

Taxi & Transportation License

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SEC. 19.02.001. DEFINITIONS.

The following words and phrases, when used in this Article, have the meanings set out herein:

CERTIFICATE means a certificate of public convenience and necessity issued by the City of Independence authorizing the holder thereof to operate a vehicle in the taxicab, jitney, or sightseeing vehicle business in the City of Independence, Missouri. A certificate is valid until revoked or suspended.

COMPLIANCE LICENSE will be issued to each vehicle in a form proscribed by the License Officer as evidence that the vehicle's owner has a certificate therefor.

CRUISING means the driving of a taxicab on the streets, alleys, or other public places of the City of Independence, Missouri, in search of or soliciting prospective passengers for hire.

DESIGNATE shall mean the individual duly appointed by, and authorized to act on behalf of, any officer or employee assigned specific duties and responsibilities under this Chapter.

DRIVER'S PERMIT means the permission granted by the City of Independence, Missouri, to a person to drive a taxicab, jitney, or sightseeing vehicle upon the streets of said City.

GROUP RIDING means an arrangement between individuals whereby they pool their private transportation resources, either by using the personal automobile of one member of the group with the others contributing to the cost of operating such automobile, or by rotating the use of their personal automobiles with joint contribution to the cost by the other members of the group, or when any employer provides transportation for their employees and for none other, for a charge. The term "group riding" shall not include the operation of a taxicab, or other vehicles for hire, or the commercial transportation of persons by public or private conveyances, whether on regular routes or special trips, between different localities or otherwise; and all such taxicab, jitney, livery vehicle, sightseeing vehicle, or other commercial operations shall continue to be subject to the existing ordinances applicable thereto.

HOLDER means a person to whom a certificate of public convenience and necessity has been issued.

JITNEY means any automobile, motor bus or other vehicle run, driven or operated upon or along any street, between definite or substantially fixed points or terminals or along a definite or substantially fixed route, whether entirely within the City or partly within and partly without the City, and carrying passengers for compensation, or furnishing passengers transportation for compensation upon or along the streets, from, to and

between definite or substantially fixed localities or districts, whether such compensation is payable per trip, weekly, periodically or otherwise, directly or indirectly.

LICENSE OFFICER means the individual(s) so appointed by the City Manager.

LIVERY VEHICLE means a public passenger vehicle with driver furnished, for hire only by written agreement for exclusive use at a charge fixed in advance.

MANIFEST means a daily record prepared by a taxicab driver of all trips made by said driver, showing time and place of origin, destination, number of passengers, and the amount of the fare of each trip.

RATE CARD means the card issued by the License Officer for display in each taxicab which contains the rate of fares then in force for the period appearing thereon.

SHARED RIDE means a nonexclusive use of a taxicab by two or more unrelated passengers having either a common point of origin or a common destination point, and traveling in the same general direction.

SIGHTSEEING VEHICLE means a public passenger vehicle with driver furnished, for hire on regularly routed sightseeing tours, at a charge or fare per passenger or per hour fixed by agreement in advance, provided further that such sightseeing vehicles are:

- (1) Not to be used for point-to-point transportation of passengers or goods;
- (2) To be returned to a regular place of garage or point of origin of the regularly scheduled tour between hires; and
- (3) Not to cruise in search of patronage.

TAXICAB means a public passenger vehicle with a rated passenger carrying capacity of ten (10) or less with driver, furnished for hire on a call or demand basis to transport persons, packages or messages, where the route traveled and trip destination are controlled by the passenger, and at a charge or fare based upon time and mileage and recorded and indicated on a taxi meter.

TAXICAB COMPANY means a person, partnership, association or corporation that owns, controls and operates a taxicab service utilizing taxicab certificates of which it is the holder.

TAXI METER means a meter, instrument, or device attached to a taxicab which measures mechanically the distance driven and the waiting time on which the fare is based.

WAITING TIME means the time a taxicab is not in motion from the time of acceptance of a passenger or passengers, to the time of discharge, but does not include traffic delay time.

SEC. 19.02.002. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED.

A. A valid certificate of public convenience and necessity authorized by the City Council will be required for the operation of any taxicab, jitney, or sightseeing vehicle for hire on the streets of Independence, Missouri, before they begin operation. This certificate shall be required for the operation of each and every taxicab, jitney, or sightseeing vehicle for which passengers are solicited within the city limits by any means including but not limited to direct solicitation by words or actions, cruising and occupying taxicab stands or zones, and for every taxicab, jitney, or sightseeing vehicle providing transportation for hire between two points within the city limits.

B. This certificate shall be in addition to any business or occupation license required by ordinance. A certificate will not be issued until the business or occupation license is paid.

C. A certificate of public convenience and necessity is not required for:

1. Group Riding.
2. Vehicles used exclusively in the transportation of pupils to and from school.
3. Taxicabs, jitneys, or sightseeing vehicles that are licensed in another jurisdiction and only delivering a passenger(s) to a location within the City.
4. Livery Vehicles.

SEC. 19.02.003. APPLICATION FOR CERTIFICATE -- TO WHOM MADE -- CONTENTS.

Any person desiring to operate one or more taxicabs, jitneys, or sightseeing vehicles in the City shall make written application for a certificate or renewal thereof with the License Officer upon forms provided by the City; and said application shall be verified under oath and shall furnish the following information:

1. The name, address, date of birth and social security number of the applicant and the trade name for the business; if a corporation, its name, date, and place of incorporation, address of its principal place of business, and the names of its principal officers together with their respective residence addresses, date of birth and social security number; and if

a partnership, association, or unincorporated company, the names of the partners or other persons comprising the association or company and the business and residence address, date of birth and social security number of each partner or person.

2. Any facts which the applicant believes tend to prove the public convenience and necessity requires the granting of a certificate.
3. The number of vehicles to be operated or controlled by the applicant and a description of each vehicle including make, model, and the year of manufacture, motor vehicle license number for the current year, motor or chassis number, and length of time the vehicle has been in use as a taxicab, jitney or sightseeing vehicle.
4. The location of the proposed depots and terminals.
5. The color scheme and/or insignia to be used to designate the vehicle or vehicles of the applicant.
6. Whether or not the applicant, or any person listed in subsection (1) of this section, has been convicted of violating any federal or state felony law or been convicted of violating any provision of this Article or a similar provision of any other governmental entity or ever had a certificate or permit issued under this section, or any other governmental entity, revoked or suspended.
7. Any further information as the License Officer may reasonably require.

SEC.19.02.004. DUTY OF CHIEF OF POLICE.

Within ten (10) days after receipt of an application as provided for herein, the License Officer shall cause a copy of the application to be directed to the Chief of Police of the City.

It shall be the duty of the Chief of Police of the City to investigate all named in the application. Within fifteen (15) days after receipt of a copy of the application, the Chief of Police shall forward a written report to the License Officer. Conviction of a Federal or State felony, conviction of a violation of this Code or similar provisions of any other governmental entity, or any other conviction may be deemed by the License Officer to render the applicant unfit to obtain a certificate.

After the License Officer receives the written report of the Chief of Police, this report, together with the License Officer's recommendations, shall be forwarded to the City Manager for Council action.

SEC. 19.02.005. COUNCIL APPROVAL -- STANDARDS FOR ISSUANCE OF A CERTIFICATE.

The City Manager within ninety (90) days after receipt by the License Officer of an application for a certificate of convenience and necessity, shall bring before the Council the written report of the License Officer and the Chief of Police concerning subject application. The Council shall consider the application and shall issue a certificate when it finds that the public convenience and necessity require the proposed service.

In determining whether the public convenience and necessity require the licensing of a proposed taxicab, jitney, or sightseeing vehicle service, the Council shall consider whether the public is, at the time, adequately served, the financial responsibility of the applicant, the number, kind, and type of equipment, the increased traffic congestion of the streets of the City, demand for increased parking space on the streets which will result, whether the safe use of the streets by the public, both vehicular and pedestrian, will be preserved, and other facts as the Council shall consider relevant. In addition the Council may consider:

1. That the taxicab, jitney, or sightseeing vehicles and premises have been certified by the License Officer and other departments as provided herein.
2. That insurance policies as required have been procured.
3. That the applicant is fit, willing and able to provide the public transportation and to conform to the provisions of this Article.
4. That all the requirements of this Article and all other ordinances and laws have been complied with by the applicant.

SEC. 19.02.006. LIABILITY INSURANCE REQUIRED.

Before a certificate of public convenience and necessity can be issued, the applicant must file with the License Officer a certificate proving insurance coverage for each vehicle to be used as a taxicab, jitney, or sightseeing vehicle for injury to or death of persons in accidents resulting from any cause of which the owner of the vehicle would be liable by law, regardless of whether the taxicab, jitney, or sightseeing vehicle was being driven by the owner, an agent, or lessee, and against damage to the property of another, including personal property, in amounts as required by State Statutes or Regulations, but not less than Twenty-Five Thousand Dollars (\$25,000.00) for any one person, Fifty Thousand Dollars (\$50,000.00) for any one accident, and Ten Thousand Dollars (\$10,000.00) for property damage in any one accident.

Every insurance policy required shall extend for a period covered by the license applied for, and the insurer shall be obligated to give not less than ten (10) days notice in writing

to the License Officer before cancellation or termination thereof. The cancellation or termination of any policy shall automatically terminate and revoke the certificate issued to the taxicab, jitney, or sightseeing vehicle covered by the policy, unless another policy complying with the provisions of this section is provided and is in effect at the time of the cancellation or termination.

SEC. 19.02.007. FALSE INFORMATION CONTAINED IN THE APPLICATION.

Where a new certificate is being applied for, any false information contained in the application shall be considered sufficient grounds for denial of the certificate. Any false information contained in any renewal application so filed in accordance with this Article shall be considered sufficient grounds for revocation or suspension of any issued certificate.

SEC. 19.02.008. SUSPENSION OR REVOCATION OF CERTIFICATE.

The following actions shall be considered as grounds for suspension or revocation of a certificate of public convenience and necessity:

1. A certificate holder has knowingly, and after written notice from the License Officer, failed to operate the business in accordance with the provisions of this Article or any and all other ordinances and state and federal laws applicable to the taxicab, jitney, or sightseeing vehicle business.
2. A certificate holder has been convicted of any crime the conviction of, or sentencing on, which is reasonably related to the competency of the person to exercise the right or privilege of the permit applied for.
3. The certificate holder has abandoned operation of the taxicab, jitney, or sightseeing vehicle business for a period of ninety (90) days; provided, however, that interruption of business due to mechanical failures, labor disputes, or acts of God shall not be considered abandonment.
4. Continued failure of certificate holder or employee(s) to obey and abide by any and all rules of the traffic code of the City of Independence.
5. The certificate holder fails to correct violations within ten (10) days from date of notification of violations of the specifications and requirements of this chapter.
6. Violation of the terms of this Article or other ordinances of the City of Independence, Missouri or the laws of the State of Missouri.

7. Failure of certificate holder to pay the fees required by this Article.

8. Failure of certificate holder to obtain and/or properly display compliance license.

The License Officer may, upon recommendation of the Chief of Police or Health Director or upon his/her own motion, conduct a hearing to determine if any certificate of public convenience and necessity issued under authority of this Article should be suspended or revoked.

The certificate holder shall be given not less than ten days written notice prior to the hearing. The notice shall set out the reasons for which the hearing is called and shall command the certificate holder to be present at such hearing and show cause, if any, why the certificate should not be suspended or revoked. The notice shall be served by a police officer or agent of the office of License Officer and may be served upon the certificate holder or by leaving a copy of the notice with the certificate holder, or with a person or employee in charge of the place of business of said certificate holder, or by mailing said notice by certified mail to the certificate holder at his or her last known business or residence address or by posting a copy of said notice on the certificate holders premises.

The certificate holder shall have the right to appeal the decision of the License Officer, as set out in Section 19.02.038 of this Article.

SEC. 19.02.009. TRANSFER OF CERTIFICATES.

A certificate of convenience and necessity issued hereunder shall not be transferable.

SEC 19.02.010 DUTY OF CERTIFICATE HOLDER TO ENFORCE COMPLIANCE BY DRIVERS.

A. The certificate holder shall establish a policy and take action to discourage, prevent or correct violations of this Code by taxicab, jitney, or sightseeing vehicle drivers employed or contracting with the certificate holder.

B. No certificate holder under this section will allow a taxicab, jitney, or sightseeing vehicle driver who is employed or contracting with the certificate holder to drive a taxicab, jitney, or sightseeing vehicle if the certificate holder knows or has reasonable cause to know that the driver has failed to comply with this Code, the rules and regulations established by the License Officer or other applicable law.

SEC. 19.02.011. SHORTAGE OF TAXICAB, JITNEY, OR SIGHTSEEING VEHICLE SERVICE -- HOW CORRECTED.

If at any time it is determined that there is not a sufficient number of taxicabs, jitneys, or sightseeing vehicles in operation to adequately meet the public need, the License Officer shall so notify the current certificate holders, by certified mail. Should the certificate holders fail to correct this shortage or not do so within thirty (30) days from date of notification, the License Officer may make public notification of the opening for applications for certificates of public convenience and necessity.

SEC. 19.02.012. LICENSE FEE -- DURATION -- RENEWAL OF COMPLIANCE LICENSE.

No certificate shall be issued, or continued in operation unless the applicant or the holder has paid an annual compliance license fee of Twenty-Five Dollars (\$25.00) per vehicle. Any certificate issued under this Article shall be valid until revoked or suspended. Compliance licenses are valid for the twelve month period beginning the first day of the month in which a license is granted or renewed, and shall coincide with the certificate holders renewal period for an Occupation License. The fee shall be in addition to any other license fee or charges established by any business and occupational license ordinances of the City.

SEC. 19.02.013. SAFETY INSPECTION REQUIRED.

The applicant for a certificate must furnish to the License Officer for each vehicle to be used, a Missouri State Safety Inspection Certificate or its equivalent for the current year. It shall be the duty of the applicant to cause each vehicle to be equipped with the necessary safety equipment required by the Traffic Code of the City and the Laws of the State and Federal Governments. The City reserves the right to require inspection, at its option, by the Independence Central Garage. Failure to provide a safe and adequate vehicle at the time of making of the application shall be grounds for the refusal of a certificate.

SEC. 19.02.014. VEHICLES - MARKINGS - NAME OF OWNER.

Each taxicab, jitney, or sightseeing vehicle shall bear on the outside and on each side in painted letters not less than three inches (3") nor more than fifteen inches (15") in height the name of the owner; and, in addition, may bear an identifying design approved by the License Officer. No vehicle covered by the terms of this Article shall be licensed whose color scheme, identifying monogram, or insignia to be used thereon shall, in the opinion

of the License Officer, conflict with or imitate any color scheme, identifying design, monogram, or insignia used on a vehicle or vehicles already operating under this Article in such manner as to be misleading or tend to deceive and defraud the public. If after a license has been issued for a taxicab, jitney, or sightseeing vehicle hereunder, the color scheme, identifying design, monogram, or insignia thereof is changed so as to be in the opinion of the License Officer in conflict with or imitate any color scheme, identifying design, monogram, or insignia used by any other person, owner, or operator in a manner as to be misleading or tend to deceive the public, then the certificate for the taxicab(s), jitney(s), or sightseeing vehicle(s) shall be suspended or revoked.

SEC. 19.02.015. VEHICLES MUST BE KEPT IN A CLEAN AND SANITARY CONDITION.

Every vehicle operating under this Article shall be kept clean and sanitary according to rules and regulations which may from time to time be adopted by the Director of Health. The Director of Health shall ensure all taxicabs, jitney, or sightseeing vehicle licensed by the City are inspected at least twice a year for compliance with the Health Department's rules and regulations.

SEC. 19.02.016. DISPLAY OF COMPLIANCE LICENSE.

No holder of a certificate shall allow vehicles owned by the certificate holder to operate within the City limits of the City of Independence without a current compliance license displayed thereon.

The compliance license must be displayed in the lower left portion of each vehicle's windshield; the license shall be permanently attached.

SEC. 19.02.017. TRANSFER OF COMPLIANCE LICENSE TO OTHER VEHICLES.

A compliance license issued to any vehicle may be transferred to another vehicle belonging to the same certificate holder upon filing with the License Officer an application, duly verified and showing that the vehicle previously licensed has become obsolete or has been destroyed or that the vehicle is no longer to be used. The vehicle, to which the license is to be transferred, shall conform with all of the requirements of this Article. If satisfied the transfer is in good faith and not for the purpose of evasion, the License Officer shall require a surrender of the former license and issue a new one upon payment of a transfer fee of Five Dollars (\$5.00).

SEC. 19.02.018. SIGHTSEEING VEHICLE SPECIFIC REGULATIONS.

A. Sightseeing vehicles shall not be equipped with a taxi meter.

B. A vehicle operated as a livery vehicle may not be used for sightseeing purposes, unless the Certificate requirements are first met.

C. A sightseeing vehicle shall not cruise in search of patronage and shall not be used for point-to-point transportation of passengers or goods. All sightseeing vehicles shall be returned to their regular place or garage or point of origin of the regularly scheduled tour between hires. The routes or areas of operation and hours thereof of non-motorized sightseeing vehicles must be approved in advance by the License Officer. All certificates issued under this Article may be used on all such routes or areas of operation.

D. Care of animals used for nonmotorized jitney or sightseeing vehicles shall be in conformance with Chapter 3 of the City Code.

SEC. 19.02.019. TAXICAB, JITNEY, AND SIGHTSEEING VEHICLE DRIVER'S PERMIT REQUIRED.

No person shall operate a taxicab, jitney, or sightseeing vehicle for hire upon the streets of the City of Independence, and no person who owns or controls a taxicab, jitney, or sightseeing vehicle shall permit it to be driven, and no taxicab, jitney, or sightseeing vehicle licensed by the City of Independence shall be driven at any time for hire, unless the driver of the taxicab, jitney, or sightseeing vehicle shall have first obtained and shall have then in force a taxicab, jitney, or sightseeing vehicle driver's permit issued under the provisions of this Article; provided, however, that a temporary permit may, at the License Officer's discretion, be issued upon the filing of an application for a period of not more than ninety (90) days to permit the investigation required of the applicant to be completed.

SEC. 19.02.020. DRIVER'S PERMIT -- APPLICATION -- CONTENTS.

Application for permits shall be made on forms supplied by the License Officer, and shall contain:

1. A statement giving applicant's full name, residence, place of residence for three (3) years previous to moving to this present address.
2. Age, date of birth, social security number, height, weight, color of eyes and hair, and commercial driver's or operator's license number and date of expiration.

3. Any further information as the License Officer may reasonably require.

SEC. 19.02.021. POLICE INVESTIGATION OF APPLICANT -- TRAFFIC AND POLICE RECORD.

The Police Department shall conduct an investigation of each applicant for a taxicab, jitney, or sightseeing vehicle driver's permit, and a report of the investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for the consideration of the License Officer.

SEC. 19.02.022. STANDARDS FOR ISSUANCE OF PERMIT FOR DRIVERS.

The License Officer shall issue a permit under this section when it is found that the applicant:

1. Is of the age of eighteen (18) years or over.
2. Is not addicted to the use of intoxicating liquors or narcotics.
3. Has knowledge of the City and the traffic code regulating the operation of motor vehicles upon the streets of the City of Independence, Missouri.
4. Is in possession of a valid commercial driver's license.
5. Has complied with all of the requirements of this Article and all other governing laws or ordinances.
6. Has not had driver's permit revoked or been convicted of any crime the conviction of, or sentencing on, which is reasonably related to the competency of the person to exercise the right or privilege of the permit applied for.

SEC. 19.02.023. ISSUANCE OF PERMIT -- DURATION -- FEE.

Upon approval of an application for a taxicab, jitney, or sightseeing vehicle driver's permit, the License Officer shall issue a permit to the applicant which shall bear the name, address, date of birth, and signature of the applicant. Every application for a permit shall be accompanied by a permit fee of Fifteen Dollars (\$15.00). A permit is valid unless revoked or suspended, for three (3) years from the date of issuance and may be renewed at the same rate and for the same period of time.

SEC. 19.02.024. DISPLAY OF PERMIT.

Every driver's permit displayed in a place as to be in full view of all passengers while the driver is operating a taxicab, jitney, or sightseeing vehicle.

SEC. 19.02.025. PROHIBITIONS OF DRIVERS.

It shall be a violation of this Article for any driver of a taxicab, jitney, or sightseeing vehicle to solicit business for any hotel, or to attempt to divert patronage from one hotel to another. Neither shall the driver engage in selling intoxicating liquors while operating the vehicle or soliciting business for any house of ill repute, or use said taxicab, jitney, or sightseeing vehicle for any purpose other than the transportation of passengers.

Drivers of taxicabs, jitney, or sightseeing vehicle shall not receive or discharge passengers in the roadway, but shall pull up to the right-hand sidewalk as nearly 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 the side of the roadway in the absence of a sidewalk.

SEC. 19.02.026. RESTRICTION ON NUMBER OF PASSENGERS.

No driver shall permit more persons to be carried in a taxicab, jitney, or sightseeing vehicle as passengers than the rated seating capacity established by the manufacturer. When required by state statutes approved child restraint seats shall be provided.

SEC. 19.02.027. FAILURE TO COMPLY WITH CITY, STATE AND FEDERAL LAWS.

Every driver who received a permit under this Article shall comply with all of the City, State and Federal laws. Failure to do so will justify the License Officer in suspending a permit in the manner specified in Section 19.02.028. The City reserves the right to review the status of all permits at any time.

SEC. 19.02.028. DENIAL OR SUSPENSION OF PERMIT.

The License Officer may deny or suspend a driver's permit if the applicant or permittee does not meet the standards identified in this Article. Any false information provided or contained in the application shall be considered sufficient grounds for denial or suspension of the driver's permit.

When the License Officer denies a driver's permit application, the applicant shall be given written notice of the denial that includes the reason for the denial of the driver's permit application. Notice of application denial shall be served by the License Officer and shall be served upon the applicant by leaving a copy of the notice with certificate holder or mailing the denial notice to the applicant's last known business or residence address.

Any applicant or permittee aggrieved by the decision of the License Officer to deny or suspend a driver's permit shall have the right to a hearing before the License Officer by filing with the License Officer a written request for a hearing within ten (10) days after service of the notice of the notice of denial. Upon receipt of the request for a hearing by the applicant or permittee, the License Officer shall set a time and place for holding a hearing and shall direct written notice of the hearing to be served on the applicant or permittee in the same manner as a notice of suspension or revocation is served in this Article. The License Officer shall render a decision and report such decision to the applicant or permittee within ten (10) days after the date of the hearing.

SEC. 19.02.029. TAXICAB RATES OF FARE - RATE CARD REQUIRED.

A) *Use of taxi meter required.* While in service as a taxicab, each vehicle shall be operated with its taxi meter engaged.

B) *Fares generally.* The passenger fares for taxicab service shall be meter-based, established in accordance with the following standards.

(1) *Mileage charge.* A charge for the first portion of a mile, or any fraction thereof, and a charge for each additional portion of a mile, or fraction thereof, with such distances and charges to be set by the certificate holder. In no event shall the metered fare schedule established by the certificate holder result in a fare of a ten-mile trip which exceeds one hundred twenty five percent (125%) of the weighted average fare for such trip of all taxicabs operated pursuant to this Code.

(2) *Waiting time.* A charge set by the certificate holder for each one minute, or fraction thereof, of waiting time. The first three minutes elapsing prior to the arrival of a passenger at the beginning of a trip shall not be included in computing waiting time, and in no event shall any time be included as waiting time for any period prior to the time fixed for the arrival of the taxicab by the prospective passenger when calling for a cab.

(3) *Traffic delay time.* A charge set by the certificate holder for each one minute of delay time.

C) *Filing of schedule; display of rates.* The certificate holder shall have the right to establish a metered fare schedule applicable to all taxicabs operated by that certificate holder. Such schedule shall be filed with the License Officer at least 30 days before it shall become effective. Rates may not be changed more frequently than every 30 days. The License Officer will recalculate the weighted average for a ten-mile trip once a month. It shall be unlawful to charge any fare for taxicab service other than a fare determined from the schedule filed with the License Officer in accordance with this subsection. In addition to the rate card which sets forth the authorized rates of fare and is displayed in such a place as to be in view of all passengers, the certificate holder shall display the rates on the exterior of the vehicle in such location and manner as may be approved in advance by the License Officer.

SEC. 19.02.030. JITNEY AND SIGHTSEEING VEHICLES RATES OF FARE - RATE CARD REQUIRED.

A) Jitney vehicles. Jitney vehicles shall be for hire at a charge or fare per passenger either at the point of pick-up or in advance.

B) Sightseeing vehicles. Sightseeing vehicles shall be for hire at a charge or fare per passenger or per hour fixed by written agreement in advance.

C) Filing; change of rates. Fares established for jitney and sightseeing vehicles shall be filed with the License Officer at least 30 days before they shall become effective. Rates may not be changed more frequently than every 30 days. It shall be unlawful to charge any fare for jitney or sightseeing vehicles service other than the fares filed with the License Officer in accordance with this subsection.

D) Each company operating a jitney vehicle service or sightseeing tours shall maintain accurate records disclosing the number of trips per vehicle and the hours used. Such records shall be open to inspection by the License Officer.

SEC. 19.02.031. RECEIPTS.

The driver of any taxicab shall, when requested by a passenger, render to the 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, the certificate number of the vehicle, amount of charge, date of transaction; and the receipt shall be signed by the driver.

SEC. 19.02.032. MANIFEST.

Every driver shall maintain a daily manifest on which is recorded all trips made each day, showing time and place of origin, destination, and amount of fare. The completed manifest shall be returned to the certificate holder by the driver at the conclusion of that driver's tour of duty. The forms for each manifest shall be furnished to the driver by the certificate holder, and shall be of a character approved by the Police Chief or designate.

Every holder of a certificate of public convenience and necessity shall return and preserve all driver's manifests in a safe place for at least twenty four (24) months, and said manifest shall be available to the Police Department or License Officer for inspection.

SEC. 19.02.033. LICENSE OFFICER - APPOINTMENT.

There is hereby established the position of License Officer who shall be appointed by the City Manager.

SEC. 19.02.034. LICENSE OFFICER - POWERS AND DUTIES.

The License Officer shall exercise all powers as they relate to the administration of this Article, with respect to the processing of applications for certificates, applications for driver's permits, issuance of certificates, issuance of driver's permits and shall:

1. Prescribe all forms for applications, certificates, and driver's permits in compliance with the provision of this section of the Code.
2. Process certificate and driver's permit applications.
3. Keep a record of all certificates and driver's permit issued and of the suspension and revocation of any certificates or driver's permits.
4. Investigate and determine the eligibility of any applicant for a certificate or driver's permit as described in this section.
5. Notify any applicant of the acceptance or rejection of said application.
6. Examine the books and records of any applicant, or certificate holder when reasonably necessary to determine the eligibility of the person applying for a certificate, a certificate

renewal, driver's permit, or a driver's permit renewal or to determine that the provisions of this section have been fully complied with by the applicant, or certificate holder.

7. Hold hearings concerning the suspension or revocation of certificates or drivers permits.
8. Recommend approval of certificates.
9. Suspend or revoke certificates and approve, suspend or revoke driver's permits, as further set out in this section.
10. Make reasonable rules, regulations, orders and directions as may be necessary and feasible for carrying out the duties of the License Officer which are not inconsistent with the provision of this section.

SEC. 19.02.035. EXAMINATION OF RECORDS.

Every person to whom a certificate or driver's permit has been issued under this Article agrees, as a condition for the privilege of holding such certificate or driver's certificate, the License Officer or his duly appointed representative shall have the right at any time and privilege to require the certificate holder or driver to produce for the purpose of inspection, any and all certificates, permits, licenses and other records as required by this code for the purpose of ascertaining compliance by the certificate holder or driver with the provisions of this Article.

SEC. 19.02.036. PENALTY.

Any person, firm and/or corporation violating any provision of this Article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment for not more than six (6) months, or by both fine and imprisonment.

SEC.19.02.037. APPEAL PROCESS

Any certificate holder, driver permittee or driver permittee applicant aggrieved by the decision of the License Officer to suspend or revoke a certificate or to deny, suspend or revoke a driver's permit shall have the right to appeal the License Officer's decision to the City Council by filing a written appeal with the City Clerk within five (5) days after the notice is served on the certificate holder or permittee. No certificate holder, permittee or

applicant shall have the right to appeal the decision of the License Officer unless said certificate holder, permittee or applicant has requested a hearing as provided in this Article.

The written appeal shall set out a copy of the order or decision being appealed, shall include a statement of the facts concerning the order, and shall state wherein the certificate was wrongfully suspended or revoked or the permit was wrongfully denied, suspended, or revoked. At the time of filing any such appeal a copy shall be filed by the appellant with the License Officer.

The City Council shall fix a time and place for hearing the appeal and shall direct written notice to be served as provided in Article 19.02.008, for service of a notice of suspension or revocation, upon the appellant to provide that information. The City Clerk shall give notice to the License Officer who shall be entitled to appear in defense of his or her decision.

The findings of the City Council shall be final and conclusive and shall be served upon the appellant in the manner provided above for service of notices of suspension or revocation.