

1/9/84

# CITY OF CONCORD

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In the year of our Lord one thousand nine hundred and eighty three

## AN ORDINANCE

Transferring the Responsibility for Licensing Taxicabs and Taxicab Drivers from the Taxicab Licensing Board and the City Clerk to the Code Enforcement Department.

The City of Concord ordains as follows:

1/9/84  
1571

Section 1: Amend the Municipal Code or Ordinances, Title I, General Code, Chapter 15, Licensing and Regulations of Business, Trades and Occupations by deleting Article 15-5, Taxicabs and Taxicab Operators in its entirety and substituting in its place the following:

### CHAPTER 15

### LICENSING AND REGULATIONS OF BUSINESS, TRADES AND OCCUPATIONS

#### Article 15-5 Taxicabs and Taxicab Operators.\*

#### SECTION ANALYSIS

- 15-5-1 Definitions
- 15-5-2 Taxicab Licensing Board
- 15-5-3 Conditions of License
- 15-5-4 Application for License: License Fee
- 15-5-5 Taxicab Owners Must Carry Liability Insurance
- 15-5-6 Revocation of Licenses
- 15-5-7 Taxicab Operators Licenses
- 15-5-8 Display of Taxicab Operator's License
- 15-5-9 Taxicab Markings
- 15-5-10 Taxicab Logs
- 15-5-11 Schedule of Rates
- 15-5-12 Revocation of Operator's License
- 15-5-13 State Suspension of License Automatically Means Suspension of Taxicab Operator's License
- 15-5-13.1 Appeals and Hearings
- 15-5-14 Definitions and Application

15-5-1 Definition. Every motor vehicle that uses the streets of the city for the purpose of carrying passengers for hire, except buses, and motor vehicles used at funerals, weddings, and public parades, shall be deemed to be a taxicab and must be licensed under this article.

15-5-2 Taxicab Licensing Board. There is hereby created a Taxicab Licensing Board consisting of the City Manager, who shall act as chairman, the Police Chief, and the Planning Director. The duties of the said board shall be such as are required by the provisions of this ordinance.

\* For state law relative to Licensing and Regulations of Taxicabs, See R.S.A. Ch. 31:40 and 47:17.

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The City of Concord ordains as follows:

15-5-3 Conditions of License. No person, firm or corporation shall operate or cause to be operated a taxicab unless licensed as herein provided.

15-5-4 Application for Taxicab Licenses: License Fee. Applications for taxicab licenses under this article shall be made upon forms provide by the City's Licensing Officer who shall keep record of all applications and licenses granted. All licenses shall be numbered in order as granted. The fee for each taxicab licensed hereunder shall be fifteen dollars (\$15.00) for a full calender year, except all licenses granted between July first and October first shall be at half rate, and shall be paid to the Code Enforcement Department at the time said license is issued. No license shall be sold, assigned, or transfered without the consent in writing of the City's Licensing Officer. Every license granted hereunder shall apply only to the particular taxicab designated therein by its number or otherwise made certain.

15-5-5 Taxicab Owners Must Carry Liability Insurance. It shall be unlawful for the registered owner to operate or permit to be operated, a taxicab as defined herein, nor shall any license for a taxicab be issued hereunder until and unless the applicant for license deposit with the City Licensing Officer a policy or cerificate of liability insurance for each taxicab for which license is sought; said policy or cerificate of liability insurance shall be issued by a company authorized to do business in the State of New Hampshire, indemnifying the applicant in the sum of at least \$100,000 for injury to one person, and \$300,000 for injury to more than one person, and \$100,000 for property damage in any one accident, through the operation of the taxicab of the applicant; or unless said applicant shall deposit in lieu thereof, the bond of a surety company authorized to do business in the State of New Hampshire, running to the City of Concord, and indemnifying persons who may be injured, or whose property may be damaged by the operation of such taxicab, in the same amount and condition that action may be brought thereon, by any person so damaged against said surety company for the amount of such damage up to the amount named therein. The policy of insurance or bond so deposited shall contain a clause obligating the company issuing the same to give ten days written notice to the City Licensing Officer, before cancellation thereof. The license for the operation of such taxicab shall expire upon the lapse or termination of said policy or bond.

15-5-6 Revocation and Expiration of Licenses. The City's Licensing Officer may upon the conviction of the registered owner of any taxicab licensed under this Article, of a violation of this or any other ordinance of the City of Concord, or of any offense against the laws of the State of New Hampshire, suspend or revoke the license of each taxicab licensed by such owner. Every taxicab license shall expire on the first day of October next following the date of its issuance.

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15-5-7 Taxicab Operator Licenses. No person shall operate a licensed taxicab without first obtaining from the City's Licensing Officer a license to operate licensed taxicabs. The said Licensing Officer may issue to a person over 17 years of age, if said Licensing Officer deems said person suitable, a license to operate licensed taxicabs. Applications for a license to operate licensed taxicabs shall include the name, address and age of the applicant, the number of years of driving experience, his state operator's license number, any record of motor vehicle violations in this or any other state, any criminal record previously had by the applicant and such other data as the City's Licensing Officer may prescribe. Such applicant must be able to read, write and speak the English language intelligently and on filing his application must show to the Licensing Officer a valid license issued to him by the Director of the Division of Motor Vehicles of this State. The City Licensing Officer shall keep a record of applications (with the motor vehicle license number of the applicant enclosed therein) and license granted. All licenses granted to operate licensed taxicabs shall expire on the first day of October next following the date of issuance. The fee for each license to operate licensed taxicabs shall be ten dollars (\$10.00) which shall be paid to the Code Enforcement Department at the time said license is issued.

15-5-8 Display of Taxicab Operator's Licenses. Every licensed taxicab operator shall display his license, at all times when on duty, by attaching said license within the interior of the taxicab in such a place as to be in plain view of all passengers, or by wearing said license in a conspicuous place on the front portion of his coat or shirt.

15-5-9 Taxicab Markings. Every taxicab licensed under the provisions of this ordinance shall have displayed on the outside of each forward door the word "taxi" or "cab" together with the name, or the trade name, thereof. The letters of the same shall be at least four inches in height and of such color and design as to be clearly visible at a distance of at least fifty feet. The word "taxi" or the word "cab" may be included in and be a part of the owner's name or the owner's trade name. Every owner shall also attach to the interior of every such taxicab, the taxicab license so located as to be clearly visible to each passenger therein.

15-5-10 Taxicab Logs. Every owner shall provide for each of his licensed taxicabs a suitable log book in which shall be kept the name of the operator, the date, time, origin and destination of each fare. Said log book shall be kept available for inspection by members of the Police Department, and the City Licensing Officer and shall be preserved for at least one year from the date of the last entry.

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15-5-11 Schedule of Rates. Every owner of a licensed taxicab shall prepare and file with the City's Licensing Officer a complete and detailed schedule of rates and services plainly setting forth the fare to be charged for the use of a taxicab and the hours of operation during which service will be available, and cause a copy of the schedule to be displayed in all of its licensed taxicabs in such a place as to be in plain view of all passengers.

15-5-12 Revocation of Taxicab Operator's License. Upon a conviction of a violation by an operator licensed under this Article, of this or any Ordinance of the City of Concord, or of any offense against the laws of the State of New Hampshire, the City's Licensing Officer may suspend or revoke such license.

15-5-13 State Suspension of License Automatically Means Suspension of Taxicab Operators License. The suspension or revocation of any operator's license by the New Hampshire Director of the Division of Motor Vehicle, shall automatically suspend his license to operate a taxicab hereunder. Such suspended or revoked license hereunder may be restored, upon application to the City's Licensing Officer in his discretion but such restoration shall not be made until the New Hampshire Director of the Division of Motor Vehicle has restored the license issued by his office.

15-5-13.1 Appeals and Hearings. Any person denied a license or whose license is suspended or revoked under this Article, may request a hearing before the Taxicab Licensing Board, at which hearing that person may present evidence showing why a license should be issued or reinstated. The Taxicab Licensing Board, after considering all evidence and testimony, may issue a license, reinstate a license, or uphold or modify a suspension or revocation. The decision of the Taxicab Licensing Board shall be final.

15-5-14 Definitions and Applications. The following definitions will apply to this Article:

1. Taxicab License. A license issued under this Article, as said license applies to the term taxicab as set out herein.
2. Licensed Taxicab. A motor vehicle licensed under this article.
3. Person Licensed To Operate a Licensed Taxicab. One who has recieved a license to operate taxicabs as set out in this Article.
4. Taxicab Operator. A person licensed under this Article to operate licensed taxicabs.