

**CHAPTER 100
PUBLIC PASSENGER VEHICLE REGULATIONS**

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**SUBCHAPTER 1
GENERAL PROVISIONS**

100-1. Authority; Title. This chapter is adopted under ss. 62.11(5) and 349.24, Wis. Stats., and shall be cited as "The City of Milwaukee Public Passenger Vehicle Regulations".

100-2. Purpose. The purpose of this chapter is to:

1. Provide for safe, convenient and efficient transportation for the general public.
2. Enhance the image of the city and to more effectively serve visitors.
3. Enhance the role of the private sector in public transportation.
4. Protect consumers from hazardous conditions or overcharging for service.
5. Encourage innovation in the provision of taxicab and paratransit services.
6. Eliminate conflict and confusion among users between different types of services.

100-3. Definitions. In this chapter:

1. **COLOR** means any hue named in the Inter-Society Color Council as it has been developed at the National Bureau of Standards (ISCC-NBS circular 553).
2. **CONTRACT FOR HIRE** means acceptance of a passenger for transportation.
3. **CRUISING** means driving along public ways soliciting passengers for hire, and includes stopping wherever parking is permitted and at any cabstand or private property where permitted by the owner.
4. **DOUBLE LOADING** means accepting additional fares after being hired by one fare paying passenger.
5. **DRIVER'S LICENSE** means a license issued under this chapter by the common council to drivers of public passenger vehicles.
6. **EXCLUSIVE** means the persons hiring a vehicle have its exclusive use, with no ride sharing.
- 6.5. **FIXED ROUTE** means authorized scheduled trips from predetermined passenger pickup points to predetermined destinations.
- 6.7. **HAIL** means the vehicle may be hired by signaling the driver.

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7. HANDICAPPED-ELDERLY VEHICLE means a vehicle for hire, other than a taxicab or public mass transportation vehicle, 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.

8. HORSE AND SURREY LIVERY means a horse-drawn surrey for hire.

9. LESSEE means any person leasing a vehicle, licensed by this city, from a permittee.

9.5 LICENSE CLASSIFICATION means the category or categories of public passenger vehicles for which a person holding a valid driver's license issued under s. 100-54 is qualified to operate under s. 100-54-2. License classifications include the following:

a. "Class H" means the holder of the license has met the qualifications to operate the following public passenger vehicles: handicapped-elderly liveries.

b. "Class L" means the holder of the license has met the qualifications to operate the following public passenger vehicles: limousines and shuttle vehicles.

c. "Class M" means the holder of the license has met the qualifications to operate the following public passenger vehicles: motorcycles used for tours.

d. "Class P" means the holder of the license has met the qualifications to operate the following public passenger vehicles: pedicabs and horse and surrey liveries.

e. "Class T" means the holder of the license has met the qualifications to operate the following public passenger vehicles: zone and meter fare taxicabs.

10. LICENSING COMMITTEE means the committee of the common council responsible for licensing vehicles under this chapter.

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

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

12. MOTOR VEHICLE means a self-propelled vehicle and also includes trailers and semitrailers designed for use with such vehicles.

13. PEDICAB means a 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.

14. PERMIT means a permit issued by the common council under this chapter to operate a public passenger vehicle.

15. PERMITTEE means a person who has been issued a permit under this chapter.

16. PERMITTEE, FLEET means a person who has been issued 5 or more vehicle permits.

17. PERMITTEE, INDIVIDUAL means a person who has been issued 4 or fewer vehicle permits.

18. PERSON means any individual, partnership, corporation, limited liability company or association.

19. PLYING means solicitation of potential taxicab customers, including the use of flashing lights mounted anywhere on the vehicle, soliciting or taking orders by telephone, cruising, stopping, whether in taxicab stands or not, or in any other manner holding out to the public that such taxicab is available for hire.

20. PRERESERVED GROUP means any affiliated group of 5 or more passengers hiring a public passenger vehicle for transport from a point of origin to fixed destinations.

21. PUBLIC PASSENGER VEHICLE means a vehicle which is used for the transportation of passengers for hire, including handicapped-elderly livery, horse and surrey livery, luxury limousine, pedicab, motorcycle used for tours, shuttle vehicle, and meter or zone fare taxicab. Public passenger vehicle does not include:

a. A vehicle operated on fixed routes pursuant to authority granted by the county, state or federal government.

b. A vehicle which is rented to be driven by the renter or an agent.

c. A vehicle operated solely as a funeral car.

d. A vehicle used in a carpool operated by private individuals.

f. A commercial motor vehicle as defined under s. 340.01(8), Wis. Stats., as amended.

22. RIDE SHARING means a method of operating a vehicle in which passengers sharing a common portion of a trip may enter the vehicle at one or more points of origin and disembark at one or more destinations, each passenger paying an individual fare for the trip.

23. SHUTTLE VEHICLE means 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. "Passenger-carrying capacity" is the seating capacity of the vehicle which has been specified by the manufacturer, or established by the chief of police upon visual inspection of the vehicle.

23.5. STANDS means street curb locations which are designated for a particular type of permitted vehicles.

24. TAXICAB means a public passenger vehicle with 3 or more doors which operates without a fixed route or schedule and which is available for hire upon demand for service including by hail on the street, or upon telephonic or other electronic request.

24.5. TAXICAB AFFILIATION means an association of taxicab permittees organized by incorporation, limited liability company, partnership, individual ownership or other legally-binding cooperative association.

25. TAXICAB, HOODED METER means a meter fare taxicab which has its meter covered and is operating as a zone fare taxicab.

26. TAXICAB, METER FARE means a taxicab designated as a meter fare taxicab on its permit and equipped with a taximeter.

27. TAXICAB, ZONE FARE means a vehicle designated a zone fare taxicab on its permit and which charges fares based on a series of geographically defined zones.

28. TAXIMETER means a device by which the charge for hire of a taxicab is calculated, either for distance traveled or for waiting time, or for both, and upon which such charge is indicated by means of numbers.

100-4. Licensing Committee. 1. AUTHORITY. The licensing committee, subject to the approval of the common council, shall supervise and regulate public passenger vehicles and keep the rates within the limits established by the common council, and determine the adequacy of the service furnished.

3. REGULATIONS; ORDERS. The committee may prescribe regulations and issue orders, in conformity with this chapter, applicable to operators of public passenger vehicles. The committee may require the filing of reports, schedules and other data by the operators of public passenger vehicles so that the provisions of this chapter may be carried out. Any permittee, lessee or driver who does not comply with the regulations or orders of the committee shall be subject to the penalty provisions of this chapter.

4. ADMINISTRATIVE OFFICIAL. The city clerk shall administer all regulations and orders adopted or issued by the committee and shall keep a register of the names of each permittee, together with the permit number and record of financial responsibility as provided in this chapter and the description, make and year of such vehicle, with the date and the complete record of inspection made of the vehicle. These records shall be open to public inspection at all reasonable times and shall be public records, extracts of which may be certified for use as evidence by the chief of police.

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SUBCHAPTER 2
VEHICLE REGULATIONS

100-49. Purpose. The purpose of this subchapter is to provide uniform regulations to require every permittee and driver to furnish reasonably safe and adequate service at just and reasonable rates to assure adequate accommodations to the public.

100-50. Public Passenger Vehicle Permits.

1. PERMIT REQUIRED. a. No vehicle owner or lessee shall operate his or her vehicle, or allow his or her vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee first obtaining for the vehicle a permit and current inspection sticker as provided in this section.

b. No person shall operate a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee first obtaining for the vehicle a permit and current inspection sticker as provided in this section.

c. Any person violating this section shall be subject to the penalty provided in s. 100-62-2.

2. EXEMPTIONS. The following vehicles shall be exempt from the regulations of this subchapter:

a. Vehicles licensed by the Wisconsin department of transportation as human service vehicles as described in ch. Trans 301, Wis. Adm. Code.

b. Shuttle vehicles authorized by Milwaukee county to provide in-county shuttle service to and from General Mitchell International Airport under s. 4.05.02, Milwaukee county code when solely engaged in the business of carrying passengers to and from General Mitchell International Airport.

3. ELIGIBILITY, TAXICABS. a. No new or renewal public passenger vehicle permit for a taxicab shall be issued for any motor vehicle of a model year greater than 10 years old at the time of application.

b. No new public passenger vehicle permit for a taxicab shall be issued except for a motor vehicle that, in addition to meeting all other requirements of this subchapter, provides passenger leg room of not less than 32 inches measured from the back of the seated passenger forward.

c. No permit shall be transferred to a different vehicle except to a vehicle in compliance with par. b.

d. Notwithstanding the vehicle requirements of pars. b and c, a permit for a taxicab may be issued or renewed upon a

determination that the vehicle model meets the requirements in s. 100-51.5-4 for handicapped-elderly vehicles.

e. No new or renewal public passenger vehicle permit for a taxicab shall be issued on and after November 1, 2014, except to an applicant who is, or has entered into an agreement to be, affiliated with a certified taxicab affiliation.

4. APPLICATION. a-1. Application for a public passenger vehicle permit shall be filed with the city clerk on forms provided and, except where otherwise expressly provided in this section, shall conform to the requirements in s. 85-12.

a-2. Completed applications for a new permit shall be accepted by the city clerk for processing in a manner established by the city clerk for submission to the licensing committee.

a-3. Not more than 100 new taxicab permits shall be issued prior to November 1, 2014. No person having a financial interest in more than one existing taxicab permit shall be eligible for a new taxicab permit, and no person shall be eligible for more than 2 new taxicab permits issued prior to November 1, 2014. The total number of permitted taxicab vehicles shall not exceed 420. Additional taxicab permits shall only be issued on and after November 1, 2014, if the total number of permitted vehicles is less than the number of vehicles permitted on January 1, 2014, plus 100. The total number of taxicab vehicle permits authorized for issuance shall be reviewed annually by the licensing committee.

a-4. Any person seeking to apply for a new taxicab permit shall file a written notice of intent in a form and manner prescribed by the city clerk. The fee for filing a notice of intent to apply provided in s. 81-126-5 may be applied toward the fee for application in whole or in part as determined by the city clerk in the absence of an application lottery established under this paragraph. Upon approval of the licensing committee, the city clerk may establish a lottery or any other reasonable means to ensure fair and orderly processing of new taxicab permit applications. If a lottery for accepting taxicab permit applications is established, the following shall apply:

a-4-a. Persons submitting a notice of intent together with the required fee provided in s 81-126-5 shall be eligible to participate in the lottery.

a-4-b. Not more than 2 lottery entries may be submitted by any person during the conduct of a single lottery.

a-4-c. A waiting list may be established by the city clerk to permit additional applications when applications are denied and when permits expire,

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are not renewed, are surrendered, are abandoned, are revoked or otherwise removed from the pool of existing permits.

a-4-d. If a waiting list is established, persons on the list shall be eligible to apply in the order they are listed for any available new permit or for any permit that becomes available.

a-4-e. The lottery selection process shall be conducted fairly and shall be open to the public for observation.

b. The application shall require:

b-1. The name, date of birth and home address and telephone number of the applicant.

b-2. If the applicant is a corporation or limited liability company, the name of the corporation shall be set forth exactly as it is set forth in its articles of incorporation, together with the names, dates of birth and home addresses and telephone numbers of its designated agent and each of its officers or members, if any. If any of the members is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate officers.

b-3. If the applicant is a partnership, the application shall set forth the name, date of birth and home address and telephone number of each of the partners, including limited partners. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate partners.

b-4. The type of public passenger vehicle the applicant intends to employ.

b-5. The current state registration of each motor vehicle, naming the applicant as sole title holder and not as lien holder.

b-6. Evidence of financial responsibility as required by s. 100-53, issued to and covering the applicants.

b-7. The identity of any dispatch services with which affiliated, if any.

b-8. Such other reasonable and pertinent information the common council or the licensing committee may from time to time require.

c. If the applicant cannot satisfy the provisions of pars. b-5 and b-6 at the time of filing, the applicant shall file, with the application, a letter addressed to the licensing committee outlining his or her intentions of satisfying all the requirements of this subchapter prior to issuance of the applicable permit.

d. Each corporate applicant applying shall file with its application for a permit a statement by its officers or members showing the names and addresses of all persons who individually hold 10% or more of the corporation's total or voting stock, or proxies for that amount of

stock, together with the amount of stock or proxies held by each person.

e. Each applicant shall file with the application for a permit a sworn statement by the applicant stating that the permit may be subject to suspension, nonrenewal or revocation if the permittee violates any rule or regulation provided in this chapter. The contents of the application shall be true, correct and complete, and show that the applicant has sworn to the truth of the same before a notary public authorized to give oaths in the state of Wisconsin.

f. In addition to the requirements of par. b, applications for horse and surrey livery permits shall require:

f-1. The name and address of a licensed veterinarian whom the applicant attests will be kept on call to administer veterinary services to the applicant's horses at any time when the horse and surrey livery service is operating.

f-2. The telephone number or numbers at which the licensed veterinarian can be reached 24 hours a day.

f-3. The manufacturer's specified seating capacity of the surrey. If the manufacturer has not specified the seating capacity of the surrey, the chief of police shall establish the seating capacity.

5. CHANGES TO BE REPORTED.

a. A permittee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The permittee shall make this notification in writing within 10 calendar days after the change occurs.

b. Whenever a corporation or limited liability company holding a public passenger vehicle permit changes any of its corporate officers, members or agents, the corporation agent shall file, within 10 calendar days after the change occurs, the appropriate application with the city clerk and pay the fee required by s. 81-101.5. This application shall in all respects be treated as a new application subject to all the requirements of this section.

c. It shall be the duty of the corporate officers to file with the city clerk a statement of the sale or transfer of any stock or proxies, where the effect of such stock would constitute a change in the stockholders' list previously filed with the city clerk. The notice to the city clerk shall be given in writing within 10 calendar days after the sale or transfer occurs.

6. FEE. Each application shall be accompanied by the fee specified in ch. 81.

7. FINGERPRINTING. All applicants shall be fingerprinted as provided in s. 85-21-1.

8. INVESTIGATION. Each application shall be referred to the chief of police who shall cause an investigation to be made and report the findings to the licensing committee.

9. COMMITTEE ACTION. a. If the chief of police files no written report summarizing the arrests and convictions of the applicant which could form a basis for denial, the city clerk shall issue the permit in accordance with sub. 11. If the chief of police files a written report summarizing the arrests and convictions of the applicant which could form a basis for denial, the application shall be forwarded to the licensing committee for its recommendation as to whether the permit should be issued.

b. If there is a possibility of denial, no hearing shall be heard unless the city clerk's office has provided written notice to the applicant. The notice shall be served upon the applicant so that the applicant has at least 3 days' notice of the hearing. The notice shall contain:

b-1. The date, time and place of the hearing.

b-2. A statement to the effect that the possibility of denial of the permit application exists and the reasons for possible denial.

b-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for denial and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

b-4. A statement that the applicant may be represented by an attorney of the applicant's choice at the applicant's expense, if the applicant so wishes.

c. If there is a possibility of denial, at the hearing the committee chair shall open the meeting by stating that a notice was sent and read the notice into the record unless the applicant admits notice. The chair shall advise the applicant that the applicant has an option to proceed with a due process hearing, represented by counsel, with all testimony both direct and cross-examination under oath, or that the applicant may simply make a statement to the committee.

d. A due process hearing shall be conducted in the following manner:

d-1. All witnesses will be sworn in.

d-2. The chair shall ask those opposed to the granting of the permit to proceed first.

d-3. The applicant shall be permitted an opportunity to cross-examine.

d-4. After the conclusion of the opponent's testimony, the applicant shall be permitted to present the applicant's own witnesses, subject to cross-examination.

d-5. Committee members may ask questions of witnesses.

d-6. Both proponents and opponents shall be permitted brief summary statements.

e. The recommendations of the committee regarding the applicant must be based on evidence presented at the hearing. Probative evidence concerning whether or not the permit should be granted may be presented on the following subjects:

e-1. Whether or not the applicant meets the municipal requirements.

e-2. Whether or not the applicant has been charged with or convicted of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the licensed activity.

e-3. Any other factors which reasonably relate to the public health, safety and welfare.

f. The committee may make a recommendation immediately following the hearing or at a later date. Written notice of the committee's decision will be provided if the decision is made at a later date or if the applicant was not present or represented. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

10. DISQUALIFICATION. a. Whenever an applicant for a new or renewal public passenger vehicle permit has had his or her application denied, not renewed or revoked, no other application by the same applicant for any new public passenger vehicle permit shall be recommended for approval by the licensing committee for a period of 12 months following the date of the denial, nonrenewal or revocation.

11. ISSUANCE. a. It shall be the duty of the city clerk, whenever a public passenger vehicle permit has been granted by the common council, to prepare and deliver to the applicant a permit in accordance with this chapter.

b. No permit shall be issued by the city clerk unless the applicant has first provided the city clerk with all of the following items:

b-1. A current state vehicle registration naming the applicant as sole titleholder and not as lien holder.

b-2. If the vehicle is leased, an approved lease consistent with this chapter as a handicapped-elderly vehicle, luxury limousine or shuttle vehicle.

b-3. A valid inspection sticker for the vehicle issued in accordance with s. 100-51.

b-4. Proof of financial responsibility in accordance with s. 100-53.

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b-5. A city treasurer's receipt for payment of the permit fee.

c. All permits shall bear the corporate seal of the city and the signature of the city clerk. The permit shall contain the engine number of each motor vehicle, together with the date of inspection of the vehicle, and blank spaces upon which an entry shall be made of the date of each inspection of the vehicle.

d. A permit shall be issued only to a vehicle owner, excepting that a permit may be issued to an individual lessee of a handicapped-elderly vehicle, luxury limousine or shuttle vehicle if the vehicle is leased pursuant to this chapter.

e. The permit shall be conspicuously and prominently displayed in each vehicle by the owner and shall be kept there at all times. An exception is made to the permit display for any taxicab or shuttle vehicle marked as provided in s. 100-51.5-1-c.

f. A permit shall be mailed only to the vehicle owner. If a vehicle owner wishes to have the permit mailed to an address other than his or her home address, the vehicle owner shall fill out a form prepared by the city clerk, indicating the vehicle owner's mailing address. The address listed on the required form shall be a street address, not a post office box. In case of a corporation, limited liability company or limited liability partnership, the address listed on the form shall be the home address of the agent or the mailing address of the corporation, limited liability company or limited liability partnership. The individual owner, all partners of a partnership, the agent and all members of a limited liability company or limited liability partnership, and the agent, president and secretary of a corporation shall sign the form.

g. Authorized Representative.

g-1. If a permittee first files a statement with the city clerk signed in the presence of a notary public designating an individual who is authorized to represent the permittee, the authorized representative may pick up from the city clerk a permit issued to the permittee after the permittee:

g-1-a. Has filed an affidavit with the city clerk for a duplicate permit.

g-1-b. Has successfully completed an inspection for the replacement of a vehicle.

g-2. No permit shall be released to any individual who is authorized under this subsection to represent the permittee without the city clerk first securing 2 adequate items of identification from the authorized representative.

h. Whenever a permit has been defaced, lost, stolen or destroyed, the permittee

shall immediately apply to the city clerk for a duplicate permit. All requests for a duplicate permit shall be accompanied by the fee specified in s. 81-1-4.

i. The legislative reference bureau shall provide a report to the common council annually on or before July 1 which addresses issues relating to the issuance of public passenger vehicle permits including:

i-1. The numbers of public passenger permit applications made and numbers of permits issued for all classes of public passenger vehicles.

i-2. The numbers of public passenger permits issued for taxicabs and information on any factors that present a risk that the total number of permitted taxicabs may not be sufficient to meet the needs of the public.

i-3. Changes in the costs to the city incurred in processing applications, issuing new and renewal permits, and inspection of permitted vehicles.

i-4. Factors affecting the availability, accessibility and safety of public passenger vehicles.

i-5. Review of the experience of comparable municipalities related to availability, accessibility, efficiency and safety of public passenger vehicles and emerging best practices in regulation and operation.

i-6. Such other information as may be required under this chapter or requested by the licensing committee.

12. REGULATIONS. a. All Permittees. Every permittee shall be responsible for the operation of the vehicle for which the permit has been granted without regard to the legal relationship between the permittee and the driver.

b. Vehicle Leasing. b-1. 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.

b-2. A permittee shall own the vehicle for which a permit has been granted as sole titleholder and not as lien holder. However, the licensing committee may recommend the granting of a handicapped-elderly vehicle, luxury limousine, motorcycle or shuttle vehicle permit for a vehicle leased or to be leased by the applicant if:

b-2-a. The vehicle is leased from an automobile dealer, motorcycle or vehicle leasing company and not from an individual or other type of corporation.

b-2-b. The lease provides that the city clerk be notified by the lessor within 10 calendar days of the cancellation of the lease.

b-2-c. The lease states the type of passenger service for which the vehicle is leased.

b-2-d. The lease includes permission for the placement of stickers and other identification required by this chapter.

b-2-e. The applicant has complied with any additional requirements established by the licensing committee.

c. Prompt Placement into Service. Failure to place a permitted taxicab vehicle into service within 60 days of issuance of a permit shall constitute constructive surrender of the permit. The deadline for placement into service may be extended for a reasonable period by the licensing committee upon a showing of good cause for the extension. The city clerk shall provide written notice to the applicant that the permit will be deemed surrendered if the permitted vehicle is not placed into service and that the applicant has 30 days from the date of the notice to request an extension of the deadline by the licensing committee or to show cause why the permit should not be deemed surrendered.

d. 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. A vehicle removed from service shall not be operated on the streets for hire or shall have its decals or designation as a public passenger vehicle removed or have the words "not in service" placed on each side of the vehicle in letters at least 5 inches high.

e. Replacement of Vehicle.

e-1. No permit may be transferred to any other vehicle unless the owner or lessee of the vehicle is also the permittee, demonstrates financial responsibility for the vehicle, the vehicle has a current inspection sticker and the owner has paid the required vehicle replacement fee. The city clerk shall be notified of all vehicle replacements.

e-2. 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.

f. 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. The licensing committee shall determine whether the permit for the retired vehicle shall be suspended until the vehicle is

replaced, or revoked. Vehicles retired from service shall have all decals permanently removed or obliterated.

g. Fleet Parking. Fleet permittees shall be responsible for providing and using suitable off-street parking for their vehicles.

h. 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.

i. Taxicab Operator Appearance. Every permittee shall ensure that the driver operating a permitted taxicab complies with written standards of the taxicab affiliation for maintaining a clean and orderly appearance.

j. Taxicab Dispatch Records and Reporting. Each taxicab permittee shall ensure that the information and records maintained by the taxicab affiliation to which the permittee belongs are accurately and completely maintained for each vehicle owned by the permittee and for each licensed driver operating a permitted vehicle.

13. TRANSFER OF PERMITS. a. If a permittee dies or becomes disabled, the permit may be transferred, upon notification of the city clerk by the claimant, to the surviving spouse, and if there is no surviving spouse, to the legal representative of the permittee or the estate, who shall be eligible for the operation or lease of the vehicle for the remainder of the permit period. A permit may also be transferred with the permittee's consent to a spouse for good cause and upon approval of the licensing committee.

b. Upon expiration of the permit, the surviving spouse or legal representative may apply for the permit in his or her own name. The application shall not result in an increase in the number of permits in existence.

14. RENEWAL. a. Renewal Application. Renewal applications shall be made as provided in s. 85-26.

b. Procedure for Renewal. b-1. Except as provided in subd. 2, the licensing committee shall, without a hearing, recommend to the common council the granting of an application for renewal of a public passenger vehicle permit to a permittee, provided the city clerk has received a timely-filed application for renewal and the applicant has complied with the requirements of subs. 7-a and 11-b.

b-2. If the chief of police files a written report summarizing the arrest and convictions of the applicant which could form a basis for nonrenewal, or there is a written objection to the renewal of the permit by any interested person, the application shall be forwarded to the licensing

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committee for its recommendation as to whether or not each permit should be renewed.

b-3. Any application filed after the expiration date of the license period following the license period for which the permit was issued shall be considered as a new permit application and be subject to the requirements for an original permit provided in this subchapter.

c. Procedure for Nonrenewal. c-1. If there is a possibility that the committee will not renew a permit, a motion should be entertained to hold the application in committee and instruct the city clerk to forward proper notice to the applicant, unless the notice has already been sent, in which case the hearing shall proceed.

c-2. Prior to the date set for the hearing, the city clerk's office shall forward notice to the applicant which shall contain:

c-2-a. The date, time and place of the hearing.

c-2-b. A statement of the common council's intention not to renew the permit in the event any objections to renewal are found to be true.

c-2-c. A statement of the reasons for possible nonrenewal.

c-2-d. A statement that an opportunity will be given to respond to and challenge such reasons for nonrenewal and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

c-2-e. A statement that the applicant may be represented by counsel at the applicant's expense, if the applicant so wishes.

d. Hearings. All hearings held and committee recommendations prepared pursuant to this subsection shall be conducted as set forth in sub. 16.

15. REVOCATION OR SUSPENSION OF PERMITS. a. Any permit issued under this section may be suspended or revoked for cause by the common council after notice to the permittee and a hearing.

b. Suspension or revocation proceedings may be instituted by the licensing committee upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police, or upon a sworn written complaint filed with the city clerk by any interested person.

c. Whenever either sworn written charges or a sworn written complaint are filed with the city clerk setting forth specific charges against a permittee involving conduct which would violate ordinances that are grounds for suspension or revocation of a permit, the city clerk shall issue notice to the permittee. The notice shall be served upon the permittee so that the permittee has at

least 3 days' notice of the hearing. The notice shall contain:

c-1. The date, time and place of the hearing.

c-2. A statement to the effect that the possibility of suspension or revocation of the permit exists and the reasons for possible suspension or revocation.

c-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for suspension or revocation and to present witnesses under oath and to cross-examine opposing witnesses under oath.

c-4. A statement that the permittee may be represented by counsel at the permittee's expense, if the permittee so wishes.

d. The licensing committee shall convene at the date and time designated in the 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 suspension or revocation.

e. If the permittee appears before the committee at the time designated in the notice and denies the charges contained in the complaint, the committee shall conduct an evidentiary hearing in connection with the suspension or revocation at that time. If the permittee 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 complaints and the permittee in connection with the suspension or revocation.

f. All hearings held and committee recommendations prepared pursuant to this subsection shall be conducted as set forth in sub. 16.

16. PROCEDURE FOR NON-RENEWAL, REVOCATION OR SUSPENSION.

a. Applicable Procedures. If there is a possibility that the licensing committee will not recommend renewal of the permit, or if revocation or suspension proceedings are initiated, the procedures for notice and committee hearing and for the committee report, recommendations and common council consideration provided in ss. 85-3 to 85-5 shall apply.

b. Grounds for Non-renewal, Suspension or Revocation. The recommendation of the committee regarding the permittee shall be based upon evidence presented at the hearing. Probative evidence concerning non-renewal, suspension or revocation may include evidence of:

b-1. Failure of the permittee to meet the municipal qualifications or any of the licensing requirements of this chapter.

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b-2. 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 particular licensed activity, by the permittee, or by any employe, driver or lessee of the permittee.

b-3. The permittee, or any employe, driver or lessee of the permittee, having violated any of the operating regulations and prohibited practices set forth in this chapter.

b-4. Failure of a taxicab permittee to comply with the written plan of operation of the certified taxicab affiliation to which the permittee belongs.

b-5. Any other factor or factors which reasonably relate to the public health, safety and welfare.

17. REQUEST TO SURRENDER A PERMIT. a. If a permittee wishes to surrender his or her permit after receiving a notice for a hearing on nonrenewal, suspension or revocation, the permittee must request, in writing, permission from the licensing committee to do so prior to the commencement of the hearing. The committee may approve the request, or deny the request and proceed with the hearing.

b. If a permittee who has surrendered his or her permit wishes to have the surrendered permit returned, regardless of whether the permit was surrendered pursuant to par. a, the permittee must request, in writing, permission from the licensing committee to do so and appear before the committee at the date, time and place specified in written notice provided to the permittee by the city clerk. The committee may approve the request and return the permit without further action by the common council, or make a recommendation to the common council to deny the request based on the same grounds set forth in this section for nonrenewal, suspension or revocation. If the committee makes a recommendation to deny the request for the return of the permit, all committee recommendations shall be prepared and common council actions conducted in the same manner set forth in this section for nonrenewal, suspension or revocation.

c. Whenever any permit is surrendered in lieu of a pending nonrenewal, suspension or revocation proceeding, no new public passenger vehicle permit shall be granted to the same person for a period of 12 months following the date of surrender.

100-51. Vehicle Inspection. 1. INSPECTION REQUIRED. a. No vehicle owner or lessee shall operate his or her vehicle, or allow his or her

vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee successfully completing each vehicle inspection required under this section.

b. The department of public works shall conduct inspections under this section.

c. Upon a finding by the commissioner of public works that the volume of inspections requires additional assistance, the commissioner may approve and designate one or more additional parties, businesses or agencies, subject to approval by the licensing committee, to conduct inspections under terms and conditions that will ensure substantially similar quality and costs as if conducted by the department.

2. WHEN REQUIRED. A vehicle inspection conducted by the department of public works or its designee shall be required for each vehicle in all of the following circumstances:

a. Prior to the issuance by the city clerk of any new or renewal permit under this subchapter.

b. Except as provided in sub. 3, during a designated renewal inspection period under sub. 5.

c. When replacing any vehicle under s. 100-50-12-e.

d. When transferring any permit to another person under s. 100-50-13, if the application for permit transfer involves the replacement of a vehicle.

e. When directed by the police department or the city clerk for any additional inspection on a random selection basis or when identified by complaint.

3. EXEMPTION. No vehicle inspection shall be required under sub. 2-b for any vehicle that meets all of the following criteria:

a. The same vehicle was inspected under sub. 2-c and was found to meet the vehicle standards and equipment requirements established in this subchapter.

b. The vehicle inspection under sub. 2-c was conducted within 30 days of the first day of a designated renewal inspection period under sub. 5.

c. An application for renewal of a permit issued under this subchapter has been filed on or before the application filing deadline established by the city clerk.

4. ELIGIBILITY. a. No vehicle shall be inspected under sub. 2-b unless an application for renewal of a permit issued under this subchapter has been filed on or before the application filing deadline established the city clerk.

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b. No vehicle shall be inspected unless, prior to inspection, the permit, certificate of vehicle registration, trip sheets for the preceding 90-day period, and, if a meter fare taxicab, meter permit and meter inspection slip are presented to the inspecting officer.

c. Applicants for transfer under s. 100-50-3-a and permittees replacing a vehicle under s. 100-50-12-e who cannot obtain a certificate of vehicle registration, because of a waiting period imposed by the Wisconsin department of transportation, may present an application showing proof of receipt of the application by the Wisconsin department of transportation and payment of the registration fee. Permittees providing proof of application shall present the certificate of vehicle registration to the city clerk as soon as it is issued.

d. No meter fare taxicab shall be inspected by the department of public works or its designee until the city sealer has examined the taximeter attached to the vehicle and found it to meet the requirements under s. 100-51.5-3-b.

5. RENEWAL INSPECTION DATES.

a. Luxury limousines, shuttle vehicles, horse and surrey livery, motorcycles used for tours, and handicapped-elderly vehicles shall be inspected in the first 2 full working weeks of April.

b. Inspection of taxicabs shall be held not less than 2 times in the course of a full permit year at times established by the department of public works and upon notice by the department to the permittee or to the permittee's certified taxicab affiliation. A random inspection conducted upon notice provided under sub. 6-b shall constitute one of the 2 inspections required under this paragraph. Notice of inspections including the time and place of inspections shall be provided by the department of public works.

6. NOTICE OF INSPECTION.

a. Annual Inspections. Permittees for vehicles required to be inspected under subsection 2-b shall be notified by United States first class mail, postage prepaid of the inspection date and time at least 2 weeks prior to inspection.

b. Random Inspections. Permittees of vehicles directed by the police department, the department of public works or the city clerk to appear for any additional inspection under sub. 2-e shall be notified by the department of public works by United States first class mail, postage prepaid of the inspection date and time at least 2 days prior to inspection.

7. INSPECTION REPORT. The department of public works shall report the results of each inspection to the city clerk in a form and manner prescribed by the city clerk. The report

shall include, but not be limited to, vehicles appearing for inspection, vehicles passing inspection, vehicles removed from public service, reasons for removal of vehicles from public service, reasons for removal of vehicles from public service and vehicles failing to appear for inspection. The department of public works shall also provide the city clerk with information related to the costs of inspections upon request.

8. INSPECTION ACTIONS.

a. Inspection Sticker. The department of public works shall place in a conspicuous location a nonremovable sticker on the exterior of each public passenger vehicle thoroughly inspected by the department of public works and found to meet the vehicle standards and equipment requirements established in this subchapter. The city clerk may provide for an inconspicuous inspection sticker for luxury limousines.

b. Require Reinspection. The department of public works shall not issue an inspection sticker for, and shall require reinspection of, any vehicle that is found in violation of any of the vehicle standards and equipment requirements established in this subchapter. Violations found during any inspection shall be corrected and the vehicle shall be presented at the designated inspection station for reinspection on the next regularly scheduled inspection date, or on or before the last day of the annual inspection period, if applicable.

c. Remove Vehicle from Service. In addition to any action taken under par. b, the department of public works shall immediately suspend the permit of and remove from public service any vehicle that is found to be in a hazardous condition and unsafe for public patronage.

c-1. A red sticker shall be placed on the vehicle that shall read: THIS VEHICLE UNSAFE FOR PUBLIC PATRONAGE.

c-2. The sticker may only be removed by the department of public works upon a successful reinspection at the designated inspection station.

c-3. Removal, alteration, defacement or obscuration of the sticker by anyone other than the department of public works shall be subject to the penalty provisions of this chapter.

d. Suspend Permit. d-1. Without any further action, the department of public works shall immediately suspend the permit and notify the permittee by United States first class mail, postage prepaid mail of the suspension whenever the department of public works receives information that any of the following has occurred:

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d-1-a. The permittee fails to submit the vehicle on the designated date and time for any inspection or reinspection required under this section.

d-1-b. All violations found during any inspection are not corrected when the vehicle is presented at the designated inspection station for reinspection.

e. Any permit suspended under this section shall be immediately reinstated upon successful inspection or reinspection and payment of any special inspection fee required under s. 81-101.3.

100-51.5. Vehicle Standards and Equipment Requirements. 1. GENERAL REQUIREMENTS.

a. Responsibility. No vehicle owner, lessee or other person shall operate his or her vehicle, or allow his or her vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle first meeting the vehicle standards and equipment requirements established in this section.

b. 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.

b-1. Vehicle interior and exterior shall be free of dirt, mud, oil, rips, tears, exposed springs, foodstuff, trash, waste material or any other substance or object capable of harm, damage or injury to, or interference with the person, clothing, personal property, comfort or convenience of any passenger, whether upon ingress or egress of such vehicle, or while riding therein.

b-2. Vehicle shall have an exterior which is free of any misshapen or deformed condition arising from collision, crash or other impact, excepting minor dents. Vehicles shall be free of holes in floorboards, and trunk shall be empty except for emergency equipment.

Vehicle shall be free of exterior rust and exterior must be painted a uniform color so as not to have patches of unmatching paint on the vehicle.

b-3. All vehicles shall be washed a minimum of once per week.

c. Vehicle Markings. c-1. Each taxicab and shuttle vehicle, excepting a shuttle vehicle meeting the definition in s. 100-3-23-b, shall have the following clearly and permanently marked:

c-1-a. The word "Milwaukee" on the right and left sides of the vehicle.

c-1-b. 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.

c-1-c. 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.

c-1-d. The permit number clearly displayed on the back of the driver's seat.

c-2. Vehicles with shuttle permits, excepting a shuttle vehicle meeting the definition in s. 100-3-23-b, shall have the word "shuttle" in a color to contrast with the auto body color permanently marked on the left and right side of the vehicle.

c-3. The licensing committee may require vehicle marking other than as required by this paragraph for specified types of vehicles.

d. Complaint Forms. Except as provided in par. e-1, each public passenger vehicle shall have available, in the passenger compartment in a conspicuous place plainly visible to all occupants of the vehicle, complaint forms provided by vehicle owners, in a format approved by the city clerk.

e. Complaint Placard. Except as provided in par. f, each public passenger 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, in substantially the following form:

Milwaukee Taxicab Permit Number _____

NOTICE TO PASSENGERS

The Rates of Fare are:

Fill in with approved rates and zone map if required.

Complaints regarding rates or service may be addressed to:

License Division Manager, City Clerk's Office
Room 105, City Hall, 200 E. Wells St.
Milwaukee, WI 53202
license@milwaukee.gov

Complainant: Please provide the name of the driver, vehicle number, company name, trip date and time, and details of the complaint.

f. Information provided to passengers. Luxury limousines and shuttle vehicles meeting the definition under s. 100-3-23-b shall provide to passengers, at the time the service is contracted for hire, the information provided on the complaint

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form and rate and service complaint placard required under this subsection.

g. Complaints. Complaints shall be in writing and contain the name of the driver, vehicle number, company name, trip date and time, and the details of the complaint.

2. EQUIPMENT REQUIREMENTS. In addition to any other vehicle standards and equipment requirements established in this section, each public passenger vehicle shall be equipped with a Milwaukee area street map or street guide and the following mechanical devices, in sound working condition:

a. All headlamps, tail lights, emergency blinkers and turn signals shall be operable and in good working condition.

b. Each taxicab shall be equipped with a dome light mounted above the top line of the windshield.

c. 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. A motor vehicle is exempt from the air conditioning requirement contained in this paragraph if the vehicle has been continually licensed as a public passenger vehicle by the vehicle owner prior to July 23, 2005.

d. The spare tire, if standard equipment, shall be securely attached and properly inflated.

e. All hood, trunk and door latches shall be in proper working order.

f. 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.

g. Operable and easily accessible safety belts for use by each person in the motor vehicle.

h. The windshield wipers shall be in proper working order and the blades shall be free of defects.

i. The horn shall be in sound working condition and be of the standard type for each motor vehicle.

j. Door handles, arm rests and window handles must be clean and intact.

k. The muffler, tailpipe and crossover pipe shall be securely connected and free of holes and punctures.

L. 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.

m. 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.

3. TAXICAB REQUIREMENTS.

a. Body Colors. The body colors designated for affiliated taxicabs shall be as follows:

a-1. Blue - All City Veteran Taxi.

a-2. Yellow - Yellow Cab Co-op.

a-3. Orange - Brew City Cab Cooperative.

a-4. White - Mitchell International Taxicab Association.

a-5. Red - American United Cab Company, Inc., a taxicab radio dispatch service.

a-6. 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.

b. Taximeter. b-1. The taximeter shall not be in error more than 1% in deficiency and more than 4% in excess of the interval under test.

b-2. After sundown a suitable light, so arranged as to throw a continuous steady light thereon, shall illuminate the face of the taximeter.

b-3. The taximeter case is sealed and its cover and gear intact.

b-4. Taximeters shall not be transferred between vehicles without permission of the city sealer.

b-5. Taximeters shall not be programmed to charge rates higher than permitted.

c. Noncash Payment. On or after July 1, 2014, each permittee replacing a taxicab or placing a new vehicle into service shall install rear seat swipe credit and debit card-processing equipment subject to policy or rule established by the city clerk and approved by the licensing committee.

d. Fuel Efficiency. The legislative reference bureau shall provide a report to the common council on or before July 1, 2014, reviewing best practices, strategies and regulation in comparable municipalities for improving fuel efficiency and reducing reliance upon fossil fuels within the city's permitted taxicab fleet. Information shall be organized and provided by the legislative reference bureau with the assumption that fuel standards will be developed and implemented on or before July 1, 2018.

4. HANDICAPPED-ELDERLY VEHICLE REQUIREMENTS. Handicapped-elderly livery vehicles shall be 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 or in taxicabs. These vehicles shall have:

- a. Doorways wide enough to accommodate a wheelchair.
- b. Ramps or lifting devices for elevating wheelchairs from the curb or sidewalk into the vehicle.
- c. Adequate means of securing wheelchairs to the inside of the vehicle and safety belts for all handicapped persons.
- d. A door, in addition to those normally provided on the vehicle for ingress and egress from the vehicle, located at the rear of the vehicles to be used as a method of escape in case of an emergency.

5. HORSE AND SURREY LIVERY REQUIREMENTS. A horse and surrey livery shall:

- a. Be in thoroughly safe and sanitary condition for the transportation of the public.
- b. Comply with the equipment requirements of ch. 347, Wis. Stats., as amended, with respect to lamps and identification emblem for animal drawn, slow moving vehicles.
- c. Be provided with facility to remove all fecal matter and flush all urine from public ways.
- d. Fixed seating. Each horse and surrey livery shall provide passengers with fixed seating which has been installed by the manufacturer of the surrey.
- e. Posting of Signs. Each horse and surrey livery shall securely post and maintain placards indicating the following:
 - e-1. The seating capacity of the surrey which has been specified by the manufacturer, or established by the chief of police, and declared on the application for a new or renewal permit pursuant to s. 100-50-4-f-3.

- e-2. A placard posted in the passenger compartment in a conspicuous place visible to all occupants of the vehicle stating: "No standing while vehicle is in motion."

6. MOTORCYCLE USED FOR TOURS REQUIREMENTS. A motorcycle used for tours shall:

- a. Be in a thoroughly safe condition for the transportation of the public.
- b. Comply with the equipment requirements of ch. 347, Wis. Stats., as amended.

7. PEDICAB REQUIREMENTS. A pedicab shall be in a thoroughly safe condition for the transportation of the public.

8. LIMOUSINE REGULATIONS. In addition to all other applicable provisions of this chapter, a limousine shall comply with the following:

- a. The exterior of a permitted vehicle may not display any signs, markings or stickers not otherwise required by law.
- b. The color or paint design of a permitted vehicle shall not be unduly distracting or untypical for the make, model or year of the vehicle

100-52. Rates Established. **1. RATES.** No person owning, operating or controlling any public passenger vehicle shall charge to exceed the rates in this section.

2. RATE INCREASES. a. 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.

- b. 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.

3. METER FARE TAXICAB. a. No person owning, operating or controlling any motor vehicle licensed as a meter fare taxicab and operating within the area bounded by Lake Michigan on the east and 22000 block west on the west, 12000 block north on the north and 11100 block south on the south shall charge an amount exceeding the following rates:

- a-1. The first 1/10 mile or fraction of a mile, for one or more persons, \$2.25.

- a-2. For each succeeding 1/10 mile or fraction of a mile, for one or more persons, \$0.25.

- a-3. 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.

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a-4. 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

a-5. For more than 2 suitcases (21" overnighiter 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.

b. 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.

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 \$10.

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, or shuttle vehicle may be established by adoption of such rates by the common council.

100-53. Financial Responsibility.

1. REQUIRED. a. No person may operate, or shall be issued 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-1. Surety Bond. A bond of the owner of a vehicle with a responsible surety 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.

a-2. **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 shall 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. The bonds shall be continuing liabilities notwithstanding recovery thereon and the 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.

a-3. **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.

a-4. **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.

b. The permit will be automatically suspended on the day after the bond or policy ceases to be in effect. The permit will be reinstated after first presenting documentation evidencing insurance coverage required in this section by operation of law and making payment of the reinstatement fee required under s. 81-1-6.

2. 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.

3. 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.

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4. 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.

5. 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.

6. 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.

**SUBCHAPTER 3
DRIVER'S LICENSE**

100-54. Public Passenger Vehicle Driver's License. 1. LICENSE REQUIRED.

a. 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 this section.

b. No permittee may allow his or her vehicle to be operated by any person not holding a valid license issued under this section.

2. QUALIFICATIONS. Each applicant for a driver's license shall:

a. Be at least 18 years of age.

b. Possess a valid motor vehicle driver's license, excluding occupational licenses, issued by the state of Wisconsin.

c. If desiring to operate a motorcycle for tours, possess a valid motor vehicle driver's license issued by the state of Wisconsin for the operation of "Class M" vehicles under ch. 343, Wis. Stats., as amended.

d. If a driver of motorized vehicles, have successfully completed within 3 years prior to the date of any original application a defensive driving and safety course approved by the police department. The defensive driving course requirement is waived for drivers of non-motorized vehicles. The defensive driving course requirement shall also be waived if, at any time within the 2-year period prior to the date of filing the application with the city clerk, the applicant held a public passenger vehicle driver's license for motorized vehicles issued under this chapter.

e. If a driver of handicapped-elderly vehicles, have successfully completed within 3 years prior to the date of any original application a passenger assistance techniques training program approved by the commissioner of health. This requirement shall be waived if, at any time within the 2-year period prior to the date of filing the application with the city clerk, the applicant held a public passenger vehicle driver's license for handicapped-elderly vehicles issued under this chapter.

f. Be able to read, write and speak the English language to the extent necessary to operate a public service vehicle licensed by the city.

f-1. To satisfy this requirement, applicants for licenses to operate taxicabs must, within 3 years prior to the date of any original application, pass a test established and administered by the city clerk regarding knowledge of city streets, major buildings, facilities and city regulations regarding public passenger vehicles. This testing requirement shall be waived if, at any time within the 2-year period prior to the date of filing the application with the city clerk, the applicant held a public passenger vehicle driver's license for taxicabs issued under this chapter.

f-2. Alternate tests shall be available for those applicants who possess limited ability to read the English language.

f-3. Except for the test and certificate required under subd. f-4, any applicant taking any test under this paragraph shall, for identification, present a valid motor vehicle driver's license issued by the state of Wisconsin.

f-4. On and after November 1, 2014, each applicant for a new license to drive a taxicab and each other licensed taxicab driver shall have completed a driver training course offered by the Taxicab, Limousine and Paratransit Association or its equivalent upon approval by the chief of police, and shall provide the permittee of any taxicab vehicle to be operated by the licensed driver with a copy of a certificate or other document evidencing satisfactory completion of the course.

g. 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.

h. Be clean in dress and person and, if driving a taxicab, shall comply with all applicable written standards of dress and appearance of the taxicab affiliation.

3. APPLICATION. a. Application for a driver's license shall be filed with the city clerk on forms provided therefor. The application shall require the following information:

a-1. Name, home address and telephone number of the applicant.

a-2. Date of birth, height, weight, color of eyes and hair of the applicant.

a-3. Valid motor vehicle driver's license number issued by the state of Wisconsin.

a-4. License classification for which the applicant is applying.

a-5. Name, business address and telephone number of the person, firm, association or corporation for whom the applicant is or will be employed as a public passenger vehicle driver, if known.

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a-6. Whether the applicant has prior to the date of application been licensed to operate a public passenger vehicle in this city.

a-7. Whether the applicant has within the last 5 years had any motor vehicle driver's license issued by the state of Wisconsin suspended or revoked, and the nature of the suspension or revocation.

a-8. Sworn statement by the applicant stating that the applicant is aware that the license may be subject to suspension, nonrenewal or revocation if the licensee violates any rule or regulation provided in this section.

b. Each applicant for a driver's license shall file with the application 2 recent photographs suitable in size and form, as determined by the city clerk, for inclusion on the applicant's official license. One photograph shall be attached to the license when issued, and the other photograph shall be filed with the application with the city clerk.

c. Post office box numbers shall not be acceptable for addresses required on applications for driver's licenses.

4. FEE. All applications shall be accompanied by the fee established in s. 81-44.7.

5. CHANGES TO BE REPORTED. A licensee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The licensee shall make this notification in writing within 10 calendar days after the change occurs.

6. FINGERPRINTING. All applicants shall be fingerprinted as provided in s. 85-21-1.

7. INVESTIGATION. Each application shall be referred to the chief of police who shall cause an investigation of the applicant's criminal history for the preceding 10 years and motor vehicle driving history for the preceding 2 years to be made, and report the findings to the city clerk. The chief of police may object to issuance of the license based on the applicant's criminal history and shall object to issuance of the license if, within the preceding 2 years, the applicant has been convicted of 3 or more moving violations, as defined in s. 343.01(2)(cg), Wis. Stats., arising out of separate incidents or occurrences.

8. COMMITTEE ACTION. a. If the police chief files no objection to an application, the city clerk shall issue the license in accordance with sub. 9. If the police chief files an objection to an application, the application shall be forwarded to the licensing committee for its recommendation as to whether the license should be issued.

b. If there is a possibility of denial, no hearing shall be heard unless the city clerk's office has provided written notice to the applicant. The notice shall be served upon the applicant so that

the applicant has at least 3 days' notice of the hearing. The notice shall contain:

b-1. The date, time and place of the hearing.

b-2. A statement that there is a possibility of denial of the license application and the reasons for possible denial.

b-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for denial and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

b-4. A statement that the applicant may be represented by an attorney of the applicant's choice at the applicant's expense, if the applicant so wishes.

c. If there is a possibility of denial at the meeting of the committee, the chair shall open the hearing by stating that a notice was sent and shall read the notice into the record unless the applicant admits notice. The chair shall advise the applicant that the applicant has an option to proceed with a due process hearing, represented by counsel, with all testimony both direct and cross-examination under oath, or that the applicant may simply make a statement to the committee.

d. A due process hearing shall be conducted in the following manner:

d-1. All witnesses shall be sworn in.

d-2. The chair shall ask those opposed to the granting of the license to proceed first.

d-3. The applicant shall be permitted an opportunity to cross-examine.

d-4. After the conclusion of the opponent's testimony, the applicant shall be permitted to present the applicant's own witnesses, subject to cross-examination.

d-5. Committee members may ask questions of witnesses.

d-6. Both proponents and opponents shall be permitted a brief summary statement.

e. The recommendations of the committee regarding the applicant shall be based on evidence presented at the hearing. Probative evidence concerning whether or not the license should be granted may be presented on the following subjects:

e-1. Whether the applicant meets the municipal requirements.

e-2. Whether the applicant has been charged with or convicted of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the permitted activity.

e-3. Any other factors which reasonably relate to public health, safety and welfare.

f. The committee may make a recommendation immediately following the hearing or at a later date. Written notice of the committee's decision shall be provided if the decision is made at a later date or if the applicant was not present or represented. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

9. ISSUANCE OF LICENSE. Any license issued by the city clerk under this section shall contain the following information:

a. Name and recent photograph of the license holder

b. License classification indicating the category or categories of public passenger vehicles the licensee is qualified to operate.

c. The period of time for which the license is valid.

10. CHANGE OF LICENSE CLASSIFICATION. a. During the license period. Any holder of a license issued under this section is permitted to change the license classification during the license period. Requests for changes of classification shall be made by filing an amendment with the city clerk, and by providing documentation of meeting the qualifications for the license classification under s. 100-54-2 and payment of the fee as provided in s. 81-44.7-7.

a-1. If the police chief had not previously filed an objection to the application for the license for which the change in license classification is sought, the city clerk shall issue the license with a change in license classification in accordance with sub. 9.

a-2. If the police chief had previously filed an objection to the application for the license for which the change in license classification is sought, the city clerk shall refer the application for change of license classification to the chief of police for review.

a-2-a. If the police chief files no objection to an application for change of license classification, the city clerk shall issue the license with a change in license classification in accordance with sub. 9.

a-2-b. If the police chief files an objection to an application for change of license classification, the application shall be forwarded to the licensing committee for its recommendation as to whether a license with a change in license classification should be issued.

b. At the time of renewal.

b-1. Any holder of a license issued under this section is permitted to change the license classification at the time application for renewal is filed. Requests for change of license classification shall be made by filing an application for renewal with the city clerk pursuant to sub. 11, and by providing documentation of meeting the qualifications for the license classification under s. 100-54-2 and payment of the fee as provided in s. 81-44.7-4.

b-2. If the licensee fails to submit documentation of meeting the qualifications for the change of license classification at the same time the application for renewal is filed with the city clerk, no change in license classification shall occur, except as provided in par. a.

11. RENEWAL AND NON-RENEWAL.

a. Procedure for Renewal. Applications for renewal shall be made to the city clerk. The clerk shall refer the application to the chief of police for review. The chief of police may object to renewal of the applicant's license based on the applicant's criminal history and shall object to renewal of the license if, within the most recent license period, the applicant has been convicted of 3 or more moving violations, as defined in s. 343.01(2)(cg), Wis. Stats., arising out of separate incidents or occurrences. If the chief of police indicates that the applicant still meets the licensing qualifications, the city clerk shall issue the license unless a written objection has been filed with the city clerk at least 45 days prior to the date on which the license expires. This objection may be filed by any interested person. If a written objection is filed, or if a determination by the city clerk or a designee of the city clerk is made that the applicant no longer meets the licensing qualifications, the application shall be forwarded to the licensing committee for its recommendation to the common council.

b. If there is a possibility that the committee will not recommend renewal of a permit, the procedures for notice, hearing and review by the common council provided in sub. 12 shall apply.

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c. An applicant who has held a public passenger vehicle driver's license in the past 12 months shall be required to file a renewal application. If more than 12 months have elapsed since the date of license expiration, the applicant may file either a new application or a renewal application, except that 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 provided in sub. 2.

12. PROCEDURES FOR NON-RENEWAL, SUSPENSION OR REVOCATION.

a. Any license issued under this section may be subject to non-renewal, suspension or revocation for cause by the common council after notice to the licensee and a hearing. In addition, based on evidence presented at the licensing committee regarding a license applicant's driving record, the common council may direct the city clerk to withhold issuance of a license until the applicant provides the city clerk with documentation indicating the applicant has retaken and successfully completed a defensive driving and safety course.

b. Non-renewal, suspension or revocation proceedings may be instituted by the licensing committee upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police or upon a sworn written complaint filed with the city clerk by any interested party.

c. Due Process Hearing and Review by the Common Council. If there is a possibility that the licensing committee will not recommend renewal of the license, or when revocation or suspension proceedings are initiated, the procedures for notice and committee hearing and for the committee report, recommendations and common council consideration provided in ss. 85-3 to 85-5 shall apply.

d. Grounds for Non-renewal, Suspension or Revocation. The recommendation of the committee regarding the licensee shall be based on evidence presented at the hearing. Probative evidence concerning non-renewal or revocation may include evidence of:

d-1. Failure of the licensee to meet the municipal qualifications.

d-2. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense by the licensee, the circumstances of which substantially relate to the circumstances of the licensed activity.

d-3. Violations of any rules or regulations of this chapter.

d-4. Any other factor or factors which reasonably relate to public health, safety and welfare.

13. DISQUALIFICATION. Whenever any application is denied, or license not renewed, revoked or surrendered, the procedures for disqualification for license provided in s. 85-13 shall apply.

14. REQUEST TO SURRENDER A LICENSE. a. If a licensee wishes to surrender his or her license after receiving a notice for a hearing on non-renewal, suspension or revocation, the licensee must request, in writing, permission from the licensing committee to do so prior to the commencement of the hearing. The committee may approve the request, or deny the request and proceed with the hearing.

b. In the event a licensee who has surrendered his or her license wishes to have the surrendered license returned, regardless of whether the license was surrendered pursuant to par. a, the licensee must request, in writing, permission from the licensing committee to do so and appear before the committee at the date, time and place specified in written notice provided to the licensee by the city clerk. The committee may approve the request and return the license without further action by the common council, or make a recommendation to the common council to deny the request based on the same grounds set forth in this section for non-renewal or revocation. If the committee makes a recommendation to deny the request for the return of the license, all committee recommendations shall be prepared and common council actions conducted in the same manner set forth in this section for non-renewal or revocation.

**SUBCHAPTER 4
OPERATING REGULATIONS**

100-58. Purpose. The purpose of this subchapter is to regulate the operation of the various kinds of public passenger vehicles permitted by the city.

100-59. Operating Regulations for all Public Passenger Vehicles.

1. LICENSE TO BE EXHIBITED. a. 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. In lieu of displaying the license in a conspicuous place in the vehicle, the license may be carried on the person of a driver engaged in the operation of the following public passenger vehicles: horse and surrey livery, luxury limousine, pedicab, motorcycle, and shuttle vehicle meeting the definition under s. 100-3-23-b.

b. Whenever a licensee's state of Wisconsin motor vehicle driver's license is cancelled, expired, 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 cancelled, 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 excluding occupational licenses.

2. DRIVER NAME AND RECEIPT.

a. 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.

b. 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.

3. FAILURE TO PAY FARE. a. No person shall neglect or refuse to pay for the service of any licensed vehicle with the intention of defrauding the driver of the vehicle, provided the rates charged by the vehicle are in conformity with this chapter.

b. Every driver of a vehicle shall have the right to demand payment of the legal fare in advance and may refuse employment unless so prepaid, but no driver shall otherwise refuse or neglect to convey any orderly person upon request within the area bounded by Lake Michigan on the east and 22000 block west on the west, 12000 block north on the north and the 11100 block south on the south unless previously engaged or unable to do so.

4. HOURS OF DRIVERS. No person may require any other person driving a public passenger vehicle upon the public streets to work more than 12 hours in every 24 hours. Such 12 hours shall be split by an intermission of one to 4 hours off duty. Every driver shall have at least 24 consecutive hours off each week.

5. LOST ARTICLES LEFT IN VEHICLES. Whenever an article is left in or on a public passenger vehicle, the driver shall deliver the article to the property bureau at police headquarters or to the office of the vehicle dispatcher, unless the driver shall have returned the article to its owner or disposed of the article in a manner directed by its owner within 48 hours of the discovery of the article. Property not reclaimed by the owner from the dispatcher's office within 48 hours shall be delivered to the property bureau of police headquarters.

6. MAP OR STREET GUIDE. Every public passenger vehicle driver shall cause to be maintained in the vehicle he or she is driving for public hire, or upon his or her person, a Milwaukee area map or street guide.

7. MISINFORMING, MISLEADING PERSONS PROHIBITED. No owner or driver of a public passenger vehicle, or agent of an owner or driver of a public passenger vehicle, shall induce a person to ride in or hire the vehicle by misinforming or misleading the person as to the time or place of the arrival or departure of a bus, airline flight, passenger train or other public transportation, or as to the location of a transportation terminal, business, public place or private residence.

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8. MISREPRESENTATION AND FALSE VOUCHERS PROHIBITED. a. No owner or driver of a public passenger vehicle or agent of an owner or driver of a public passenger vehicle shall induce a person to ride in or hire the vehicle by falsely representing the vehicle as being in the employment of another person. No owner or driver of a public passenger vehicle shall deceive a person as to the value of a ticket or voucher or make a false statement concerning a voucher or ticket which may be shown to him or her.

b. No driver or owner of a public passenger vehicle or agent of a driver or owner of a public passenger vehicle shall submit for payment a fare voucher for an amount in excess of the rates of fare established in this chapter as applicable to the trip for which the voucher was written.

9. PROHIBITED ACTIVITIES. The following activities are prohibited:

a. Permitting a nonpaying passenger or driver's pet in a vehicle when transporting a fare-paying passenger, except for the purpose of driver training. The potential passenger shall be informed of this training and offered an alternative vehicle.

b. The directing, taking or transportation, or offering to direct, take, or transport any person for immoral purposes, or assisting by any means whatsoever any person for such purposes, to seek or to find any prostitute or other person engaged in immoral practices, or any brothel, or bawdy house, or any other place of ill fame whatsoever, with knowledge or reasonable cause to know of the character of the person, house or place is prohibited.

c. Knowingly receiving any person for purposes of lewdness, assignation or prostitution, into or upon any vehicle, conveyance, or other means of transportation, or permitting any person to remain for purposes of lewdness, assignation or prostitution, in or upon any vehicle, conveyance, or other means of transportation.

d. Knowingly receiving and transporting any goods or substances which are contraband or illegal or otherwise restricted as to delivery or use.

e. Using while on duty alcohol, a controlled substance, a controlled substance analog or a combination thereof, or driving or operating a vehicle while intoxicated or under the influence of alcohol, a controlled substance, a controlled substance analog or a combination thereof, or under the influence of any drug which renders the person incapable of safely driving.

10. SEATING CAPACITY OF VEHICLES. No driver shall carry more adult passengers than the designed capacity of the vehicle, and no more children, except children under 5 years of age carried in the arms of an adult, than can be seated comfortably on the seats. In no event shall more than 2 persons in addition to the driver be permitted in the front seat of the vehicle.

11. SOLICITATION; DRIVER TO REMAIN WITH VEHICLE. No person shall solicit passengers at a designated vehicle stand unless the driver is sitting in the driver's seat of the vehicle. Drivers of vehicles shall remain on driver's seat or inside of the vehicle except to use a restroom, receive telephone calls or to assist passengers, in and out of the vehicle, and they are not to be absent more than 15 minutes at a time.

12. STOPPING OF VEHICLES IN VARIOUS RESTRICTED PARKING ZONES.

Permittees may stop in the following restricted parking zones to engage and disengage passengers and their baggage: in a loading zone; in an alley in a business district; within 10 feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign; within 4 feet of the entrance to an alley of a private road or driveway; closer than 15 feet to the near limits of a crosswalk upon any portion of a highway where, and at the time when parking is prohibited, limited or restricted by official traffic signs. All such business shall be performed without any unnecessary delay.

13. TRIP RECORDS. 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. The permittee shall retain trip records for at least 90 days, and the original records shall be readily available for inspection upon request by the police department.

14. DAILY SAFETY CHECKLIST.

a. Every public passenger vehicle driver prior to the beginning of each shift shall inspect the vehicle to make sure that all equipment on 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.

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b. Every public passenger vehicle driver shall keep in the vehicle a daily safety checklist ensuring that the items listed in par. c have been inspected and are in good working order and by the public passenger vehicle permit holder properly placed in or on the vehicle. The checklist shall be kept for at least 14 days by the public passenger vehicle permit holder and be readily available for inspection upon request by the police department.

c. The daily safety checklist shall include the following items:

- c-1. Meter seal.
- c-2. Rate/complaint placard.
- c-3. Clean interior/exterior.
- c-4. Seat belts.
- c-5. Horn.
- c-6. Spare tire (inflated).
- c-7. Heater/defroster/air conditioner.
- c-8. Windshield (in compliance with s. Trans 305.34, Wis. Adm. Code, as amended).
- c-9. Windshield wipers/blades.
- c-10. Head lamps/tail, turn, brake, hazard lights.
- c-11. Tires.
- c-12. Wheels/rims.
- c-13. Body of vehicle.
- c-14. Upholstery.

15. 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.

100-60. Additional Operating Regulations.

1. METER FARE TAXICABS. a. Taxi Stand Use. a-1. 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.

a-2. As the taxicabs leave the line with passengers, those behind shall move up, and any taxicab seeking a place on the stand shall approach the same only from the rear of the stand and shall stop as near as possible to the last taxicab already on the line. No taxicab shall stand within 5 feet of any crosswalk.

b. Radio Service Prohibited. b-1. No person may provide radio service to any unlicensed taxicab or taxicab whose license has been suspended or revoked.

b-2. Penalty. Any person violating subd. 1 shall be subject to the penalty provided in s. 100-62-2.

c. Double Loading. Double loading is prohibited unless expressly authorized by the first passenger. No driver may plant, or permit to be planted, any person for the purpose of assuming the role of a first passenger to attempt to evade the provisions of this paragraph. Any person consenting to act as a plant for the purpose of falsely assuming the role of a first passenger shall be considered with the driver to be violating this paragraph.

d. Maximum Period. A driver of a taxicab shall respond to a service request within 30 minutes upon receiving the request.

2. HORSE AND SURREY LIVERY.

a. Hours of Operation. Unless otherwise authorized by the chief of police, no horse and surrey livery service shall be conducted between 7 a.m. and 9 a.m. and 3 p.m. and 6 p.m. on weekdays, except during the months of November, December, January and February, when no horse and surrey livery service shall be conducted between 7 a.m. and 9 a.m. and 3 p.m. and 6:30 p.m. on weekdays.

b. Sanitation. No driver of a horse and surrey livery may permit urine or fecal matter of such animal to remain on any street, alley, gutter, sidewalk, lawn, field or any public or private property as set forth in ss. 79-11 and 79-12, and it shall be solely the responsibility of the driver of the animal to immediately remove all fecal matter by shovel or like instrument, and dilute and flush the urine.

c. Maximum Number of Passengers. No horse and surrey shall carry more passengers than can be seated comfortably on the seats without exceeding the seating capacity of the surrey as posted pursuant to s.100-51.5-5-e-1, except up to 2 children under 5 years of age who each shall be carried in the arms of separate persons 18 years of age or older.

d. Riding with Driver Prohibited. The driver of any horse and surrey livery shall not permit any passenger to sit alongside the driver while the driver is engaged in the operation of the horse and surrey livery.

e. Operation on Certain Streets Restricted. No horse and surrey livery shall be operated on East State Street, West State Street, East Wells Street or West Wells Street for more than one block length at a time. Whenever a horse and surrey livery operates for one block on one of the specified streets, it shall then turn onto an intersecting street.

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f. Horse and Surrey Stands. Livery services shall stop, stand or park only at stands approved for that purpose pursuant to s.101-23-9.

g. Serious Injury. g-1. Whenever a horse and sully animal is injured in an accident so severely that the police department believes euthanasia may be necessary, the police department shall immediately contact the horse and sully livery permittee, inform the permittee of the situation and, in consultation with the permittee, determine whether euthanasia is required.

g-2. If the police department and the permittee agree that euthanasia is required and determine that the licensed veterinarian on call is able to come to the accident site in a period of time that will not prolong excessive suffering by the animal, the permittee shall immediately summon the veterinarian to the accident site. Euthanasia shall then be permitted only when both of the following conditions are met:

g-2-a. The euthanasia is performed by a veterinarian licensed by the state of Wisconsin who concurs with the determination of the police department and the permittee that euthanasia is necessary.

g-2-b. The euthanasia is administered by painless lethal injection.

g-3. The police department may euthanize a horse and sully animal with close range gunfire directed at the animal's brain under any of the following circumstances:

g-3-a. The police department and the permittee agree that euthanasia is required but determine that the veterinarian cannot come to the accident site in a period of time that will not prolong excessive suffering by the animal.

g-3-b. The police department is unable to make contact with the permittee, and the police department determines that, in order to prevent excessive suffering by the animal, the animal must be euthanized immediately.

g-3-c. The police department determines that the animal poses an immediate and serious threat to public safety.

3. SHUTTLE VEHICLES. a. Each person holding a permit for a shuttle vehicle operating on a fixed route and schedule shall post a current route schedule in the vehicle and submit a copy to the city clerk.

b. No shuttle vehicle operating on a fixed route and schedule may deviate from the route filed with the city clerk, without the person holding a permit for the shuttle vehicle having first

filed an amended route and schedule form with the city clerk's office at least 48 hours prior to the change in route and schedule.

4. LIMOUSINE REGULATIONS. In addition to all other applicable provisions of this chapter, operation of limousines shall comply with the following:

a. Purpose. The purpose of this subsection is to promote a high standard of appearance for limousine service based upon the common expectation of parties contracting limousine services for business meetings and formal events.

b. Uniform. All limousine chauffeurs shall be uniformed in business attire.

c. Vehicle Type and Appearance. The party contracting for a limousine on a prereserved basis shall be advised of the make, model and year of the vehicle and of any custom nonproduction features or unique energy conservation features of the vehicle. No vehicle shall be provided that is of a different make, model, year or custom features, or an equivalent vehicle, from that agreed to by the contracting party prior to passenger pickup.

5. PEDICABS. a. No person may operate on a highway during hours of darkness any pedicab unless the pedicab is equipped with at least 2 lighted lamps or lanterns exhibiting a white light visible from a distance of 500 feet ahead and 2 lighted lamps or lanterns exhibiting a red light visible from a distance of 500 feet to the rear. As an alternative to the red lamps or lanterns, 2 red reflectors may be displayed on the rear of the pedicab if the following standards are met:

a-1. Each reflector is mounted at a height not less than 16 inches nor more than 60 inches above the ground on which the pedicab stands. If the pedicab is more than 80 inches wide, the reflectors shall be mounted so as to indicate as nearly as possible the extreme width of the vehicle.

a-2. Each reflector is of such size and characteristics and so maintained as to be readily visible during the hours of darkness from all distances within 500 feet to 50 feet from the pedicab when directly in front of lawful upper beams of headlamps.

a-3. The pedicab is equipped with a flashing lighted lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear.

b. No person may operate on a highway, day or night, any pedicab unless there is displayed on the most practicable rear area of the pedicab a slow moving vehicle emblem consistent with the provisions of s. 347.245(2), Wis. Stats.

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	
Public Passenger Vehicle Type	Stands	Hail	Prereserved	Exclusive Ride	Ride Sharing	Reserved Group	Fixed Route	Variable Schedule
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

100-61. Driver Operating Activity. Table 100-61 indicates the driver operating activity classifications relating to means of hiring vehicles, types of passenger occupancy, and routes and schedules requirements for all public passenger vehicles permitted under this chapter, excepting shuttle vehicles meeting the definition under s. 100-3-23-b. The following are the activity classifications indicated in Table 100-61:

- a. "Y" indicates a permitted activity.
- b. "R" indicates an activity authorized on a restricted basis.
- c. "N" indicates a prohibited activity.

100-62. Penalty. 1. Any person who violates any provision of this chapter shall, where no other provisions are expressly made for the enforcement

of any forfeitures or penalties under this chapter, upon conviction forfeit not less than \$25 nor more than \$500 together with the costs of prosecution, or in default of payment may be imprisoned in the county house of correction for a period not to exceed 20 days.

2. Any person who violates s. 100-50-1 or 100-60-1-b-1 shall upon conviction be subject to the following forfeitures together with the costs of prosecution, and, in default of payment be confined in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 40 days:

- a. A forfeiture not less than \$250 nor more than \$500 if the person has not committed a previous violation within 24 months of the violation.

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b. A forfeiture not less than \$500 nor more than \$750 if the person has committed a previous violation within 24 months of the violation.

c. A forfeiture not less than \$750 nor more than \$1000 if the person has committed 2 or more previous violations within 24 months of the violation.

3. Any person who violates s. 100-51.5-1 or 2, s. 100-59-1, 6, 13 or 14, or s. 100-60-2-b shall upon conviction forfeit not less than \$25 nor more than \$200 together with the costs of prosecution, or in default of payment may be imprisoned in the county house of correction for a period not to exceed 8 days.

**SUBCHAPTER 5
TAXICAB AFFILIATIONS AND DISPATCH**

100-70. Certification of Affiliations.

1. **PURPOSE.** The purpose of this subchapter is to provide uniform regulation of taxicab operation to promote orderly, efficient, safe and accessible taxicab accommodations to the public.

3. **APPLICATION FOR CERTIFICATION.** a. Application for certification as a taxicab affiliation shall be filed with the city clerk on forms and in a manner prescribed by the city clerk.

b. The application shall be signed, certified and include the information required of license applicants under s. 85-12. Additionally, the application shall include the following information:

b-1. The number of affiliated taxicabs at the time of application, including identification of each affiliated taxicab permit by permit number and each additional applicant for a permit who has provided written notice of intent to join the affiliation upon issuance of a permit, and an estimate of the anticipated total number of taxicabs to be affiliated at the end of the certification period.

b-2. The plan for affiliation operations and the requirements of permittee affiliation including:

b-2-a. A statement of the experience of the applicant in operating taxicabs or other public passenger vehicles, if any.

b-2-b. Identification of all taxicab permits currently affiliated with the applicant.

b-2-c. A statement certifying that all affiliated taxicabs will be operated with dispatch services and that dispatch records will be retained and made available in reports as required by the city clerk.

b-2-d. A statement that taxicab service will be made available by the affiliation 24 hours of each day of the year.

b-2-e. A plan for providing citywide service, including plans for improving service to identified underserved areas.

b-2-f. A description of routine maintenance, including location and frequency of maintenance activities and other vehicle inspections conducted by or on behalf of affiliated permittees.

b-2-g. The type of driver education and training required by or provided by the affiliation.

b-2-h. A statement or copy of the written policies of the affiliation requiring drivers to maintain a clean, professional and orderly appearance together with specific requirements established by the affiliation and affiliated permittees for driver dress or uniform.

b-2-i. The affiliation's written plan to promote and ensure driver and passenger security.

b-2-j. A statement whether any vehicle under an affiliated permit will be leased and, if so, either a copy of the lease or proposed lease or a detailed description of the lease terms, including costs apportioned to drivers for operation, fuel, dispatch service, maintenance, repair or other fees and charges.

b-2-k. A statement of the affiliation's complaint process, including the manner in which complaint records are to be retained and reported to the city clerk.

b-2-L. The manner in which all accident reports or citations received in the operation of the permitted vehicles shall be retained and made available to the city clerk.

b-2-m. A description of the procedures of the affiliation to assure compliance of affiliated permittees and taxicab drivers with the requirements of this chapter.

b-2-n. Such other information the common council or the licensing committee may from time to time require.

5. **FEE.** Each application shall be accompanied by the fee specified in ch. 81.

7. **CHANGES TO BE REPORTED.** A certified affiliation shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The certified affiliation shall make this notification in writing within 10 calendar days after the change occurs. Changes to be reported include the change of officers of a corporation or legal liability company and any significant change in ownership or financial control of the affiliation including a change of corporate stockholders previously provided with the application. A notice of change shall be accompanied by the fee provided in s. 81-125-4 for filing an amendment to the application or plan of operation.

9. **FINGERPRINTING.** All applicants shall be fingerprinted as required in s. 85-21-1.

11. **INVESTIGATION.** Each application shall be referred to the chief of police for investigation as required in s. 85-21-2.

13. **COMMITTEE AND COMMON COUNCIL ACTION.** a. Applications for certification of all new and renewal taxicab affiliations shall be referred to the licensing committee for its recommendation as to whether or not the affiliations should be certified or the affiliation certification should be renewed. Applications shall

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be referred without delay upon a determination by the city clerk that the application is complete. Upon referral, the applications shall be scheduled and heard promptly by the licensing committee.

b. Notice shall be provided the applicant stating the time and place of the hearing and that a recommendation will be made by the licensing committee upon review of the application and plan of operation, reports provided by the chief of police, testimony of members of the public and upon other relevant and credible information received by the licensing committee. Notice shall include a statement that an opportunity will be given to the applicant to respond to and challenge any reason for denial and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath. Notice shall also include a statement that the applicant may be represented by an attorney of the applicant's choice at the applicant's expense, if the applicant so wishes.

c. The committee chair shall open the meeting by stating that a notice was sent and read the notice into the record unless the applicant admits notice. The chair shall advise the applicant that the applicant has an option to proceed with a due process hearing, represented by counsel, with all testimony both direct and cross-examination under oath, or that the applicant may simply make a statement to the committee.

d. A due process hearing shall be conducted in the following manner:

d-1. All witnesses shall be sworn in.

d-2. The chair shall ask those opposed to the granting of certification to proceed first.

d-3. The applicant shall be permitted an opportunity to cross-examine.

d-4. After the conclusion of the opponent's testimony, the applicant shall be permitted to present the applicant's own witnesses, subject to cross-examination.

d-5. Committee members may ask questions of witnesses.

d-6. Both proponents and opponents shall be permitted brief summary statements.

e. The recommendations of the committee regarding the applicant shall be based on evidence presented at the hearing. Probative evidence concerning whether or not the permit should be granted may be presented on the following subjects:

e-1. Whether or not the applicant meets the municipal requirements.

e-2. Whether or not the applicant has been charged with or convicted of any felony, misdemeanor, municipal offense or other offense,

the circumstances of which substantially relate to the licensed activity.

e-3. Whether the application and plan of operation of a new applicant or the renewal application, plan of operation and record of previous service and operation of a certified affiliation is consistent with the welfare and safety of the public and the provision of efficient transportation services.

e-4. Any other factors which reasonably relate to the public health, safety and welfare.

f. The committee may make a recommendation immediately following the hearing or at a later date. The committee may recommend approval subject to modification or change in the applicant's plan of operation. Written notice of the committee's decision shall be provided if the decision is made at a later date or if the applicant was not present or represented. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

g. Upon approval of a new certification by the common council, a certification shall be issued as provided in sub. 17. The common council shall consider the recommendation of the licensing committee for each renewal application in the same manner and under the same procedures as provide in s. 85-5.

15. DISQUALIFICATION. The provisions of s. 85-13 on disqualification shall apply to applications for certification of a taxicab affiliation.

17. ISSUANCE. Each certification of a taxicab affiliation authorized by the common council to be issued by the city clerk shall be issued in the manner provided in s. 85-12.5-1, and a duplicate copy shall be issued in the manner provided in s. 85-12.5-2 upon payment of the fee for a duplicate copy provided in s. 81-1-4.

100-72. Regulation of Affiliations, Taxicab Dispatch Records and Reporting.

1. A certified taxicab affiliation shall comply with the plan of operation submitted as a part of its application for certification as amended from time to time.

2. A certified taxicab affiliation shall notify the city clerk of any changes in the information contained in its application and plan of operation as provided in s. 100-70-7.

3. A certified taxicab affiliation will provide taxicab service 24 hours of each day of the year upon demand for service to any address within the city.

4. Taxicabs affiliated with a certified taxicab affiliation shall be operated with dispatch services provided by the affiliation or under

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contract with the affiliation. Dispatch records shall be retained and information shall be made available to the city clerk in a form and manner prescribed by the city clerk. Dispatch information shall be reported to the city clerk quarterly within 30 days of the end of each calendar quarter. At a minimum, dispatch information to be collected shall include:

a. Trip records for each taxicab vehicle and driver, by name and public passenger vehicle driver license number, for pre-arranged travel requests, including time and address of passenger pickup, destination, distance travelled and fare and fees charged.

b. Trip records for each identified taxicab vehicle and driver, by name and public passenger vehicle driver license number, with the time of call or hail for on demand service, location and time arrived for passenger pickup, distance travelled and destination, time of destination and amount of fare and fees charged.

c. Such other dispatch-related information as may be required by the licensing committee.

d. Dispatch record reports required to be filed with the city clerk shall not include information specifically identifying customers or passengers by name, address of pickup or discharge, phone number, credit card or debit card number, e-mail address or similar identifiers, but may include address fields, zip codes or other information generally identifying the neighborhoods, zones or other areas of the city receiving taxicab services.

5. A certified taxicab affiliation shall maintain records, available upon request by the chief of police or the city clerk, of all passenger complaints, all vehicle crashes and all claims for damages made against the affiliation, any member permittee or any driver in connection with the operation of affiliated taxicabs. Quarterly reports summarizing the numbers, nature and disposition of complaints, the numbers, nature, injuries and property damages associated with in-service taxicab crashes and claims paid by or on behalf of the members of the taxicab affiliation shall be provided to the city clerk in a form and manner prescribed by the city clerk together with the quarterly reports required in sub. 4.

6. A certified taxicab affiliation shall maintain records, available upon request by the chief of police or the city clerk, identifying each citation for violation of city ordinance or state law received by an affiliated permittee or driver of an affiliated taxicab in the course of providing taxicab services. Information maintained by the taxicab affiliation shall include time, place and description

of the cited violation and the disposition of the citation if known. The certified taxicab affiliation shall also retain substantially similar records of any citations to drivers of affiliated taxicabs received while operating vehicles at all other times. Quarterly reports summarizing the numbers, nature and disposition, if known, of all citations for which records are maintained by taxicab affiliations shall be provided to the city clerk in a form and manner prescribed by the city clerk together with the quarterly reports required in sub. 4.

7. A certified taxicab affiliation shall ensure that all permittees and all drivers of affiliated taxicabs comply with the licensing and permitting requirements of this chapter including:

a. Driver's license qualifications in s.100-54-2; the affiliation shall at least annually provide the city clerk with a list of all drivers operating affiliated taxicabs during the previous year or reporting period, including driver's public passenger vehicle number and noting driver completion of all training requirements.

b. Vehicle permittee regulations in s. 100-50-12, vehicle inspection requirements in s. 100-51, vehicle standards and equipment requirements in s. 100-51.5 and financial responsibility requirements of s. 100-53.

c. Rate, fare, fee and charge requirements of s. 100-52.

100-74. Annual Review of Operations. Prior to issuance of a renewal certification of taxicab affiliation, the licensing committee shall review information provided by the city clerk based upon reports and dispatch information received under s. 100-72. A portion or all of the information reviewed may be placed in the record of the application renewal hearing under s. 100-70-13.

100-76. Procedures for Nonrenewal, Suspension, Revocation and Surrender.

1. Each applicant for renewal of a certificate of taxicab affiliation shall be provided notice of possible nonrenewal subject to the provisions of s. 85-3.

2. The procedures for nonrenewal, suspension, revocation and surrender of a certification of taxicab affiliation shall be those provided in ss. 85-3 to 85-5 and 85-17.

"For legislative history of chapter 100, contact the Legislative Reference Bureau."

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