TRAFFIC AND MOTOR VEHICLES § 14-74

ARTICLE V. TAXICABS*

Sec. 14-71. Definitions.

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

Driver means any person employed to operate a vehicle for hire as defined in this section.

Licensee means any individual or corporation licensed under this article to conduct the business of owning vehicles for hire in the City of Union City, and/or hiring other individuals to operate such vehicles.

Taxicab, limousine and other passenger-carrying vehicle means any motor vehicle or other vehicle for hire 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.

Vehicle for hire means a taxicab, limousine and passenger-carrying motor vehicle.
(Ord. No. 98-18, 12-15-98)

Sec. 14-72. License required.

Each person who engages in the business of operating one (1) or more taxicabs in the city, as such term is defined in section 14-71, shall be required to obtain a license from the city clerk in the manner specified in this article.
(Ord. No. 98-18, 12-15-98)

Sec. 14-73. Compliance.

No person shall conduct the business of operating vehicles for hire in the city without first meeting the requirements of this article.
(Ord. No. 98-18, 12-15-98)

Sec. 14-74. Licensees responsible for violations by drivers.

Licensees under this article are responsible for violations of this chapter by their vehicle operators whether such operators are direct employees or independent contractors.
(Ord. No. 98-18, 12-15-98)


Charter reference—Authority to regulate and license vehicles for hire, § 1-103(36).
Sec. 14-75. Notice.

For the purposes of this chapter, notice shall be deemed delivered when personally served or, when served by mail, three (3) days after the date of deposit in the United States mail.
(Ord. No. 98-18, 12-15-98)

Sec. 14-76. Hearings.

(a) Decisions of the city clerk that adversely affect or aggrieve any applicant or licensee under this chapter may be appealed to the city administrator. Decisions of the police department that adversely affect or aggrieve any licensee may be appealed to the police chief/director of public safety or the chief's designated representative. Any applicant or licensee who is aggrieved or adversely affected by a final decision of the police chief/director of public safety or the chief's designated representative may request an appeal to the mayor and council. All appeals shall be written by petition, and filed in the city clerk's office within fifteen (15) days after the decision appealed from.

(b) A hearing shall be conducted on each appeal within thirty (30) days of the date of filing the written petition, unless a continuance of such hearing is agreed to by the appellant and the city clerk. The appellant at such hearing shall have the right to be represented by an attorney, at the expense of the appellant, and to present evidence and cross-examine witnesses.

(c) For those hearings held by the mayor and council, the findings of the mayor and council shall be forwarded to the department originating the appeal after the conclusion of the hearing. It shall be the duty of the department to notify the appellant of the action of the mayor and council.

(d) The findings of the mayor and council shall be final unless appealed within thirty (30) days of the date of the findings by certiorari to the Superior Court of Fulton County.
(Ord. No. 98-18, 12-15-98)

Sec. 14-77. Review of application.

In considering whether to grant or deny a taxicab license to an applicant for such license, the city council shall take into account the number of taxicabs already in operation; whether existing transportation is adequate to meet the public need; the probable effect of increased service on local traffic conditions; and the character, experience, and responsibility of the applicant.
(Ord. No. 98-18, 12-15-98)

Sec. 14-78. Business and occupation taxes.

Each company and individual licensed under the provisions of this chapter shall be subject to business and occupation taxes as provided in Chapter 9, Article I, of this Code.
(Ord. No. 98-18, 12-15-98)

(a) No person shall conduct the business of operating vehicles for hire in the city without first having been issued a city business license for a company base of operations located in the geographical boundaries of the city. Limousine operations having no more than three (3) vehicles for hire shall be excepted from the requirement to maintain a company base of operations located in geographical boundaries of the city, but such exemption shall not relieve limousine operations from obtaining a city business license covering their operations within the city.

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

(c) Each applicant for a license is required to provide information showing qualifications on a form provided by the city clerk, to provide information requested by the police department and to 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 ten (10) percent or more interest in the company shall be subject to the provisions of this section. An applicant must:

(1) Be at least twenty-one (21) years of age.

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

(3) Have not been convicted, entered a plea of guilty or nolo contendere, been on probation, parole or been imprisoned within a period of five (5) years previous to the date of application, for the violation of any of the following offenses of the State of Georgia, of any other state, or of aggravated assault; kidnapping; robbery; child molestation; criminal solicitation to commit any of these listed offenses; attempts to commit any of these listed offenses; any felony where a motor vehicle was used; any crime of violence or theft; any crime of possession, sale or distribution of illegal drugs; any crime of moral turpitude.

(4) Show on the application a company dispatch location or dispatch terminus located within the geographical boundaries of the city from which business will be conducted. Applicants for limousine operations having no more than three (3) vehicles for hire shall be excepted from having a city based business location. The indicated company location must meet all applicable city zoning and/or ordinance requirements. The dispatch location must be staffed by company agents or employees, have a published telephone number and have sufficient parking for accommodating its vehicles for hire when not in use.

(5) File applications for the initial licensing and inspections of vehicles along with a list of all drivers who will be scheduled for driver permitting and indicate whether drivers are company employees or contract drivers. A copy of each contract driver’s insurance coverage must be included in the application.
§ 14-79  UNION CITY CODE

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

(7) Provide the name, address and telephone number of a responsible individual residing in Fulton County who will be the registered agent for the purpose of serving of process.

(8) For new applicants filing application for an initial license after the date of adoption of this article, have not been convicted, entered a plea of guilty or nolo contendere, or been on probation, parole, or been imprisoned within a period of five (5) years previous to the date of application for the offense of driving under the influence of drugs and alcohol.

(d) The annual business license fee for each person engaged in the business of operating taxicabs in the city shall be a base fee of forty dollars ($40.00), plus ten dollars ($10.00) for each taxicab utilized in such business.
(Ord. No. 98-18, 12-15-98)

Sec. 14-80. Insurance.

(a) An applicant for a license required by the provisions of this article shall provide with the application proof of motor vehicle insurance covering public liability and property damage issued by an insurer approved by the state. Such insurance shall insure passengers and third persons against personal injury and property damage in amounts specified by this section.

(b) Any applicant for a license to operate a taxicab service shall maintain minimum insurance coverage in the following amounts:

1. Fifteen thousand dollars ($15,000.00) for bodily injury to or death of one person in any one accident.

2. Thirty thousand dollars ($30,000.00) for bodily injury to or death of two (2) or more persons in any one accident.

3. Ten thousand dollars ($10,000.00) for injury to or destruction of property of others in any one accident.

(c) Any applicant for a license to operate a limousine service shall maintain a minimum insurance coverage in the following amounts:

1. Fifteen thousand dollars ($15,000.00) for bodily injury to or death of one person in any one accident.

2. Thirty thousand dollars ($30,000.00) for bodily injury to or death of two (2) or more persons in any one accident.

3. Ten thousand dollars ($10,000.00) for injury to or destruction of property of others in any one accident.

(d) Before the policy is canceled for nonpayment of premium or other cause, notice thereof shall be given in writing to the city clerk at least thirty (30) days before the policy lapses. The policy shall further provide that it shall not be canceled or rendered unenforceable because the insured failed to notify the insurer of an accident or injury, or any other condition upon which notice of claim is ordinarily required.
(Ord. No. 98-18, 12-15-98)
TRAFFIC AND MOTOR VEHICLES § 14-81

Sec. 14-81. Permits generally.

(a) No person shall drive a vehicle for hire without a driver's permit. No business licensed for operating vehicles for hire shall employ any driver who has not first met the requirements of this article and been issued a driver's permit.

(b) Drivers' permits shall not be issued to any driver not employed by or representing a licensed company.

(c) Driver permits must be posted on the dash or sunvisor of the vehicle being driven so that it is visible from the passenger area. Licensees under this article are responsible for checking to ensure that each driver has a current driver permit in the driver's possession and posted on the dash or sunvisor of the vehicle being operated along with a visible vehicle inspection sticker.

(d) No request for a driver's permit will be processed unless the permit applicant presents a letter on company stationary to the police department from a licensed company requesting, issuance of a driver's permit to the named individual. The driver's permit applicant will further furnish information requested on a form to be provided by the police department and submit to a police clearance consisting of a background investigation and/or finger printing. Driver permit applicants must meet the following requirements:

1. Be at least twenty-one (21) years of age.

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

3. Possess a current valid state driver's license. Such license must not be limited as defined in O.C.G.A. Sections 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.

5. Have not been convicted, entered a plea of guilty or nolo contendere, been on probation, parole, or been imprisoned within a period of five (5) years previous to the date of application for the violation of any of the following offenses of the State of Georgia, of any other state, or of the United States: homicide; rape; aggravated battery; burglary; aggravated assault; kidnapping; robbery; child molestation; criminal solicitation to commit any of these listed offenses; attempts to commit any of these listed offenses; any felony where a motor vehicle was used; any crime of violence or theft; any crime of possession, sale or distribution of illegal drugs; any crime of moral turpitude. Discharge without court adjudication of guilty pursuant to O.C.G.A. Section 42-8-62 shall not disqualify an applicant.

6. For applicants seeking an initial driver's permit under this section, have not been convicted, entered a plea of guilty or nolo contendere, been on probation, parole, or been imprisoned within five (5) years previous to the date of the application for driving under the influence of drugs or alcohol.
§ 14-81

UNION CITY CODE

(e) Drivers are responsible for reporting any change in qualifications or other licensing or permitting information previously supplied to the police department within ten (10) days of the change.
(Ord. No. 98-18, 12-15-98)

Sec. 14-82. Accidents.

All accidents arising from or in connection with the operation of any taxicab which result in death or injury to any person, or in damage to any vehicle or to any property in an amount exceeding the sum of one hundred dollars ($100.00) shall be reported within twenty-four (24) hours from the time of occurrence to the police department on a form to be furnished by such department.
(Ord. No. 98-18, 12-15-98)

Sec. 14-83. Determination of permit or inspection fees; proration of license, permit or inspection fee.

Fees for vehicle inspections and driver permits shall be recommended by the public safety department for approval by the mayor and council. Fees required by this chapter are nonrefundable and are not prorated.
(Ord. No. 98-18, 12-15-98)

Sec. 14-84. Transfer and term of licenses, permits and vehicle stickers.

All business licenses, vehicle inspection stickers and driver permits required by this chapter are nontransferable and shall expire on December 31 of each year. Licensees shall contact the police department November 15 of each year for renewal scheduling.
(Ord. No. 98-18, 12-15-98)

Sec. 14-85. Suspension or revocation of license or permit.

A business license may be suspended or revoked by the city clerk and a driver's permit may be suspended or revoked by the public safety department for the following reasons:

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

(b) Failure to pay all fees, taxes or other charges imposed by the provisions of this chapter.

(c) Failure to maintain all of the general qualifications applicable to the initial issuance of a license or driver's permit.

(d) Violation of any provision of this article.

(e) Charging a fare in excess of those fares on file with the public safety department.

(f) Having four (4) or more moving traffic violations in a twelve-month period.
TRAFFIC AND MOTOR VEHICLES § 14-86

(g) Refusing to accept a passenger solely on the basis of race, color, national origin, religious belief, sex or sexual orientation. Sexual orientation shall mean the state of being heterosexual, homosexual or bisexual. Operators shall not refuse to accept a passenger unless the passenger is obviously intoxicated or dangerous.

(h) Allowing the required insurance coverage to lapse or allowing a vehicle to operate in the city without a city inspection sticker.

(Ord. No. 98-18, 12-15-98)

Sec. 14-86. Vehicle condition and equipment; inspection and inspection sticker.

(a) Drivers and business licensees are responsible for maintaining each vehicle for hire in a clean and mechanically safe condition. The interior and exterior shall meet the requirements set out under inspection requirements outlined in this section. No vehicle placed in service as a taxicab, limousine, or other passenger-carrying vehicle as defined in this article shall be more than ten (10) years old.

(b) Drivers are not to drive and business licensees are not to allow drivers to operate a vehicle without the required markings, top light and inspection sticker required in this section. Limousines are excepted from having markings, top lights, two-way radios or taximeters; however, limousines are required to have a plate attached to the front or rear bumper indicating the company business name.

(c) All vehicles for hire to be used by licensees in the city shall be inspected annually and approved by the public safety department. Once a vehicle meets the requirements of the inspection, a sticker will be affixed to the left side of the windshield. The requirements that each vehicle must meet are as follows:

(1) Exterior inspection shall ensure that headlights, taillights, brake lights, top lights, directional lights, license plate lights, windshield wipers, all vehicle glass, window cranks or electric windows, door locks, trunk lid, hood, door handles, exhaust system, bumpers, fenders, body, tire and other vehicle parts are in good condition and functioning properly. There shall be no tears or rust holes in the vehicle body and no loose pieces hanging from the vehicle body. There shall be no unrepaiired body damage or any body condition that would create a safety problem or interfere with the operation of the vehicle.

(2) Interior inspection shall include the rearview mirror, steering wheel, foot brakes, parking brakes, air conditioning and heating system to ensure each item is in good operating condition. The upholstery, floor mats, headlining, door panels and the trunk compartment shall be inspected to insure there are not tears, that they are clean and have no offensive odors and that the trunk has sufficient space for passenger luggage.

(3) The vehicle shall have a spare tire and jack.

(4) All taxicabs shall be equipped with a two-way radio, top-lights and taximeters.
§ 14-86  UNION CITY CODE

(5) Taximeters shall be positioned so that they are visible from the passenger compartment. Taximeter accuracy shall be verified as part of vehicle inspections and a certificate attached to each machine indicating the last date of inspection and certifying the machine as to accuracy.

(6) Vehicles shall be subject to random inspections at any time. Vehicles found to be substandard shall be removed from service immediately and shall be subject to immediate vehicle inspection removal by the public safety department. Additional inspection requirements may be outlined in the police department's vehicle rules and regulations governing passenger-carrying vehicles.

(d) The inspection sticker is proof that the business met the licensing and insurance requirements at the time of license issuance and that the vehicle passed the last vehicle inspection. Each vehicle operator must have in the vehicle proof of current insurance coverage. Any company or vehicle letting insurance coverage lapse shall have the inspection sticker or stickers removed by the public safety department and the business license suspended or revoked by the city clerk. Business operations shall not be resumed until proof of insurance is provided to the city clerk, the license reinstated and the vehicle or vehicles reinspected and new inspection stickers issued by the public safety department.

(e) No business licensed for operating vehicles for hire shall use any vehicle that has not been inspected and had the city inspection sticker affixed.

(f) Inspection stickers are not transferable from vehicle to vehicle and are nonrefundable if the vehicle is wrecked or taken out of service for any reason. The police department must be notified within ten (10) days of any vehicle being taken out of service; stickers from vehicles taken out of service must be turned in to the public safety department. Stickers for replacement vehicles or additional vehicles are issued under the same procedures as original inspection stickers.

(Ord. No. 98-18, 12-15-98)

Sec. 14-87. Identification of vehicles; display required.

Each taxicab operated within the city shall display on each side the correct name, or trade name and telephone number of the owner of such taxicab, and a number to distinguish it from others operated in the city, such numbers to be prescribed by the chief of police, and the flag pull rate. All such words, letters and figures shall be of sufficient size and height as to be readily distinguished by the public from a distance of fifty (50) yards in the daytime. Taxicabs of the same company shall be of uniform (same) color and markings.

(Ord. No. 98-18, 12-15-98)

Sec. 14-88. Appearance and hygiene of drivers, responsibility of licensees for driver dress and conduct.

Drivers 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 skirt or
TRAFFIC AND MOTOR VEHICLES § 14-92

dress and a shirt or blouse with sleeves; hats must be of the baseball style or chauffeur's cap. Clothing must be clean and not visibly soiled. Licensees are responsible for driver's dress and conduct.
(Ord. No. 98-18, 12-15-98)

Sec. 14-89. Taximeters.

All taxicabs operating in the city shall be equipped with taximeters fastened in front of the passengers, visible to them at all times day and night and, after sundown, the face of the taximeter shall be illuminated. The taximeter shall be operated mechanically by a mechanism of standard design and construction, driven either from the transmission or from one (1) of the front wheels by a flexible and permanently attached driving mechanism and each shall be sealed at all points and connections which, if manipulated, would affect a correct reading and recording. Each taximeter shall have thereon a flag to denote when the vehicle is employed and when it is not employed, and it shall be the duty of the driver to throw the flat of such taximeter into a nonrecording position at the termination of each trip. The taximeters shall be subject to inspection from time to time by the police department. Any inspector or other officer of the department is authorized either on complaint of any person, or without such complaint, to inspect any meter and, upon discovery of any inaccuracy therein, to notify the person operating the taxicab to cease operation. Thereupon the taxicab shall be kept off the public roads until the taximeter is repaired.
(Ord. No. 98-18, 12-15-98)

Sec. 14-90. Trip sheet or logs.

Drivers must maintain daily trip sheets or logs of all passengers, the time, place of entry, 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 maintained in the vehicle for forty-eight (48) hours and, thereafter, transferred to and maintained at the licensed business premises for a period of time to be specified by the public safety department.
(Ord. No. 98-18, 12-15-98)

Sec. 14-91. Drivers smoking, playing radios, etc.

A driver while operating a vehicle for hire is not to smoke or play a radio or tape player if objected to by a passenger.
(Ord. No. 98-18, 12-15-98)

Sec. 14-92. Cruising and use of vehicle stands.

Licensees are responsible for ensuring that no driver participates in cruising. Cruising is defined as moving about the streets of Union City for the purpose of picking up and
transporting passengers who have not previously requested such service by telephone or by personal command. Licensees shall ensure that their drivers use open stands on a nonexclusive, first-come-first-served basis.

(Ord. No. 98-18, 12-15-98)

Sec. 14-93. Call jumping.

Licensees 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.

(Ord. No. 98-18, 12-15-98)

Sec. 14-94. Solicitation, acceptance, and discharge of passengers.

(a) Solicitation of passengers by driver. No driver shall solicit passengers for a taxicab except when sitting in the driver's compartment of such taxicab or while standing immediately adjacent to the curbside thereof. The driver of any taxicab shall remain in the driver's compartment or immediately adjacent to his vehicle at all times when such vehicle is upon the public streets, except that, when necessary, a driver may be absent from his taxicab for not more than ten (10) consecutive minutes, and provided further that nothing herein contained shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.

(b) Prohibited solicitation. No driver shall solicit patronage in a loud or annoying tone of voice, or by sign, or in any manner annoy any person or obstruct the movement of any person, or follow any person for the purpose of soliciting patronage.

(c) Receipt and discharge of passengers on sidewalk only. Drivers of taxicabs shall not receive or discharge passengers in the roadway but shall pull up to the right-hand sidewalk as near as possible or, in the absence of a sidewalk, to the extreme right-hand side of the road and there receive or discharge passengers, except upon one-way streets where passengers may be discharged at either the right-or left-hand sidewalk or side of the roadway in the absence of a sidewalk.

(d) Solicitation of other common carrier passengers prohibited. No driver, owner, or operator shall solicit passengers at the terminal of any other common carrier, nor at any intermediate points along any established route of any other common carrier.

(e) Additional passengers. No driver shall permit any other person to occupy or ride in the taxicab, unless the person first employing the taxicab shall consent to the acceptance of additional passengers. No charge shall be made for an additional passenger except when the additional passenger rides beyond the previous passenger's destination and then only for the additional distance so traveled.

(f) Restrictions on number of passengers. No driver shall permit more persons to be carried in a taxicab as passengers than the seating capacity of his vehicle as stated in the inspection certificate issued by the police department. A child in arms shall not be counted as a passenger.

Supp. No. 11

984
TRAFFIC AND MOTOR VEHICLES § 14-98

(g) Refusal to carry orderly passengers. No driver shall refuse or neglect to convey any orderly person or persons upon request unless previously engaged.

(h) Prohibition of drivers. It shall be unlawful for any driver of a taxicab to solicit business for any hotel or to attempt to divert patronage from one (1) hotel to another. Neither shall such driver engage in selling intoxicating liquors or solicit business for any house of ill repute or use his vehicle for any purpose other than the transporting of passengers.
(Ord. No. 98-18, 12-15-98)

Sec. 14-95. Use of open stands.

(a) The public safety department shall maintain a list of all open stands. Taxicab stands shall be created by the public safety department based on the criteria of traffic conditions, public necessity and convenience, and the effect on public safety functions.

(b) Open stands shall be used exclusively by taxicabs for which permits have been issued by the city. No taxicab shall be placed upon or occupy any taxicab stand except for the purpose of being held forth for hire. Taxicabs shall be placed on stands only from rear and shall be moved forward and to the front of the stand immediately, as space becomes available by the departure or movement of preceding taxicabs. When a taxicab stand is occupied to its full capacity, no taxicab shall loiter or wait nearby in violation of any traffic laws of the city. The driver of any taxicab occupying a stand shall not leave that taxicab unattended.
(Ord. No. 98-18, 12-15-98)

Sec. 14-96. Rate schedule, rate changes to be filed with city clerk.

It shall be unlawful for any person to operate a taxicab within the city without first filing with the city clerk a copy of such operator's rate schedule; and any changes from time to time as and when such changes are made must also be filed with the city clerk. No licensee shall charge a flag pull rate in excess of one dollar and fifty cents ($1.50). Copies of all fares and charges shall be posted in each taxicab and shall be of such size and positioned in such a manner as to be plainly visible to passengers being transported in the taxicab.
(Ord. No. 98-18, 12-15-98)

Sec. 14-97. Transport of goods, alcoholic beverages.

It shall be unlawful for the driver of any taxicab within the city to use the cab for the delivery of any alcoholic beverages or for the driver of any taxicab to use the cab for any purpose other than the transporting of passengers or of merchandise which is the subject of lawful sale in the city.
(Ord. No. 98-18, 12-15-98)

Sec. 14-98. Occupancy of front seat restricted.

(a) No driver of any taxicab or other vehicle for hire within the city shall permit any person being transported to occupy the front seat in such vehicle, unless and until all spaces in the rear seats have been completely filled.
§ 14-98

UNION CITY CODE

(b) No taxicab or other vehicle for hire operating within the city shall carry more passengers than that recommended by the manufacturer of the vehicle or for which there are individual seating arrangements.
(Ord. No. 98-18, 12-15-98)

Sec. 14-99. Failure, refusal to pay charges.

No person with the city shall use a motor vehicle operated as a taxicab or other vehicle for hire and refuse to pay therefor either the amount on the taximeter or the amount due when engaged otherwise.
(Ord. No. 98-18, 12-15-98)

Sec. 14-100. Receipts.

The driver of any taxicab shall upon request by the passenger render to such passenger a receipt for the amount charged, either by a mechanically printed receipt or by a specially prepared receipt, on which shall be the name of the owner, license number or motor number, amount of the meter reading or charges, and the date of the transaction.
(Ord. No. 98-18, 12-15-98)