

Title 7 ► Chapter 5

Taxicabs

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Sec. 7-5-1 Regulation of Taxicabs; Taxicab Service and Operator Licenses.

- (a) **Licenses Required.** No person shall offer or operate taxicab service within the Village of Bangor for the conveyance of passengers for hire or reward or regularly operate a motor vehicle upon the highways and streets of the Village for such purpose unless such taxicab service and its taxicab operator(s) are licensed by the Village of Bangor as hereinafter provided in this Chapter. To assist Village officials in the administration of license review and issuance under this Chapter, the Village Board may also adopt by resolution policies regarding such reviews and issuance.
- (b) **Statutory Authority.** Pursuant to Sec. 349.24, Wis. Stats., the Village of Bangor is authorized to regulate and license taxicab service businesses and operators of taxicabs, to prohibit such unlicensed activity, and to revoke such licenses in the interest of public safety. Any person licensed under this Chapter shall also comply with the licensing requirements of Ch. 343, Wis. Stats.

State Law Reference: Chapter 343 and Section 349.24, Wis. Stats.

Sec. 7-5-2 Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Certificate of Vehicle Inspection.** A motor vehicle inspection report issued by an authorized Wisconsin motor vehicle dealer verifying that the vehicle has passed a safety inspection, or proof of licensing of the vehicle as a taxicab by another municipality located in La Crosse County, Wisconsin.
- (b) **Driver (Operator).** A person who holds a valid operator's license to drive a public passenger vehicle as authorized by this Chapter.
- (c) **Meter Taxicab.** A public vehicle equipped with a taximeter for the purpose of registering the fare charged upon the basis of the time and distance traveled.
- (d) **Method of Fare Determination.** The fare shall be determined by the taxicab operator either by flat rate or by time/mileage/zones. All taxicabs charging fares based upon time and mileage shall be equipped with a taximeter.
- (e) **Person.** A natural person, firm, partnership, corporation, limited liability corporation, company or any other group of individuals acting together for a common purpose; and together with associated pronouns, shall include the male or female gender, singular and plural, as the context in which they are used requires.
- (f) **Public Passenger Vehicle.** Any self-propelled vehicle that is used for the conveyance of passengers for hire.
- (g) **Public Way.** Any public street, road, boulevard, alley, lane, highway or sidewalk, and including those portions of any public place under the control or management of the Village of Bangor or other public entity which have been designated for use by motor vehicles.
- (h) **Rest Period.** A continuous uninterrupted period of time, lasting at least eight (8) hours, during which a specific driver does not drive a public passenger vehicle.
- (i) **Taxicab.** Any cab, taxicab, auto-bus or other motor vehicle transporting passengers for hire to or from a location within the Village of Bangor.
- (j) **Taxicab Operator License.** The license issued pursuant to the provisions of this Chapter for a driver to operate a taxicab or other public passenger vehicle for hire within the Village of Bangor.
- (k) **Taxicab Service.** Any person, firm, company, partnership or corporation holding himself/herself or itself out to the public as willing to undertake for hire, to transport persons by motor vehicle upon the public ways from and to a location within the Village of Bangor.
- (l) **Taxicab Service License.** The license issued pursuant to the provisions of this Chapter for the operation of a taxicab service in the Village of Bangor.
- (m) **Taximeter.** A mechanical or electrical device which records and indicates a charge or fare calculated according to distance traveled, waiting time, traffic delay, initial charge, and other charges authorized by this Chapter or by rule, or any combination of any of the foregoing, and which records other data. A taximeter shall conform to the standards for such devices as established by the U.S. Department of Commerce, National Institute of Standards and Technology. Taximeters shall be sealed at all points and connections to prevent manipulation which would affect their correct reading and recording. Taximeters

shall be fastened in front of passengers, readily visible at all times, day and night. Taximeters shall at all times be subject to inspection by law enforcement authorities.

Sec. 7-5-3 Taxicab Service License.

- (a) **Taxicab Service License Required.** No person shall operate a taxicab service in the Village of Bangor without a taxicab service license.
- (b) **Exemptions.** The following are exempt from the provisions of this Chapter:
 - (1) Common carriers authorized to operate by the Wisconsin Public Service Commission and/or Interstate Commerce Commission.
 - (2) Vehicles which operate over a regular route or between fixed terminals, such as intercity bus transportation and including charter service.
 - (3) Courtesy shuttles or other transportation services offered exclusively to guests and customers by motels, hotels, resorts, restaurants, taverns or other businesses.
 - (4) Limousine services which are offered on a pre-arranged basis.
 - (5) Operators of a motor vehicle engaged solely in the business of transporting school students.
 - (6) Persons engaged solely in the transportation of medical patients.
 - (7) Vehicles which are rented to be driven by the renter or his/her agent (rent-a-cars).
 - (8) Ambulances and funeral hearses.
- (c) **Application.**
 - (1) Applications for a taxicab service license shall be addressed to the Village Board and shall be filed with the Village Administrator, together with the annual license fee set forth in Section 1-3-1. An application is not considered complete unless the information required by Subsection (c)(2) below, proof of insurance and required fees are provided at the time of application.
 - (2) The application for a taxicab service license may be in letter form with the following information provided:
 - a. Ownership entity name, address and principal owner/agent;
 - b. Telephone numbers (landline, cellphone and fax);
 - c. Email address;
 - d. Statement as to whether the applicant has been convicted of any crime or ordinance violation(s), the nature of the offense, and place of conviction;
 - e. The make, model, year, Wisconsin license plate number, and vehicle identification number(s) (VIN) of each vehicle to be used, and the maximum number of passengers each vehicle is designed to carry;
 - f. Vehicle inspection report(s) required by Sec. 7-5-7;
 - g. Proof of insurance required by Sec. 7-5-6, including a receipt from the insurance company or insurance agent issuing the policy showing that the premium for said policy has been paid in full for a one (1) year period;

- h. Description of method for charging fares, with a schedule of rates to be charged during the license year;
 - i. A history of previous ownership or operation of a taxicab service;
 - j. If applicable, a copy of any license or permit to operate issued by another municipality located in La Crosse County, Wisconsin.
 - k. The name(s) and address(es) of each taxicab operator to be working for the taxicab service, with a copy of a valid Wisconsin driver's license issued to each such operator; and
 - l. General description of proposed operations.
- (3) The Village Administrator shall present such taxicab service license application to the Village Board at its next regular or special meeting, and the Village Board shall, by majority vote, approve, conditionally approve, or deny the license. Appropriate law enforcement authorities shall be asked to perform a background investigation and report such findings to the Village Board prior to the Board taking action.
- (d) **License Year.** The license year for a taxicab service license shall be from January 1 through December 31. License renewals shall follow the same procedures as with original applications.

Sec. 7-5-4 Taxicab Operator License.

- (a) **Taxicab Operator License Required.** No person drive or otherwise operate a taxicab for hire on the public ways of the Village of Bangor without a taxicab operator license. This local license shall be in addition to any other applicable licensing requirements of the State of Wisconsin.
- (b) **Applications.**
- (1) Applications for the licensing of a taxicab operator shall be addressed to the Village Board and shall be filed with the Village Administrator, together with a tendered license fee prorated on the basis of the annual license fee set forth in Section 1-3-1, each remaining portion of the calendar license year be less than eleven (11) months.
 - (2) The application may be in letter form with the following information provided:
 - a. Applicant name, address and age [taxicab operators shall be eighteen (18) years of age];
 - b. Telephone numbers (landline, cellphone and fax);
 - c. Email address;
 - d. Applicant's valid Wisconsin drivers license number; and
 - e. General description of the applicant's driving record and prior experience driving a taxicab.
 - (3) The Village Administrator shall present such taxicab operator license application to the Village Board at its next regular or special meeting and the Village Board shall,

by majority vote, approve, conditionally approve, or deny the license. Appropriate law enforcement authorities shall be asked to perform a background investigation and report such findings to the Village Board prior to the Board taking action.

- (c) **License Year.** The license year for taxicab operator licenses shall be from January 1 through December 31. As a condition to the continued holding and renewal of license for a taxicab business, the proprietor, owner or his agent shall pay to the Village the license fees computed as set forth in Subsection (b)(1) above each year on or before the 15th day of January.

Sec. 7-5-5 License Review Criteria.

- (a) **License Review Criteria.** In reviewing an application for a taxicab service license or taxicab operator license, the Village Board shall consider the following:
- (1) The experience and competence of the applicant and its operators, particularly in operating a public passenger service.
 - (2) The financial capability and responsibility of the applicant.
 - (3) The service provided, and record of, the applicant elsewhere.
 - (4) Record of the applicant of compliance with applicable regulatory laws, ordinances and conditions of license; this includes records of complaints and enforcement actions against vehicle owners and drivers.
 - (5) The applicant's safety record, including accidents and prior driver training.
 - (6) The age and condition of the vehicles proposed to be licensed by the applicant.
 - (7) Whether all required application information has been provided.
- (b) **Appeals.** The determination of the Village Board to approve, conditionally approve or deny issuance of a license under this Chapter is final and any appeal thereof shall be to the La Crosse County circuit court.

Sec. 7-5-6 Insurance Required.

- (a) **Proof of Insurance.**
- (1) It shall be unlawful to operate a vehicle for the conveyance of passengers for hire or permit the same to be operated, nor shall any license be issued hereunder until and unless the applicant for a license deposits with the Village Administrator at the time of license application or renewal a certificate of liability insurance for the vehicles for which licenses are sought, said certificate of liability insurance to be acceptable and approved by the Village Administrator and issued by a company authorized to do business in the State of Wisconsin, and which insurance company must have a rating of "B+" or better in the Best Insurance Guide, indemnifying the applicant in the

- minimum amount of Five Hundred Thousand Dollars (\$500,000.00) for damage to property, and Five Hundred Thousand Dollars (\$500,000.00) for injury to one (1) person and One Million Dollars (\$1,000,000.00) for injury to more than one (1) person caused by the operation of said vehicles in the Village of Bangor.
- (2) Said insurance policy shall describe the vehicle(s) covered by such policy, and no vehicle shall be used by the taxicab service business unless specifically covered by this insurance policy. The policy shall be issued by a company authorized to do business in the State of Wisconsin.
 - (3) If conveying passengers interstate (between two or more states), the licensee shall comply with the Federal Motor Carrier Safety Administration (FMCSA) regulations [Sec. 387.31 Financial Responsibility Required].
- (b) **Cancellation Restrictions.** Each taxicab insurance policy shall contain a provision that the same may not be cancelled before the expiration of its term except upon thirty (30) days' written notice to the Village of Bangor. Every day upon which any vehicle is operated for the conveyance of passengers for hire or when a taxicab or similar transportation is offered to the public without an insurance policy as required herein being in effect and on file with the Village Administrator shall be deemed a separate violation. The cancellation or other termination of any insurance policy issued in compliance with this Section shall automatically revoke and terminate all licenses issued for the taxicab covered by such insurance policy, unless another policy shall be provided and in effect at the time of such cancellation or termination.

Sec. 7-5-7 Vehicle Inspection and Background Investigation Required.

- (a) **Mechanical Inspection.**
- (1) Each taxicab shall be maintained in a safe and reliable condition. To ensure the safe condition of all vehicles used as taxicabs in the Village of Bangor, the applicant shall provide provide the Village with a certificate of vehicle inspection.
 - (2) No vehicle shall be licensed until it has been annually examined by a reputable automobile repair facility (not the owner/applicant) and found to be in a thoroughly satisfactory and safe condition for the transportation of passengers, clean, of good appearance and adequately painted. The operator shall provide the Village of Bangor with a certificate of vehicle inspection [see Section 7-5-2(a)].
 - (3) Based on the information provided in the certificate of vehicle inspection, the Police Department shall determine whether said vehicle complies with this and other provisions of this Chapter, and shall provide such findings to the Village Board and Village Administrator.
 - (4) If such examination and inspection shows that the vehicle does not comply with any of the requirements of this Section, no license shall be issued or renewed.

- (5) At the request of a law enforcement officer, the taxicab owner shall take its vehicle(s) to a reputable garage for an independent special inspection at the owner's expense at any time during the license period if there are reasonable concerns about the condition of such vehicle.
 - (6) The taxicab service licensee shall keep maintenance records for all vehicles employed by the business.
- (b) **Required Vehicle Inspection Report.** No taxicab shall be licensed until a certificate of vehicle inspection has been filed with the Village addressing, at a minimum, that:
- (1) The horn, brakes, windshield, rear vision mirror, fenders, exhaust system, windshield wipers, emergency brake, directional signals, speedometer, tires, headlamps, stop lamps and tail lamps are in legal working order as required by the Wisconsin Motor Vehicle Code. All door and window hardware shall be installed and operational. All taxicabs shall have functioning heating and air conditioning.
 - (2) The taxicab is in generally safe, sanitary and reliable condition, and is free of odors.
- (c) **Liability.** The inspection required by this Section is only an inspection of the taxicab's exterior and passenger areas and a basic operational condition inspection, and is not a full mechanical inspection of the taxicab. Nothing in this Section shall be interpreted as relieving the owner or operator of a taxicab from any and all liability arising from any unsafe, unsanitary, unreliable or illegal conditions existing in his/her taxicab, whether or not such conditions are discovered or omitted by the inspections required herein. This Section shall not be interpreted as creating a duty, warranty or liability on the part of the Village of Bangor or any employee or agent of the Village to any person.
- (d) **Right to Inspect.** Any law enforcement officer may, at all reasonable times, inspect any taxicab under such taxicab service license and may temporarily prohibit the use of any taxicab which is unsafe or not in proper repair until necessary repairs are made.
- (e) **Background Investigation.** As part of the license application and renewal process, the Village Administrator shall request that an appropriate law enforcement authority shall conduct a background check on the applicant and any other taxicab drivers to be employed including, but not limited to, any motor vehicle violations or criminal convictions. The law enforcement authority shall present his/her findings to the Village Board prior to action on the application.

Sec. 7-5-8 Conditions of License.

- (a) **Licenses Nontransferable.** Licenses issued or granted under this Chapter shall be nonassignable and nontransferable.
- (b) **Liability of Licensee.** Licensees shall be liable for any violations of ordinances or statutes by any and all persons operating taxicabs under its license.
- (c) **Number of Passengers.** No licensee or person driving a taxicab shall carry or permit to be carried in any such vehicle more than the number of persons specified in the license applicable to such vehicle.

- (d) **License to be Exhibited; Identification to be Carried.** Every person, firm or corporation issued a taxicab service license under this Chapter shall display the license on the inside of each taxicab vehicle. Every person issued a taxicab operator license shall at all times while in service carry and make available photographic identification.
- (e) **Valid Drivers License Requirement; Change in Status Notification.**
- (1) No person shall operate a taxicab without holding a valid Wisconsin drivers license and a Village taxicab operator license. No taxicab service licensee shall permit a driver in its employ to operate a taxicab without a valid Wisconsin drivers license and a Village taxicab operator license.
 - (2) A taxicab service licensee shall promptly notify the Village in writing of a change of status for any operator or vehicle working under their license.
- (f) **Accidents Involving Taxicabs.** Any licensee involved in a vehicular accident (in the Village or elsewhere) shall provide written notice of the accident to the Village within forty-eight (48) hours of the incident. The notice shall identify the operator, vehicle, date, time and location of the accident.
- (g) **Fare Disclosure; Taximeter Use.**
- (1) Each vehicle operated as a taxicab under this Chapter shall plainly exhibit on the inside of such vehicle the current rates of fare, including the following information as is applicable:
 - a. Minimum or first increment rate.
 - b. Additional increment rates if zone rates are used.
 - c. Rate per mile.
 - d. Waiting charges.
 - e. Charges for additional mileage increments.
 - f. Charges for additional passengers.
 - g. Additional charges that may apply.
 - h. The flat rate charge if available.
 - (2) Every vehicle employed as a taxicab in which the fare is determined by mileage rate or time shall contain a taximeter in good repair. Taximeters are subject to inspection by the Village, or its designees, and law enforcement authorities. No taximeter is required if only a flat fee or zone rate is charged.
- (h) **Misrepresentation.** It shall be unlawful for the owners, operators, drivers, or any persons engaged in the business of carrying passengers for hire governed by this Chapter to knowingly or carelessly misinform or mislead a customer or prospective customer as to the location of any destination and the distances and fares involved.
- (i) **Vehicle Changes.** If at any time during the course of the taxicab service license year a vehicle listed in the original application is removed from service and replaced with a different vehicle, the Village of Bangor shall be notified of such change.
- (j) **Unreasonable Refusal of Service.** No person issued a taxicab service license shall unreasonably or unlawfully refuse to carry passengers to or from any part of the Village of Bangor with reasonable promptness.

- (k) **Services Receipt.** Upon request, a taxicab operator shall provide the party paying for the hiring of the taxicab a legible receipt at the time of payment which contains the business name, operator's name, total amount paid for service, and the date of service.
- (l) **Passenger Number Limits.** No taxicab operator shall carry or permit to be carried in a taxicab more persons than the vehicle is designed for.
- (m) **Required Operator Rest Periods.** Taxicab operators shall have rest periods in every twenty-four (24) period as defined in Sec. 7-5-2.
- (n) **Village Board May Impose Further Restrictions.** Any licensee hereunder shall be subject to such further regulations and restrictions as may be imposed at any time by the Village Board.

Sec. 7-5-9 Refusal to Pay Tax Fare Prohibited.

No person who has been transported by a taxicab in the Village of Bangor shall refuse to pay the fare for such transportation as such fare is shown on the taximeter or zone meter.

Sec. 7-5-10 License Revocation or Suspension; Appeals.

- (a) **Suspension or Revocation.** Licenses granted under this Chapter may be suspended or revoked at any time by the Village Administrator or a law enforcement officer for any violation of this Chapter. When a taxicab license is revoked or suspended as herein provided, the Village Administrator or law enforcement officer shall immediately notify the owner to cease at once the operation the vehicle(s) for which a license has been revoked. Grounds for possible revocation or suspension include, but are not limited to:
 - (1) Licensee fails to meet the requirements of this Chapter.
 - (2) Improper conduct by the taxicab service licensee or his/her employee or agent.
 - (3) Any taxicab operator who threatens the public safety or welfare, provokes or tends to provoke a disturbance, defrauds or attempts to defraud, attempts or overcharge any passenger, fails to provide adequate service, or has violated a state statute or Village ordinance.
- (b) **Appeals.** Any person who received a revocation or suspension of a license and objects to all or part thereof may appeal to the Village Board within seven (7) days of the receipt of the order and the Village Board shall hear such appeal within thirty (30) days of receipt of such written notice of the appeal. After such hearing, the Village Board may reverse, affirm or modify the order or determination.

