

CHAPTER 25 TAXICABS

Sec. 25-1. Taxicab defined.

The word "taxicab" as used herein shall mean and refer to motor-driven vehicles having a seating capacity not in excess of seven (7) passengers and used for the transportation of persons for hire, and not over or upon regular routes and schedule; and the words "taxicab operators" as used herein shall mean and refer to any person, firm, association or corporation owning and operating a taxicab or taxicabs. (*Ord. No. 299, § 1, 10-13-47*)

Sec. 25-2. Permit Required to Operate.

No person, firm, association or corporation shall hereafter engage in the taxicab business in the City without first procuring from the City Council a permit so to do. (*Ord. No. 299, § 2, 10-13-47*)

Sec. 25-3. Application for Permit; Contents.

Before granting any such permit, the City Council shall require the applicant to file with the City Clerk-Treasurer an application, verified by oath, setting forth the facts showing his qualification to render the services for which he seeks the permit, together with the facts which he considers justify and require the rendering to the public of such service, and containing the following information:

- a. Names of persons, firms, or corporations having any interest in said business; and, if a corporation, the names, addresses and number of shares held by each of the stockholders and the names and addresses of its officers.
- b. A complete detailed schedule of the rates proposed to be charged by the applicant.
- c. A complete list of all vehicles proposed to be used by applicant, setting forth the make, year model, seating capacity, motor and serial numbers, and the names of the owners of said vehicles and the equity of said owners therein.
- d. The trade name, address and telephone number of the business. (*Ord. No. 299, § 3, 10-13-47*)

Sec. 25-4. Financial Responsibility Required.

No such permit shall be granted until and unless the applicant therefor shall possess and have available for immediate use in establishing and maintaining the service or services described in his application not less than five hundred dollars (\$500.00) in cash, shall set forth in his application his

possession of such sum and the name of the bank in which it is deposited. *(Ord. No. 299, § 4, 10-13-47)*

Sec. 25-5. Liability Insurance Required.

No permit shall be issued hereunder until the applicant therefor shall have furnished satisfactory evidence to the City Council that he has in force liability insurance issued by a reputable insurance company licensed to do business in the State of Arkansas, said policy to secure payment, in accordance with the provisions thereof, to any person for personal injury to such person and for any damage to property, caused by the operation of such taxicab, for the following amounts: As respects injuries to persons, to the extent of ten thousand dollars (\$10,000.00) for the injury or death of any one person and subject to that limit for each person; twenty thousand dollars (\$20,000.00) for each accident; and as respects damage to property, five thousand dollars (\$5,000.00) for each accident. It is further provided, however, that in lieu of such policy or policies of insurance such applicant may file a bond with the City Clerk-Treasurer, which bond shall be approved by the City Council, and shall be conditioned for the payment of personal injuries and property damage in the same manner and to the same extent herein provided in the case of insurance policies. The cancellation or termination of such insurance or bond, for any cause, after a permit is granted hereunder shall automatically revoke such permit. *(Ord. No. 299, § 5, 10-13-47)*

Sec. 25-6. Annual License Fee.

The applicant shall be required to pay to the City a license fee as prescribed by the City Council, payable in advance on or before January first of each year. *(Ord. No. 299, § 6, 10-13-47; Ord. No. 360, § 1, 1-12-55)*

Sec. 25-7. Driver's Certificate; Application; Approval by City Council.

No person shall drive a taxicab, nor shall any taxicab operator employ a driver unless said driver shall first obtain from the Mayor a certificate entitling him to drive a taxicab and no person shall drive a taxicab nor shall any taxicab operator continue to employ a driver unless said driver's certificate remain in force and is renewed from time to time. Said certificate shall be in addition to any licenses required by law or ordinance of said City. Applicants for such certificates shall file with the Mayor a sworn application including:

- a. The name, age and address of applicant
- b. Where applicant has been employed for the past three (3) years, giving the names and address of his former employers.
- c. A certificate from a reputable physician of the City of Searcy to the effect that he is physically and mentally sound and is free from any communicable disease.
- d. A statement from the Chief of Police that his reputation is good and that he

should be granted the certificate.

Such certificate shall not be issued until the application therefor has been approved by the City Council and shall be valid for only the calendar year for which or during which it is issued. The fee for the issuance of such certificate shall be as prescribed by the City Council and shall be in addition to any other fee provided by this chapter. This section shall apply to the owners of any other persons who may drive or operate any taxicab under the provisions of this chapter. *(Ord. No. 299, § 7, 10-13-47)*

Sec. 25-8. Rates Charged.

The rates to be charged by the operators of taxicabs under this chapter shall first be approved by the City Council and shall not be subject to change except by and with the consent of said council, after a lawful hearing. *(Ord. No. 299, § 8, 10-13-47)*

Sec. 25-9. Solicitation of Customers Prohibited.

It shall be unlawful for any driver of any taxicab to solicit passengers by speaking to or accosting any person at any place in said City, except on private property by virtue of contact made with the operator of said taxicab business; and it shall be unlawful for any owner, operator or driver of any taxicab in said City to cruise or to permit the cruising of any taxicab upon the streets or public ways of said City for the purpose of collecting passengers; and the word "cruise" or "cruising" as used in this section shall mean and refer to the driving or operating of a taxicab over any of the public streets or ways of said City except for the purpose of discharging or receiving passengers in response to calls or requests. *(Ord. No. 299, § 9, 10-13-47)*

Sec. 25-10. Taxicab Terminal; Taxi Stands.

All taxicab operators licensed hereunder shall have a fixed place of business or terminal at which shall be maintained a constantly attended telephone at all times; and transportation services called for shall be rendered to the public without discrimination or favor. The City shall designate one or more taxicab stands wherein such taxicab operators shall have unrestricted parking privileges. *(Ord. No. 299, § 10, 10-13-47)*

Sec. 25-11. Name of Operator to be Stenciled on each Cab; License and Rates Posted in each Cab.

Every taxicab operator shall have stenciled on the side and back of each taxicab the trade name of the operator, and if one operator shall operate more than one taxicab, such taxicabs shall be numbered consecutively and the cab number shall be stenciled thereon; and all stenciling herein required shall be not less than three (3) inches in height. Licenses issued under the provisions of this chapter shall be attached and plainly exhibited on the inside of the taxicabs covered thereby, together with a complete schedule of rates for taxicab service. *(Ord. No. 299, § 11, 10-13-47)*

Sec. 25-12. Cabs to be kept in Good Repair and in Sanitary Condition; Inspection.

Every taxicab operator shall keep in good repair and in a sanitary condition all taxicabs operated by him. The Chief of Police is hereby authorized to inspect said taxicabs at any time he shall deem expedient and shall report his findings to the City Council. *(Ord. No. 299, § 12, 10-13-47)*

Sec. 25-13. Number of Passengers Restricted.

Taxicab operators shall not be permitted to carry more than five (5) passengers in a taxicab which has only two (2) seats. *(Ord. No. 299, § 13, 10-13-47)*

Sec. 25-14. Times of Operation.

The City Council shall have the right to fix the time within which any taxicab operator licensed hereunder shall commence operations and to provide for the loss of such privilege in the event of failure to begin operations within such fixed time. The suspension of operation of any taxicab for a period of thirty (30) days shall automatically cancel the license therefor. *(Ord. No. 299, § 14, 10-13-47)*

Sec. 25-15. Recurrent Statement May be Required of Operator.

Upon written request of the City Council any taxicab operator licensed hereunder shall furnish to the Council a revised and current statement, duly verified, containing the information required by Section 25-3, within ten (10) days from the date of such request. *(Ord. No. 299, § 15, 10-13-47)*

Sec. 25-16. Revocation of Permit or Certificate; Grounds.

Any permit issued to any person, firm, association or corporation, or any certificate issued to any driver hereunder may be revoked by majority vote of the City Council upon the conviction of the operator or holder thereof of the violation of any criminal law of the State of Arkansas or of the United States or any ordinance of the City of Searcy. *(Ord. No. 299, § 16, 10-13-47)*

Sec. 25-17. Transfer or Assignment of Permit or License.

No permit or license issued hereunder may be assigned or transferred except by and with the consent of the City Council. *(Ord. No. 299, § 17, 10-13-47)*

Sec. 25-18. Penalty.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than ten dollars (\$10.00)

nor more than two hundred fifty dollars (\$250.00), and each day this chapter or any provision thereof is violated shall constitute a separate offense. (*Ord. No. 299, § 18, 10-13-47*)

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