

Chapter 21 - TAXICABS AND OTHER VEHICLES FOR HIRE

***Cross reference** – License tax, § 20-350 et seq.; traffic and vehicles, ch. 22; use of bus stops and taxicab stands, § 22-159; vehicle license taxes, § 22-215 et seq.

***State law reference** – Authority to regulate, Code of Virginia, § 46.2-2062 et seq.

ARTICLE I. - IN GENERAL

Secs. 21-1 – 21-18. - Reserved.

ARTICLE II. - TAXICABS AND CERTAIN OTHER VEHICLES CARRYING PASSENGERS FOR HIRE

DIVISION 1. - GENERALLY

Sec. 21-19. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Certificate means the certificate of public convenience and necessity granted by the county to owners of for-hire cars to authorize such owners to engage in the business of providing for-hire car service in the county as provided in this article.

Certificate holder means the owner of one or more for-hire cars who holds a valid unexpired or unrevoked certificate of public convenience and necessity to operate one or more for-hire cars under the provisions of this article.

Driver means any person operating a for-hire car while such car is available for public hire in the county or is being used by the public in the county.

For-hire car means a passenger-carrying, self-propelled motor vehicle maintained for hire by the public and operated upon the streets of the county in the transportation of passengers for compensation, but excluding common carriers of persons or property operating as public carriers under a certificate of public convenience and necessity issued by the state corporation commission or under a franchise granted by the county.

Motor vehicle means any vehicle, machine, tractor, trailer or semitrailer propelled or drawn by mechanical power and used upon the public roads of the county and the roads open to the public on the property of public bodies, including the Capital Region Airport Commission, in the transportation of passengers or property, but does not include any vehicle, locomotive or car operated exclusively on a rail or rails.

Owner means any person in the business of providing for-hire car service and having control of the operation or maintenance of for-hire cars and including the purchaser of any for-hire car under a conditional sales contract or other title-reserving agreement, and persons controlling the operation of independently owned vehicles through methods such as, but not limited to, radio-dispatched systems and name-licensing agreements.

Regular service means the provision of a minimum of two trips per week, for at least two consecutive months, with the same individual.

Taxicab means a for-hire passenger-carrying, self-propelled motor vehicle not operating on a regular route or between fixed terminals and having a seating capacity of not more than six passengers.

Taxicab stand means a stand designated for the sole use of taxicabs in accordance with this article.

(Code 1980, § 20.2-1; Code 1995, § 21-31)

Cross reference – Definitions and rules of construction, § 1-2.

Sec. 21-20. - Penalty.

Any person violating the provisions of this article shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$100.00 for the first offense and not more than \$500.00 for each subsequent offense.

(Code 1980, § 20.2-45; Code 1995, § 21-32)

Sec. 21-21. - Scope of article.

The provisions of this article are adopted in the exercise of the police power granted to the county by general law. This article is not intended to grant or offer a franchise to use the streets, but it is intended to regulate the operation of taxicabs and other for-hire cars. The board of supervisors reserves the right to amend or repeal this article at any time. Upon the repeal of this article all privileges granted under this article shall cease and terminate. The operation of taxicabs and other for-hire cars within the county shall be subject to the conditions, regulations and restrictions set forth in this article.

(Code 1980, § 20.2-1.1; Code 1995, § 21-33)

Sec. 21-22. - Exemptions from article; applicability of rules of Capital Region Airport Commission.

The provisions of this article shall not apply to vehicles listed in Code of Virginia, § 46.2-2000.1, as amended, with the exception of those vehicles listed in subsection (2) of such section, or regulated by the Virginia Department of Motor Vehicles pursuant to Code of Virginia, § 46.2-2099.46, as amended, or to funeral vehicles, or to common carriers of persons or property operating as public carriers by authority of the state corporation commission or under a franchise granted by the county. This article shall not be construed to conflict with or be in derogation of any additional rules and regulations adopted by the Capital Region Airport Commission pursuant to its enabling authority for the operation of for-hire vehicles on its property located in the county.

(Code 1980, § 20.2-47; Code 1995, § 21-34)

Sec. 21-23. - Enforcement officers.

The provisions of this article shall be enforceable by all sworn law-enforcement officers to the extent of their authority.

(Code 1980, § 20.2-44; Code 1995, § 21-35)

Sec. 21-24. - Authority to prescribe additional regulations.

The chief of police is authorized and empowered to make such rules and regulations concerning the operation of for-hire vehicles as are necessary and are not in conflict with this article for the purpose of

administering, executing and making effective the provisions of this article. Such rules and regulations so promulgated may include, without limitation, requirements for the provision of such safety devices and procedures as the chief of police may deem necessary for the safety of passengers and operations; additional disciplinary rules, sanctions and procedures as may be necessary and proper; and appropriate rules governing the dress, hygiene and general appearance of taxicab drivers.

(Code 1980, § 20.2-49; Code 1995, § 21-36)

Sec. 21-25. - Advertising as or claiming to be operator of for-hire vehicle.

No person shall use the term "public vehicle," "taxi," "taxicab," "cab," "for-hire car" or any term of similar meaning in advertising, nor shall any person, by any means, claim to be the operator or driver of a for-hire car, unless such person shall have complied with the provisions of this article insofar as such provisions shall be applicable.

(Code 1980, § 20.2-43; Code 1995, § 21-37)

Sec. 21-26. - Responsibility of certificate holder for violations by drivers.

It shall be unlawful for a certificate holder of a vehicle certificated under the provisions of this article to knowingly permit a driver operating such vehicle to violate the provisions of this article.

(Code 1980, § 20.2-46; Code 1995, § 21-38)

Sec. 21-27. - Inspection of vehicles.

Every for-hire car for which a certificate has been granted by the county shall be inspected by the chief of police, or some member of the division of police designated by him or such other reputable agency as the chief of police may prescribe, at regular intervals of at least every 12 months and at such other times as the chief of police may prescribe. If such vehicle shall be found to be in violation of the requirements of this article, to have inoperable air conditioning or heating equipment, or to be unsafe, the owner thereof shall be notified by the chief of police at once of such defect and such vehicle shall not be operated thereafter until such defect has been remedied. If upon inspection it is found that the odometer of a vehicle has been unlawfully tampered with, the vehicle shall be permanently rejected for use as a for-hire car.

(Code 1980, § 20.2-3; Code 1995, § 21-39)

Sec. 21-28. - Reciprocity.

Upon a finding by the chief of police that the City of Richmond, Chesterfield County, Hanover County, any county or city contiguous to Henrico, Richmond, Chesterfield County or Hanover County or any of them has adopted an ordinance containing provisions comparable to this article and providing for reciprocity with the county, then vehicles for which a person holds a current and valid certificate of public convenience and necessity issued by the City of Richmond, Chesterfield County, Hanover County, any county or city contiguous to Henrico, Richmond, Chesterfield County or Hanover County or any of them and drivers who hold a current and valid permit issued by the City of Richmond, Chesterfield County, Hanover County, any other county or city contiguous to Henrico, Richmond, Chesterfield County or Hanover County or any of them will be deemed to have complied with the certificate and permit requirements of this article and shall be deemed to possess comparable certificates or permits, as the case may be, issued by the county while such city or county certificates or permits remain in good standing; provided that no certificate or permit issued by the City of Richmond, Chesterfield County or Hanover

County, any county or city contiguous to Henrico, Richmond, Chesterfield County or Hanover County or any of them shall be valid in the county where the holder of such certificate or permit has applied for and been refused a permit or certificate by the county or has had such permit or certificate revoked by the county under the provisions of this article and is not eligible for issuance of a permit or certificate by the county.

(Code 1980, § 20.2-48; Code 1995, § 21-40)

Secs. 21-29 – 21-59. - Reserved.

DIVISION 2. - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Sec. 21-60. - Required; vehicles covered by certificate.

It shall be unlawful to operate or cause to be operated within the county any for-hire car unless a certificate of public convenience and necessity has been issued to the owner thereof by the chief of police covering the operation of such vehicle, and unless the conditions, regulations and restrictions set forth and prescribed in this article have been complied with by such owner. An owner shall operate under only one certificate, and the certificate shall provide for the operation of a specified number of for-hire vehicles. It shall be unlawful to operate or cause to be operated more vehicles than the number provided in the certificate. Additional for-hire vehicles may be operated by a certificate holder only upon written application on a form provided by the chief of police, approval of such application, payment of fees provided under this article and compliance with all other provisions of this article.

(Code 1980, § 20.2-2(a); Code 1995, § 21-61)

Sec. 21-61. - Authority to limit number of certificates.

When it appears that it is in the public interest to limit the number of owner's certificates issued by the chief of police, the board of supervisors may, if it finds after an advertised public hearing that it is in the public interest, prescribe the maximum number of vehicles for which such certificates are to be issued. Thereafter, no new certificates shall be issued until the total number of vehicles for which certificates are outstanding is less than the prescribed number; provided that renewal of an existing certificate shall not be regarded as a new certificate for purposes of this section.

(Code 1980, § 20.2-2(f); Code 1995, § 21-62)

Sec. 21-62. - Application; term.

The initial certificate of public convenience and necessity shall last until January 31 following its issuance and may be renewed thereafter annually. The chief of police shall prescribe a form to be used in initially applying for the certificate and a form to be used in applying for a renewal.

(Code 1980, § 20.2-2(b); Code 1995, § 21-63)

Sec. 21-63. - Fee.

In addition to any other fees prescribed elsewhere in this Code, each applicant for a certificate of public convenience and necessity shall pay an initial application fee of \$25.00 per vehicle listed in the certificate, and upon each annual request for renewal of such certificate shall pay the same fee.

(Code 1980, § 20.2-2(e); Code 1995, § 21-64)

Sec. 21-64. - Lapse on failure to use vehicle.

A certificate of public convenience and necessity shall lapse with respect to an individual vehicle or any one of the specified number of vehicles for which the certificate has been issued when the particular vehicle has not been used to provide taxicab service for 60 or more consecutive days.

(Code 1980, § 20.2-2(c); Code 1995, § 21-65)

Sec. 21-65. - Transfer.

A certificate of public convenience and necessity shall not be transferable.

(Code 1980, § 20.2-2(d); Code 1995, § 21-66)

Sec. 21-66. - Age and mileage of vehicles.

It shall be unlawful for a certificate holder to place into service a for-hire vehicle which either is more than 12 model years old or which is more than eight model years old and has more than 300,000 miles at the time it is placed into service. It shall be unlawful to operate any for-hire vehicle which either is more than 12 model years old or which is more than eight model years old and has more than 300,000 miles.

(Code 1980, § 20.2-2(g); Code 1995, § 21-67; Ord. No. 996, § 1, 12-14-1999)

Sec. 21-67. - Minimum specifications for vehicles.

It shall be unlawful for a certificate holder to place into service a for-hire vehicle unless the vehicle is a hard-top vehicle with a minimum of four doors and wheel size of at least 14 inches.

(Code 1980, § 20.2-2(h); Code 1995, § 21-68; Ord. No. 996, § 2, 12-14-1999)

Sec. 21-68. - Grounds for denial.

Subject to the provisions of section 21-70, the chief of police shall refuse to issue a certificate of public convenience and necessity to a person or entity who or which has filed an application therefor under this division if, after investigation, the chief of police finds any of the following:

- (1) The applicant's vehicles do not meet the standards set forth in section 21-27, 21-136, 21-137, 21-138 or 21-139(c);
- (2) The applicant fails to meet the requirements of section 21-140, 21-141 or 21-142;
- (3) The applicant, within the past 12 months, has been convicted of, pleaded guilty to or pleaded nolo contendere to three or more violations of this article or of any other local law in the state governing the operation of taxicabs or other for-hire cars or vehicles; or
- (4) The applicant knowingly makes, or causes to be made, either directly or indirectly, any false statement on the application.

(Code 1980, § 20.2-38; Code 1995, § 21-69)

Sec. 21-69. - Grounds for revocation.

Subject to the provisions of section 21-70, the certificate of public convenience and necessity shall immediately become void and shall be immediately surrendered upon the occurrence of any of the following:

- (1) The chief of police determines, after investigation, that any or all of the vehicles subject to the certificate fail to comply with section 21-27, 21-136, 21-137, 21-138 or 21-139(c) and the certificate holder, after notification of the violations, knowingly operates, or permits to be operated, such vehicle prior to correcting the violation;
- (2) The chief of police determines, after investigation, that the certificate holder is in violation of section 21-140, 21-141 or 21-142 and the certificate holder knowingly fails to comply with such sections within 15 days after notification of such violation;
- (3) The certificate holder, within a 12-month period, is convicted of, pleads guilty to or pleads nolo contendere to three or more violations of this article or of any other local law in this state governing the operation of taxicabs or other for-hire cars or vehicles;
- (4) The chief of police finds, after investigation, that the certificate holder has knowingly made, or caused to be made, either directly or indirectly, any false statement on the application for the permit which was issued to such certificate holder; or
- (5) The chief of police finds, after investigation, that a charge has been made above or below the rates prescribed by section 21-139(b) with the knowledge, consent or permission of the certificate holder.

(Code 1980, § 20.2-39; Code 1995, § 21-70)

Sec. 21-70. - Hearing on denial or revocation; appeals.

If an application for a certificate of public convenience and necessity is refused, or if a certificate of public convenience and necessity is revoked, the chief of police shall notify in writing the applicant or certificate holder of such decision, the reason therefor and the right to a hearing if a request therefor is made in writing to the chief of police within ten days of the notice. If a request for a hearing is not made within ten days of notice, the decision of the chief of police shall be final. The hearing shall be held by the chief of police or his designee and the applicant or certificate holder shall have the right to present his own case or have counsel do so. Within a reasonable time after the hearing, the chief of police shall render his decision. If the chief of police shall refuse to issue or shall revoke a certificate after a hearing, the holder thereof may, within ten days after the date of such action, file with the circuit court of the county a petition, in writing, to review the action of the chief of police, with a copy of such petition to be served on the chief of police. The filing of the petition with the circuit court shall not postpone the effective date of the decision of the chief of police except by order of the court.

(Code 1980, § 20.2-41; Code 1995, § 21-71)

Sec. 21-71. - Issuance after denial or revocation.

Any person refused a certificate of public convenience and necessity under the provisions of section 21-68, or whose certificate of public convenience and necessity is revoked under the provisions of section 21-69, shall not be eligible for issuance of a new certificate until such time as the grounds for refusal of a certificate under section 21-68 no longer apply. If a certificate is refused or revoked for knowingly making, or causing to be made, either directly or indirectly, any false statement or for the fact that a charge was made above or below the rates prescribed by section 21-139(b) with the knowledge, consent or permission of the certificate holder, such owner shall not be eligible until 12 months from the date of refusal or revocation.

(Code 1980, § 20.2-40; Code 1995, § 21-72)

Sec. 21-72. - Submitting false application.

It shall be unlawful for any person to knowingly make or cause to be made, either directly or indirectly, any false statement on an application for a certificate of public convenience and necessity required under the provisions of this division.

(Code 1980, § 20.2-42; Code 1995, § 21-73)

Secs. 21-73 – 21-102. - Reserved.

DIVISION 3. - DRIVER'S PERMIT

Sec. 21-103. - Required; term; fees; attendance at orientation program.

No person shall drive a for-hire vehicle subject to the requirements of this article unless such person first successfully completes a basic taxicab driver orientation program approved by the chief of police, and obtains a driver's permit from the chief of police. Such person may be issued a temporary or provisional permit for a period not to exceed six months during which period such person shall successfully complete the basic taxicab orientation program. The initial driver's permit shall last for 12 months following its issuance and may be renewed thereafter annually. Successful completion of a renewal taxicab orientation program approved by the chief of police within the 12 months preceding the date of renewal application shall be required as a condition of permit renewal. The chief of police shall prescribe a form to be used in applying for a renewal. Each applicant for a driver's permit shall pay an initial application fee of \$25.00 and upon each annual request for renewal of such permit shall pay a fee of \$25.00. The fee for replacement of lost, stolen or damaged permits shall be \$10.00. The fee for attendance at the basic or renewal taxicab orientation program shall be \$15.00. The permit shall be valid for the operation of only those vehicles subject to a certificate of public convenience and necessity issued under this article.

(Code 1980, § 20.2-31; Code 1995, § 21-91)

Sec. 21-104. - Application.

- (a) Application for a driver's permit shall show the following:
- (1) The full name of the applicant.
 - (2) Present address.
 - (3) Age and place of birth.
 - (4) Places of previous address and employment for the past five years.
 - (5) Height, weight, color of eyes, color of hair and sex.
 - (6) Whether or not the applicant is in good physical condition.
 - (7) Whether or not the applicant has good hearing and good eyesight.
 - (8) Whether or not the applicant is, or has been within the period of two years last past, addicted to the use of intoxicating liquors, drugs or other forms of narcotics and, if so, to what extent.
 - (9) Whether or not applicant has ever been convicted of, pleaded guilty to or entered a plea of nolo contendere to any larceny, robbery, assault, battery, crime of moral turpitude, felony or operating a vehicle while under the influence of alcohol or drugs and, if so, such other information as may be required by the chief of police.
 - (10) The record of the applicant with respect to traffic offenses connected with the operation of motor

vehicles and other offenses affecting the suitability of the applicant as a person who should be permitted to operate a for-hire car, including violations of this article or the provisions of any other law in this state governing the operation of for-hire cars.

(11) Whether or not the applicant has previously been employed or licensed as a chauffeur and, if so, whether or not any license or permit issued for such purpose has ever been revoked or suspended for any reason.

(12) What experience, if any, the applicant has had in the operation of motor vehicles.

(13) The name and address of owner of the for-hire vehicle to be operated by the applicant and, if different, the name and address of the company for which the applicant will be driving.

(b) Each applicant shall apply for a driver's permit in person and have his fingerprints taken, which fingerprints shall constitute a part of his application, and each applicant shall have filed with his application two recent photographs of himself of a size designated by the chief of police, one of which shall be attached to and shall become a part of the application, and the other of which shall be attached to the permit, if issued, in such a manner that no other photograph may be substituted therefor without probability of detection.

(Code 1980, § 20.2-32; Code 1995, § 21-92)

Sec. 21-105. - Investigation of applicant; issuance; contents; display.

(a) The chief of police of the county, upon the filing of an application as set forth in this division and after notice to the applicant and opportunity afforded the applicant to be heard, shall promptly make an investigation of the matters stated therein. If the chief of police shall find, upon such investigation, that the applicant possesses the necessary qualifications on the basis of the information furnished in the application and the investigation thereof, the chief of police shall issue a permit card, which shall bear a number and which shall contain the name, business address and a photograph of the applicant, and the name of the owner of the vehicles to be operated by the applicant and, if different, the name of the company for which the applicant will be driving. The driver shall post his permit card in full view of the passenger in any for-hire car which is being operated or is in charge of the applicant. The permit shall be valid only for the operation of such vehicles owned by the person listed on such permit card and shall not be valid for operation of any other for-hire vehicle until such time as the driver has provided written notification, on a form provided by the chief of police, and shall have had the name of the owner of such other vehicles indicated on his permit.

(b) The possession by a person of a valid current driver's license issued by the state department of motor vehicles shall create a presumption that such person has the minimum physical and mental qualifications provided in this division for driving a for-hire car. If the chief of police has doubts as to an applicant's physical or mental capability, then the chief of police may require the applicant to submit to a physical examination by a licensed doctor of medicine and to verify by written report filed by such doctor the applicant's physical or mental capabilities.

(Code 1980, § 20.2-33; Code 1995, § 21-93; Ord. No. 996, § 3, 12-14-1999)

Sec. 21-106. - Grounds for denial.

Subject to the provisions of section 21-108, the chief of police shall refuse to issue a driver's permit to a person who has filed an application as set forth in this division if, based upon the application and after investigation, the chief of police finds any of the following:

(1) The applicant, within the past three years, has been convicted of, pleaded guilty to or pleaded nolo contendere to any felony;

- (2) The applicant, within the past 12 months, has been convicted of, pleaded guilty to or pleaded nolo contendere to any larceny, assault, battery, crime of moral turpitude or illegal possession of controlled substances where such crime is other than a felony;
- (3) The applicant, within the past 12 months, has been convicted of, pleaded guilty to or pleaded nolo contendere to operating a motor vehicle while under the influence of alcohol or drugs;
- (4) The applicant, within the past 12 months, has been convicted of, pleaded guilty to or pleaded nolo contendere to three or more moving violations under the motor vehicle laws of this state other than those involving operating a motor vehicle while under the influence of alcohol or drugs;
- (5) The applicant, within the past 12 months, has been convicted of, pleaded guilty to or pleaded nolo contendere to three or more violations of this article or of any other local law in this state governing the operating of taxicabs or other for-hire cars;
- (6) The applicant has ever been convicted of, pleaded guilty to or pleaded nolo contendere to any felony involving violence, or distribution of a controlled substance, or to any other felony, or combination of felonies, which indicates to the chief of police that the applicant is of unfit or unworthy character. The chief shall consider the period of time that has passed since the conviction or plea as well as any other mitigating circumstances presented by the applicant;
- (7) The applicant knowingly makes or causes to be made, either directly or indirectly, any false statement on his application;
- (8) The applicant otherwise lacks the following minimum physical or mental qualifications:
 - a. Drivers shall have no mental, nervous, organic or functional disease likely to interfere with safe driving;
 - b. Drivers shall have no loss or impairment of use of a foot, leg, fingers, hand or arms or other structural defect or limitation likely to interfere with safe driving;
 - c. Drivers shall in all other respects satisfy the minimum physical and mental requirements for issuance of a driver's license by the state department of motor vehicles;
- (9) The applicant is less than 18 years of age; or
- (10) The applicant does not possess a valid and current driver's license issued by the state department of motor vehicles.

(Code 1980, § 20.2-34; Code 1995, § 21-94; Ord. No. 996, § 4, 12-14-1999)

Sec. 21-107. - Grounds for revocation.

- (a) Subject to the provisions of section 21-108, the permit of any driver of a for-hire car shall immediately become void and shall be immediately surrendered upon the occurrence of any of the following:
 - (1) The driver is convicted of, pleads guilty to or pleads nolo contendere to any felony;
 - (2) The driver is convicted of, pleads guilty to or pleads nolo contendere to any larceny, assault, battery, crime of moral turpitude or illegal possession of controlled substances where such crime is other than a felony;
 - (3) The driver is convicted of, pleads guilty to or pleads nolo contendere to operating a motor vehicle while under the influence of alcohol or drugs;
 - (4) The driver, within a 12-month period, is convicted of, pleads guilty to or pleads nolo contendere to three or more moving violations under the motor vehicle laws of this state other than those involving operating a motor vehicle while under the influence of alcohol or drugs;
 - (5) The driver, within a 12-month period, is convicted of, pleads guilty to or pleads nolo contendere to three or more violations of this article or of any other local law in this state governing the operation of taxicabs or other for-hire cars or vehicles;

- (6) The chief of police finds, after investigation, that the driver, within a three-year period, has on two or more occasions made a charge above or below the rates prescribed by section 21-139(b);
 - (7) The chief of police finds, after investigation, that the driver knowingly made or caused to be made, either directly or indirectly, any false statement on the application for a permit which was issued;
 - (8) The chief of police finds, after investigation, that the driver no longer possesses the physical or mental qualifications prescribed in section 21-106(8); or
 - (9) The driver no longer possesses a valid and current driver's license issued by the state department of motor vehicles.
- (b) All drivers and certificate holders shall notify the chief of police within 15 days of the occurrence of any event enumerated in subsection (a)(1), (2), (3), (4), (5) or (9) of this section.
(Code 1980, § 20.2-35; Code 1995, § 21-95)

Sec. 21-108. - Hearing on denial or revocation; appeals.

If an application for a driver's permit is refused, or if a driver's permit is revoked, the chief of police shall notify in writing the applicant or permit holder of such decision, the reason therefor and the right to a hearing if a request therefor is made in writing to the chief of police within ten days of the notice. If a request for a hearing is not made within ten days of notice, the decision of the chief of police shall be final. The hearing shall be held by the chief of police or his designee and the applicant or permit holder shall have the right to present his own case or have counsel do so. Within a reasonable time after the hearing, the chief of police shall render his decision. If the chief of police shall refuse to issue or shall revoke a permit after a hearing, the holder thereof may, within ten days after the date of such action, file with the circuit court of the county a petition, in writing, to review the action of the chief of police, with a copy of such petition to be served on the chief of police. The filing of the petition with the circuit court shall not postpone the effective date of the decision of the chief of police except by order of the court.

(Code 1980, § 20.2-41; Code 1995, § 21-96)

Sec. 21-109. - Issuance after denial or revocation.

Except as provided in section 21-110, any person refused a driver's permit under the provisions of section 21-106 or whose driver's permit is revoked under the provisions of section 21-107 shall not be eligible for issuance of a new permit until such time as the grounds for refusal of a permit under section 21-107 no longer apply. If a driver's permit is refused or revoked for knowingly making or causing to be made, either directly or indirectly, any false statement or for making charges above or below the rates prescribed by section 21-139(b), or if a driver's permit is revoked under section 21-107(a)(3), (4) or (5), such driver shall not be eligible until 12 months from the date of refusal or revocation or from the date the chief of police was informed of the grounds supporting such revocation, whichever is later.

(Code 1980, § 20.2-36; Code 1995, § 21-97; Ord. No. 996, § 6, 12-14-1999)

Sec. 21-110. - Probationary permit.

(a) The chief of police may issue a probationary permit to an applicant for a driver's permit who fails to meet the standards set forth in section 21-106(1) upon the recommendation of a court whose conviction of the applicant resulted in ineligibility for a permit under this division. A probationary permit shall not be issued to any such applicant who has, within 12 months of the date of application, been convicted at trial of a felony, or who has pleaded guilty or nolo contendere thereto.

(b) The chief of police may issue a probationary permit to a driver, following revocation of such driver's permit under section 21-107(a)(1), upon the recommendation of a court whose conviction of the driver resulted in ineligibility for a permit under this division. A probationary permit shall not be issued to such driver sooner than 12 months from the date of revocation of the driver's permit.

(c) A probationary permit shall be effective until such time as the driver is eligible for reissuance under section 21-109; provided, however, that a probationary permit may be revoked at any time by the chief of police upon a finding of violation of any provisions of this article.

(Code 1980, § 20.2-37; Code 1995, § 21-98)

Sec. 21-111. - Submitting false application.

It shall be unlawful for any person to knowingly make or cause to be made, either directly or indirectly, any false statement on an application for a driver's permit required under the provisions of this division.

(Code 1980, § 20.2-42; Code 1995, § 21-99)

Secs. 21-112 – 21-135. - Reserved.

DIVISION 4. - OPERATING REGULATIONS

Sec. 21-136. - Color scheme for vehicles; identification on vehicles; decals.

(a) There shall be displayed on every for-hire car lettering clearly showing the name and number of the owner thereof and indicating that such vehicle is a for-hire car. Taxicabs shall use only the words "taxi," "cab" or "taxicab" to indicate that such vehicle is a for-hire car. The color scheme and the size, content and character of such lettering and the position thereof on each such vehicle shall be approved by the chief of police and no vehicle shall be operated under the provisions of this article unless and until such specifications have been complied with. The failure of any owner to comply with such specifications shall constitute a violation of this article.

(b) No vehicle shall be operated under the provisions of this article unless the chief of police has first assigned to such vehicle a decal which shall be affixed to and visible from the left rear of the vehicle and which shall contain a number registered with the chief of police. Such decal shall not be transferred to another vehicle, shall be displayed at all times and shall not be removed except when such vehicle is no longer in service in the certificate holder's fleet or except upon direction of the chief of police.

(c) If a vehicle is for any reason taken out of service as a for-hire car on a permanent basis, the owner of the vehicle shall, within 72 hours, remove the assigned decal along with all other indicia of the vehicle's use as a taxicab.

(d) It shall be unlawful to operate a vehicle which does not meet the requirements of this section.

(Code 1980, § 20.2-4; Code 1995, § 21-121)

Sec. 21-137. - Taximeters.

Every taxicab shall be equipped with a taximeter prescribed by the chief of police by which the charge for hire is mechanically or electronically calculated, both for distance traveled and for waiting time, and upon which such charge shall be indicated by means of figures clearly visible to the passenger. The taximeters shall be equipped with a mechanical or electronic device by which the driver of a taxicab can put the taximeter in operation, and the device shall be kept in an operating position at all times during the transportation of paying passengers. Roof lights and meters shall operate by use of one switch only so that

the light will automatically be lit when the meter is not running. It shall be unlawful for a driver to fail, refuse or neglect to put the taximeter in operation by means of the device when the transportation of every passenger is begun in the county and to keep the device in an operating position at all times during the transportation of each passenger. Taximeters shall be inspected and validated for accuracy during such inspections provided in section 21-27, provided that the chief of police may require the meter's accuracy to be validated by such independent testing agencies as may be approved by the chief of police. If such independent testing agency is used, the owner shall pay the costs of such validation. Any taxicab found to have a defective taximeter shall not be operated as a for-hire car until such defect is corrected.

(Code 1980, § 20.2-5; Code 1995, § 21-122)

Sec. 21-138. - Roof light.

Each taxicab shall be equipped with a light prescribed by the chief of police mounted to the roof of the taxicab, which shall indicate to the public that the vehicle is or is not under hire. The roof light shall be lit when the car is available to the public for hire. It shall be unlawful for a driver to fail, refuse or neglect to operate such roof light or to operate such light in a misleading manner. Such light shall be inspected during such inspections provided in section 21-27. Any taxicab found to have a defective roof light shall not be operated as a for-hire car until such defect is corrected.

(Code 1980, § 20.2-9; Code 1995, § 21-123)

Sec. 21-139. - Rates.

(a) Generally. Except as otherwise provided for in this article, rates to be charged to passengers engaging a for-hire car shall be fixed, prescribed or established by the board of supervisors. It shall be unlawful for the owner or driver of any such vehicle to charge a rate above or below the rate so fixed, prescribed or established.

(b) Specific rates; special contracts.

(1) The rates to be charged passengers by certificate holders or drivers of taxicabs shall be as follows, and it shall be unlawful for a certificate holder to permit or a driver to make any greater or lesser charge for the transportation of passengers and baggage:

- a. For the first one-fifth mile: \$2.50.
- b. For each succeeding one-fifth mile: \$0.50.
- c. For each 80 seconds of waiting time: \$0.50.

(2) Waiting time shall include the time consumed while the taxicab is stopped or moving at a speed less than 15 miles per hour and time consumed waiting for a passenger beginning five minutes after the time of arrival at the place to which it has been called and the time consumed while it is standing at the direction of the passenger. Waiting time shall not include, and no charge shall be made for, the time lost on account of inefficiency of the taxicab, or its operation, or time consumed by premature response to a call. No charge shall be made for mileage while waiting time is being charged.

(3) For each additional passenger over one, an additional charge of \$1.00 shall be made; provided that children six years of age or younger, when accompanying a fee-paying passenger, shall not be deemed additional passengers for the assessment of such additional charge.

(4) For a trip originating between the hours of 9:00 p.m. and 6:00 a.m. of the day following, in addition to the charges registered on the meter, a surcharge of \$1.00 per trip shall be added to compute the fare for such trip.

(5) For a trip originating at Richmond International Airport, the rate shall be \$10.00 or the charge

registered on the meter, whichever is greater, plus \$2.30.

(6) The owner of any cab may, upon receipt of satisfactory proof that a person is 65 years of age or older, disabled, or active or reserve duty United States military or veteran, offer a discount not to exceed 20 percent of the total charge for transportation and services. For purposes of eligibility under this subsection, disabled persons include individuals who are physically, hearing, mentally or visually impaired. The following identification may serve as satisfactory proof of age or disability: a valid driver's license, a valid GRTC Senior Citizens ID or Medicare Card, a valid GRTC Handicapped or Disabled Identification Card, or a valid identification card issued by a public transportation provider to meet the requirements of the federal Americans with Disabilities Act, or a valid military or veteran identification card.

(7) The owner of any taxicab may enter into written contracts with organizations and companies to provide taxicab services on a negotiated basis. The owner of any taxicab may enter into written contracts with individuals to provide, on a negotiated basis, regular service, as defined in section 21-19. All such contracts must be kept and preserved, and shall be subject to inspection, in the main offices of the taxicab company during the terms of the contract and for 12 months after termination of the contract. The rates to be charged for such services under written contract shall not be fixed, prescribed or established by the board of supervisors. As required by section 21-137, taximeters shall be in operation at all times during the transportation of passengers; however, the charge for such services shall be governed by the written contract, and not the taximeter.

(c) *Display.* No for-hire car shall be operated on the streets of the county in which there is not displayed at some conspicuous point inside of such vehicle, in full view of the passenger or person hiring such vehicle, the rates fixed, prescribed or established for the use of any such vehicle. Such rates shall also be displayed on the exterior of each side of for-hire cars in a manner to be approved by the chief of police.

(Code 1980, §§ 20.2-6–20.2-8; Code 1995, § 21-124; Ord. No. 996, § 6, 12-14-1999; Ord. No. 1077, § 1, 9-13-2005; Ord. No. 1112, § 1, 10-9-2007; Ord. No. 1129, § 1, 12-9-2008)

Sec. 21-140. - Liability insurance.

No owner shall be permitted to operate a for-hire car within the county unless and until such owner shall have secured and deposited with the chief of police a certificate of insurance against public liability and property damage for each such vehicle so operated within the county, issued by a solvent insurance company licensed and duly authorized to execute such policy within the state and to carry on business within the state. Such certificate of insurance shall be issued to such owner on each for-hire car owned or operated by such owner within the county and shall provide for the payment of any final judgment, not to exceed the sum of \$100,000.00 for injury or death to any one person, the sum of \$500,000.00 for a total public liability for any one accident, the sum of \$50,000.00 for property damage in any accident, and the sum of \$10,000.00 for cargo liability, which may be rendered against such insured for or on account of damage to property for which such owner and drivers may be liable while operating or permitting to be operated such for-hire car within the county, or by reason of or growing out of the careless or negligent operation of such vehicle by such insured or his agents, drivers or employees within the county. Such certificate of insurance shall contain a clause obligating the company issuing the certificate of insurance to give ten days' written notice to the chief of police before cancellation thereof. The insurance certificates required under Code of Virginia, § 46.2-2053, to be submitted to the state shall be accepted in satisfaction of this section.

(Code 1980, § 20.2-30; Code 1995, § 21-125)

Sec. 21-141. - Business telephone listing.

Every owner holding a certificate of public convenience and necessity shall provide and maintain at all times in the Greater Richmond telephone directory a listed telephone in the name in which the certificate holder is doing for-hire business by which calls may be made for for-hire service. If the certificate holder operates five or more for-hire cars, the telephone listing shall also appear in the Greater Richmond classified telephone directory. If there has not yet been an opportunity to publish the listing in the required directories, the telephone number shall be available from the Greater Richmond directory assistance service.

(Code 1980, § 20.2-25; Code 1995, § 21-126)

Sec. 21-142. - Manifest.

- (a) The owner and the driver of a for-hire car shall keep a manifest, which shall be a permanent record of the transportation of each passenger. Each manifest shall include:
- (1) The name of the driver of the for-hire car.
 - (2) The number of the for-hire car approved by the chief of police.
 - (3) The address or place where the transportation of each passenger originated, and the date and time thereof.
 - (4) The address or place, date and time the transportation of each paying passenger terminated, which shall be recorded on the manifest upon the termination of each such transportation and before transportation of any other paying passenger has begun.
 - (5) The date and time each shift begins and ends.
- (b) A manifest shall be carried by the driver in the for-hire car at all times during the operation of such vehicle and a separate manifest shall be kept for each day of operation of the vehicle; provided that a driver operating a for-hire car at midnight may continue to use the manifest bearing the date the work period commenced through the end of such work period. No later than 24 hours after the final entry on a manifest, it shall be delivered to the main office of the for-hire owner. The manifest, whether in possession of the driver or at the place from which the business is conducted or directed, shall be subject at all times to examination or inspection by the chief of police or his designee. Each manifest shall be kept and preserved for 12 months, and thereafter any manifest involved in any investigation made or being made by any police officer shall be kept and preserved for such length of time as the chief of police shall require upon written notice from the chief of police to the certificate holder to that effect. No owner or driver of a for-hire car shall exhibit a manifest or be compelled to exhibit a manifest except to the chief of police or to such person as the chief of police may direct, or upon court order.

(Code 1980, § 20.2-29; Code 1995, § 21-127)

Sec. 21-143. - Solicitation of patronage.

No driver, or any other person on behalf of a driver, shall solicit patronage for any for-hire car by word, signal or otherwise on any public street or public property in the county other than at such stands as may be designated and assigned in accordance with ordinances of the board of supervisors; provided that this section shall not be construed to prevent a customer from hailing a for-hire car.

(Code 1980, § 20.2-10; Code 1995, § 21-128)

Sec. 21-144. - Taxicab stands.

- (a) *Designation.* The chief of police shall designate such places in the streets of the county as taxicab stands as will, in the opinion of the chief of police, best serve the convenience of the public, and shall prescribe the

number of taxicabs that may be parked or stopped in each stand at any one time.

(b) Use. Any taxicab for the operation of which a certificate of convenience and necessity has been issued shall have the privilege of parking or stopping in any taxicab stand when space is available therefor. It shall be unlawful for a driver to park or stop a taxicab at or near a taxicab stand when the number of taxicabs prescribed for the stand are parked or stopped in the stand. Only taxicabs may park at taxicab stands.

(Code 1980, § 20.2-11; Code 1995, § 21-129)

Sec. 21-145. - Carrying more than one passenger in taxicab.

No person other than the first person taken into a taxicab for transportation shall be allowed to enter the taxicab except upon the direction of the first person so taken into the cab, and the certificate holder shall not authorize or permit the driver of the taxicab or any other person to request, nor shall the driver or any other person request, the first person taken into a taxicab for transportation to allow any other to be transported in the taxicab. Should the first person taken into a taxicab for transportation direct the driver to allow another to be transported in the taxicab, the first person so taken into the taxicab shall be liable for the payment of the fare for the transportation of all persons transported at the rates prescribed in section 21-139(b), unless otherwise agreed upon by the driver and any one or all of the persons transported in the taxicab.

(Code 1980, § 20.2-12; Code 1995, § 21-130)

Sec. 21-146. - Maximum number of passengers in taxicab.

It shall be unlawful for a driver to transport in a taxicab more than the number of passengers for which the vehicle is equipped with operable seat belts that have been lawfully installed, which in any event shall not exceed six passengers.

(Code 1980, § 20.2-13; Code 1995, § 21-131)

Sec. 21-147. - Transportation of passengers by most direct route; payment of toll charge.

Every driver of a for-hire car shall transport each passenger from the place the passenger is received in such vehicle to the destination of the passenger by the most direct route, unless otherwise directed by the passenger. When such route requires the payment of a toll, the driver shall embark on the route only after informing the passenger of the toll and receiving agreement from the passenger to pay the toll charge.

(Code 1980, § 20.2-14; Code 1995, § 21-132)

Sec. 21-148. - Nonpaying passengers.

No nonpaying passenger shall be transported with a paying passenger in any for-hire car, except a police officer engaged in the performance of his duty and unable to obtain other adequate means of transportation.

(Code 1980, § 20.2-15; Code 1995, § 21-133)

Sec. 21-149. - Refusal of drivers to make trips; preference in response to service requests.

(a) No owner or driver of any for-hire car shall refuse to transport any passenger to any part of the county or to the City of Richmond or counties of Chesterfield and Hanover for a trip originating in the county; provided, however, no driver shall be required to drive the vehicle operated by him to any place when it

may be physically detrimental to such vehicle to do so or when it may endanger the driver or any of the occupants thereof.

(b) Every certificate holder and driver shall give preference to calls or other requests for taxicab service in the order of their receipt.

(Code 1980, § 20.2-16; Code 1995, § 21-134)

Sec. 21-150. - Receiving and discharging passengers.

Every for-hire car shall receive and discharge passengers only at the righthand curb of the street and only when at a full stop, except that passengers may enter or leave a taxicab from the left side at the left-hand curb of a one-way street.

(Code 1980, § 20.2-17; Code 1995, § 21-135)

Sec. 21-151. - Driver to remain with vehicle.

The driver of any for-hire car shall remain in the vehicle or within five feet of the vehicle at all times while such car is on the streets while under hire or parked at a taxicab stand, except while engaged at the request of the passenger hiring the vehicle in loading or unloading the baggage or other property of such passenger or in the event of an emergency.

(Code 1980, § 20.2-18; Code 1995, § 21-136)

Sec. 21-152. - Driving or being on duty while under influence of intoxicating beverage or drug; possession of alcoholic beverage by driver.

It shall be unlawful for a driver to be under the influence of any intoxicating beverage, narcotic, sedative, barbiturate, marijuana or other substance producing the effects of a narcotic or sedative while on duty to provide taxicab service, whether or not actually operating or driving a for-hire car, or to operate and drive a for-hire car at any time with any alcoholic beverage in any quantity in his possession, either on his person or in the taxicab.

(Code 1980, § 20.2-19; Code 1995, § 21-137)

Sec. 21-153. - Use of vehicle for lewd or indecent purpose or for acquisition or transport of alcoholic beverages or drugs.

It shall be unlawful for a driver to permit a for-hire car to be used for lewd or indecent purposes, or to transport any person in a for-hire car to any place for such purposes, or to knowingly acquire or transport for another in a for-hire car any alcoholic beverage, narcotics or marijuana or any controlled substance.

(Code 1980, § 20.2-20; Code 1995, § 21-138)

Sec. 21-154. - Possession of weapons by driver.

It shall be unlawful for a driver to operate and drive a for-hire car at any time with a dirk, Bowie knife, nunchahka, nunchuck, shuriken, throwing star, oriental dart, blackjack, brass or metal knuckles or knife with a blade longer than three inches in length in his possession or in the for-hire car.

(Code 1980, § 20.2-21; Code 1995, § 21-139)

Sec. 21-155. - Duty of driver to keep vehicle clean and lighted.

It shall be unlawful for a driver to fail, refuse or neglect to keep any vehicle which he operates under the provisions of this article clean and sufficiently lighted at night through the use of properly functioning interior lights, headlights, and such other vehicle lights as may be installed in the vehicle or required by law.

(Code 1980, § 20.2-22; Code 1995, § 21-140)

Sec. 21-156. - Maximum time driver may drive or be on duty.

No certificate holder shall require a driver to, and no driver shall, drive a taxicab or remain on duty for such purposes longer than 13 hours in any 24-hour period.

(Code 1980, § 20.2-23; Code 1995, § 21-141)

Sec. 21-157. - False calls; interference with taxicab service.

No person shall in any way intentionally hinder, retard or interfere with, or cause to be hindered, retarded or interfered with, the furnishing of transportation by any taxicab or for-hire car. Improper, misleading, false or unauthorized calls for taxicab service shall be prima facie evidence of the intention to hinder, retard or interfere with the proper operation of a taxicab and the furnishing of transportation thereby.

(Code 1980, § 20.2-24; Code 1995, § 21-142)

Sec. 21-158. - Monitoring radio dispatches.

It shall be unlawful to have radio frequency scanning or similar electronic devices in a for-hire vehicle. It shall also be unlawful to monitor communications between a dispatcher and a for-hire vehicle or between two or more for-hire vehicles for the purpose of responding to a call for for-hire service without the permission of the participants to the communication or of the company for whom they are employed.

(Code 1980, § 20.2-26; Code 1995, § 21-143)

Sec. 21-159. - Disposition of property left in vehicle.

- (a) It shall be unlawful for a driver to knowingly fail, refuse or neglect to preserve any property left in a for-hire car by any passenger and to thereafter deliver it to the certificate holder.
- (b) Each certificate holder shall carefully preserve all property left in a for-hire car by any passenger and delivered to the certificate holder by a driver. When the property shall have been identified and ownership established, it shall be promptly delivered to its owner during normal business hours at the certificate holder's business location or at a location arranged by the certificate holder and property owner. Any property which shall not be called for within 30 days may be disposed of according to law.

(Code 1980, § 20.2-27; Code 1995, § 21-144)

Sec. 21-160. - Applicability of traffic laws.

Every for-hire operating on the streets of the county shall be subject to all laws and ordinances

regulating traffic applicable to other vehicles.

(Code 1980, § 20.2-28; Code 1995, § 21-145)

Sec. 21-161. - Dress code.

Taxicab drivers shall be fully and neatly dressed and exhibit good personal hygiene without offensive body odor. All clothing shall be clean, free of holes, rips or tears, and present a professional appearance; clothing shall not exhibit any symbols, phrases or renderings that are obscene and shall comply with the following standards:

(1) Male drivers are required to wear long pants or professional length uniform shorts, buttoned shirts with fold-down collars and sleeves, and shoes. Pullover "polo" shirts, with fold-down collars, buttons and short sleeves, are permitted. Shoes shall be clean, closed-in and worn with socks. Hair, beards and moustaches must be neat, trimmed and present a groomed appearance.

(2) Female drivers are required to wear long pants, professional length shorts, skirts or dresses, shirts or blouses, and shoes. Pullover "polo" shirts, with fold-down collars, buttons and short sleeves, are permitted. Shoes shall be clean, closed-in and worn with socks or stockings. Hair must be neat, trimmed and present a groomed appearance.

(Code 1995, § 21-146; Ord. No. 996, § 7, 12-14-1999)