or insurance required by section 162-55.

(Code 1977, § 14-8163)

Sec. 162-198. Transferability.

Any permit granted in accordance with this division may be transferred in the same manner as provided in section 162-103.

(Code 1977, § 14-8164)

Sec. 162-199. Suspension or revocation.

The mayor may suspend or revoke, after hearing, any permit issued in accordance with this division, where the holder has failed to comply with or has willfully or knowingly violated any of the sections of this article.

(Code 1977, § 14-8165)

Secs. 162-200—162-220. Reserved.

ARTICLE IV. WRECKERS AND TOWING SERVICES*

Sec. 162-221. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Wrecker means an automotive vehicle with hoisting apparatus and equipment for towing wrecked or disabled automobiles or other vehicles. The term “wrecker” also includes any vehicle otherwise equipped and used for the purposes of towing wrecked or disabled automobiles or vehicles.

(Code 1977, § 14-9001)

Cross reference—Definitions generally, § 1-2.

Sec. 162-222. Compliance required.

It shall be unlawful for any person, either as principal, agent or employee, to use or operate upon any of the streets of the city any wrecker or towing car without complying with this article.

(Code 1977, § 14-9002)

Sec. 162-223. Licensing and registration.

(a) It shall be unlawful for any person, either as principal, agent or employee, to use or operate upon any of the streets of the city a wrecker or to do any trespass towing (as defined in O.C.G.A. § 44-1-13) without having obtained a license granted by the mayor as provided in this section.

(b) Every person desiring to obtain a license required in this section shall make written application to the chief financial officer for that privilege upon forms to be prepared and approved by the police permits section. The application shall state the name and address of the applicant; place where the proposed business is to be located; nature and character of the business to be carried on; if a partnership, the names of the partners; if a corporation, the name of the officers; the charges to be imposed for various services; amounts and

*State law references—Abandoned vehicles, O.C.G.A. § 40-11-1 et seq.; restriction on municipal licensing of wreckers, O.C.G.A. § 48-13-10.1
Sec. 162-224. Fees.

The annual application fee shall be $120.00 for each truck operated by a wrecker service payable by the wrecker company and $50.00 for each wrecker driver. The annual registration fee shall be $25.00 for the operation of a wrecker service. All registrations shall expire on June 30 of each year and shall be renewed between June 1 and June 30 of each year.

(Code 1977, §§ 14-9004, 19-14.034)

Sec. 162-225. Revocation of license; appeals from order of revocation.

(a) The police chief or the chief's designee may revoke the license to operate a wrecker of any person on any of the following grounds:

(1) If the license to operate was procured by fraudulent conduct or false statement of a material fact;

(2) If the licensee proceeds to the scene of an accident in violation of this article;

(3) If the licensee uses a police radio to obtain information as to the location of the scene of an accident;

(4) If the licensee shall pay in the form of a gratuity any person not interested in an accident for information as to the location of an accident;

(5) If the licensee makes any payment to the owner or one in possession of a parking lot or vacant lot in excess of the reasonable and customary fee ordinarily charged by the owner or person in possession of the parking lot or vacant lot for parking thereon, such payment shall be considered a kickback;

(6) If the licensee charges fees in excess of those set out in section 162-227 or violates section 162-233; or

(7) If the licensee violates O.C.G.A. § 44-1-13 or any section of this article.

(b) The violation of any three provisions of this article by any owner or by any employee of a wrecker service or company shall result in the automatic revocation of the wrecker service or company's license.

(c) This revocation shall terminate all authority and permission granted by the license to operate issued to the wrecker owner or any person. Any person whose license has been revoked shall not be eligible to again apply for a license for a period of one year from the date of the revocation.

(d) Any person whose license to operate has been revoked by the police chief or the chief's designee may file an appeal to the license review board within 20 days from the date of revocation. The license review board shall have authority, upon the hearing of the appeal, to recommend to the mayor to reverse, vacate or modify the order of a revocation.

(Code 1977, § 14-9005)

Sec. 162-226. Fingerprint; permits.

(a) It shall be unlawful for any person to drive, use or operate upon any of the streets of the city any wrecker without first having been fingerprinted by the department of police and having been issued a permit by the department of police indicating that this person is eligible to use, drive or operate a wrecker.

(b) The department of police shall conduct a complete search relative to any police record of the person fingerprinted. If there is a record of a violation of this article, no permit will be issued and the person shall be ineligible to use, drive or operate a wrecker upon any of the streets of the city, however, any person denied a permit under this section shall have the right of appeal to the license review board.

(c) Any permit issued under this article shall expire as set forth in this subsection unless earlier canceled or revoked by the mayor or the mayor's designee. The mayor or the mayor's designee may prescribe regulations for certifying the eligibility of this person to continue to use, drive or operate a wrecker without the necessity of this person being again fingerprinted. The annual permit fee shall be $5.00. This permit shall expire on December 31 of the calendar year for which it was effective and shall be renewed between December 1 and December 31 of each calendar year.
towing work by the operator or the occupant of a wrecker while parked on any street or bridge is also prohibited. A wrecker operator shall not proceed to the scene of a disabled vehicle without having been requested or notified to do so, as provided in section 162-229.
(Code 1977, § 14-9009)

Sec. 162-232. Notification upon removal of vehicle at request of other than police officer.

The operator of any wrecker removing a private motor vehicle at the request of any person other than a police officer on duty for the department of police shall report to the department of police the fact that the vehicle was removed and its present storage place, together with a description of the vehicle and the tag number. The report shall be made by the wrecker operator by telephonic communication within one hour of the deposit of the vehicle at its storage point.
(Code 1977, § 14-9010)

Sec. 162-233. Impound lot; attendant.

(a) Every person operating a wrecker service within the city shall maintain an impound lot within the city limits, and all vehicles impounded within the city limits shall be delivered to this lot.

(b) Any person operating a wrecker upon the streets of the city and maintaining an impound lot within the city as set forth in subsection (a) of this section shall maintain an attendant at the impound lot 24 hours of every day, and this attendant shall be clothed with the authority to release any impounded vehicle upon the owner meeting the legal requirements for release.

(c) There shall be posted at the entrance to the impound lot nearest the impound lot office a sign, the minimum size of which shall be 24 inches by 24 inches, painted white with red lettering, stating the towing charge, the storage rate per day, that checks and credit cards shall be accepted in lieu of cash and for no additional fee, that no storage fee may be charged if the vehicle has been held less than 24 hours, that these conditions are required by state law and city ordinance, and that complaints may be made to the police permits section at 658-6620. The location of such sign must be approved by the police permits section as provided by state law.

(d) Lighting shall be provided at a minimum average maintained footcandle value of two on a horizontal plane at the finished surface or grade level.

(e) Upon impoundment of any vehicle by a wrecker service, the wrecker service shall maintain records which shall include the following information:

1. The date and time the call was received by the wrecker service;
2. The name of the caller;
3. The date and time of initial towing;
4. The place of initial towing;
5. The date and time of arrival at the impound lot;
6. The date and time of release to the owner; and
7. The name of the wrecker driver and helper.

(f) The records required by subsection (e) of this section shall be maintained at a location where affected members of the public may obtain such information by telephone or in person, during regular business hours. Further, all wrecker services, public and private, which impound vehicles shall register with the department of police the current telephone number of the person responsible for releasing the vehicles.

(g) It shall be unlawful for any wrecker service to operate within the city without employing the services of a check approval agency and the major credit card services; and it shall be unlawful to refuse to accept, in lieu of cash, any check which can be insured by a check approval agency, any draft drawn on a credit union which can be insured by a check approval agency or any major credit card for the payment of any and all fees and costs resulting from the towing and storage of the impounded vehicle. For purposes of this subsection, the term “major credit card” means a Visa, Mastercard, American Express, Discovery and
ORDINANCE BY

AN ORDINANCE CORRECTING SECTIONS OF CHAPTER 162, VEHICLES FOR HIRE.

WHEREAS, the following legislation was adopted by Council on December 5, 1995 and approved by the Mayor on December 11, 1995 and

WHEREAS, the legislation needs to be corrected due to errors in several sections.

Now, therefore, be it ordained by the Council of the City of Atlanta, Georgia, as follows:

Section 162-29 is hereby corrected by deleting $25.00 as the fee to be paid hearing officers and inserting $75.00.

Section 162-30-B is corrected to read as follows:

...... good for 30 days or until final action is taken by the Chief of Police. The regular permits will not be returned until any fines imposed by the Chief have been paid. In the case of a suspension no temporary permit will be issued or any temporary permit previously issued will also be surrendered to the Bureau . . . . .


AN ORDINANCE

BY COUNCILMEMBER C.T. MARTIN

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA SECTION 162-78(a)(2) PERTAINING TO DUTIES OF DRIVER TO MAINTAIN PERMIT, DRESS CODE PROVISIONS IN THE CITY OF ATLANTA BUREAU OF VEHICLES FOR HIRE CODE SECTION; AND FOR OTHER PURPOSES.

WHEREAS, the regulation of the vehicle for hire industry includes a provision regulating the attire of taxicab drivers;

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

Section 1. That the language contained in Section 162-78(a)(2) delete the words "nor fabricated using denim material" so that the new language shall read as follows:

"Wear proper dress while providing or offering to provide "vehicle for hire services". As used herein, the term "proper dress" shall mean the following: shoes which cover the foot (no sandals); pants to ankle length or a skirt or dress not shorter than knee length; pants shall not be noticeably torn; shirts or blouses must have sleeves, but need not have collars; the term "shirts or blouses" does not include tee shirts; shirts will not be required to be tucked in if they are finished at the bottom; clothing shall not be visibly soiled".

Section 2. That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Municipal Clerk, CMC

ADOPTED as amended
APPROVED by the Mayor
March 16, 1998
March 23, 1998
AN ORDINANCE TO AMEND CHAPTER 162, ARTICLE II, SECTION 162-39(C) SO AS TO ALLOW SPORTS UTILITY VEHICLES TO BE USED AS TAXICABS IN THE CITY OF ATLANTA; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, Section 162-39(c) of the City of Atlanta Code of Ordinances provides that a taxicab may only be a “station wagon,” a “sedan” or a “minivan”; and

WHEREAS, THE City of Atlanta desires to allow sports utility vehicles to be used as taxicabs; and

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

SECTION 1. That Chapter 162, Article II, Section 162-39(c) is hereby amended to add additional language to the end of the existing language so that said section shall read as follows:

(c) No taxicab shall have less than three doors for loading passengers, and each taxicab must be a station wagon, a sedan, a minivan or a sports utility vehicle. All such vehicles shall meet the emission standards as set by federal guidelines for their particular class.

SECTION 2. That all ordinances or parts thereof in conflict with this ordinance are hereby repealed.

ADOPTED by the City Council
July 08, 1999

APPROVED by the Mayor
July 12, 1999