

be taken as true. If the Committee determines that the allegations are sufficient, the law requires that the permit shall be revoked or suspended.

Dated as of the 13th day of March, 2007.



ALDERMAN ROBERT G. DONOVAN
CHAIRMAN PUBLIC SAFETY COMMITTEE



RONALD D. LEONHARDT
CITY CLERK

Summons, copy of the Complaint, Chapter 349.24
of the Wisconsin Statutes and Section 100-53
of the Milwaukee Code of Ordinances served as follows:

On:
At:
Date:
Time:
Served by:

STATE OF WISCONSIN)
)
MILWAUKEE COUNTY)

COMES NOW _____, being first duly sworn and upon
his oath, who deposes and says that he is _____, and that he did, on the _____
day of March, 2007, serve a true and correct copy of this Summons, the attached Complaint,
Wis. Stat. § 349.24 and Section 100-53 of the Milwaukee Code of Ordinances upon
_____ at _____.

Subscribed and sworn to before me
this ___ day of March, 2007.

Notary Public, State of Wisconsin
My Commission: _____

In Re: Public Passenger Vehicle Permit of
Pamela S. Olecik
3460 S. Cari Adam Court
New Berlin, WI

COMPLAINT
Common Council File No. _____

Doing Business as:
Airport Service
3460 S. Cari Adam Court
New Berlin, WI

COMES NOW Richard Pfaff ("Complainant") being first duly sworn and upon his oath who respectfully show and allege as follows:

1. Your Complainant is currently employed as the Assistant Manager of the License Division of the Office of the City Clerk of the City of Milwaukee. Your Complainant has been so employed since July, 2005. Your Complainant is generally responsible for the overall management of the License Division of the Office of the City Clerk of the City of Milwaukee. As such, your Complainant has overall responsibility for the maintenance of records, documents, and files kept in the ordinary conduct of business of the License Division relative to the application, renewal and non-renewal process for all classes of public passenger vehicle permits described in Chapter 100 of the Milwaukee Code of Ordinances. Your Complainant's office is responsible for the issuance of such permits if and when the Milwaukee Common Council grants them. Unless otherwise stated, your Complainant makes this complaint upon personal knowledge and information or personal knowledge and information refreshed from documents, records and files kept in the ordinary conduct of business of the

License Division of the Office of the City Clerk of the City of Milwaukee. Your Complainant is fully competent to execute the following complaint.

2. That Respondent Pamela S. Olecki (“Olecik”), is an adult resident of Waukesha County and resides at 3460 South Cari Adam Court, New Berlin, Wisconsin 53146. Olecki is currently the holder of the Public Passenger Vehicle Permit (the “Permit”) issued for a 1995 Lincoln Town Car Signature Series/Spinnaker Edition (the “Licensed Vehicle”) bearing vehicle identification number 1LNLM82WXS719290.

3. That, upon information and belief, Respondent Olecik is the owner or lessee of the License Vehicle, which the Respondent operates as a luxury limousine.

4. Annexed hereto and incorporated herein by reference as **Exhibit 1** (4 pages) is a true and correct copy of a renewal public passenger vehicle permit application for the Licensed Vehicle filed by the Respondent Olecik with the Office of the City Clerk on March 3, 2005, and amended June 6, 2005. This application was filed pursuant to and under the authority of the provisions of § 100-50-7, Milwaukee Code of Ordinances (“MCO”).

5. That on June 16, 2005, the Common Council of the City of Milwaukee granted the renewal of the Permit for the Licensed Vehicle to Respondent Olecik.

6. That on June 16, 2005, the License Division of the Office of the City Clerk of the City of Milwaukee (the “License Division”) issued the Permit for the Licensed Vehicle to Respondent Olecik. The Permit was issued with an effective date of June 16, 2005 and an expiration date of April 30, 2007.

7. That § 100-53-1-b, MCO establishes that no person may operate or obtain a license to operate a public passenger vehicle unless the person has given to the License Division and there is in full force and effect at all times while the person is driving or operating a public passenger

vehicle, on file with the License Division, either a surety bond, insurance policy, deposit in escrow or a certificate of self-insurance.

8. Annexed hereto and incorporated herein by reference as **Exhibit 2** (1 page) is a true and correct copy of a certificate of liability insurance indicating that a policy of insurance (Policy No. 73APN342620) has been issued to the Respondent Olecik for the Licensed Vehicle effective April 7, 2005 and expiring April 7, 2006.

9. Annexed hereto and incorporated herein by reference as **Exhibit 3** (1 page) is a true and correct copy of a letter dated January 30, 2006 forwarding Respondent Olecik a letter advising the Respondent that the insurance policy for the Licensed Vehicle will expire on April 7, 2006, and that any lapse in insurance coverage will result in the suspension of the Permit. The letter further advises the Respondent that failure to submit proof of insurance within 45 days of suspension will result in revocation of the Permit pursuant to § 100-53-2-b, MCO.

10. Annexed hereto and incorporated herein by reference as **Exhibit 4** (1 page) is a true and correct copy of a letter dated April 7, 2006 forwarding to Respondent Olecik a letter advising the Respondent that the insurance policy for the Licensed Vehicle expired on April 7, 2006, and that the lapse in insurance coverage has resulted in the suspension of the Permit. The letter further advises the Respondent that failure to submit proof of insurance within 45 days of the date of suspension will result in revocation of the Permit pursuant to § 100-53-2-b, MCO.

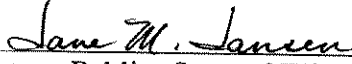
11. That as of March 9, 2007, the Respondent Olecik has failed to provide to the License Division new surety bonds, direct obligations, insurance policies, or cash sufficient to comply with the requirements of § 100-53-1-b, MCO relating to the Licensed Vehicle.

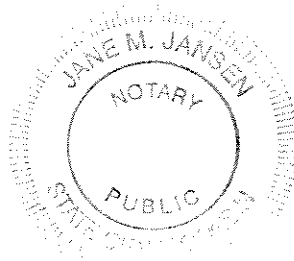
WHEREFORE, Your Complainant prays that the public passenger vehicle permit for a luxury limousine for Pamela S. Olecik for the business located at 3460 South Cari Adam Court

in the City of New Berlin, Wisconsin ("Airport Service") be revoked pursuant to the provisions of § 100-53-2-b of the Milwaukee Code of Ordinances.

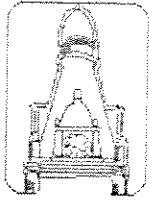

RICHARD PFAFF

Subscribed and sworn to before me
this 9th day of March, 2007.


Notary Public, State of Wisconsin



My Commission Expires: 4-6-11



City
of
Milwaukee

**PUBLIC PASSENGER VEHICLE PERMIT - LUXURY
LIMOUSINE RENEWAL APPLICATION**

OFFICE OF THE CITY CLERK LICENSE DIVISION ccl-193c (1/05)
200 E. WELLS ST. ROOM 105, MILWAUKEE, WI 53202
(414) 286-2238 E-MAIL ADDRESS: LICENSE@MILWAUKEE.GOV

LIMO 1331
PAMELA S OLECIK
3460 S CARI ADAM CT
NEW BERLIN, WI 53146

Check one: Individual or Partnership (Fill out Section A, B, & D)
 Corporation or LLC (Fill out Section B, C, & D)

A	INDIVIDUAL OR PARTNERSHIP:	
	Full Name (Last, First & Middle Initial) <i>OLECIK, PAMELA, S</i>	Partner #2 Full Name (Last, First & Middle Initial)
	Home Street Address: <i>3460 S CARI ADAM CT</i>	Home Street Address:
	Home City, State, Zip Code: <i>NEW BERLIN, WISC 53146</i>	Home City, State, Zip Code:
	Home Phone Number: <i>(414) 397-3977</i>	Home Phone Number: () -
Date of Birth: <i>2-25-57</i>	Date of Birth:	
B	Business Name: <i>AIRPORT SERVICE</i>	Business Phone Number: () <i>414 397-3977</i>
	Business Address (include City, State, Zip Code): <i>3460 S CARI ADAM CT NEW BERLIN, WISC 53146</i>	
Has anyone on this application been convicted of violating any federal laws, state or local ordinances? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list name of person, date of conviction, charge and penalty: _____		
C	Full Name of corporation or limited liability company:	
	Agent:	
	Full Name (Last, First & Middle Initial):	
	Home Address (include City, State & Zip Code):	
	Home Phone Number: () -	Date of Birth:
	<i>President/Member</i>	<i>Vice President/Member</i>
	Full Name (Last, First & Middle Initial):	Full Name (Last, First & Middle Initial):
	Home Street Address:	Home Street Address:
	Home City, State, Zip Code:	Home City, State, Zip Code:
	Home Phone Number: () -	Home Phone Number: () -
Date of Birth:	Date of Birth:	

GAD 800-631-0989
EXHIBIT
/

C Cont.	Secretary/Member	Treasurer/Member
	Full Name (Last, First & Middle Initial):	Full Name (Last, First & Middle Initial):
	Home Street Address:	Home Street Address:
	Home City, State, Zip Code:	Home City, State, Zip Code:
	Home Phone Number: () -	Home Phone Number: () -
	Date of Birth:	Date of Birth:

Description of Vehicle:			
Year: <u>1996</u>	Make: <u>LINCOLN</u>	Model: <u>TOWN CAR SIGN.</u>	Number of Passengers: <u>5</u>
Vehicle ID Number (VIN): <u>1LNLM82WXTV625945</u>		License Plate Number: <u>465 EMF</u>	

The undersigned agrees to inform the City Clerk within ten days of any substantial changes in the information supplied in this application. The undersigned shall not willfully refuse to provide the services offered under this license, or refuse to employ, or discharge any person otherwise qualified because of race, color, creed, sex, national origin or ancestry; and not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

The undersigned understands that this application does not entitle the applicants to a license and that the granting of licenses is solely in the discretion of the Common Council.

D	Rate of Fares
	<u>50.00 A Hour</u>

I have knowledge of the City Ordinances currently regulating the license applied for herein, and being duly sworn under oath, depose and say that I am the person named above and that all statements made in the foregoing application are true and correct.

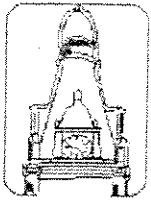
***Per Section 100-50-7-b, Milwaukee Code of Ordinances, any permittee who fails to apply for renewal prior to the expiration date of his or her permit shall have the permit terminated on its expiration.

<p>SUBSCRIBED AND SWORN TO BEFORE ME THIS</p> <p><u>25</u> day of <u>April</u> 20<u>05</u></p> <p><i>[Signature]</i></p> <p>Notary Public, State of Wisconsin</p> <p>My commission expires <u>6/15</u></p>	<p><u>Pamela S. Oleck</u></p> <p>Print Name</p> <p><i>[Signature]</i></p> <p>Signature</p>
--	--

Office Use Only:

Initials: JS Transaction #: 1414 Filed: 3/8/05 Permit #: 209

Granted: 4/2/03 Issued: 4/20/05



**City
of
Milwaukee**

PUBLIC PASSENGER VEHICLE REPLACEMENT FORM

OFFICE OF THE CITY CLERK LICENSE DIVISION
 200 E. WELLS ST. ROOM 105, MILWAUKEE, WI 53202
 (414) 286-2238 E-MAIL ADDRESS: LICENSE@MILWAUKEE.GOV
www.milwaukee.gov/license

VEHICLE OWNER NAME:

Full Name (Last, First & Middle Initial)

OLECIK, PAMELA S.

Business Name:

I am transferring the vehicle of permit # 209

From (Old Vehicle Information):

Year: 1996 Color: BUNBUNDY Make: LINCOLN TOWNCAR
 License Plate Number: 465 EMF VIN: 1LNLM82WXTY625945

To (New Vehicle Information):

Year: 1995 Color: IVORY CREAM Make: LINCOLN TOWNCAR
 License Plate Number: 465 EMF VIN: 1LNLM82WX5471929D

Please check if changing affiliation

New Affiliation:

- All City Veteran Taxi
 Brew City Cab Cooperative
 American United Cab Company, Inc.
 Yellow Cab Co-op
 Mitchell International Taxicab

The undersigned agrees to inform the City Clerk within ten days of any substantial changes in the information supplied in this application. The undersigned shall not willfully refuse to provide the services offered under this license, or refuse to employ, or discharge any person otherwise qualified because of race, color, creed, sex, national origin or ancestry; and not seek such information as a condition of employment, or penalize any employee or discriminate in the selection of personnel for training or promotion on the basis of such information.

Pamela S. Olecik
 Owner Signature

6/6/05
 Date

Office Use Only:

Initials: Jml Filed: 6-06-05 Transaction #: 1480
 Permit #: 209 Inspected: 6/16/05 Issued: 6/16/05

Late Inspection Fee - Transaction # _____



WISCONSIN

0000000

Certificate of Vehicle Registration

Plate Number 465EMF				Registration AUT AUT	Chassis AUTO	Gross Weight	Period A	Color	Product Number 18177051228	Registration Number 05122Q40067
Vehicle Identification Number 1LNLM82WXS719290						Year 1995	Make LINC	Expiration Date 03/31/2006	Amount Received \$ 177.50	

OLECIK PAMELA S
2028 E HOLT AVE
MILWAUKEE, WI 53207

This Registration Certificate is not a Title. Not Valid for Transfer of Ownership.

Contact the 414-266-1148
Division of Motor 608-261-2583
Vehicles at: 800-924-3570
www.dot.wisconsin.gov



trans # 1480

**MILWAUKEE POLICE DEPARTMENT
TAXICAB / LIVERY INSPECTION**

VEHICLE PERMIT # L-209

Company:		Telephone #	
Owner: <u>OLECIK PAMELA S</u>		City: <u>MILW</u>	
Address: <u>2028 E HOLT AV</u>		Zip: <u>53207</u>	
Inspection: <u>3/06</u>		Late Fee Receipt #	Car Change Receipt # <u>1480</u>
V E H	Lic # <u>465EMF</u>	Year/Make: <u>95 LINCOLN</u>	Color/Type: <u>TAN 4DR</u>
	ID # <u>1LNLM82WXS719290</u>		OK - Citation - R/T
Remarks:			
Insp. By: <u>[Signature]</u>		Date: <u>3-15-05</u>	Sticker Issued
Re-Insp. By:		Date:	Yes / No

ACORD CERTIFICATE OF LIABILITY INSURANCE

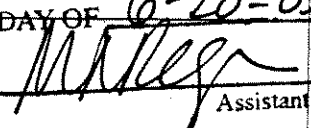
OP ID PK
OLECP-1

DATE (MM/DD/YYYY)
05/06/05

PRODUCER Diversified Ins. Services Inc. W223 N608 Saratoga Drive Waukesha WI 53186 Phone: 262-574-0440 Fax: 262-574-0477		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Pamela S. Olecik 3460 S. Carl Adam Court New Berlin WI 53146		INSURERS AFFORDING COVERAGE	NAIC #
		INSURER A: National Liability & Fire Ins	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADDL LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	73APN342620	04/07/05	04/07/06	COMBINED SINGLE LIMIT (Ea accident) \$ 300,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO	APPROVED AS TO FORM AND EXECUTION THIS DAY OF <u>6-20-05</u> 20  Assistant City Attorney			AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Eff 5/7 delete 1996 Lincoln TC 1LNLM82WXTY625945 ✓OK
 Eff 5/7 add 1995 Lincoln TC 1LNLM82WXSX719290

16 trans \$1480

CERTIFICATE HOLDER


CANCELLATION

MILWAUK

City of Milwaukee
 Attn: Patricia
 200 E WELLS, RM 105
 MILWAUKEE WI 53202

EXHIBIT
 2
 1 page

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL _____ MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT _____

AUTHORIZED REPRESENTATIVE
 Peggy A Kroning 



Office of the City Clerk
License Division

Ronald D. Leonhardt
City Clerk

Rebecca N. Barron
License Division Manager

January 30, 2006

Pamela S Olecik
3460 S Cari Adam Ct
New Berlin, WI 53146

Dear Permittee:

Our records indicate that your insurance policy for luxury limousine permit #209 will expire on 4/7/2006.

Have your insurance agent send a **current original certificate of insurance** and an affidavit of no interest, to our office. (Affidavits of no interest are not required for policies obtained through the Wisconsin automobile insurance plan.) The cancellation clause of the certificate must be as follows *"Should any of the above described policies be canceled before the expiration date thereof, the issuing company will mail 30 days written notice to the certificate holder named to the left."*

FAXES OR COPIES ARE NOT ACCEPTABLE.

Allow adequate processing and approval time prior to the expiration date. Your certificate of Insurance must arrive in our offices a MINIMUM of three weeks prior to your current insurance expiration date to ensure your permit continues without interruption.

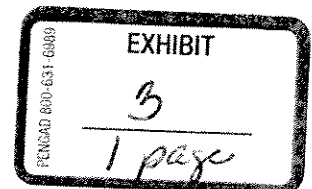
Any lapse in insurance coverage will result in the suspension of your permit. Upon suspension the Milwaukee Police Department will be notified. Your permit will be reinstated only when a current certificate of insurance is submitted to our office and approved by the appropriate city department.

Additionally, if you fail to submit insurance coverage within 45 days of suspension for expiration or cancellation of insurance you will be scheduled before the Utilities and Licenses Committee for revocation of your permit, per Chapter 100-53-2-b of the Milwaukee Code of Ordinances effective 7/23/05.

If you have any questions, contact our office at (414) 286-2238.

Sincerely,

Jane M. Jansen
License Coordinator





Office of the City Clerk
License Division

Ronald D. Leonhardt
City Clerk

Rebecca N. Barron
License Division Manager

April 7, 2006

Pamela S Olecik
3460 S. Cari Adam Ct
New Berlin, WI 53146

Dear Ms. Olecik:

Prior notification was mailed to you on January 30th, 2006.

Due to your failure to comply with the City Ordinance regarding insurance, your Luxury Limousine permit #209 has been suspended. We have informed the Milwaukee Police Department of the suspension.

Your permit will be reinstated only when a valid and current certificate of insurance, is submitted to our office and approved by the appropriate city department.

Additionally, if you fail to submit insurance coverage within 45 days of suspension for expiration of cancellation of insurance you will be scheduled before the Public Safety Committee for revocation of your permit, per Chapter 100-53-2-b of the Milwaukee Code of Ordinances effective 07/23/05.

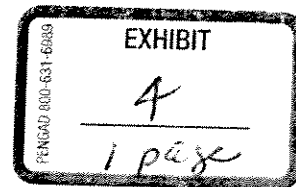
SUBMIT ORIGINAL DOCUMENTS ONLY, FACSIMILES OR COPIES ARE NOT ACCEPTABLE.

If you have any questions, contact our office at (414)286-2238.

Sincerely,

Jane M. Jansen
License Coordinator

cc: Milwaukee Police Department



349.235 STATE AND LOCAL POWERS

county may by ordinance restrict the use of in-line skates on any roadway under its jurisdiction. No ordinance may restrict any person from riding upon in-line skates while crossing a roadway at a crosswalk.

(2) The department of natural resources may promulgate rules designating roadways under its jurisdiction upon which in-line skates may be used, except that no rule may permit a person using in-line skates to attach the skates or himself or herself to any vehicle upon a roadway.

History: 1993 a. 260.

349.236 Authority to regulate operation of electric personal assistive mobility devices. (1) The governing body of any municipality or county may, by ordinance, do any of the following:

(a) Prohibit the operation of electric personal assistive mobility devices on all roadways under its jurisdiction having a speed limit of more than 25 miles per hour or only on certain roadways, or portions of such roadways, under its jurisdiction having a speed limit of more than 25 miles per hour that are designated in the ordinance.

(b) Prohibit the operation of electric personal assistive mobility devices on all sidewalks under its jurisdiction or only on certain sidewalks, or portions of such sidewalks, under its jurisdiction that are designated in the ordinance. This paragraph does not apply to the operation of such devices on any sidewalk at a permanent or temporarily established driveway.

(bm) Prohibit the operation of electric personal assistive mobility devices on all bicycle paths under its jurisdiction or only on certain bicycle paths, or portions of such bicycle paths, under its jurisdiction that are designated in the ordinance. This paragraph does not apply to the operation of such devices on any bicycle paths at a permanent or temporarily established driveway.

(c) Designate and mark locations for electric personal assistive mobility devices to cross a state trunk highway or connecting highway that is not a controlled-access highway and on which the department has prohibited the operation of electric personal assistive mobility devices under s. 346.94 (18) (a) 2. A municipality or county may erect official signs or otherwise mark a crossing designated under this paragraph only as directed by the department.

(2) Except as otherwise provided in this chapter, ch. 346, and s. 59.84 (2) (j), the governing body of any municipality or county may not restrict the operation of electric personal assistive mobility devices on any roadway or sidewalk under its jurisdiction.

History: 2001 a. 90.

SUBCHAPTER III

LICENSING POWERS

349.24 Authority to license taxicab operators and taxicabs. (1) The council of any city and every village or town board may:

(a) Regulate and license chauffeurs and operators of taxicabs used for hire;

(b) Regulate and license the taxicab business by licensing each taxicab used for hire;

(c) Prohibit any person from operating any motor vehicle for taxicab purposes upon the highways of the city, village or town unless the person is licensed as a chauffeur and operator and unless the taxicab business is licensed by the licensing of each taxicab;

(d) Revoke any license mentioned in this section when in its judgment the public safety so requires.

(2) Any person licensed by any city, village or town as a chauffeur and operator shall not be required to procure either a chauffeur's and operator's license or a taxicab license in any other

municipality for the purpose of carrying taxicab passengers for hire from one municipality to another, but this exception does not permit the chauffeur or operator to operate a taxicab wholly within the limits of any municipality in which the chauffeur or operator is not licensed.

(3) Any person licensed under this section is required to comply with the licensing requirements of ch. 343.

History: 1989 a. 105; 1993 a. 246.

349.25 Authority to license hayrack and sleigh rides.

(1) In counties containing a city of the first or second class, the owner of a vehicle to be operated upon a highway for the purpose of transporting persons for hire in what is commonly known as a hayrack ride, a sleigh, boxsleed or bobsleed ride or a ride of similar nature and every person who is to operate such a vehicle shall obtain a license from the county board before so operating such a vehicle. Any person operating any such vehicle under the circumstances described without first obtaining a license from the county board may be fined not more than \$100 or imprisoned not more than 30 days or both.

(2) No county board may issue a license for any of the vehicles mentioned in sub. (1) unless the applicant does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, and until the applicant exhibits proof that liability insurance will be in force for the protection of passengers in the minimum amount of \$10,000 for any one passenger and \$50,000 for any single accident. Section 632.24 is applicable to the insurance required under this section, whether the vehicle is a motor vehicle or is propelled in some other manner. The county board shall set the amount for each license issued, not to exceed an amount reasonably related to the actual and necessary cost of providing the license.

(3) The county board may, after notice and hearing accorded the licensee, revoke any license issued by it pursuant to this section whenever in its judgment the public safety so requires.

(4) No vehicle licensed pursuant to this section shall be operated upon a highway for the purpose of transporting persons for hire unless it is equipped with at least one red reflector at each of the 2 rear corners of the vehicle and with at least one blue reflector at each of the 2 front corners of the vehicle and at the front end of the pole or tongue. All such reflectors shall be of a type approved by the department.

(5) The county board in any county not containing a city of the first or second class may by ordinance require owners and operators of vehicles to be used for the purposes specified in sub. (1) to be licensed. The actual issuance of the license may be delegated to the county clerk.

History: 1975 c. 375 s. 44; 1975 c. 421; 1977 c. 29 s. 1654 (7) (a); 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 146.

349.26 Authority to allow the operation of neighborhood electric vehicles. (1) In this section, "neighborhood electric vehicle" means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the federal department of energy, and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3 (b) and 571.500. "Neighborhood electric vehicle" does not include a golf cart.

(2) The governing body of any city, town, or village may by ordinance allow the use of a neighborhood electric vehicle on a roadway that has a speed limit of 35 miles per hour or less and over which the governing body has jurisdiction. A city, town, or village that passes an ordinance under this section shall enter into an agreement with, or obtain the consent of, each governing body that shares jurisdiction over a roadway within the city, town, or village, to permit neighborhood electric vehicles to use or cross the roadway. An ordinance passed under this section may contain a provision for the city, town, or village to license neighborhood

349.235 STATE AND LOCAL POWERS

county may by ordinance restrict the use of in-line skates on any roadway under its jurisdiction. No ordinance may restrict any person from riding upon in-line skates while crossing a roadway at a crosswalk.

(2) The department of natural resources may promulgate rules designating roadways under its jurisdiction upon which in-line skates may be used, except that no rule may permit a person using in-line skates to attach the skates or himself or herself to any vehicle upon a roadway.

History: 1993 a. 260.

349.236 Authority to regulate operation of electric personal assistive mobility devices. (1) The governing body of any municipality or county may, by ordinance, do any of the following:

(a) Prohibit the operation of electric personal assistive mobility devices on all roadways under its jurisdiction having a speed limit of more than 25 miles per hour or only on certain roadways, or portions of such roadways, under its jurisdiction having a speed limit of more than 25 miles per hour that are designated in the ordinance.

(b) Prohibit the operation of electric personal assistive mobility devices on all sidewalks under its jurisdiction or only on certain sidewalks, or portions of such sidewalks, under its jurisdiction that are designated in the ordinance. This paragraph does not apply to the operation of such devices on any sidewalk at a permanent or temporarily established driveway.

(bm) Prohibit the operation of electric personal assistive mobility devices on all bicycle paths under its jurisdiction or only on certain bicycle paths, or portions of such bicycle paths, under its jurisdiction that are designated in the ordinance. This paragraph does not apply to the operation of such devices on any bicycle paths at a permanent or temporarily established driveway.

(c) Designate and mark locations for electric personal assistive mobility devices to cross a state trunk highway or connecting highway that is not a controlled-access highway and on which the department has prohibited the operation of electric personal assistive mobility devices under s. 346.94 (18) (a) 2. A municipality or county may erect official signs or otherwise mark a crossing designated under this paragraph only as directed by the department.

(2) Except as otherwise provided in this chapter, ch. 346, and s. 59.84 (2) (j), the governing body of any municipality or county may not restrict the operation of electric personal assistive mobility devices on any roadway or sidewalk under its jurisdiction.

History: 2001 a. 90.

SUBCHAPTER III

LICENSING POWERS

349.24 Authority to license taxicab operators and taxicabs. (1) The council of any city and every village or town board may:

(a) Regulate and license chauffeurs and operators of taxicabs used for hire;

(b) Regulate and license the taxicab business by licensing each taxicab used for hire;

(c) Prohibit any person from operating any motor vehicle for taxicab purposes upon the highways of the city, village or town unless the person is licensed as a chauffeur and operator and unless the taxicab business is licensed by the licensing of each taxicab;

(d) Revoke any license mentioned in this section when in its judgment the public safety so requires.

(2) Any person licensed by any city, village or town as a chauffeur and operator shall not be required to procure either a chauffeur's and operator's license or a taxicab license in any other

municipality for the purpose of carrying taxicab passengers for hire from one municipality to another, but this exception does not permit the chauffeur or operator to operate a taxicab wholly within the limits of any municipality in which the chauffeur or operator is not licensed.

(3) Any person licensed under this section is required to comply with the licensing requirements of ch. 343.

History: 1989 a. 105; 1993 a. 246.

349.25 Authority to license hayrack and sleigh rides.

(1) In counties containing a city of the first or second class, the owner of a vehicle to be operated upon a highway for the purpose of transporting persons for hire in what is commonly known as a hayrack ride, a sleigh, boxsled or bobsled ride or a ride of similar nature and every person who is to operate such a vehicle shall obtain a license from the county board before so operating such a vehicle. Any person operating any such vehicle under the circumstances described without first obtaining a license from the county board may be fined not more than \$100 or imprisoned not more than 30 days or both.

(2) No county board may issue a license for any of the vehicles mentioned in sub. (1) unless the applicant does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, and until the applicant exhibits proof that liability insurance will be in force for the protection of passengers in the minimum amount of \$10,000 for any one passenger and \$50,000 for any single accident. Section 632.24 is applicable to the insurance required under this section, whether the vehicle is a motor vehicle or is propelled in some other manner. The county board shall set the amount for each license issued, not to exceed an amount reasonably related to the actual and necessary cost of providing the license.

(3) The county board may, after notice and hearing accorded the licensee, revoke any license issued by it pursuant to this section whenever in its judgment the public safety so requires.

(4) No vehicle licensed pursuant to this section shall be operated upon a highway for the purpose of transporting persons for hire unless it is equipped with at least one red reflector at each of the 2 rear corners of the vehicle and with at least one blue reflector at each of the 2 front corners of the vehicle and at the front end of the pole or tongue. All such reflectors shall be of a type approved by the department.

(5) The county board in any county not containing a city of the first or second class may by ordinance require owners and operators of vehicles to be used for the purposes specified in sub. (1) to be licensed. The actual issuance of the license may be delegated to the county clerk.

History: 1975 c. 375 s. 44; 1975 c. 421; 1977 c. 29 s. 1654 (7) (a); 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 146.

349.26 Authority to allow the operation of neighborhood electric vehicles. (1) In this section, "neighborhood electric vehicle" means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the federal department of energy, and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3 (b) and 571.500. "Neighborhood electric vehicle" does not include a golf cart.

(2) The governing body of any city, town, or village may by ordinance allow the use of a neighborhood electric vehicle on a roadway that has a speed limit of 35 miles per hour or less and over which the governing body has jurisdiction. A city, town, or village that passes an ordinance under this section shall enter into an agreement with, or obtain the consent of, each governing body that shares jurisdiction over a roadway within the city, town, or village, to permit neighborhood electric vehicles to use or cross the roadway. An ordinance passed under this section may contain a provision for the city, town, or village to license neighborhood

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county may by ordinance restrict the use of in-line skates on any roadway under its jurisdiction. No ordinance may restrict any person from riding upon in-line skates while crossing a roadway at a crosswalk.

(2) The department of natural resources may promulgate rules designating roadways under its jurisdiction upon which in-line skates may be used, except that no rule may permit a person using in-line skates to attach the skates or himself or herself to any vehicle upon a roadway.

History: 1993 a. 260.

349.236 Authority to regulate operation of electric personal assistive mobility devices. (1) The governing body of any municipality or county may, by ordinance, do any of the following:

(a) Prohibit the operation of electric personal assistive mobility devices on all roadways under its jurisdiction having a speed limit of more than 25 miles per hour or only on certain roadways, or portions of such roadways, under its jurisdiction having a speed limit of more than 25 miles per hour that are designated in the ordinance.

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(c) Designate and mark locations for electric personal assistive mobility devices to cross a state trunk highway or connecting highway that is not a controlled-access highway and on which the department has prohibited the operation of electric personal assistive mobility devices under s. 346.94 (18) (a) 2. A municipality or county may erect official signs or otherwise mark a crossing designated under this paragraph only as directed by the department.

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History: 2001 a. 90.

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(a) Regulate and license chauffeurs and operators of taxicabs used for hire;

(b) Regulate and license the taxicab business by licensing each taxicab used for hire;

(c) Prohibit any person from operating any motor vehicle for taxicab purposes upon the highways of the city, village or town unless the person is licensed as a chauffeur and operator and unless the taxicab business is licensed by the licensing of each taxicab;

(d) Revoke any license mentioned in this section when in its judgment the public safety so requires.

(2) Any person licensed by any city, village or town as a chauffeur and operator shall not be required to procure either a chauffeur's and operator's license or a taxicab license in any other

municipality for the purpose of carrying taxicab passengers for hire from one municipality to another, but this exception does not permit the chauffeur or operator to operate a taxicab wholly within the limits of any municipality in which the chauffeur or operator is not licensed.

(3) Any person licensed under this section is required to comply with the licensing requirements of ch. 343.

History: 1989 a. 105; 1993 a. 246.

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(2) No county board may issue a license for any of the vehicles mentioned in sub. (1) unless the applicant does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, and until the applicant exhibits proof that liability insurance will be in force for the protection of passengers in the minimum amount of \$10,000 for any one passenger and \$50,000 for any single accident. Section 632.24 is applicable to the insurance required under this section, whether the vehicle is a motor vehicle or is propelled in some other manner. The county board shall set the amount for each license issued, not to exceed an amount reasonably related to the actual and necessary cost of providing the license.

(3) The county board may, after notice and hearing accorded the licensee, revoke any license issued by it pursuant to this section whenever in its judgment the public safety so requires.

(4) No vehicle licensed pursuant to this section shall be operated upon a highway for the purpose of transporting persons for hire unless it is equipped with at least one red reflector at each of the 2 rear corners of the vehicle and with at least one blue reflector at each of the 2 front corners of the vehicle and at the front end of the pole or tongue. All such reflectors shall be of a type approved by the department.

(5) The county board in any county not containing a city of the first or second class may by ordinance require owners and operators of vehicles to be used for the purposes specified in sub. (1) to be licensed. The actual issuance of the license may be delegated to the county clerk.

History: 1975 c. 375 s. 44; 1975 c. 421; 1977 c. 29 s. 1654 (7) (a); 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 146.

349.26 Authority to allow the operation of neighborhood electric vehicles. (1) In this section, "neighborhood electric vehicle" means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the federal department of energy, and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3 (b) and 571.500. "Neighborhood electric vehicle" does not include a golf cart.

(2) The governing body of any city, town, or village may by ordinance allow the use of a neighborhood electric vehicle on a roadway that has a speed limit of 35 miles per hour or less and over which the governing body has jurisdiction. A city, town, or village that passes an ordinance under this section shall enter into an agreement with, or obtain the consent of, each governing body that shares jurisdiction over a roadway within the city, town, or village, to permit neighborhood electric vehicles to use or cross the roadway. An ordinance passed under this section may contain a provision for the city, town, or village to license neighborhood

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\$2.75 rate until March 26, 2007, after which date the rate will be null and void.

a-2. For each succeeding 1/7 mile or fraction of a mile, for one or more persons, additional \$0.25. Effective January 1, 2003, each succeeding 1/8 mile or fraction of a mile, for one or more persons, \$0.25.

a-3. For each minute of waiting time, \$0.25. 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.

a-4. For each additional passenger over the age of 12 years, \$0.75.

a-5. For each grocery bag (17"x12"x7") and suitcase (21" overnighiter or larger) handled by the taxicab driver, \$0.10.

b. Rates are to be determined by the taximeter after the customer is seated in the cab. The owner, operator, driver or person in control of the meter fare taxicab shall use the shortest practical route.

c. 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 \$6.

4. ZONE FARE TAXICAB RATES.

a. Application. All persons applying for a zone fare taxicab permit shall provide the licensing committee with the information required by this chapter and the following:

a-1. A map, suitable for reproduction by the committee, which shows the area the applicant proposes to serve and the system of zones the applicant proposes to use in calculating fares.

a-2. A fare table showing the fares the applicant proposes to operate the service.

a-3. A written statement as to how the applicant proposes to operate the service, including a statement as to whether the applicant proposes to offer ride sharing and how the service is to be dispatched.

b. Adoption of Zone Map and Rates of Fare. If the common council determines that a zone fare taxicab permit is to be granted to the applicant, the common council shall adopt

the map and fare table contained in the application as part of this section. This action shall not be required if the application is solely for additional permits to be used in a service already described in this section. Maps and fare tables adopted by the common council can be found in the common council proceedings and the official record on file in the city clerk's office.

c. Zone Fare Taxicab Regulations.

c-1. No person shall offer a zone fare taxicab for hire outside of the service area adopted by the common council for that taxicab. No driver of a zone fare taxicab may take any passenger from a place within the zone fare taxicab's service area as adopted by the common council to a place outside the service area.

c-2. Every person operating a zone fare taxicab shall conspicuously place in the taxicab interior a zone map which correctly reproduces the zone map adopted by the common council for the zone fare taxicab and on which each zone is delineated in sufficient size and clarity as to be visible from the passenger's seat, and a fare table which correctly shows the rates of fare adopted by the common council for the zone fare taxicab, which is of sufficient size and clarity as to be easily read by the passenger, and from which the passenger may calculate the trip fare.

d. Taximeter Prohibited. Vehicles issued a zone fare taxicab permit under this section shall not operate under the zone fare taxicab permit any taxicab equipped with a taximeter unless the taximeter is used as an instrument upon which the charge for hire is indicated by zones.

5. OTHER PUBLIC PASSENGER VEHICLE RATES. Maximum rates for other vehicles including those permitted for handicapped and elderly, as horse and surrey, luxury limousine, pedicab, motorcycle used for tours, motorcycle with sidecar used for tours or shuttle vehicle may be established by adoption of such rates by the common council.

100-53. Financial Responsibility.

1. REQUIRED. No person may operate or obtain a permit to operate a public passenger vehicle unless the person has given to the city and there is in full force and effect at all times while the person is driving or operating a public passenger vehicle, on file with the city clerk, one of the following:

a. Surety Bond. A bond of the owner of a vehicle with a responsible surety

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company or association authorized to do business under the laws of the state of Wisconsin in the sum of \$100,000 conditioned that the owner of the vehicle for which a license has been applied will pay any final judgment rendered against the owner of the vehicle within the limits provided, irrespective of the financial responsibility or any act or omission of the vehicle owner for loss or damages that may result to any person or property from the negligent operation or defective condition or construction of the vehicle or which may arise or result from any violations of this chapter or the laws of the state of Wisconsin. The recovery upon the bond shall be limited to \$50,000 for the injury or death of one person, and to the extent of \$100,000 for the death or injury of 2 or more persons injured or killed in the same accident and to the extent of \$10,000 for the injury or destruction of property. Such bond shall be given to the city and shall inure to the benefit of any persons suffering loss or damage either to person or property as provided, and suit may be brought in any court of competent jurisdiction upon the bond by any person suffering any loss or damage. Such bond shall be approved by the city attorney as to form and execution and shall be a continual liability notwithstanding any recovery thereon.

b. **Insurance Policy.** A policy of insurance in a company authorized to do business in the state of Wisconsin insuring the owner of the vehicle against loss or damage that may result to any person or property from the operation or defective condition of the vehicle. The policy limits shall be \$50,000 for any one person injured or killed, and subject to such limit for each person, and a total liability of \$100,000 in case of one accident resulting in bodily injury or death to more than one person. Uninsured motorist coverage with limits comparable to the respective liability limits for the vehicle shall be provided. The policy of insurance must also provide insurance to the extent of \$10,000 for the injury or destruction of any property of either parties. The policy shall guarantee payment of any final judgment rendered against the owner, operator or driver within the limits provided irrespective of the financial responsibility or any act or omission of the owner. If at any time the policy is canceled by the issuing company, or the authority of the issuing company to do business in the state of Wisconsin is revoked,

the city clerk shall require the party to whom the permit is issued to replace the policy with another satisfactory to the city attorney and, in default thereof, the permit may be revoked. Each and any of such bonds or policies shall, however, cover loss or damage by any vehicle operated by any such person to the same extent as in this section set forth. Such bonds shall be continuing liabilities notwithstanding recovery thereon and such policies of insurance shall always remain in force. Provided, further, in lieu of the \$10,000 insurance policy covering property damage, any permittee person may file bond in the sum of \$10,000. The filing of a certificate of insurance, in lieu of a policy, shall be deemed to be in compliance with this section. Affidavits of no interest shall not be required for taxicab insurance policies obtained through the Wisconsin automobile insurance plan.

c. **Deposit in Escrow.** In lieu of the liability and property damage bonds or insurance policies in par. a or b, any person owning a public passenger vehicle may deposit the sum of \$100,000 or its equivalent in negotiable direct obligations of the United States government, the county of Milwaukee, or the city of Milwaukee to cover liability to others for each. Such cash sum or its equivalent in direct obligations shall be deposited in escrow with the city clerk under an escrow agreement to be approved of by the city attorney. The terms of the agreement shall be that the money or direct obligations of the United States government, the county of Milwaukee, or the city of Milwaukee deposited shall be applied in payment of any final judgment rendered against such person arising out of injury to person or property due to the operation of such vehicles. Such cash sum or its equivalent shall at all times be maintained at the amounts required, and in case such fund is not maintained, or it is depleted for any purpose whatsoever, or the money or its equivalent in such direct obligations withdrawn, the license to operate such vehicle shall be revoked.

d. **Self-insured.** A certificate of self-insurance evidencing the ability to pay judgments to the limits stated in this subsection issued by the Wisconsin secretary of transportation.

2. NOTICE OF CANCELLATION.

a. The surety bond, direct obligations or insurance policy required by this

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section shall be deposited with the city clerk before a permit shall be issued, and shall contain a clause by which the person issuing the bond or policy, or the secretary of state issuing the certificate of self-insurance shall be required to notify the city clerk and by registered mail or by personal service of the cancellation of the bond or policy. The notice of cancellation shall be received by the city clerk at least 30 days prior to the effective date of cancellation of the surety bond or insurance policy of any permittee, otherwise the bond or policy shall remain in full force and effect. If the vehicle owner fails within the period specified in the notice of cancellation to provide new surety bonds, direct obligations, insurance policies, or cash sufficient to comply with the requirements of this section, the permit issued for the taxicab affected by the cancellation shall be returned to the city clerk no later than 9 a.m. on the day the bond or policy ceases to be in effect. If the permit is not returned to the city clerk's office by the specified time, the permit will be automatically suspended by 9 a.m. on the day the bond or policy ceases to be in effect. The permit will be reinstated upon presentation of documentation evidencing insurance coverage required in this section by operation of law.

b. If the vehicle owner fails to present within 45 days of the date the permit was suspended under this section documentation evidencing insurance coverage required in this section by operation of law, the city clerk shall issue a summons as described under s. 100-54-6-c demanding that the vehicle owner appear before the licensing committee to show cause why the permit should not be revoked.

3. BOND APPROVAL. a. This section does not prevent any person operating a public passenger vehicle from providing any combination of cash, surety bonds, direct obligations and insurance policies which will provide financial responsibilities to carry out the intents and purposes of this section. However, any combination of cash, surety bonds, direct obligations and insurance policies must be approved as to form, execution, contents and amounts of security by the city attorney and city clerk, and no combination of cash, surety bonds, direct obligations and insurance policies shall be approved unless the total limit of

security equals the limits of security specifically provided in this section.

b. All surety bonds and insurance policies, as nearly as practicable, shall be written for a term of at least one year.

4. EXCESS LIABILITY. Insofar as the requirements for excess liability insurance coverage are concerned, if any person owning a public passenger vehicle is unable to obtain a policy of excess liability insurance in a company licensed to do business in the state of Wisconsin, then such person may procure a policy of excess liability insurance in an insurance company not licensed to do business in the state of Wisconsin. Such company, however, shall be approved as to financial responsibility by the city clerk and the city attorney.

5. DRIVER TO BE COVERED. All surety bonds or policies of insurance in compliance with this section shall contain an omnibus coverage clause by which all provisions of the surety bond or insurance policy shall inure to the benefit of and cover all drivers of the named assured's public passenger vehicle regardless of the type of operation and regardless of any arrangement for the operation of the vehicle existing between the owner and the driver, whether such arrangement is that of principal agent, employer-employee, bailor-bailee, renter-tenant, or any other type of relationship.

6. HANDICAPPED-ELDERLY DRIVER. All surety bonds, deposits or insurance for persons transporting handicapped or elderly persons shall cover such persons transported from the time the driver or other employee of the permittee assumes control over the persons. Such liability shall continue until the driver or other employee of the permittee or owner relinquishes control over the handicapped or elderly person.

7. NO OBLIGATION ON PART OF CITY. The city in requiring surety bonds, insurance policies or escrow deposits makes no representations or commitments whatsoever as to the sufficiency or adequacy with respect thereto and assumes no obligations to the public by virtue of having required the forgoing to be submitted and filed with the city.