Chapter 126  VEHICLES FOR HIRE*

*Cross reference(s)--Finance, § 2-126 et seq.; transit system advisory board, § 2-201 et seq.; licenses, permits and businesses, ch. 78; traffic and vehicles, ch. 118.

ARTICLE I. IN GENERAL

Secs. 126-1--126-25. Reserved.

ARTICLE II. WRECKERS*

*State enabling legislation reference--Authority to regulate wrecker services, § 2-38(13).

DIVISION 1. GENERALLY

Sec. 126-26. 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.
ARTICLE IV. TAXICABS AND LIMOUSINES*

*State enabling legislation reference--Authority to regulate taxicabs, § 2-38(10), (13).

DIVISION 1. GENERALLY

Sec. 126-116. 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:

Business license means the license required of all persons engaged in business in the unincorporated areas of the county as set forth in chapter 78, concerning licenses, permits and businesses, as amended.

Chauffeur means, for purposes of this article, any person with a Georgia state driver's license who meets the qualifications as prescribed in O.C.G.A. § 46-7-85.10 and who is authorized by the public service commission to drive a sedan, limousine, extended limousine, van or minibus.

Director means the director of public safety.

Dispatcher means a person assigned to a base of operations, in contact with taxicabs of the licensee's company having access to a telephone to talk with passengers or place phone calls in the event of an emergency.

Domicile means the place where the corporate establishment is maintained; its principal place of business.

Licensee means a person licensed by the county business license office to engage in the vehicle for hire business.

Limousine means any motor vehicle that meets the manufacturer's specifications for luxury limousine with a designed seating capacity for no more than ten 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 as a limousine. Limousines and limousine carriers shall be fully regulated by the state under the public service commission.
Motor vehicle safety standards means standards promulgated by the public safety department for approval by the board of commissioners that all vehicles for hire regulated under this article must meet.

Operator's permit means the written authority granted by the public safety department to persons who qualify to operate vehicles for hire. Sometimes referred to as driver's permit.

Permittee means a person granted a permit to operate vehicles for hire in the unincorporated areas of the county.

Sedan means any luxury or nonluxury sedan or town car type vehicle which has a seating capacity of not more than five passengers and the driver and which does not contain a taximeter designed to measure electronically or mechanically the distance traveled or time.

Sedan carrier means any person operating a service regularly rendered to the public by furnishing transportation as a motor common carrier for hire, not over fixed routes, by means of sedans driven by chauffeurs on the basis of telephone contract, written contract or other prearrangement.

Taxicab means a motor vehicle used as a public conveyance which does not meet the requirements of a limousine, is not a van, minibus or sedan, has a taximeter and is subject to the rules and regulations of this article.

Taxicab stand means any area on privately owned property which is approved and designated for the parking, stopping or standing of taxicabs by the property owner or person lawfully responsible for the property for the purpose of accepting or soliciting any consideration, charge or fee in exchange for transportation by or other use of the taxicabs. Such designation must be made in writing granting express authority to the licensee to operate from or within a taxicab stand by the property owner or person responsible for the property and kept on file at the business license office for each current year of the designation.

Valid complaint means a complaint against an operator or business to the business license office where the complainant provides his name, address and substance of complaint, and expresses a willingness to attend any hearing regarding his complaint.

Van means any motor vehicle, other than a limousine, extended limousine, minibus or a sedan, with a designed seating capacity for no more than 15 passengers, including the driver.

Vehicle for hire means any motor vehicle designed or used for the purpose of transporting passengers for consideration or charges which are determined by agreement, contract, mileage or by the length of time the vehicle is used. Such term does not include vehicles regulated by the state public service commission. For the purposes of this article, vehicles for hire shall mean taxicabs and sedans.

Vehicle permit sticker means a sticker issued to a licensee upon proof of insurance and verification of compliance with county vehicle mechanical safety standards, to be placed on each vehicle for hire operated under this article and renewed annually.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-81; Ord. of 6-27-95(2))

Cross reference(s)—Definitions generally, § 1-2.

Any person who within the unincorporated areas of the county engages in picking up passengers and accepting or soliciting any consideration, charge or fee which is determined by an agreement, by mileage, by the length of time the vehicle is used or by contract for the use of any motor vehicle or other vehicle designed or used for the purpose of transporting is deemed to be engaged in the business of vehicles for hire.
OFFICIAL CODE County of COBB, GEORGIA Codified through Ordinance of January 11, 2000. (Supple
PART I OFFICIAL CODE OF COBB COUNTY, GEORGIA
Chapter 126 VEHICLES FOR HIRE*
ARTICLE IV. TAXICABS AND LIMOUSINES*
DIVISION 1. GENERALLY

(Ord. of 4-26-94; Code 1977, § 3-25-82; Ord. of 6-27-95(2))

Sec. 126-118. Sedan carriers and chauffeurs exempt from certain provisions.

(a) The following provisions of this article shall not apply to sedan carriers:

(1) Subsection 126-151(c)(4), regarding a copy of the rate schedule and operation hours.

(2) Subsection 126-151(c)(8), regarding dispatcher's address and operating hours.

(3) Subsection 126-153(1)a, regarding submitting a company logo and/or identification color scheme.

(4) Subsections 126-121(a), (b) and (c), regarding vehicle markings and rates.

(5) Subsection 126-122(c), regarding the prominent display of the telephone number of the business license office.

(6) Subsection 126-129(a), regarding the first sentence pertaining to notification of a dispatcher concerning personal property left behind.

(7) Subsection 126-130(a), second sentence, regarding display of the business license office telephone number.

(b) The following provisions shall not apply to a chauffeur if such chauffeur can show that he has provided substantially the same information to the public service commission within the last 12 months:

(1) Subsection 126-151(c), regarding submitting to a police clearance consisting of a background investigation and/or fingerprinting.

(2) Subsection 126-171(c), regarding submitting to a police clearance consisting of a background investigation and/or fingerprinting.

(c) All other provisions of this article shall remain in full force and effect with regard to sedan carriers and chauffeurs.

(Ord. of 6-27-95(2))
OFFICIAL CODE County of COBB, GEORGIA Codified through Ordinance of January 11, 2000. (Supple
PART I OFFICIAL CODE OF COBB COUNTY, GEORGIA
Chapter 126 VEHICLES FOR HIRE*
ARTICLE IV. TAXICABS AND LIMOUSINES*
DIVISION 1. GENERALLY
Sec. 126-119. Previous denial or revocation of business license or operator's permit.

Sec. 126-119. Previous denial or revocation of business license or operator's permit.

All persons who have had their business license or operator’s permit revoked must reapply for a license or permit. No license or operator’s permit shall be issued to an applicant if within 12 months immediately preceding the filing of the application the applicant for a license, operator’s permit or renewal has had an application denied or a license or operator’s permit revoked.

(Ord. of 4-26-94; Code 1977, § 3-25-90; Ord. of 6-27-95(2))

Sec. 126-120. Vehicle safety standards; verification.

(a) Each person operating a taxicab service or as a sedan carrier shall maintain each vehicle thus operated in a good, safe and serviceable mechanical condition.

(b) The public safety department shall recommend minimum motor vehicle safety standards for approval by the board of commissioners. These standards will be filed with the clerk of the county, the business license office and the public safety department. All persons or entities operating, owning or leasing vehicles for hire shall be presumed to have knowledge of such standards. All vehicles for hire operating on the roads and streets of the unincorporated areas of the county will be required to maintain their motor vehicles in compliance with such standards. A verification statement that the motor vehicles to be used in the business meet or exceed the requirements and standards approved by the board of commissioners shall be required before vehicle permit stickers may be issued. Such verification must be executed by the sole proprietor, named partner or president or CEO of a corporation.

(c) Vehicles shall be subject to random inspections at any time by the public safety department and business license office. A vehicle found to be substandard shall be removed from service immediately and will remain removed from service until adequate proof is provided to the director of public safety or his designee or the supervisor of the business license office that the vehicle is compliant with the standards approved by the county. Proof that a vehicle has been brought into compliance with the standards shall not affect the ability to assess any and all civil or criminal penalties or actions against the business or driver for violation of this Code.

(Ord. of 4-26-94; Code 1977, § 3-25-86; Ord. of 6-27-95(2))

Sec. 126-121. Vehicle markings; rates.

(a) Each taxicab shall plainly and prominently advertise the name and telephone number of the person who holds the business license to operate the vehicle. Such advertisement shall be permanently affixed to both sides of the vehicle in a manner that prohibits the transfer of the advertisement from one vehicle to another.

(b) A schedule of rates and hours of operation shall be marked on the side of the taxicab so as to be plainly visible to persons seeking to engage such vehicle for hire and shall be filed with the business license office by the licensee.

(c) Each taxicab shall have a taxi rooftop mounted on the roof of the vehicle. Such rooftop shall have a lighting system functional for nighttime operation.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-91; Ord. of 6-27-95(2))

Sec. 126-122. Interior requirements of vehicles for hire.

.../om_isapi.dll?advquery=taxicabs&depth=2&hitsperheading=on&infobase=10572.nfo&record=7/27/00
(a) The interior of each vehicle for hire shall be maintained in a 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.
OFFICIAL CODE County of COBB, GEORGIA Codified through Ordinance of January 11, 2000. (Supple
PART I OFFICIAL CODE OF COBB COUNTY, GEORGIA
Chapter 126 VEHICLES FOR HIRE*
ARTICLE IV. TAXICABS AND LIMOUSINES*
DIVISION 1. GENERALLY
Sec. 126-122. Interior requirements of vehicles for hire.

(b) All vehicles for hire shall present a clean environment for passengers.

(c) The telephone number of the business license office shall be prominently displayed within the taxicab, designating such number as the number to call when filing complaints.

(d) Permittees and licensees shall be responsible for compliance with this section.

(Ord. of 4-26-94; Code 1977, § 3-25-92; Ord. of 6-27-95(2))

Sec. 126-123. Parking of taxicabs.

The driver of a taxicab shall not park upon any street in any business district at any place other than at a taxicab stand, except that this section shall not prevent the driver of such vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in loading and unloading passengers, and from making emergency repairs.

(Ord. of 4-26-94; Code 1977, § 3-25-93; Ord. of 6-27-95(2))

Sec. 126-124. Daily dispatch log sheets.

In order to maintain a license to operate a vehicle for hire service, a licensee must maintain daily dispatch log sheets, which shall be kept on file at the licensed business premises for a minimum of one year. Dispatch log sheets shall indicate all passengers carried, the time, place of entry and destination of each passenger, the amount charged and an itemization of any personal property left in the vehicle for hire.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-94; Ord. of 6-27-95(2))

Sec. 126-125. Cruising.

Operators of taxicabs are prohibited from cruising. Cruising is defined as moving about the streets of the unincorporated areas of the county or any private property for the purpose of picking up and transporting passengers who have not previously requested such service by telephone or by personal command. Licensees under this article are responsible for ensuring that no driver participates in cruising.

(Ord. of 4-26-94; Code 1977, § 3-25-95; Ord. of 6-27-95(2))

Sec. 126-126. Call jumping.

Licensees under this article shall not participate in nor allow their drivers to practice call jumping or the act of intercepting a passenger who has requested service from another company.
OFFICIAL CODE County of COBB, GEORGIA Codified through Ordinance of January 11, 2000. (Supple
PART I OFFICIAL CODE OF COBB COUNTY, GEORGIA
Chapter 126 VEHICLES FOR HIRE*
ARTICLE IV. TAXICABS AND LIMOUSINES*
DIVISION 1. GENERALLY
Sec. 126-126. Call jumping.

(Ord. of 4-26-94; Code 1977, § 3-25-96; Ord. of 6-27-95(2))

Sec. 126-127. Appearance and hygiene of drivers.

Drivers of vehicles for hire must practice good personal hygiene and wear proper dress while operating a
vehicle for hire. Proper dress shall mean the wearing of shoes, ankle-length pants, a shirt or blouse with
sleeves and collar. Hats must be of the baseball style or chauffeur’s cap. Clothing must be clean and not visibly
soiled.

(Ord. of 4-26-94; Code 1977, § 3-25-97; Ord. of 6-27-95(2))

Sec. 126-128. Business audits.

Each person licensed to do business under the provisions of this article and chapter 78, including limousine
carriers, shall be subject to audit by the county. The county shall conduct such audit at reasonable times and
with prior notice to the licensee.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-98; Ord. of 6-27-95(2))

Sec. 126-129. Drivers’ duties and responsibilities.

(a) Drivers of taxicabs shall notify their dispatcher of any personal property left in the vehicle for hire and
such property shall be noted on the daily dispatch log sheets. Within 24 hours of discovery of any personal
property left by a passenger, a driver shall forward such property to the public safety department or to its
company’s headquarters. Licensees shall maintain an accurate log of all private property held by them and the
names of all persons claiming and receiving such property for a minimum of one year.

(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 who is not permitted and for any person who is not
licensed to solicit or engage passengers within the unincorporated areas of the county.

(d) No driver shall 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 or religious
belief.

(f) No driver shall be permitted to carry nonpaying passengers in a taxicab while transporting a paying
passenger or passengers except for the purpose of driver training.

(g) It shall be unlawful for a driver to operate his vehicle in a manner which threatens a passenger or anyone
else, or to threaten or otherwise abuse a passenger.
(h) It shall 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 or area conditions do not permit a safe discharge to either the passenger or driver.

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

(j) It shall be unlawful for drivers to drive, or for companies or other entities to allow to be driven, any vehicle for hire which does not have a valid inspection sticker, is not validly insured or, if a taxicab, has an unsealed or improperly working taxifare meter.

(k) Persons or other entities operating a taxicab service or as a sedan carrier shall be prohibited from allowing such vehicles to be operated by persons not holding valid operator permits.

(l) Drivers shall not be required to carry more than $15.00 in change.

(m) Upon request of a passenger of a taxicab, drivers shall give receipts showing the amount of fare paid, name of company, license number, number of passengers, location of trip origination and location of trip termination. Upon request of a passenger of a sedan carrier, drivers of sedans shall give receipts showing the amount paid.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-99; Ord. of 6-27-95(2))

Sec. 126-130. Complaints; records; hearings.

(a) The business license office shall be responsible for receiving complaints concerning the operation of vehicles for hire in the unincorporated areas of the county. Pursuant to sections 126-121 and 126-122, the telephone number of the business license office shall be prominently displayed outside and inside the taxicab and shall designate such number as the number to call for filing complaints.

(b) The business license office shall maintain true and accurate records of the names and identification numbers of each driver permitted to drive vehicles for hire and each business licensed to operate a taxicab service or as a sedan carrier, together with other requirements of this article, and shall maintain a log of all complaints for each operator and licensee. If the business license office shall receive any article violation complaints concerning a particular operator, or three violation complaints concerning a licensee, the business license office shall notify the operator and licensee of the complaints if the business license supervisor sets a hearing on such complaints or suspends the operator's permit or business license. The operator or licensee will have the right to show cause that he is in compliance with the rules and regulations of this article.

(c) A hearing shall be set before the license review board no later than 30 days after the supervisor has notified the licensee or permittee of a hearing or has suspended a permit or license. The operator may use witnesses or other evidence to show his compliance with the ordinances of the county. If the license review board shall determine a violation on the part of the operator or licensee of the ordinances of the county, it may suspend or revoke the operator's permit or recommend to the board of commissioners suspension or revocation of the business license.

(d) The business license office shall maintain a true and accurate log of each complaint showing the name of the complainant, the address of the complainant and the substance of the complaint. Such records shall be available to the operator and licensee, and shall be deemed a public record.

(Ord. of 4-26-94; Code 1977, § 3-25-100; Ord. of 6-27-95(2))
Sec. 126-131. Reciprocity with other counties and municipalities.

If the board of commissioners adopts fees from time to time which provide a financial benefit to "resident" county companies and drivers, and in the event that any other Georgia county or municipality should enact provisions which are similar in nature to those contained in this section, and provided such other county or municipality grants similar reciprocity and to the same extent to county companies and drivers operating in its jurisdiction, then as to the applicable individual operator's permit fees, vehicle permit sticker fees and business license regulatory fees approved by the board of commissioners, the fees assessed against noncounty operators and licensees shall be reduced to the amount of the fee assessed against resident county drivers and licensees in such other county or municipality, but in no event will the fee be reduced to less than the fee assessed against county drivers and licensees operating in the unincorporated areas of the county.
Sec. 126-132.  Enforcement and penalty.

(a) The public safety department and the business license office shall enforce the regulations contained in this article.

(b) Violations of the provisions of this article shall be punished by the payment of fines up to $1,000.00 or imprisonment up to six months, or both. Each separate occurrence shall be deemed a separate offense.

(c) The violation of the provisions of this article by any person, corporation, partnership or other entity, whether a licensee or permittee, may be enjoined by instituting appropriate proceedings for injunctions in the courts of competent jurisdiction in this state. Such actions may be maintained notwithstanding that other adequate remedies at law exist. Such actions may be instituted in the name of the governing authority of the county.

(d) Violations of any provision of this article by any licensee shall be due cause for revocation of any Cobb County business license, after notice and hearing before the board of commissioners of Cobb County.

(e) Violations of any provision of this article by any permittee shall be due cause for revocation of any permit after notice and hearing as provided in this article.

(f) The remedies set forth in subsections (a) through (e) of this section are cumulative to each other.

(Ord. of 4-26-94; Code 1977, § 3-25-103; Ord. of 6-27-95(2))

Secs. 126-133--126-150.  Reserved.

DIVISION 2.  BUSINESS LICENSES AND VEHICLE PERMITS

Sec. 126-151.  License requirements generally.

(a) No person shall engage in the business of operating vehicles for hire, except limousines, in the unincorporated areas of the county without first having been issued a business license. Limousine carriers and other vehicles not regulated by this article but engaged in the business of vehicles for hire which are domiciled within the unincorporated areas of the county must be issued a business license and pay business license fees. All licenses shall be issued by the county business license office.

(b) The license must be posted in public view at the license location.

(c) In order to secure a business license to operate a taxicab service or as a sedan carrier, an applicant must provide information showing its qualifications on a form provided by the business license office of the county, information requested by the public safety department and must submit to a police clearance consisting of a background investigation and/or fingerprinting. If the applicant is other than a sole proprietor, all partners, officers, managers and stockholders holding a 20 percent or more interest in the company shall be subject to the provisions of this section. An applicant must:
Chapter 126  VEICLES FOR HIRE*
ARTICLE IV. TAXICABS AND LIMOUSINES*
DIVISION 2. BUSINESS LICENSES AND VEHICLE PERMITS
Sec. 126-151. License requirements generally.

(1) Be at least 21 years of age.

(2) Be a citizen of the United States or an alien admitted for permanent residence or a person who has otherwise been granted employment authorization by the United States Immigration and Naturalization Service.

(3) Not have been convicted, pleaded guilty, pleaded nolo contendere or been on probation or parole, for a period of five years previous 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; child molestation; any sex-related offense; driving a motor vehicle while under the influence of intoxicating beverages or drugs; leaving the scene of an accident; criminal solicitation to commit any of these listed offenses; attempts to commit any of these listed offenses; any felony in the commission of which a motor vehicle was used; perjury or false swearing; any crime of 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. § 42-8-60 et seq., relating to first offender status. If at the time of application the applicant is charged with any of the offenses prescribed in this subsection, consideration of the application shall be suspended until entry of a plea or verdict or dismissal.

(4) Provide a copy of the rate schedule and the daily hours of operation.

(5) Provide the name, address and telephone number of a responsible individual who is a fulltime employee in a management position of the applicant residing in the county who will be the registered agent for the purpose of serving of process.

(6) Provide proof of insurance pursuant to section 126-152.

(7) Provide information and verification pursuant to section 126-153.

(8) Provide the address of an office staffed by company agents or employees, including a dispatcher, that will be open between the hours of 7:00 a.m. and 7:00 p.m., and during any additional hours that any vehicle for hire associated with that company is being operated.

(d) All licenses obtained through the business license office of the county for taxicab companies or other entities shall not be transferrable.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-83; Ord. of 6-27-95(2))

Sec. 126-152. Insurance coverage.

(a) An applicant for a business license to operate a taxicab service or as a sedan carrier shall provide with the application proof of a single motor vehicle insurance policy which documents that all vehicles are to be used as a vehicle or vehicles for hire, covering public liability and property damage issued by an insurer authorized to do business in the state and in the applicant's name, which insurance shall have a term of at least six months in the following amounts per vehicle:

(1) $25,000.00 per death or bodily injury per person.
(2) $50,000.00 per death or bodily injury per occurrence.
(3) $15,000.00 personal property damage.

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OFFICIAL CODE County of COBB, GEORGIA Codified through Ordinance of January 11, 2000. (Supple
PART I OFFICIAL CODE OF COBB COUNTY, GEORGIA
Chapter 126 VEHICLES FOR HIRE*
ARTICLE IV. TAXICABS AND LIMOUSINES*
DIVISION 2. BUSINESS LICENSES AND VEHICLE PERMITS
Sec. 126-152. Insurance coverage.

Should the state law which requires motor vehicle liability minimum insurance coverage as evidence of security for bodily injury and property damage liability (O.G.G.A. § 40-9-1 et seq., the Motor Vehicle Safety Responsibility Act) be changed to require greater minimums in any category of liability listed in subsections (1) through (3) of this subsection, the minimum amounts listed in this subsection shall be automatically amended to require such amounts upon the effective date of such legislation with no additional notice to the public and no formal action required by the board of commissioners. Additionally, should there be enacted at any time laws affecting insurance requirements of vehicles for hire particularly, this article will automatically incorporate such requirements with no additional notice to the public and no formal action required by the board of commissioners. Applicant must further provide certifications from the insurer or the insurer's agent that notification of the cancellation of the insurance for a vehicle or vehicles of the applicant shall be provided to the department of the Cobb County police department that oversees the enforcement of the county of the county's vehicle for hire ordinance.

(b) All persons licensed to operate a taxicab service or as a sedan carrier in the unincorporated areas of the county as of the date of adoption of the ordinance from which this article is derived (June 27, 1995) shall be entitled to continue doing business, provided such person or entity submits to the business license office of the county proof of current insurance in the manner and amounts described above and verification pursuant to section 126-120 on or before the effective date of the ordinance from which this article is derived.

(c) Proof of insurance must be submitted in accordance with the term of the individual policy, but in any event at least on an annual basis. Such proof may be made in either of the following two ways:

(1) By providing a current insurance identification card for each vehicle intended to be operated during the period of the policy; or

(2) By providing a verified statement from a licensed insurance agent or licensed insurance company within this state setting forth the identity of the vehicle for which coverage has been procured (by vehicle identification number, make and model), the amount of coverage afforded to each such vehicle, indication that the vehicle is being operated as a taxicab and the term for which such coverage has been prepared by the licensed company or entity.

(d) Before the policy is canceled for nonpayment of premium or other cause, notice thereof shall be given in writing to the business license office of the county at least 30 days before the policy lapses.

(e) A licensee shall report any additional vehicles to be operated pursuant to this article to the business license office and shall provide proof of insurance on such vehicles pursuant to this section.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-84; Ord. of 6-27-95(2); Ord. of 6-23-98 (eff. 7-1-98); Ord. of 8-10-99)

Sec. 126-153. Vehicle permit stickers with license.

A business duly licensed to operate a taxicab service or as a sedan carrier pursuant to this article will be issued, at the time of licensing or at the time of providing proof of insurance as required by subsection 126-152 (b), vehicle permitting stickers for each vehicle owned, leased or operated by such business, pursuant to the following conditions:

(1) The applicant or licensee must:
a. List all vehicles to be operated in the business, indicating their make, model, year, VIN, tag number and color, on a form to be provided by the business license office. Each company shall submit a company logo and/or identification/color scheme, which shall not be the same or similar to any other company. The logo and/or identification/color scheme shall be approved by the business license office.

b. Execute a verification statement concerning the mechanical safety of each vehicle listed in subsection (1)a of this section pursuant to section 126-120.

c. Provide proof of insurance for each vehicle listed in subsection (1)a of this section as set forth in section 126-152, along with vehicle registration, both of which must be in the applicant's name.

(2) Stickers must at all times be displayed on the passenger's rear side window and in the front windshield, bottom righthand corner for sedan carriers. Each vehicle will be assigned a numbered sticker and that sticker may not be used on any other vehicle.
OFFICIAL CODE County of COBB, GEORGIA  Codified through Ordinance of January 11, 2000. (Supple
PART I  OFFICIAL CODE OF COBB COUNTY, GEORGIA
   Chapter 126  VEHICLES FOR HIRE*
         ARTICLE IV. TAXICABS AND LIMOUSINES*
         DIVISION 2. BUSINESS LICENSES AND VEHICLE PERMITS
         Sec. 126-153. Vehicle permit stickers with license.

(3) No vehicle permit sticker issued under this article may be leased, subleased, assigned or
otherwise transferred. No vehicle to which a permit sticker is affixed may be leased, subleased or
otherwise assigned for the purpose of operating a taxicab service or as a sedan carrier under this
article.

(4) A licensee shall report any additional vehicles to be operated pursuant to this article and shall
provide all information necessary and pay all fees required to obtain additional vehicle permit stickers.

(5) A fee schedule for vehicle permit stickers will be recommended by the supervisor of the business
license office and approved from time to time by the board of commissioners. Such schedule will be on
file with the clerk of the county, the business license office and the department of public safety. It shall
be the responsibility of the licensee to renew vehicle permit stickers annually. Any licensee who fails to
timely renew its vehicle permit and pay such fee when due shall pay, in addition to such fee, a
separate penalty equal to ten percent of the permit sticker fee for each period of 30 days, or portion
thereof, following the due date. To be considered a county business for purposes of determining
vehicle sticker permit fees, a business must have or operate out of one or more offices in the
unincorporated part of the county. A post office box will not constitute an office.

(6) If a business license is suspended for any length of time, all vehicle permit stickers associated
with such license shall be null and void for the period of the suspension only. If the suspension is in
effect on the annual renewal date of the business license or on the annual renewal date of the vehicle
permit sticker, then immediately upon the suspension ending, such person or entity shall renew its
license and vehicle permit stickers.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-85; Ord. of 6-27-95(2))

Sec. 126-154. Denial, suspension and revocation of business license; hearing.

(a) A business license or an application for a business license under this article may be denied, suspended
or revoked for due cause as defined in subsection (d) of this section. A business license shall be granted by
the supervisor of the business license office if the application meets all the legal requirements of this article
and the public safety department provides a clearance consistent with the requirements of this article. If the
application does not meet all the legal requirements of this article or the public safety department does not
provide a clearance on the application, it shall not be granted by the supervisor of the business license office.
Any decision of the supervisor shall be final unless an appeal is filed by any aggrieved party within ten days
from the date of notice to the applicant regarding the denial of the application. The appeal shall be to the
license review board as provided for in section 6-90.

(b) Upon summary consideration of facts that indicate due cause under subsection (d) of this section, the
supervisor of the business license office may suspend a license under this article. The suspension shall be
reported in writing to the board of commissioners and the board of commissioners will review such action at
the next regularly scheduled public meeting. A notice shall be sent to the licensee setting forth the time, place
and purpose of the meeting. After a hearing, if the board of commissioners determines due cause to exist, the
board may suspend, revoke or place on probation for a maximum of 12 months, with or without conditions, the
license or licensee.
(c) A business license previously issued by this county may be revoked only after a hearing before the board of commissioners upon a prior written notice to the licensee setting forth the time, place and purpose of such hearing and a statement of the reason why the license would be revoked. Unless the circumstances justify otherwise, three days' notice shall be deemed reasonable, but shorter or longer periods of notice shall be authorized as the board of commissioners may deem the circumstances justify. The hearing shall be held no later than 30 days after the supervisor notifies licensee of a hearing before the board of commissioners. The hearing before the board of commissioners shall follow the procedures specified in subsection 6-147(b). After a hearing, if the board of commissioners determines due cause to exist, the board may suspend, revoke or place on probation for a maximum of 12 months, with or without conditions, the license or licensee.

(d) A business license may be denied, suspended or revoked for any of the following reasons:

1. Where the applicant furnishes fraudulent or untruthful information or omits information requested in the application for a business license.

2. For failure to pay all fees, taxes, penalties or other charges imposed by the provisions of this article and chapter 78, as they may be amended.

3. For failure to maintain all of the general qualifications applicable to the initial issuance of a license.

4. For violation of any part of this article by the licensee, its agents, partners, officers, employees or contractors.

5. Allowing the required insurance coverage to lapse.
Chapter 126  VEHICLES FOR HIRE
ARTICLE IV. TAXICABS AND LIMOUSINES
DIVISION 2. BUSINESS LICENSES AND VEHICLE PERMITS
Sec. 126-154. Denial, suspension and revocation of business license; hearing.

(6) Allowing taxicabs to operate in the unincorporated area of the county that do not meet the requirements and standards adopted by the board of commissioners pursuant to section 126-120.

(7) Violation of any provisions contained in subsection 78-45(c).

(8) Three violation complaints received pursuant to section 126-130 and determined to be valid by the license review board.

(e) Licensees under this article are responsible for violations of this article by their vehicle operators, whether such operators are direct employees or independent contractors.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-87; Ord. of 6-27-95(2))

Secs. 126-155–126-170. Reserved.

DIVISION 3. DRIVER PERMITS

Sec. 126-171. Regulation of drivers of vehicles for hire.

(a) No person shall operate a taxicab or sedan without an operator's permit issued by the public safety department. No business licensed to operate a taxicab service or as a sedan carrier shall employ any driver who has not been issued an operator's permit.

(b) Operator's permits shall not be issued to any driver not employed by or representing a licensed company. Proof of employment or representation shall be presented upon application of a permit.

(c) An applicant for a permit must furnish information requested on a form to be provided by the public safety department and submit to a police clearance consisting of a background investigation and/or fingerprinting. Operator permit applicants must meet the following requirements:

(1) Be at least 21 years of age; provided, however, any driver between the age of 18 and 21 who was operating a taxicab on or before the effective date of the ordinance from which this article is derived shall not be subject to this age provision.

(2) Be a citizen of the United States or an alien admitted for permanent residence or a person who has otherwise been granted employment authorization by the United States Immigration and Naturalization Service.

(3) Possess a current, valid Georgia state driver's license, which must not be limited as defined in O.C.G.A. §§ 40-5-58 and 40-5-64.

(4) Exhibit a proficiency with the English language so as to be able to comprehend and interpret traffic signs, issue written receipts to passengers and obey lawful orders of police and others in lawful authority.
OFFICIAL CODE County of COBB, GEORGIA  Codified through Ordinance of January 11, 2000. (Supple
PART I OFFICIAL CODE OF COBB COUNTY, GEORGIA
Chapter 126 VEHICLES FOR HIRE*
ARTICLE IV. TAXICABS AND LIMOUSINES*
DIVISION 3. DRIVER PERMITS
Sec. 126-171. Regulation of drivers of vehicles for hire.

(5) Not have been convicted, pleaded guilty, pleaded nolo contendere or been on probation or
parole, for a period of five years previous 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; child
molestation; any sex-related offense; driving a motor vehicle while under the influence of intoxicating
beverages or drugs; leaving the scene of an accident; criminal solicitation to commit any of these listed
offenses; attempts to commit any of these listed offenses; any felony in the commission of which a
motor vehicle was used; perjury or false swearing; any crime of 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. § 42-8-60 et seq.,
relating to first offender status. If at the time of application the applicant is charged with any of the
offenses prescribed in this subsection, consideration of the application shall be suspended until entry
of a plea or verdict or dismissal.

(d) All operator permits automatically expire two years from the date they are issued. It shall be the
responsibility of the operator to renew his permit and pay the applicable fee.

(e) Drivers are responsible for reporting any change in qualifications or status from information previously
supplied to the public safety department within ten days of such change.

(f) Operator permits must be posted on the dash or sunvisor of the vehicle being driven so that it is visible
from the passenger area. Drivers of sedans must have their operator's permits in their possession and they
must be visible to passengers. Licensees under this article are responsible for checking to ensure that each
driver has a current operator’s permit in his possession and that such permit is posted on the dash or sunvisor
of the vehicle being operated.

(g) A schedule of permit fees, as adopted from time to time by the board of commissioners, shall be posted
in the offices of the clerk of the county and the public safety department. Any permittee who fails to timely
renew his permit and fails to pay such fee when due shall pay, in addition to such fee, a separate penalty equal
to ten percent of the required fee, for each period of 30 days, or portion thereof, following the due date. If the
fees adopted from time to time by the board of commissioners provide for different fees for county
drivers/operators than for noncounty drivers/operators, to be considered a county driver/operator and pay fees
associated therewith, a driver must have or operate out of one or more offices in the unincorporated part of the
county; a post office box will not constitute an office. Proof of a current lease, if applicable, for the company
premises, an affidavit as to ownership or occupancy or proof of association with a county licensee must be
submitted to the public safety department upon request.

(Ord. of 4-26-94; Ord. of 9-13-94; Code 1977, § 3-25-88; Ord. of 6-27-95(2))

Sec. 126-172. Denial, suspension, revocation of permits; hearing.

(a) An operator’s permit or an application for an operator’s permit under this article may be denied,
suspended or revoked for due cause as defined in subsection (d) of this section. An operator’s permit shall be
granted by the director of public safety or his designee if the application meets all the legal requirements of this
article and the public safety department provides a clearance consistent with the provisions of this article. If the
application does not meet all the legal requirements of this article or the public safety department does not
provide a clearance on the application, it shall not be granted by the director of public safety or his designee.
Any decision of the director or his designee shall be final unless an appeal is filed by any aggrieved party within
ten days from the date of notice to the applicant regarding denial of the application. The appeal shall be to the
license review board as provided for in section 6-90.
(b) The director of public safety or his designee may suspend or revoke an operator's permit for due cause as defined in subsection (d) of this section. The suspension or revocation shall be reported in writing to the license review board, and the license review board will review such action at the next regularly scheduled meeting. A notice shall be sent to the permittee setting forth the time, place and purpose of the meeting. After a hearing, the license review board may affirm the decision of the director to suspend or revoke the permit, or place on probation for a maximum of 12 months, with or without the conditions, the permit or operator. If the decision of the director is disaffirmed, the permit shall be returned to the permittee immediately.

(c) The decision of the license review board shall be final unless appealed as provided for in section 6-90.

(d) An operator's permit may be denied, suspended or revoked for any of the following reasons:

1. Violation of any part of this article.

2. Where the applicant furnishes fraudulent or untruthful information or omits information requested in the application for a permit.

3. Failure to pay any fees imposed by the provisions of this article.

4. Failure to maintain all the general qualifications applicable to the initial issuance of a driver's permit.
OFFICIAL CODE County of COBB, GEORGIA  Codified through Ordinance of January 11, 2000. (Supple
PART I   OFFICIAL CODE OF COBB COUNTY, GEORGIA
Chapter 126  VEHICLES FOR HIRE*
   ARTICLE IV. TAXICABS AND LIMOUSINES*
   DIVISION 3. DRIVER PERMITS
   Sec. 126-172. Denial, suspension, revocation of permits; hearing.

(5) Having four or more moving traffic violations in any 12-month period.
(6) Refusing to accept a passenger solely on the basis of race, color, national origin or religious belief.
(7) Operating a vehicle with knowledge, actual or implied, that the required insurance coverage is not current or has lapsed.
(8) Operating a vehicle in a manner which threatens a passenger or anyone else.
(9) Operating a vehicle the driver knows or should know is not in compliance with the motor vehicle safety standards approved by the board of commissioners.
(10) The permit applicant, during the 12-month period next preceding the filing of his application, has suffered a revocation of his operator's permit.
(11) A complaint is received pursuant to section 126-130 and determined to be valid by the license review board.

(e) Notwithstanding any of the provisions in this section, any permits issued through administrative error or an error in the completion of a background investigation may be terminated by the director of public safety or his designee.

(Ord. of 4-26-94; Code 1977, § 3-25-89; Ord. of 6-27-95(2))

Chapters 127--129 RESERVED

Chapter 130  WATERWAYS *

ARTICLE I. IN GENERAL

Secs. 130-1--130-25. Reserved.

ARTICLE II. BOAT SAFETY*

Sec. 130-26. Purpose.