

Chapter 147

TAXICABS

[HISTORY: Adopted by the Town Council of the Town of Grottoes 2-3-1970 as Title 15 of the 1970 Ordinances of the Town of Grottoes. Amendments noted where applicable.]

GENERAL REFERENCES

Vehicles and traffic — See Ch. 155.

§ 147-1. Definitions.

Unless the context indicates that a different meaning is intended, the following words and phrases shall have, for the purpose of this chapter, the meanings ascribed to them as follows:

CERTIFICATE — Certificate of public convenience and necessity.

DRIVER — Any person driving a taxicab.

OWNER — Any person having control of the operation or maintenance of a taxicab or of the collection of revenue derived from its operation.

TAXICAB — Any motor vehicle used for the transportation for hire or reward of passengers upon the streets of the Town, other than buses being operated under franchise and over fixed routes between fixed terminals.

§ 147-2. Operation restricted.

It shall be unlawful for any person to operate or cause to be operated any taxicab within the Town, except as provided in this chapter.

§ 147-3. Maintenance.

Every taxicab for which a certificate is issued under this chapter shall be kept in good order and repair at all times.

§ 147-4. Display of owner's name.

Every taxicab for which a certificate is issued under this chapter shall have on the outside on both sides the name of the owner in letters not less than two inches high.

§ 147-5. Posting and exhibition of rates.

The rates in effect for the use of a taxicab shall be posted in a conspicuous place inside every taxicab for which a certificate is issued under this chapter, and such rates shall be exhibited to any person so demanding.

§ 147-6. Report of accidents.

Every accident in which any taxicab is involved shall immediately be reported to the Chief of Police by the operator of the vehicle involved.

§ 147-7. Insurance required. [Amended 7-8-1996]

Each owner shall file with the Town Clerk and keep effective at all times a policy of automobile liability insurance with some duly licensed insurance company authorized to do business in the state or shall provide a surety bond, approved by the Town Council with some solvent surety in the amount hereinafter specified, conditioned upon such owner's responding in damages or shall provide a cash bond in the amount hereinafter specified, covering damages for liability on account of any injury to persons or damage to property resulting from the operation of such public vehicle in the following amounts:

- A. Injury to one person in any one accident: \$1,000,000.
- B. Total injury in any one accident: \$3,000,000.
- C. Property damage in any one accident: \$10,000.

§ 147-8. Seeking employment; service to be offered every day.

No taxicab shall be permitted to cruise seeking employment. Each holder of a certificate issued under this chapter shall offer service every day.

§ 147-9. Charges for service; license tax. [Added 7-8-1996]

Pursuant to §§ 56-291.3:1 and 56-291.3:2 of the Code of Virginia,¹ the Town may regulate the charges for taxicab service and charge a license tax if it so desires.

§ 147-10. Stands.

The Town Council may designate and assign stands for taxicabs and may require owners of taxicabs to furnish their own stands not on the Town streets.

§ 147-11. Solicitation of patronage on public street prohibited.

No person shall solicit patronage for any taxicab by word, signal or otherwise on any public street or public property in the Town.

§ 147-12. Certificate required.

No taxicab shall be operated on the streets of the Town unless and until the Council has issued a certificate to the owner thereof.

§ 147-13. Application; report by Chief of Police.

¹. Editor's Note: Sections 56-291.3:1 and 56-291.3:2 were repealed by Acts 1995, c. 744 and c. 803. See now §§ 46.2-2013 to 46.2-2020.1.

- A. Application for a certificate, as required by this chapter, shall be made by the owner or proposed owner to the Town Council and shall contain the following information:
- (1) The full name, home, and business address of the applicant.
 - (2) The financial status and responsibility of applicant.
 - (3) The name and address of all persons lending money or furnishing capital to the applicant.
 - (4) The number, kind, seating capacity, design and color of each taxicab.
 - (5) Convictions or pleas of guilty on the part of the applicant for any violations of law.
 - (6) Experience of the applicant in transportation of passengers for hire.
 - (7) The reasons why the applicant believes that public necessity and convenience require the granting of his or her application.
- B. Such applications shall be filed in duplicate with the Town Clerk between the first day and the 15th day of October of each year, after which the Town Clerk shall furnish a copy to the Chief of Police who shall investigate the matter and report, in writing, to the Town Clerk prior to the Council's next regular meeting.

§ 147-14. Hearing upon applications; notice of hearing.

The Town Council, between the 15th day of October and the 31st day of December, annually, shall hold a hearing upon the applications filed as provided in § 147-13, after notice as to the time and place of the meeting to all holders of certificates and applicants for certificates by registered or certified mail to the address shown on the certificates and applications. The notice shall be mailed at least 10 days prior to the hearing, but such hearing may be continued from time to time without further notice.

§ 147-15. Grant of certificate; refusal; contents; term.

The Council, upon hearing as provided in § 147-14, shall determine whether the public convenience and necessity require the operation of the taxicab or taxicabs for which the applications in question were filed. The Council is authorized to grant or refuse the certificate applied for or to grant a certificate for a lesser number of taxicabs than that specified in the application. Upon determination by the council to grant a certificate, the Town Clerk shall transmit such certificate to the applicant, giving the name of the owner, number, kind and description of vehicle and issuance and expiration date of the certificate, which expiration date shall occur on the 31st day of December annually, unless revoked or suspended as hereinafter provided.

§ 147-16. Issuance prerequisite to use of license.

No license for the operation of any taxicab shall be used until a certificate therefor has been issued pursuant to this chapter.

§ 147-17. Certificates non-transferable.

Certificates issued as provided by this chapter shall not be transferable.

§ 147-18. Cancellation and revocation.

The Town Council may, for cause, cancel, revoke or suspend any certificate issued as provided in this chapter, after notice to the holder of the certificate in question.

§ 147-19. Substitution of equipment prohibited.

No equipment shall be substituted for that described in a certificate issued under this chapter until it has been investigated and approved by the Chief of Police. Such substitution shall be endorsed on the certificate by the Chief of Police.

§ 147-20. Taxicab driver's license required.

No person shall drive a taxicab within the Town unless he shall have obtained from the Chief of Police a taxicab driver's license.

§ 147-21. Application.

- A. Any person desiring a taxicab driver's license as required in § 147-20 shall file an application therefor. The blank upon which such application is filed shall be in such form as may be prescribed by the Chief of Police.
- B. Each applicant for a taxicab driver's license shall apply for his or her license in person and have his or her fingerprints taken, which fingerprints shall constitute a part of his or her application.
- C. Each such applicant shall file with his or her application two recent photographs of himself or herself of a size designated by the Chief of Police, one of which shall be attached to and become a part of the application.

§ 147-22. Medical examination.

The Chief of Police may require of a person filing an application, as provided in § 147-21, that he or she take a medical examination and submit the findings of the physician to the Chief of Police.

§ 147-23. Grant or denial of license.

Upon the filing of any application as provided in § 147-21, the Chief of Police shall grant the taxicab driver's license applied for unless the applicant therefor shall, in the opinion of the Chief of Police, be disqualified because of physical conditions, including defective hearing or defective eyesight. Addiction to intoxicating liquors or narcotics or a conviction of a violation of criminal law shall also be grounds for denial.

§ 147-24. Fees.

The fees to be charged in connection with a taxicab driver's license shall be as provided in Chapter A171, Fees, and shall be set by resolution of the Town Council.

§ 147-25. Collection and disposition of fees.

The fees provided for in § 147-24 shall be collected by the Chief of Police or some member of the Police Department designated by him or her after giving the licensee a receipt therefor, and all sums so collected shall be promptly paid to the Town Treasurer and put in the general fund of the Town.

§ 147-26. Suspension or revocation.

Upon conviction of the holder of a taxicab driver's license issued under this chapter of any provision of state law or this Code or other ordinances of the Town involving moral turpitude, the taxicab driver's license issued to such person shall become void and the license forthwith surrendered to the Chief of Police.²

§ 147-27. Violations and penalties. [Added 7-8-1996]

Any person who violates the provisions of this chapter shall, upon conviction, be guilty of a Class 1 misdemeanor, with penalties as provided in § 1-7, General penalty, of Chapter 1, General Provisions.

2. Editor's Note: Former Sec. 15-26, dealing with the authority of a Police Justice to suspend or revoke a taxicab driver's license, which immediately followed this section, was deleted 7-8-1996.