

Chapter 475

TAXICABS

[HISTORY: Adopted by the Village Board of the Village of Plover by Ord. No. 33-92 (§§ 12.19, 12.20 and 12.25 of the 1985 Code); amended in its entirety by Ord. No. 29-93. Subsequent amendments where noted where applicable.]

§ 475-1. Taxicab license.

- A. License required; exemption. [Amended by Ord. No. 29-97]
- (1) Required. No person shall operate or permit a taxicab owned or controlled by him to be operated as a vehicle for hire upon the streets of the Village without having first obtained a taxicab license from the Village Board.
 - (2) Exemption. The provisions of Subsection A(1) above do not apply to any private taxi operator under contract with the Village to operate a federally or state-subsidized shared ride taxi service in the Village.
- B. Application for license. An application for a license shall be filed with the Village Clerk upon a form provided by the Clerk and shall contain the name and address of the applicant, the rates to be charged, the number of vehicles by factory number and maker's name, number of adult persons the vehicle is designed to carry, and the number of the state license under which the vehicle is operated.
- C. Granting or denial of license. If the Village Board finds that further taxicab service in the Village is required by public convenience and necessity and that the applicant is willing and able to perform such public transportation and to conform to the provisions of this section, the Village Board shall issue a license stating the name and address of the applicant, the number of vehicles authorized under the certificate and the date of issuance or that the application is denied. In making the above findings, the Village Board shall take into consideration the number of taxicabs already in operation, whether existing transportation is adequate to meet the public need, and the character, experience and responsibility of the applicant.
- D. License fee; term. The license fee is as provided in the Village Fee Schedule and shall be paid to the Village Treasurer prior to issuance of the license.¹
- E. Mechanical condition of vehicles. No license shall be issued under this section unless the applicant presents the Village Clerk with a mechanic's certificate as to the good mechanical condition of all vehicles licensed. The applicant shall, if requested by the Police Department, submit said vehicles to an additional inspection by the Department.
- F. Insurance required. No license to operate a taxicab shall be issued unless and until the

1. Editor's Note: See Ch. A600, Fees.

owner shall have filed with the Village Clerk a public liability and property damage insurance policy, issued by an insurance company licensed to do business in Wisconsin, providing insurance coverage for such taxicab and listing the Village as additional insured, which shall be specifically described in the policy, with a minimum liability of \$500,000 for the injury or death of any one person, \$1,000,000 aggregate and \$100,000 for property damage from any one accident and a minimum medical payment of \$1,000 per occurrence with such additional medical payment insurance as may be obtained by the contractor. In addition, the contractor shall carry collision insurance on its vehicles in an amount equal to the fair market value of the vehicles and maintain and keep in full force and effect workers' compensation insurance in the amounts and forms required by the Workers' Compensation Insurance Act and insurance laws of the State of Wisconsin and comply with all provisions of the unemployment compensation chapter of the state, if applicable.² Said policy shall further provide that it cannot be canceled until 15 days' notice of cancellation shall have been given by registered mail to the Village Clerk. The cancellation or other termination of any such insurance policy shall automatically revoke and terminate all licenses issued for the taxicabs covered by such insurance policy unless another policy shall be provided and be in effect at the time of such policy cancellation or termination. [Amended by Ord. No. 2-96]

- G. Meters and rates. All taxicabs operated under the authority of this section shall either be equipped with taximeters fastened in front of the passengers, visible to them at all times, or shall have zoned rates approved by the Village Board. The face of the taximeter shall be illuminated and the zone rates shall be readily visible to passengers at all times. Taximeters shall be operated mechanically by a mechanism of standard design and construction. Taximeters shall be sealed and have no connections which, if manipulated, would affect their correct reading and recording. Each taximeter shall have 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 flag of such taximeter into a nonrecording position at the termination of each trip. Said taximeters shall be subject to inspection from time to time by the Police Department and, upon discovering any inaccuracy therein, the person operating such taxicab shall be ordered to cease operation. The licensee shall submit to the Village with each application a schedule of rates or may substitute in its discretion a rate or rates which shall be reasonable under the circumstances. Standards for service shall be prescribed by the Village Board. Failure to charge the rate subsequently approved by the Board to provide the service proposed to be performed or failure to comply with any of the provisions of this section shall subject the licensee to the penalties provided by this section. A copy of the rates shall be on file with the Village Clerk and the Police Department at all times, and no amendments or changes thereto may be made without prior Village approval.
- H. Duty to carry passengers. No person licensed hereunder carrying passengers for hire or reward shall unreasonably or unlawfully refuse to carry passengers to or from part of the Village with reasonable promptness and at the rates fixed in the license to operate.
- I. Revision of license. The Village Board may, after due hearing thereon and pursuant to notice to all interested parties while any license required by this section is in full force and effect, change such license or licenses by inserting therein additional terms or conditions or

2. Editor's Note: See Ch. 102, Workers' Compensation, and Ch. 108, Unemployment Insurance and Reserves, Wis. Stats.

schedules of changes in rates as may to the Village Board appear to be for the public good.

- J. Suspension and revocation of certificate. A license issued hereunder may be revoked or suspended by the Village Board at any time in the event that any licensee violates any provision of this section or when, in its judgment, the public safety so requires. Prior to suspension or revocation, the holder shall be given notice of the proposed action and shall have an opportunity to be heard, pursuant to Chapter 351, Licenses and Permits, of this Code.
- K. Penalty. Any person who shall violate any provision of this section shall be subject to penalty upon conviction thereof of not less than \$50 nor more than \$500, together with the costs of prosecution.

§ 475-2. Taxi driver license.

- A. License required; exemption. [Amended by Ord. No. 29-97]
 - (1) Required. No person shall operate a taxicab for hire upon the streets of the Village and no person who owns or controls a taxicab shall permit it to be driven at any time for hire unless the driver of such taxicab has obtained and has then in force a taxicab driver's license.
 - (2) Exemption. The provisions of Subsection A(1) above do not apply to any person who is employed as a taxi driver for the private taxi operator who is under contract with the Village to operate a federally or state-subsidized shared ride taxi service in the Village.
- B. Application. An application for a taxicab driver's license shall be filed with the Village Clerk on forms provided by the Clerk.
- C. Licenses fee; term. The license fee is as provided in the Village Fee Schedule. and shall be paid to the Village Treasurer prior to issuance of the license.³ [Amended by Ord. No. 3-96]
- D. Police investigation of applicant; traffic and police record. The Police Department shall conduct an investigation of each applicant for a taxicab driver's license, and a report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for consideration by the Village Board.
- E. Action by the Village Board. The Village Board shall, upon certification of the application and the reports and certificate required to be attached thereto, approve or reject the application. If the application is rejected, the applicant may proceed under Ch. 68, Wis. Stats., to offer evidence as to why his application should be reconsidered.
- F. Provisional taxi driver licenses. Contingent upon the results of a preliminary records check by the Police Department, after 48 hours a twenty-one-day provisional taxi driver's license may be issued to the applicant for a fee as provided in the Village Fee Schedule.⁴ Action on the annual taxi driver license shall be taken by the Village Board within a period of

3. Editor's Note: See Ch. A600, Fees.

4. Editor's Note: See Ch. A600, Fees.

three weeks.

- G. Display of license. Every taxicab driver licensed hereunder shall post the license in full view of all passengers while such driver is operating a taxicab.
- H. Compliance with other laws required. Every driver licensed under this section shall comply with all Village, state and federal laws. Failure to do so shall be cause for the revocation or suspension of such license by the Village Board.
- I. Refusal to convey prohibited. No driver shall refuse or neglect to convey any orderly person, upon request, unless previously engaged or unable or forbidden by the provisions of this section to do so.
- J. Suspension and revocation of licenses. The Village Board may suspend any license issued hereunder for failure or refusal to comply with the provisions of this section, such suspension to last for not more than 30 days. The Village Board may revoke any license for failure to comply with the provisions of this section, provided that no license shall be revoked unless the driver has received notice of the proposed revocation and has had an opportunity to present evidence in his behalf, pursuant to Chapter 351, Licenses and Permits, of this Code.

§ 475-3. Violations and penalties. ⁵

Except where another penalty is prescribed, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation of this chapter occurs or continues.

5. Editor's Note: Amended at time of (see Ch. 1, General Provisions, Art. II).