



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin 53202

## Meeting Minutes PUBLIC TRANSPORTATION REVIEW BOARD

**ALD. ROBERT BAUMAN, CHAIR**  
**ELIZABETH NICOLS, VICE-CHAIR**  
*John Doherty, David Jasenski, Sandra Kellner, Don Natzke,  
Abdulkadir Omar, Jeffrey Polenske, Terry Radtke and Mariano  
Schifalacqua*

*Staff Assistant: Joanna Polanco, 286-2366, Fax: 286-3456,  
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Legislative Liaison: Richard Withers, 286-8532,  
rwith@milwaukee.gov*

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Friday, October 14, 2011

9:00 AM

Room 301-A, City hall

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**Meeting convened at 9:02 A.M.**

**Present** 10 - Schifalacqua, Polenske, Bauman, Nicols, Omar, Doherty, jasenski, Radtke, Natzke and Kellner

**Also present:**

**Richard Withers, Legislative Reference Bureau**

**Captain Steven Basting, Milwaukee Police Department 1st District (Downtown)**

**Heidi**

**Ms. Cheri McGrath ALTERNATE for Mr. Natzke**

**1. Roll call and approval of previous meeting minutes.**

*Motion by Nicols, seconded by Schifalacqua, to approve minutes of the September 9th, 2011 meeting. There were no objections.*

**2. Discussion on Valet Parking regulations and Bus stops usage.**

*Individual present:*

*Dick Withers - Legislative Reference Bureau*

*Captain Steven Basting*

*Heidi Weed - DNS Rep for the 1st District*

*Mr. Withers distributed a memo to all members and explained that after reviewing the Valet Parking regulations, there are no current ordinance regulating valet parking, it appears that there is no legal impediment to regulating Valet parking. There was legislation introduced in 1999 and 2003 with proposed rules, but no action was ever taken.*

*Captain Basting introduced Ms. Weed who is the representative of the Department of*

*Neighborhood Services who works in conjunction with District 1 and other City departments to continue the monitoring of the downtown activities to come up with long term solutions. Captain Basting will work with Mr. Withers in the creation of a possible draft in comparison with other cities to present the board in future meeting.*

*Mr. Withers said that the way the Bus Stop ordinance is set up, there is no standing permitted in these areas, but there is no reason why after operation hours these bus stop areas could not be use for taxis.*

*Ms. Kellner said that the shared usage of the bus stop may create other problems for the smooth operation of the buses.*

*Ald Bauman said to hold the question of the Bus stop usage for a later discussion and for the Legislative Reference Bureau to work on Valet ordinance drafts.*

**3. Discussion on Water Street Cab Stand/congestion at closing time.**

*Captain Basting said that MPD will continue the effort to establish a No Parking on West side of Water St between Highland and Knapp between the hours of 9:00 PM - 3:00 AM during Thursday, Friday and Saturdays, for the use of Taxis and Limousines only.*

*Captain Basting said that the next is to present the plan to the North Water St. Business Association.*

**4. Discussion of taxi cab license regulations.**

*Individuals present:  
Rebecca Grill - License Division  
Adam Stephens - Asst city Attorney*

*Ms. Grill presented board with tw handouts: City of Milwaukee Taxicab and Driver Regulations and a Summary of Public Passenger Driver Regulations. These handouts summarize the Public Passenger Vehicle permit types, the number of permits issued as of October 13, 2011, and also explain the permit application process for taxicabs, the Public Passenger Vehicle application process and related regulations.*

*Ms. Grill said that the City of Milwaukee licenses Private Passanger Vehicle that operate for hire; there are currently, 321 taxicab permits issued; and there are 2700 drivers licensed that can drive other vehicles than taxis.*

**Meeting adjourned at 9:49 A.M.  
Joanna Polanco  
Staff Assistant**



# MEMORANDUM

## LEGISLATIVE REFERENCE BUREAU

WWW.MILWAUKEE.GOV/LRB

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**To:** Ald. Robert Bauman, Chair, Public Transportation Review Board  
**From:** Richard Withers and Jim Carroll - Legislative Fiscal Analysts  
**Date:** October 12, 2011  
**Subject:** Valet Parking and Parking at Bus Stops

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This memorandum responds to questions asked by Board member Ms. Beth Nicols at the September 9, 2011, Public Transportation Review Board's meeting related to valet parking operators and parking at bus stops.

### Valet Parking

**Does the City have an ordinance?**  
**Does the City require a license?**

The City does not have an ordinance pertaining to valet parking and does not license valet parking operators. In 1999, Ald. Henningsen sponsored Common Council File Number 981587, a substitute ordinance relating to the licensing of valet parking service operators and the use of loading zones by such operators. Also, Ald. Henningsen in 2003, sponsored Common Council File Number 021789, a resolution approving rules for the operation of valet parking services on public right-of-way and the use of loading zones for valet parking purposes. Both Common Council files were placed on file by the Common Council on November 5, 2003. Copies of the files are attached.

There does not appear to be any legal impediment to licensing, permitting or regulating valet services that utilize the public right-of-way.

### Parking at Bus Stops

**Can bus stops be used for other purposes after bus hours?**

No, s. 101-23-7 of the Milwaukee Code of Ordinances does not make any exceptions to the prohibition against parking at any regular bus stop based upon hours of bus operations.

Section 349.13(1e), Wis. Stats., authorizes local authorities to "...prohibit, limit the time of or otherwise restrict the **stopping, standing or parking** of vehicles..." Regulation of stopping, standing or parking of vehicles must not conflict with other state laws.

Section 340.01(42m), Wis. Stats., defines “**parking**” to mean, “...the halting of a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers.”

Section 340.01(59m), Wis. Stats., defines “**standing**” to mean, “...the temporary halting of a vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.”

Section 340.01(62), Wis. Stats., defines “**stop**” to mean, “...”the complete cessation of movement.”

It is not a violation of the prohibition against parking to actually load or unload property or passengers in an area designated as a bus stop.

Regular bus stops under s. 101-23-7-c are designated by the transit stop technical committee under s. 101-44 of the Milwaukee Code of Ordinances. Other areas may be designated “no parking” during certain hours for purposes that may include loading and unloading of passengers or simply providing an additional lane of traffic flow during rush hours. These designated areas are not “bus stops” within the meaning of ss.101-23-7-c or 101-44 of the Milwaukee Code of Ordinances.

**Can bus stops be used as taxi stands for unloading, etc.?  
If not, what can be done?**

No, s. 101-23-8 of the Milwaukee Code of Ordinances establishes the requirements for a “taxicab stand” which are inconsistent with those of a bus stop. For example, s. 101-23-8-a-3 provides that taxicab stands are “for cabs only.” Standing and stopping appear to be subsets of “parking” under the state’s definitions.

The Code could be amended, consistent with state definitions and requirements, to allow the standing of taxis accompanied by drivers during the hours that buses are not operating. Another alternative is to permit standing of taxis accompanied by drivers when standing does not interfere with or impede bus stop operations.

**Text of Legislative File 981587**

..NUMB:

981587

..VERS:

SUBSTITUTE 5

..REF:

..XXBY:

ALD. HENNINGSEN

..TITL:

A substitute ordinance relating to the licensing of valet parking service operators and the use of loading zones by such operators.

..SECS:

81-70-2 am

81-70-3 am

81-131.3 cr

84-30 cr

101-23.7-3-a am

101-23.7-5 rc

101-23.7-6 cr

115-32-1-o cr

..ANLS:

This ordinance requires any person who wishes to conduct a valet parking service on the public right-of-way within the central business district to obtain a valet parking operator license from the city clerk and to have available for such service a loading zone measuring at least 40 feet or 2 metered parking spaces. Exempt from this requirement are hotels and other businesses that provide valet parking for patrons solely and entirely on the business premises. Licenses shall be valid for 2-year periods. For purposes of this ordinance, the central business district is the area bounded by Walnut, Pleasant, Water and Brady streets and Brady Street extended on the north, Lake Michigan on the east, the Milwaukee and Menomonee rivers on the south and Interstate Highway 43 on the west.

The fee for a new or renewal valet parking operator license shall be \$75. The other fee associated with the conduct of a valet parking service, the loading zone permit fee, shall be required whenever a new loading zone intended for valet parking purposes is created or an existing loading zone is converted to a loading zone intended for valet parking purposes.

Upon receipt of a valet parking operator license application, the city clerk shall forward copies of the application to the commissioner of public works and the chief of police, as well as each common council member. The chief of police shall perform an investigation of the application and make a recommendation to the city clerk. The common council's utilities and licenses committee shall hold a hearing on each application for a new or renewal valet parking operator license, even if no written objection to the license has been filed with the city clerk. Upon the granting of a valet parking operator license by the common council, the city clerk shall issue a valet parking operator license to the applicant. As a condition of license issuance, a valet parking operator shall agree to provide valet parking services to all businesses located on the same block face as the loading zone that pay to the operator the same amount for such services as the business or businesses for which the valet parking loading zone was initially established.

Grounds for common council denial or nonrenewal of a valet parking operator license are specified in the ordinance. This ordinance also creates a procedure through which the common council, based on sworn charges or a sworn complaint relating to the same grounds, may suspend or revoke a valet parking operator license. If a license is denied, not renewed or revoked, no other valet parking operator license shall be granted to the applicant within 3 months of the date of denial, nonrenewal or revocation.

Each licensed valet parking operator and, where appropriate, each attendant employed by the operator, shall comply with all rules for operation of a valet parking service on public right-of-way, as set forth in this ordinance.

Finally, this ordinance requires that, whenever it is the intent of a loading zone permit applicant to establish the loading zone for use by a licensed valet parking operator, the loading zone permit application shall clearly identify such intended use along with the name, address and telephone number of the licensed valet parking operator. The applicant for a loading zone intended for valet parking purposes shall agree that only the valet parking operator identified on the permit application may use the loading zone for valet parking purposes and that the operator may use the loading zone to provide valet parking services to all businesses located on the same block face as the loading zone that pay to the operator the same amount for such services as the business or businesses for which the valet parking loading zone is initially established. There shall be not more than 2 loading zones intended for valet parking use on any one block face, and the commissioner of public works shall be authorized to alter the size or location of such loading zones. A loading zone for valet parking purposes may be designated for use for conventional loading and unloading purposes at other times if those additional loading zone times are specified on the permit application.

..BODY:

Whereas, The Common Council finds that the availability of valet parking services enhances the economic vitality of businesses and business districts in the city of Milwaukee; and

Whereas, The Common Council finds that there is a need to ensure that valet parking services on public right-of-way are operated in a safe and orderly manner and treat valet parking customers in a courteous and ethical manner; and

Whereas, A Department of Public Works study of the availability and use of parking spaces in downtown Milwaukee found that many off-street parking facilities are underutilized during evening hours, while on-street parking spaces have a high rate of occupancy; and

Whereas, The Common Council finds that there is a need to increase the use of off-street parking facilities in downtown Milwaukee; and

Whereas, The Common Council finds that the increased availability of valet parking services may increase the use of off-street parking facilities; now, therefore

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 81-70-2 and 3 of the code is amended to read:

81-70. Loading Zone Permit.

2. The fee for each original loading zone permit, except a permit issued to a disabled person as defined in s. 101-23.7-1-b, shall be computed at the rate of \$168 for every 30 feet of curb space or fraction thereof >>in unmetered parking areas or \$112 for every metered parking space in metered parking areas<<. The fee for each original loading zone permit issued to a disabled person shall be \$50, with all such permits being for 30-foot loading zones.

3. The fee for each renewal loading zone permit shall be computed at the rate of \$84 for every 30 feet of curb space or fraction thereof >>in unmetered parking areas or \$56 for every metered parking space in metered parking areas<<.

Part 2. Section 81-131.3 of the code is created to read:

81-131.3. Valet Parking Operator License. 1. Each valet parking operator license shall be issued for a 2-year period, expiring on November 30 in even-numbered years.

2. The fee for each new or renewal valet parking operator license shall be \$75.

3. A license renewal application shall be filed at least 60 days before the expiration date of the license. There shall be an additional fee of \$25 for the filing of a late renewal application. In addition to the late fee, a license may lapse and be void if the renewal application is submitted less than 60 days before the

expiration date.  
(See s. 84-30.)

Part 3. Section 84-30 of the code is created to read:

84-30. Valet Parking Operator License. 1. PURPOSE. The purpose of this section is to establish rules and regulations governing the conduct of valet parking services operated in the public right-of-way. The city recognizes that valet parking services may contribute to the economic development of the community and lead to more efficient use of off-street parking facilities, but also seeks to ensure that such services do not substantially reduce vehicular and pedestrian convenience, safety and general access or the amount of on-street parking available to businesses that do not use such services. The common council finds that these issues are of particular importance in the central business district, where most valet parking services operate and where off-street parking facilities are often underutilized at the same time that on-street parking spaces are largely occupied.

2. DEFINITIONS. In this section:

a. "Objection" means any information received by the city clerk that could form the basis for denial or nonrenewal of a valet parking operator license.

b. "Valet parking operator" means a person who, either personally or through the services of one or more attendants employed by such person, provides a valet parking service to a business establishment. If a business establishment provides a valet parking service for its patrons using its own employes, the establishment shall be considered a "valet parking operator" and shall be subject to the requirements of this section.

c. "Valet parking service" means a parking service provided to accommodate patrons of any business establishment by having an attendant, on behalf of the establishment, take temporary custody of a patron's motor vehicle and move, park, store or retrieve the vehicle for the patron's convenience.

3. LICENSE AND LOADING ZONE REQUIRED. No person shall conduct a valet parking service on the public right-of-way within the area bounded by Walnut, Pleasant, Water and Brady streets and Brady Street extended on the north, Lake Michigan on the east, the Milwaukee and Menomonee rivers on the south and Interstate Highway 43 on the west without first obtaining a valet parking operator license issued in accordance with this section. Such service shall be conducted only in a loading zone intended for valet parking use for which a loading zone permit has been issued pursuant to s. 101-23.7.

4. EXCEPTION. This section shall not apply to any business establishment that provides a valet parking service that is conducted entirely on private property, nor to the operation of a valet parking service on the public right-of-way in any location outside the area described in sub. 3.

5. APPLICATION. a. Contents. Application for a new or renewal valet parking operator license shall be made to the city clerk on a form designated for that purpose, and shall include the following:

a-1. Name and date of birth of the applicant.

a-2. Permanent home address and business address of the applicant. Post office box numbers shall not be acceptable.

a-3. Home telephone number and business telephone number of the applicant.

a-4. The location and length of the loading zone that will be used for valet parking purposes. If a loading zone permit has been granted for the loading zone, the permit number shall be provided.

a-5. The name of each business for which the applicant will be providing valet parking service.

a-6. The days and times during which the applicant will be providing valet parking service.

a-7. A sworn statement that the applicant will provide a copy of the operating rules in sub. 13 to each valet parking attendant employed by the applicant at any time during the license period.

a-8. A sworn statement that the applicant agrees to indemnify and hold the city and its employees, elected officials, appointed officials, representatives and agents harmless from any and all loss, claims, demands, damages, liabilities, suits or other legal actions, judgments and decrees, attorney's fees, costs and expenses which result from the valet parking service to be provided by the applicant. The applicant shall further agree to accept tender of defense in situations where the city is involved in a loss event caused by the actions of the applicant.

b. Fingerprinting. All applicants shall be fingerprinted. If the applicant is a corporation, the agent and all the officers and directors as well as the stockholders owning 20% or more of the stock of the corporation shall be fingerprinted. If the applicant is a partnership, each partner shall be fingerprinted. The requirement that an applicant be fingerprinted shall not apply to a person already licensed by the city when that person is renewing a license.

c. Deadline for Renewal Application Submission. Application for a renewal license shall be made at least 60 days prior to the expiration of the license to be renewed.

d. Distribution of Copies of Application. Upon receipt of an application for a new or renewal valet parking operator license, the city clerk shall provide copies of the application to the commissioner of public works, the chief of police and, for informational purposes only, to each common council member.

e. Investigation by Chief of Police. The chief of police shall conduct an investigation of each valet parking operator license application. If the application is for a new license, the investigation shall include a criminal background investigation of the applicant. If the application is for license renewal, the chief of police shall, in addition to conducting a criminal background investigation of the applicant, perform an investigation to determine if the applicant has violated any of the rules set forth in sub. 13 or if operation of the applicant's valet parking service has resulted in the issuance of parking or traffic citations. Based on the findings of the investigation, the chief of police may file an objection to issuance of the license with the city clerk.

f. Objections. A written objection to license issuance or renewal relating to the causes for denial or nonrenewal specified in sub. 11 may be filed with the city clerk by the commissioner of public works, any common council member or any other interested person at any time. However, in order for the procedure for denial or nonrenewal set forth in sub. 10 to be initiated, the objection shall be filed at a time such that notice of the objection can be served on the licensee before the last regular utilities and licenses committee meeting before the expiration date of the license.

6. FEE. a. General. See s. 81-131.3 for the required valet parking operator license fee.

b. Insufficient Funds. If payment for a license fee is made by check or other draft and payment on the draft is stopped or the draft is drawn upon an account that is non-existent or contains insufficient funds, the applicant shall, within 15 days after the receipt of notice from the city clerk of the insufficiency, pay by cashier's check or other certified draft, money order or cash, the fee and late fee specified by the code. Non-payment of all applicable fees within 15 days after the applicant received notice of the insufficiency shall result in suspension of the license, and the applicant's valet parking service shall cease operation until all fees are paid in full.

7. INSURANCE AND BOND REQUIREMENTS. a. Insurance. The licensed valet parking operator shall assume responsibility for all liability for damages to persons or property associated with the operation of a valet parking service and shall maintain insurance as follows:

a-1. Workers Compensation and Employers Liability. a-1-a. Workers Compensation: statutory.

a-1-b. Employers Liability:

Bodily Injury by Accident: \$100,000 each accident





c. Conditions of Issuance. A valet parking operator license shall permit the operation of a valet parking service only in a loading zone designated pursuant to s. 101-23.7-5 as intended for valet parking use by the operator listed on the license application. A licensed valet parking operator shall provide valet parking services to, at a minimum but not limited to, all businesses located on the same block face as such loading zone that pay to the operator the same amount for such services as the business or businesses for which the valet parking loading zone was initially established. The licensed valet parking operator shall not be required to provide valet parking services to any business that does not promptly pay for those services.

9. REPORT OF CHANGES REQUIRED. Whenever anything occurs to change any fact set forth in a valet parking operator license application, the licensee shall file notice in writing of such change with the city clerk not more than 10 calendar days after the effective date of such change.

10. PROCEDURE FOR DENIAL OR NONRENEWAL OF LICENSE. a. If the city clerk receives an objection to issuance of the license from the chief of police, or if the city clerk receives a sworn written objection to the issuance or renewal of the license from the commissioner or public works, any common council member or any other interested person, the procedure for the utilities and licenses committee hearing on whether to issue, renew, renew with a suspension, deny or not renew the license shall be as set forth in this subsection. Causes for denial, nonrenewal or renewal with a suspension shall be those specified in sub. 11.

b. The city clerk shall serve notice of the date and time of the hearing upon the applicant by United States first-class pre-paid mail at least 5 business days prior to the date set for the hearing. Such notice shall include a description of the objections that the city clerk has received relating to the issuance or renewal of the license. The applicant shall have an opportunity to appear at the hearing, be represented by counsel, cross-examine witnesses who oppose the issuance or renewal of the license and present evidence in favor of issuance or renewal of the license.

c. At the conclusion of the hearing, the committee shall make a recommendation to the common council concerning issuance or renewal of the license. The committee shall provide a written report of its findings and recommendations to the city attorney, the commissioner, the licensee or applicant and each member of the common council.

d. Whenever the utilities and licenses committee recommends nonrenewal of an existing license or renewal with a suspension, the common council shall conduct a hearing on the committee recommendation. The city clerk shall give the applicant not less than 5 days' notice of the date set for hearing by the common council. The hearing shall be conducted as follows:

d-1. The chair shall allow oral argument by an applicant who, at least 2 days prior to the date of the meeting, has presented written objections to the recommendations of the utilities and licenses committee. The city attorney shall also be permitted to make a statement. Oral arguments shall be limited to 5 minutes on behalf of each party.

d-2. A roll call vote of the common council shall be taken as to whether the recommendation of the committee shall be accepted. The applicant shall be provided with written notice of the results of the common council vote.

e. In the event that the common council votes to renew a license with a suspension, the suspension of the license shall take effect at the end of the current license term.

f. If the common council votes to not renew a license, or to renew the license with a suspension, the licensee shall be responsible for all costs associated with the removal or changing of city signs necessitated by the nonrenewal or suspension.

11. CAUSES FOR COUNCIL DENIAL, NONRENEWAL, SUSPENSION OR REVOCATION OF LICENSE. An application for a new or renewal valet parking operator license may be denied, or any license issued under this section may be suspended or revoked, by the common council for any of the

following causes:

- a. An objection to the valet parking operator license from the chief of police.
- b. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the operation of a valet parking service, on behalf of the licensee or his or her employees.
- c. Failure of the applicant or licensee to comply with the rules for licensed valet parking operators set forth in sub. 13.
- d. Provision by the applicant or licensee of a false or materially incorrect statement on the license application.
- e. The applicant or licensee's use of a loading zone to conduct a valet parking service has resulted in the repeated issuance of parking or traffic citations.
- f. The applicant or licensee's use of a loading zone to conduct a valet parking service has resulted in traffic congestion or obstruction of pedestrian traffic in the vicinity of the loading zone.
- g. A check for payment of the required valet parking operator license fee has been returned to the city by a bank or other financial institution because of insufficient funds.

12. PROCEDURE FOR REVOCATION OR SUSPENSION OF LICENSE. a. Whenever any person files either sworn written charges or a sworn written complaint with the city clerk setting forth specific charges against a licensed valet parking operator relating to any of the causes for revocation or suspension of a license set forth in sub. 11, the city clerk shall notify the common council's utilities and licenses committee of the need to schedule a committee hearing on whether to revoke or suspend the license. The procedure for the hearing shall be as set forth in this subsection. Causes for revocation or suspension shall be those specified in sub. 11.

b. The city clerk shall serve notice of the date and time of the hearing upon the licensee by United States first-class pre-paid mail at least 5 business days prior to the date set for the hearing. Such notice shall include a description of the written charges or complaint against the licensee.

c. The utilities and licenses committee of the common council shall convene at the date and time designated in the hearing notice for the purpose of taking evidence and making findings of fact and conclusions of law and a recommendation to the common council in connection with the proposed revocation or suspension. The committee hearing shall be conducted as follows:

c-1. If the licensee appears before the committee at the time designated in the hearing notice and denies the charges contained in the complaint, an evidentiary hearing in connection with the revocation or suspension shall be conducted by the committee at that time. If the licensee does not appear, or appears but does not deny the charges contained in the complaint, the complaint shall be taken as true and the committee shall hear the arguments of the city attorney and the licensee in connection with the revocation or suspension.

c-2. The chair of the utilities and licenses committee shall be the presiding officer. The chair shall direct that oaths be administered and subpoenas issued upon request of either side. The chair shall ensure that an orderly hearing is conducted in accordance with the requirements of this subsection. The chair shall rule on objections to the admissibility of evidence. Any ruling of the chair shall be final unless appealed to the committee, and the committee shall reverse such ruling only upon the vote of a majority of its members.

c-3. At all stages of the proceedings before the committee or before the common council, the licensee shall be entitled to appear both in person and by an attorney.

c-4. At any evidentiary hearing required by this subsection, the city attorney shall first present evidence in

support of the complaint. After the city attorney rests, the licensee shall present evidence in opposition to the complaint. Each may subpoena witnesses. All witnesses shall testify under oath and shall be subject to cross-examination under oath. At the close of the testimony, each shall be given a reasonable time to make arguments upon the evidence adduced at the hearing.

c-5. A stenographic record shall be made of all proceedings before the committee and before the common council when written exceptions have been filed. Any interested party may at any stage of the proceedings order a copy of the transcript of the record or portions thereof at his or her own expense.

d. Within 10 working days after it reaches a decision, the committee shall prepare and serve a report and recommendation on the proposed license revocation or suspension and transmit copies thereof to the city attorney, the commissioner of public works, the licensee and each member of the common council. The report and recommendations shall include specific findings of fact and conclusions of law made by the committee.

e. If the committee recommends that the license be revoked or suspended, then within 7 days of the receipt of the report and recommendation of the committee, the licensee may file written exceptions to the report and recommendations of the committee.

f. Any exceptions filed by the licensee to the report and recommendations of the committee shall be provided to each member of the common council at least 24 hours before any vote on the question is scheduled before the common council.

g. At a meeting of the common council following the receipt of the report and recommendations of the committee, the common council shall consider the report and recommendation. Not less than 5 days prior to the hearing before the common council, the city clerk shall notify the licensee by certified mail and also notify the city attorney that the common council will convene. The hearing shall be conducted as follows:

g-1. Each member of the common council shall be asked to affirm that he or she has read the report and recommendation of the committee. When written exceptions are filed to a committee report and recommendation that the license be suspended or revoked, each member of the common council shall be asked to affirm that he or she has read the exceptions. If members of the council have not read the recommendation and report of the committee and any exceptions that have been filed thereto, the chair may allocate time for the members to do so.

g-2. Oral argument in support of the report and recommendation presented by the city attorney and oral argument on behalf of the licensee in opposition to the report and recommendation shall be permitted only at the discretion of the chair. If such argument is permitted by the chair, each side shall be limited to 5 minutes and the arguments shall be limited to the subject matter of the report and recommendation and the written exceptions.

g-3. The common council shall determine by a majority vote of those in attendance and voting whether to adopt the recommendation of the committee. Such vote shall be a roll call vote.

h. If the common council finds the complaint to be true, or if there is no objection to a report recommending suspension or revocation with the committee's report and recommendation and in accordance with this section, the city clerk shall give notice of each suspension or revocation to the person whose license is suspended or revoked. If the common council finds the complaint to be untrue, the proceedings shall be dismissed without cost to the licensee. If the common council finds the complaint to be malicious and without probable cause, the cost shall be paid by the complainant upon invoice from the city.

i. All suspensions and revocations under this subsection shall be effective upon service of the suspension or revocation upon the licensee.

j. The licensee shall be responsible for all costs associated with the removal or changing of city signs

necessitated by the suspension or revocation of a license.

13. RULES FOR OPERATION OF VALET PARKING SERVICES ON PUBLIC RIGHT-OF-WAY. Each licensed valet parking operator and, where appropriate, each attendant employed by the valet parking operator, shall comply with all rules of this subsection. In this subsection, the term "attendant" shall include the licensed valet parking operator himself or herself.

- a. The licensed valet parking operator shall comply with all applicable provisions of ch. 115.
- b. The licensed valet parking operator may place, on or within the public sidewalk area adjacent to the loading zone which is used for the valet parking service, up to 2 portable sandwich board-type signs or other devices approved by the commissioner of public works to advertise the valet parking service. Each sign shall be placed within 4 feet of the loading zone and in such manner as to not obstruct pedestrian traffic and to not violate the vision triangle regulations of s. 295-405-3. The surface area of each sign face shall be at least 9 square feet, but not larger than 25 square feet. If a fee is charged for the valet parking service, such fee shall be clearly displayed on the sign. Signs shall be removed and stored off-site at all times when the valet parking service is not operating. No special privilege granted by the common council or permit issued by the commissioner of public works shall be required for the placement of signs which comply with this paragraph.
- c. The licensed valet parking operator shall display, on a permitted sandwich-board sign or in such other location approved by the commissioner of public works, a copy of the operator's valet parking operator license.
- d. The licensed valet parking operator shall display, on a permitted sandwich-board sign or in such other location approved by the commissioner of public works, the loading zone permit sticker for the loading zone which the operator is authorized to use for valet parking purposes.
- e. Double parking of vehicles at valet parking zones shall be prohibited.
- f. No attendant employed by a licensed valet parking operator may stand in the vehicular-travel portion of the public right-of-way, including the parking lane, to direct vehicles into the loading zone or to solicit business for the valet parking service.
- g. The licensee shall not place any signs, traffic cones, poles, chairs, ropes, chains or other objects in the vehicular-travel portion of the public right-of-way, including the parking lane.
- h. The licensed valet parking operator and each attendant employed by the operator shall recognize that the valet parking service is being operated in a loading zone and that, pursuant to s. 346.53, Wis. Stats., no person, including any licensed valet parking operator or attendant or client thereof, shall stop or leave standing any vehicle in a loading zone except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers. When a vehicle is so stopped or left standing, it shall at all times be attended by a licensed motor vehicle operator so that it may be promptly moved in case of any emergency or to avoid obstruction of traffic. The licensed valet parking operator and each attendant employed by the operator shall further recognize that loading zones shall not be considered parking places and that the prohibition on parking in loading zones shall be enforced accordingly.
- i. The penalty for any parking violation incurred by a vehicle while in the custody of the licensed valet parking operator shall be the sole responsibility of the licensed valet parking operator and shall, upon final determination of liability, constitute a debt due and owing to the city.
- j. Each attendant employed by the licensed valet parking operator shall, while on duty, wear conspicuously placed on his or her clothing an insignia which identifies the valet parking operator for whom the attendant is working.
- k. Every attendant employed by the licensed valet parking operator shall, upon taking custody of a patron's vehicle, issue a numbered receipt to the patron containing the name, address and telephone

number of the operator, the charge for the valet parking service, the time and date the attendant took custody of the vehicle, the license number of the vehicle, a statement that the operator has the liability insurance required by these rules and a statement advising the patron to keep the receipt for future reference. When the attendant returns custody of the vehicle to its owner, the attendant shall stamp the receipt with the time and date the attendant surrendered custody of the vehicle and return the receipt to the patron.

L. Every attendant employed by the licensed valet parking operator shall carry on his or her person a valid driver's license at all times while in control of a patron's vehicle.

m. The licensed valet parking operator shall provide each attendant employed by the operator with a copy of this subsection. On the application for the valet parking operator license, the operator shall sign a statement swearing that the operator will provide a copy of this subsection to each attendant employed by the operator at any time during the license period.

n. The licensed valet parking operator shall remove all signs and other objects placed on the public right-of-way and associated with the valet parking service and restore the public right-of-way to its original condition whenever public necessity so requires as determined by resolution of the common council or upon expiration of the license. In addition, the commissioner of public works may order the temporary discontinuation of use of a loading zone for valet parking purposes whenever major civic events, emergency repairs or other public improvements necessitate such discontinuance. The operator shall not be entitled to any damages whenever discontinuation of use is required.

14. TRANSFERABILITY. Valet parking operator licenses shall be non-transferable.

15. DISQUALIFICATION FOR LICENSE. Whenever any license is denied, not renewed or revoked, such denial, nonrenewal or revocation shall be so entered of record by the city clerk. No other valet parking operator license shall be granted to such person within 3 months of the date of the denial, nonrenewal or revocation, nor shall any part of the money paid for any license so denied, not renewed or revoked be refunded.

16. PENALTY AND ENFORCEMENT. a. Penalty. Any person convicted of violating the requirement to obtain a valet parking operator license prior to providing a valet parking service shall be fined not less than \$50 nor more than \$250 for each violation plus costs of prosecution, and in default thereof be imprisoned for a period not to exceed 10 days. Each day's violation shall constitute a separate offense.

b. Enforcement. The police department shall enforce this section.

Part 4. Section 101-23.7-3-a of the code is amended to read:

101-23.7. Loading Zone Permits; Special Privilege Areas.

3. APPLICATION. a. Procedure. Any person, firm, corporation or organization desiring a loading and unloading zone in connection with any building shall, before an initial or renewal permit is issued therefor, file a written application with the common council, on blanks provided therefor, setting forth the name of the person, firm, corporation or organization, and in the case of a corporation, the names of the principal officers therefor, together with the exact location, nature and extent of such building and the reason or necessity for such loading and unloading zone. >>If the loading zone is intended for use by a valet parking operator licensed under s. 84-30, the application shall include the information required by sub. 5-a.<<

Part 5. Section 101-23.7-5 of the code is repealed and recreated to read:

5. USE OF LOADING ZONE BY LICENSED VALET PARKING OPERATOR. a. Application. Whenever a new or existing loading zone is to be used by a licensed valet parking operator for the conduct of a valet parking service, as defined in s. 84-30-2, the application shall clearly indicate such intended use and shall contain the name, address and telephone number of the licensed valet parking operator, the location or proposed location of the loading zone, the dates and times during which the loading zone would be used

for valet parking purposes and the additional times, if any, when the loading zone would be designated for use for conventional loading and unloading purposes, rather than valet parking purposes. The application shall also contain a statement, sworn to and signed by the permit applicant, that the applicant agrees that valet parking services may only be provided by the licensed valet parking operator identified on the application and agrees to allow such operator to use the loading zone to provide valet parking services to all businesses located on the same block face as the loading zone that pay to the operator the same amount for such services as the business or businesses for which the valet parking loading zone was initially established, and to any motorist who enters the zone and desires such services.

b. Fees. Whenever an existing non-residential loading zone is to be converted to a loading zone intended for use by a licensed valet parking operator, the permit holder shall be required to pay the loading zone permit fee specified in ch. 81. Once a loading zone has been designated as being for valet parking use, only one loading zone permit fee shall be required, even if the loading zone is to be used for both valet parking purposes and conventional loading and unloading purposes.

c. Location. To ensure the safety and convenience of vehicular and pedestrian traffic, the commissioner of public works may modify the location of a proposed loading zone that is intended to be used for the conduct of a valet parking service.

d. Size and Number. Each loading zone which is intended for use by a licensed valet parking operator shall consist of at least 2 metered stalls or, in an unmetered area, measure at least 40 feet in length. There shall be not more than 2 such zones on each block face in use at any given time. The commissioner of public works shall be authorized to modify the size of a proposed loading zone intended for use by a licensed valet parking operator. The commissioner may also recommend that the common council deny a loading zone permit application based on the number or location of existing loading zones in the vicinity of the proposed loading zone.

e. Changes to be Reported. Whenever anything occurs to change any fact set forth in a loading zone permit application for a zone intended for use by a licensed valet parking operator, the permit holder shall file notice in writing of such change with the city clerk not less than 72 hours before the effective time of such change.

Part 6. Section 101-23.7-6 of the code is created to read:

6. ENFORCEMENT. a. Loading zones, including loading zones intended for use by licensed valet parking operators, are for the use of the general public and are not restricted solely for the use of the permit holders or their patrons.

b. Pursuant to s. 346.53, Wis. Stats., no person, including any licensed valet parking operator or attendant or client thereof, shall stop or leave any vehicle standing in a loading zone except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers and while the vehicle is attended by a licensed operator so that it may promptly be moved in case of any emergency or to avoid obstruction of traffic. Loading zones shall not be considered parking places. The prohibition on parking in loading zones shall be enforced accordingly.

Part 7. Section 115-32-1-o of the code is created to read:

115-32. Obstruction on Public Ways.

1. o. Up to 2 signs on the public sidewalk adjacent to a loading zone used for valet parking purposes by a valet parking operator licensed pursuant to the provisions of s. 84-30, provided such signs are in compliance with the rules for operation of valet parking services set forth in that section.

..LRB:

APPROVED AS TO FORM

---

Legislative Reference Bureau

Date: \_\_\_\_\_

..CATT:

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

..ZDPT:

..DFTR:

LRB99025-6

JDO

5/28/03



**Text of Legislative File 021789**

..NUMB:

021789

..VERS:

ORIGINAL

..REF:

981587

..XXBY:

ALD. HENNINGSEN

..TITL:

Resolution approving rules for the operation of valet parking services on public right-of-way and the use of loading zones for valet parking purposes.

..ANLS:

This resolution approves rules for the operation of valet parking services on public right-of-way and the use of loading zones for valet parking purposes. Compliance with these rules, which are referenced by s. 84-30-12, is required only for valet parking operators who are required by s. 84-30-3 to be licensed by the city (i.e., only those conducting their valet parking services on public right-of-way in the area bounded by Walnut, Pleasant, Water and Brady streets and Brady Street extended on the north, Lake Michigan on the east, the Milwaukee and Menomonee Rivers on the south and Interstate Highway 43 on the west).

..BODY:

Whereas, Currently, a number of businesses in the city of Milwaukee offer valet parking services to their customers; and

Whereas, Such valet parking services often entail patrons leaving their vehicles with valet parking attendants on public right-of-way and later regaining possession of their vehicles in the same location on the public right-of-way; and

Whereas, The Common Council of the City of Milwaukee recognizes that the availability of valet parking services adds to the vitality of certain business establishments in the city, thereby contributing to the overall economic development of the community; and

Whereas, At the same time, the Common Council finds that it is necessary that the City regulate the use of public right-of-way for valet parking activities, since valet parking loading zones typically occupy useable on-street parking areas and may create traffic congestion and public safety problems; and

Whereas, To ensure that valet parking services which use public right-of-way are operated in a manner that protects the public health, safety and welfare, the City has enacted Common Council File Number 981587, an ordinance that creates a licensing requirement for valet parking operators and requires licensed valet parking operators to comply with Common Council-adopted rules for the operation of valet parking services on public right-of-way and the use of loading zones for valet parking purposes; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the rules set forth in Exhibit "A" of this resolution are approved; and, be it

Further Resolved, That the commissioner of public works, the chief of police and the city clerk are authorized and directed to use the adopted rules in administering and enforcing the valet parking operator licensing regulations of s. 84-30.

..ZDPT:

..DFTR:

LRB99088-1

JDO

3/18/03

## EXHIBIT "A"

### RULES FOR THE OPERATION OF VALET PARKING SERVICES ON PUBLIC RIGHT-OF-WAY AND USE OF LOADING ZONES FOR VALET PARKING PURPOSES

#### Terms

In these guidelines, "licensed valet parking operator" refers to the individual or business establishment that has obtained a valet parking operator license pursuant to s. 84-30 of the Code of Ordinances in order to be permitted to provide valet parking services on public right-of-way (i.e., one or more loading zones) in Milwaukee's central business district.

In these guidelines, "attendant" shall include the licensed valet parking operator himself or herself.

#### Rules

1. The licensed valet parking operator shall comply with all applicable provisions of ch. 115 of the Milwaukee Code of Ordinances.
2. The licensed valet parking operator shall assume responsibility for all liability for damages to persons or property associated with the operation of a valet parking service and shall maintain insurance in the amounts of ( City Attorney to recommend amounts ). A certificate of insurance naming the city as an insured party and holding the city harmless for liability for damage to persons or property shall be submitted to the city clerk prior to issuance of the license.
3. If the city clerk requires, based upon recommendation by the commissioner of public works, a bond of a surety company duly incorporated in the state of Wisconsin or duly licensed to do business in the state in such sum as the commissioner may require to cover the cost of repairing or replacing city property damaged as a result of operation of the valet parking service, but not less than \$1,000 or exceeding \$10,000, the licensed valet parking operator shall submit such bond to the city clerk prior to the issuance of the license. The bond shall be approved by the city attorney.
4. The licensed valet parking operator may place, on or within the public sidewalk area adjacent to the loading zone which is used for the valet parking service, up to 2 portable

sandwich board-type signs or other approved devices to advertise the valet parking service. Each sign shall be placed within 4 feet of the loading zone and in such manner as to not obstruct pedestrian traffic. The surface area of each sign face shall be at least 9 square feet, but not larger than 25 square feet. If a fee is charged for the valet parking service, such fee shall be clearly displayed on the sign. Signs shall be removed and stored off-site at all times when the valet parking service is not operating. No special privilege granted by the common council or permit issued by the commissioner of public works shall be required for the placement of signs which comply with this paragraph.

5. The licensed valet parking operator shall display, on a permitted sandwich-board sign or in such other location approved by the commissioner of public works, a copy of the operator's valet parking operator license.
6. The licensed valet parking operator shall display, on a permitted sandwich-board sign or in such other location approved by the commissioner of public works, the loading zone permit sticker for the loading zone which the operator is authorized to use for valet parking purposes.
7. Double parking of vehicles at valet parking zones shall be prohibited.
8. No attendant employed by a licensed valet parking operator may stand in the vehicular-travel portion of the public right-of-way, including the parking lane, to direct vehicles into the loading zone or to solicit business for the valet parking service.
9. The permit holder shall not place any signs, traffic cones, poles, chairs, ropes, chains or other objects in the vehicular-travel portion of the public right-of-way, including the parking lane.
10. All vehicles left to be parked by the licensed valet parking operator shall be parked in legal off-street parking facilities.
11. The licensed valet parking operator and each attendant employed by the operator shall recognize that the valet parking service is being operated in a loading zone and that, pursuant to s. 346.53, Wis. Stats., no person, including any licensed valet parking operator or attendant or client thereof, shall stop or leave standing any vehicle in a loading zone except temporarily for the purpose of and while actually engaged in loading or unloading or in receiving or discharging passengers. When a vehicle is so

stopped or left standing, it shall at all times be attended by a licensed motor vehicle operator so that it may be promptly moved in case of any emergency or to avoid obstruction of traffic. The licensed valet parking operator and each attendant employed by the operator shall further recognize that loading zones shall not be considered parking places and that the prohibition on parking in loading zones shall be enforced accordingly.

12. The penalty for any parking violation incurred by a vehicle while in the custody of the licensed valet parking operator shall be the sole responsibility of the licensed valet parking operator and shall, upon final determination of liability, constitute a debt due and owing to the city.
13. Each attendant employed by the licensed valet parking operator shall, while on duty, wear conspicuously placed on his or her clothing an insignia which identifies the valet parking operator for whom the attendant is working.
14. Every attendant employed by the licensed valet parking operator shall, upon taking custody of a patron's vehicle, issue a numbered receipt to the patron containing the name, address and telephone number of the operator, the charge for the valet parking service, the time and date the attendant took custody of the vehicle, the license number of the vehicle, a statement that the operator has the liability insurance required by these guidelines and a statement advising the patron to keep the receipt for future reference. When the attendant returns custody of the vehicle to its owner, the attendant shall stamp the receipt with the time and date the attendant surrendered custody of the vehicle and return the receipt to the patron.
15. Every attendant employed by the licensed valet parking operator shall carry on his or her person a valid driver's license at all times while in control of a patron's vehicle.
16. The licensed valet parking operator shall provide each attendant employed by the operator with a copy of these operating rules. On the application for the valet parking operator license, the operator shall sign a statement swearing that the operator will provide a copy of these rules to each attendant employed by the operator at any time during the license period.
17. The licensed valet parking operator shall remove all signs and other objects placed on the public right-of-way and associated with the valet parking service and restore the public right-of-way to its original condition whenever

public necessity so requires as determined by resolution of the common council or upon expiration of the permit. In addition, the commissioner of public works may order the temporary discontinuation of use of a loading zone for valet parking purposes whenever major civic events, emergency repairs or other public improvements necessitate such discontinuance. The operator shall not be entitled to any damages whenever discontinuation of use is required.

# CITY OF MILWAUKEE TAXICAB AND DRIVER REGULATIONS

OCTOBER 2011



## History of Taxicab Regulation

- The State of Wisconsin authorizes the City of Milwaukee to regulate public passenger vehicles under ss. 62.11(5) and 349.24, Wis. Stats., audience.
- No public passenger vehicle may operate for hire upon the streets of the city without first obtaining a permit and an inspection sticker.
- Chapter 100 – Milwaukee Code of Ordinances regulates Public Passenger Vehicle and Drivers
- Regulation of motorized public passenger vehicles in the City of Milwaukee began in 1924.
- In September of 1928, the Common Council approved an ordinance which authorized the issuance of permits based on the public welfare, convenience or necessity. Permits could be refused if the Council found that the current number of permits met the public need.
- An ordinance was enacted on June 29, 1931, that limited the number of permits that could be issued to 1 permit for every 2000 people in Milwaukee. The number was changed in May, 1975 to 1 permit for every 1,175 people.
- On January 1, 1992, an ordinance limiting the issuance of new permits under certain conditions (change of legal entity, transfer to another person, death or disability of the permittee) became effective and still is in place today.

*Information obtained from Milwaukee Code of Ordinances and Taxicab Regulation in the City of Milwaukee (May 1975).*

## Public Passenger Vehicle

### Permit Types

**HANDICAPPED-ELDERLY VEHICLE** – vehicle for hire, which is especially suited for the transportation of handicapped or elderly persons who by reason of physical or mental infirmity or age cannot be transported on public mass transportation vehicles.

**HORSE AND SURREY LIVERY** – horse-drawn surrey for hire.

**LIMOUSINE** – category of for-hire, unmarked, unmarked uniformed, chauffeur-driven, ground transportation vehicles solely engaged in the business of carrying passengers on a prereserved basis only.

**MOTORCYCLE** – vehicle as defined in s. 340.01(32), Wis. Stats., and which is used on a for-hire or contractual basis.

**PEDICAB** – multiwheeled hooded or unhooded passenger vehicle that is moved by human power, or rickshaw-type vehicle pulled or propelled by any person which is used in the movement of passengers for hire on the public highways.

**SHUTTLE VEHICLE** – a privately owned vehicle which is solely engaged in the business of carrying passengers in either a: a) Shared ride service for hire on a fixed route and fixed schedule to and from predetermined locations; or b) Group travel service for hire on a prereserved basis only, provided that the vehicle has a passenger-carrying capacity of 5 or more persons, excluding the driver.

**TAXICAB** – public passenger vehicle with 3 or more doors which operates without a fixed route or schedule. No new or renewal public passenger permits for taxicabs may be issued for motor vehicles of model years greater than 10 years old at the time of application and no public passenger permits for taxicabs shall be transferred to any motor vehicles of model years greater than 10 years old at the time of replacement.

## Public Passenger Vehicle Permit Types continued

Table 100-61 DRIVER OPERATING ACTIVITY TABLE								
Y - Permitted Activity R - Restricted Activity N - Prohibited Activity	Means of Hiring Vehicles			Passenger Occupancy			Routes and Schedules	
	Stands	Hail	Prereserved	Exclusive Ride	Ride Sharing	Reserved Group	Fixed Route	Variable Schedule
Public Passenger Vehicle Type								
Handicapped-Elderly Vehicle	Y	N	Y	N	Y	Y	N	Y
Horse and Surrey Livery	Y	Y	Y	Y	R	Y	N	Y
Limousine	N	N	Y	Y	N	Y	N	Y
Motorcycle Used for Tours	Y	N	Y	Y	N	N	N	Y
Pedicab	Y	Y	Y	Y	N	N	N	Y
Shuttle Vehicle	Y	N	Y	N	Y	Y	Y	N
Taxicab Meter Fare	Y	Y	Y	Y	R	Y	N	Y
Taxicab Zone Fare	Y	Y	Y	N	Y	N	N	Y

- Source: Milwaukee Code of Ordinances 100-61

Number of Permits issued as	of 10/13/11
Handicapped and Elderly:	0
Horse and Surrey:	4
Limousine:	108
Motorcycle:	0
Pedicab:	11
Shuttle Vehicle:	52
Taxicab Meter Fare:	321
Taxicab Zone Fare:	0

- Source - City Clerk License Division

## Taxicab Vehicle Permit Application Process

- Step 1: Application Filed
- Step 2: Police Investigation Completed
- Step 3: If negative information contained on police report, scheduled for committee.  
If none, move to Step #5.
- Step 4: Public Safety Committee and Common Council review and approve or deny application.
- Step 5: Applicant files required documents with License Division.
- Current Vehicle Registration
  - Certificate of Insurance: listing the permit number and the year, make, and vehicle identification number of the vehicle.
  - The previous taxicab permit that was issued under the permit number.
- Step 6: Meter inspected and sealed by Health Department.
- Step 7: Vehicle Inspected and Inspection Sticker placed on vehicle.
- Step 8: Completed Inspection slip submitted to License Division.
- Step 9: Permit Issued to Vehicle Owner

## Public Passenger Vehicle Driver Application Process

- Step 1: Application Filed
- Step 2: Police Investigation Completed
- Step 3: If negative information contained on police report, scheduled for committee.  
If none, move to Step #5.
- Step 4: Public Safety Committee and Common Council review and approve or deny application.
- Step 5: Applicant passes map test administered by City Clerk Office.
- Step 6: Applicant passes Defensive Driving Course and submits certificate to License Division.
- Step 9: License Issued.



## Taxicab Vehicle Regulations

**Vehicle Leasing** – A permittee may lease his or her vehicle to a person holding a public passenger vehicle driver's license issued under this chapter. No person leasing a vehicle from a permittee may sublease that vehicle. Subleasing shall subject such person to suspension or revocation of his or her driver's license as provided in this chapter.

**Nonuse of Permits** – Permits may be suspended or revoked by the licensing committee any time the permittee fails to make a reasonable effort to operate any vehicle licensed by the city. A permittee may remove a vehicle from service between May 1 and November 1 by notifying the city clerk of the action. Retirement of Vehicles. Any permittee who retires a vehicle from service and does not replace it shall immediately notify the city clerk of the action, indicating which retired vehicle will not be replaced.

**Fleet Parking** – Fleet permittees shall be responsible for providing and using suitable off-street parking for their vehicles. (A fleet permittee has 5 or more permits.)

**Inspections** – There are three types of inspections to which vehicles are subject: 1) Inspection prior to being put into initial service (Mandatory) 2) Annual Inspection (Mandatory) 3) Random Inspection (Upon request of the police department)

**Vehicle Standards** – Vehicles shall meet all safety standards required by law and, as adjudged by the police department or its designee, be kept in good operating condition and appearance.

**Vehicle Markings** –

- The word "Milwaukee" on the right and left sides of the vehicle.
- The permit number, the type of permit and the name of the owner of the vehicle or the trade name under which the vehicle is operated, placed on the right and left sides of the vehicle on either the front or rear doors with the permit number at least 5 inches high in a color to contrast with the auto body color.
- The permit number at least 5 inches high in a color to contrast with the auto body color marked on the trunk or rear door of the vehicle.
- The permit number clearly displayed in the back of the driver's seat.

**Equipment Requirements** –

- All headlamps, tail lights, emergency blinkers and turn signals shall be operable and in good working condition.
- Each taxicab shall be equipped with a dome light mounted above the top line of the windshield.
- Each motor vehicle shall have a heater and defroster that is in good working condition and shall be equipped with a permanently installed air conditioning system capable of reducing the interior temperature of the passenger section to 68 degrees Fahrenheit.
- The spare tire, if standard equipment, shall be securely attached and properly inflated.
- All hood, trunk and door latches shall be in proper working order.
- All windows shall be in proper working order and free of unsafe chips and cracks. No vehicle shall operate with curtains, shades or other means which hide its occupants from outside view. There shall be no obstructions to normal vision by the driver.
- Operable and easily accessible safety belts for use by each person in the motor vehicle.
- The windshield wipers shall be in proper working order and the blades shall be free of defects.
- The horn shall be in sound working condition and be of the standard type for each motor vehicle.
- Door handles, arm rests and window handles must be clean and intact.
- The muffler, tailpipe and crossover pipe shall be securely connected & free of holes and punctures.
- The condition of the steering apparatus, suspension and brakes shall be determined by a road test of whatever length to verify the safe operating condition of the devices.
- The tire-tread depth shall not be less than 2/32 of an inch and each tire shall be free of cuts or breaks in the sidewall. Each tire shall be of the type approved for use as original equipment. No tire shall extend beyond the outer fender wall.

**Weekly Vehicle Wash Required** – All vehicles shall be washed a minimum of once per week.

**Complaint Placard** – Each taxicab vehicle shall have posted, in the passenger compartment in a conspicuous place plainly visible to all occupants of the vehicle, a rate and service complaint placard provided by the city.

**Affiliation** – Vehicle owners shall maintain records ensuring that drivers serving their affiliations are properly licensed by the state of Wisconsin and the city. These records shall be made available to random inspection by the city.

**Body Colors** – The body colors designated for affiliated

- Blue – All City Veteran Taxi.
- Yellow – Yellow Cab Co-op.
- Orange – Brew City Cab Cooperative.
- White – Mitchell International Taxicab Association.
- Red – American United Cab Company, Inc., a taxicab radio dispatch service.
- The color black, brown, green and gray shall be reserved for taxicab owners not affiliated with the 5 taxicab entities specified in pars. a-1 to 5.

**Meter** –

- The taximeter shall not be in error more than 1% in deficiency and more than 4% in excess of the interval under test.
- After sundown a suitable light, so arranged as to throw a continuous steady light thereon, shall illuminate the face of the taximeter.
- The taximeter case is sealed and its cover and gear intact.
- Taximeters shall not be transferred between vehicles without permission of the city sealer.
- Taximeters shall not be programmed to charge rates higher than permitted.

**RATE INCREASES** –

- Application for an increase in the fares may be made to the licensing committee by any fleet permittee, or by at least 10% of the individual classification of permittees. The committee upon request for a rate increase may recommend to the common council that any of the regulations controlling fares be revised.
- On or before July of each even-numbered year, the legislative reference bureau shall provide to the

common council information derived from the international taxicab and livery association or other sources with respect to taxicab meter rates and operating costs.

**Rates** –

- The first 1/10 mile or fraction of a mile, for one or more persons, \$2.25.
- For each succeeding 1/10 mile or fraction of a mile, for one or more persons, \$0.25.
- **Waiting Time** – For each minute of waiting time, \$0.35. In this subdivision "waiting time" includes the time when the meter fare taxicab is not in motion beginning 5 minutes after the specified time designated by the passenger as the time of arrival at the place to which the meter fare taxicab has been called or the time consumed while standing at the direction of the passenger, but no charge shall be made for the time lost for inefficiency of the meter fare taxicab or its operator or time consumed by premature response to a call.
- **Additional Passenger** – For each additional passenger over the age of 12 years, \$1, except that there shall be no additional charge for an identified personal care attendant who accompanies a passenger with disability.
- **Packages** – For more than 2 suitcases (21" overnighter or larger) or larger packages handled by the taxicab driver, and for other grocery, laundry, and similar bags and items that exceed the storage capacity of the taxicab trunk, a single surcharge of \$1.
- **Start Time** – Rates are to be determined by the taximeter after the customer is seated in the cab or has placed one or more articles within the cab. The owner, operator, driver or person in control of the meter fare taxicab shall use the shortest practical route.
- **Airport** – All fares computed from General Mitchell International Airport shall include any fees imposed by Milwaukee County for use of airport facilities and grounds. The minimum fare from the airport terminal to any part of this city shall be \$10.

## TAXICAB STANDS –

The public safety committee, subject to approval of the common council, may designate certain locations as taxicab stand areas to comply with the following regulations:

- **Width of Roadway** – Taxicab stands may be created and maintained in certain areas of the city. Taxicab stands shall be confined to places alongside the curb and along the center of any street where the roadway, exclusive of the sidewalk, is 40 feet in width or more.
- **Signs** – The public safety committee shall arrange to provide suitable signs which shall clearly designate taxicab stands and shall be attached to a post adjacent to the stands.
- **Cabs Only** – No person shall park, stop, or leave standing in any taxicab stand any vehicle where the stand is designated by official sign, except a taxicab duly operating under a permit issued by the common council.
- **Number Of Cars At Each Stand** – Only taxicabs in such numbers as are set forth on the sign may remain at the stand while waiting for employment, and only in single file pointed in accordance with traffic regulations.
- **Locations Of Stands** – Locations of specific stands are to be found listed in the common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau, common council proceedings, the official record on file in the city clerk's office, and the code on file in the legislative reference bureau.
- **Taxi Stand Use** – No taxicab standing at the head of a taxi stand line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent the person from selecting any taxicab he or she may desire.

## Driver Regulations –

**License Required** – No person shall operate a public passenger vehicle in the city unless the person first holds a valid license issued under this section.

### Qualifications –

- 1) 18 years of age
- 2) Possess valid Wisconsin driver's license
- 3) Be able to read, write and speak the English language to the extent necessary to operate a public service vehicle licensed by the city (satisfied by successful completion of map test)
- 4) Defensive Driving Course
- 5) Be of sound physique, with good eyesight, and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render a person unfit for the safe operation of a public passenger vehicle.
- 6) Be clean in dress and person.

**Daily Safety Checklist**–Prior to the beginning of each shift the driver shall inspect the vehicle to make sure that all equipment is operable and in good working condition and that the vehicle is maintained in a reasonably clean condition on the outside and inside.

**Driver's Name and Receipt given upon request** – If requested by the passenger, the driver in charge of a vehicle shall deliver to the person paying for the hiring a receipt in legible writing containing, at a minimum, the name of the service, the city permit number, the driver's city license number, the total amount paid and the date of payment.

**License To Be Exhibited** – Any driver shall display in a location clearly visible to the passengers and, in a motor vehicle illuminated at night, a valid license, which license shall display the photograph of the driver.

**Response Time** – A driver of a taxicab shall respond to a service request within 30 minutes of receiving the request.

**Service to Disabled Passengers** – No owner or driver or agent of an owner or driver shall decline service to those passengers who are disabled or those with service animals or wheelchairs.

**Smoking Prohibited** – No smoking is permitted by the passengers or drivers, even if the driver has given permission to do so.

**Trip Records Required** – Prior to starting any shift, every driver shall fill in on the trip record his or her name, the shift date and start time, and the vehicle permit number. Every driver shall complete in real time on a daily basis trip records, approved by the police department as to format, which shall show the date, time and place each passenger was picked up and the date, time and place each passenger was discharged. Records must be retained for at least 90 days.

# Please Note:

This pamphlet was created to assist persons required to be licensed under the provisions of the public passenger vehicle ordinance. This brief review does not replace the license holder's responsibility to review Chapter 100 of the Milwaukee Code of Ordinances ("MCO") related to public passenger vehicle regulations and licensing requirements.

A copy of the complete public passenger vehicle regulations and licensing requirements established in Chapter 100, MCO is available online at:

**[www.milwaukee.gov/ordinances](http://www.milwaukee.gov/ordinances)**

or can be purchased from the Legislative Reference Bureau in City Hall, Room B-11.

Information related to any changes to the provisions of the public passenger vehicle ordinance is also provided on the License Division Web page under "View What's New" at:

**[www.milwaukee.gov/licenses](http://www.milwaukee.gov/licenses)**

## Important Contact Information

For information related to public passenger vehicle regulations and licensing requirements, please contact:

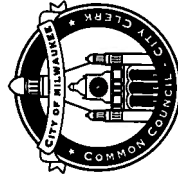
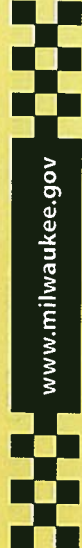
License Division  
Room 105, City Hall  
200 E. Wells St.  
Milwaukee, WI 53202  
(414) 286-2238  
[license@milwaukee.gov](mailto:license@milwaukee.gov)

For information related to public passenger vehicle inspections, please contact:

Milwaukee Police Department  
License Investigation Unit  
(414) 935-7430



# Public Passenger Vehicle Driver Regulations



Prepared by the Public Information Division,  
Common Council - City Clerk's Office  
(3-09-2009)

### **Public Passenger Vehicle Permit Required:**

No public passenger vehicle may operate for hire upon the streets of the city without first obtaining a permit from the common council, and a current inspection sticker. **MCO 100-50-1-a**

### **Public Passenger Vehicle Driver's License Required:**

No person shall operate a public passenger vehicle in the city unless the person first holds a valid license issued under this section. No person shall operate any vehicle used for the transportation of elderly or handicapped persons in the city, regardless of whether the vehicle is licensed or otherwise regulated by the state of Wisconsin as a human service vehicle for the transportation of elderly or handicapped persons, unless the person first holds a valid license issued under Chapter 100 of the Milwaukee Code of Ordinances. **MCO 100-54-1-a**

### **State Of Wisconsin Driver's License Required:**

Each public passenger vehicle driver must possess a valid state of Wisconsin motor vehicle driver's license. Occupational permits do not meet this requirement. **MCO 100-54-2-b**

### **Surrender Of Public Passenger Vehicle Driver's**

### **License Upon Suspension Or Revocation Of State Of Wisconsin Driver's License:**

Whenever a licensee's state of Wisconsin motor vehicle driver's license is revoked or suspended, the public passenger vehicle driver's license issued under this chapter to the licensee shall be automatically suspended and returned to the city clerk within 10 working days following the date on which the motor vehicle driver's license was revoked or suspended. The public passenger vehicle driver's license will be reinstated upon presentation of documentation evidencing the possession of a valid state of Wisconsin motor vehicle driver's license. **MCO 100-59-1-b**

### **Age Of Taxicab Vehicle:**

Effective January 1, 2007, no new or renewal public passenger permits for taxicabs shall be issued for any motor vehicles of model years greater than 10 years old at the time of application. **MCO 100-50-1-c**

### **Failure To Renew:**

Any application filed after the expiration date of the license period following the license period for which the license was issued shall be considered a new license application and is subject to the requirements for an original license. **MCO 100-54-5-f**

### **Complaint Forms:**

Complaint forms shall be provided by vehicle owners and be available to passengers in each vehicle. The complaint forms shall be in a format approved by the city clerk. Such forms shall be kept in the backseat area of each vehicle and be visible to passengers. Each vehicle shall also have posted, in the passenger compartment in a conspicuous place plainly visible to all occupants of the vehicle, a rate and service complaint placard provided by the city. (Templates for complaint forms are available at [www.milwaukee.gov/license](http://www.milwaukee.gov/license) under the Forms link.) **MCO 100-51-5-1-d**

### **Daily Safety Checklist:**

Every public passenger vehicle driver prior to the beginning of each shift shall inspect the vehicle to make sure that all equipment in the vehicle is operable and in good working condition and that the vehicle is maintained in a reasonably clean condition on the inside and outside. (Template available at [www.milwaukee.gov/license](http://www.milwaukee.gov/license) under the Forms link.) **MCO 100-59-14-a**

### **Driver's Name And Receipt Given Upon Request:**

No driver of a public passenger vehicle may refuse to give to a person requesting the information his or her name or license number, the vehicle owner's name, or the address of the vehicle owner's place of business. If requested by the passenger, the driver in charge of a vehicle shall deliver to the person paying for the hiring a receipt in legible writing containing, at a minimum, the name of the service, the city permit number, the driver's city license number, the total amount paid and the date of payment. **MCO 100-59-2-a**

### **Driver Under The Influence Of Alcohol**

### **And Controlled Substances:**

An on duty driver is prohibited from using or being under the influence of alcohol, a controlled substance, a controlled substance analog or a combination thereof. **MCO 100-59-9-f**

### **License To Be Exhibited:**

Any driver while operating a vehicle shall display in a location clearly visible to the passengers and, in a motor vehicle illuminated at night, a valid license granted under this chapter, which license shall display the photograph of the driver. **MCO 100-59-1-a**

### **Response Time:**

A driver of a taxicab shall respond to a service request within 30 minutes upon receiving the request. **MCO 100-60-1-d**

### **Service To Disabled Passengers:**

No owner or driver of a public passenger vehicle or agent of an owner or driver of a public passenger vehicle shall decline service to those passengers who are disabled or those with service animals or wheelchairs. **MCO 100-59-15**

### **Smoking Prohibited:**

Carrying or permitting any person to carry a lighted cigar, cigarette, pipe or any other lighted smoking equipment in any vehicle, regardless of whether the vehicle is transporting a passenger or a passenger has granted the driver permission to do so is prohibited. **MCO 100-59-9-e**

### **Subleasing Of Vehicles:**

No person leasing a vehicle from a permittee may sublease that vehicle. Subleasing shall subject such person to suspension or revocation of their public passenger vehicle driver's license. **MCO 100-50-12-b-1**

### **Taxi Stand Use:**

No taxicab standing at the head of a taxi stand line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent any person from selecting any taxicab he or she may desire on the stand whether it be at the head of the line or not. **MCO 100-60-1-a**

### **Trip Records Required:**

Prior to starting any shift, every driver shall fill in on the trip record his or her name, the shift date and start time, and the vehicle permit number. Every driver shall complete in real time on a daily basis trip records, approved by the police department as to format, which shall show the date, time and place each passenger was picked up and the date, time and place each passenger was discharged. **MCO 100-59-13**

### **Weekly Vehicle Wash Required:**

All vehicles shall be washed a minimum of once per week. **MCO 100-51-5-1-b-3**



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin 53202

## Meeting Agenda PUBLIC TRANSPORTATION REVIEW BOARD

**ALD. ROBERT BAUMAN, CHAIR**  
**ELIZABETH NICOLS, VICE-CHAIR**  
*John Doherty, David Jasenski, Sandra Kellner, Don Natzke,  
Abdulkadir Omar, Jeffrey Polenske, Terry Radtke and Mariano  
Schifalacqua*

**Staff Assistant: Joanna Polanco, 286-2366, Fax: 286-3456,  
jpolan@milwaukee.gov**  
**Legislative Liaison: Richard Withers, 286-8532,  
rwith@milwaukee.gov**

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Friday, October 14, 2011

9:00 AM

Room 301-A, City hall

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1. **Roll call and approval of previous meeting minutes.**
2. **Discussion on Valet Parking regulations and Bus stops usage.**
3. **Discussion on Water Street Cab Stand/congestion at closing time.**
4. **Discussion of taxi cab license regulations.**

Members of the Common Council and its standing committees who are not members of this committee may attend this meeting to participate or to gather information. Notice is given that this meeting may constitute a meeting of the Common Council or any of its standing committees, although they will not take any formal action at this meeting.

Upon reasonable notice, efforts will be made to accommodate the needs of persons with disabilities through sign language interpreters or auxiliary aids. For additional information or to request this service, contact the Council Services Division ADA Coordinator at 286-2998, (FAX)286-3456, (TDD)286-2025 or by writing to the Coordinator at Room 205, City Hall, 200 E. Wells Street, Milwaukee, WI 53202.

Limited parking for persons attending meetings in City Hall is available at reduced rates (5 hour limit) at the Milwaukee Center on the southwest corner of East Kilbourn and North Water Street. Parking tickets must be validated in Room 205, (City Clerk's Office) or the first floor Information Booth in City Hall.

Persons engaged in lobbying as defined in s. 305-43-4 of the Milwaukee Code of Ordinances are required to register with the City Clerk's Office License Division. Registered lobbyists appearing before a Common Council committee are required to identify themselves as such. More information is available at [www.milwaukee.gov/lobby](http://www.milwaukee.gov/lobby).