

New Taxi Company Instructions:

1. ___ Pick up the packet with all the information you need about opening a new taxi company at the City Clerks office.
2. ___ Fill out the application.
3. ___ In the ordinance no 4061 you can take a look at section 13 A-L for the criteria that this application requires.
4. ___ Notify the Mayors office so that a meeting can be set up with the Public Vehicle Commission. (479-750-8152)

**CITY OF SPRINGDALE
APPLICATION FOR TAXICAB OPERATOR PERMIT
CITY OF SPRINGDALE, ARKANSAS**

Name of Applicant: _____

Address: _____

Name of Company _____

Business Phone No.: _____ Home Phone No.: _____

Number of taxicabs to be operated: _____ Color Scheme to be used
by taxicab company: _____

(Company insuring taxicabs: _____
(Name)

(Address)

(Agent's Name) (Phone No.)

Insurance policy must be attached to application.

(I) (We), the undersigned taxicab operator permit applicant(s), agree to abide by all laws and regulations now in force and/or enacted or promulgated in the future relating to the conduct of the taxicab business in the City of Springdale, Arkansas, and further acknowledge receipt of Ordinance 2722, 2893 and agree to abide by all terms and conditions set out in the Ordinance.

(I) (We) further agree, if granted a permit, (I) (we) will name the City of Springdale as an insured on a policy of insurance which meets the requirements set out by the taxicab ordinance of the City of Springdale, Arkansas, and agree to notify the City, and have the insurance carrier notify the City, upon cancellation or lapse of the insurance policy. (I) (We) further understand that (I) (we) are to keep a current policy of insurance in effect and on file with the administrator insuring all taxicabs that are operated during the term of this permit.

(Signature)

Date: _____

On back of this application, list the make, model, type and ownership of each taxicab or taxicabs to be used.

APPLICATION APPROVED: _____

(Public Vehicle Commission Chairman)

Date Approved: _____

6-12-2007

ORDINANCE NO. 4061

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF
ARTICLE II, TAXICABS, OF THE CITY OF SPRINGDALE,
ARKANSAS.**

WHEREAS, the Public Vehicle Commission, a Commission composed of three City Council members, have recently reviewed the City of Springdale taxicab ordinance, and have recommended to the Springdale City Council certain revisions in the ordinance;

WHEREAS, the Springdale City Council finds that the recommended changes should allow for a more efficient taxicab operation within the City of Springdale, Arkansas, and will update the current rate;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:

Section 1: Article II, Taxicabs, Section 122-27 is hereby amended as follows:

Sec. 122-27. Authority of administrator; taxicab permit; prerequisites; taxicab driver's permit; general prohibition.

(a) Authority of the public vehicle commission.

(1) The public vehicle commission shall meet on the call of the chairman or of two members thereof, or at the request of the administrator, at such times as may be necessary to transact its business. The public vehicle commission shall recommend rates, which must be adopted by the city council.

(2) The public vehicle commission shall promulgate rules and regulations to govern the taxicab business, which shall deal with, but shall not be limited to the operation and maintenance of taxicabs, safety equipment, the keeping of a manifest, the providing of services, the loading and the unloading of passengers, and the holding of hearings.

(b) Authority of the administrator.

(1) The administrator shall be responsible for enforcing the provisions of this ordinance applying to taxicabs, as well as the rules and regulations promulgated by the public vehicle commission.

(2) The administrator shall also make recommendations to the public vehicle commission concerning the regulations set out in this article.

(c) Taxicab operator permit/shuttle service permit.

(1) Required. No permit to operate a taxicab in the city shall be issued unless and until the Springdale City Council ~~public vehicle commission~~ shall certify the public need for taxicab service requires the additional service to be rendered by the applicant. Before the City Council decides this issue, the public vehicle commission shall meet and consider the issue and make a recommendation to the Springdale City Council. In deciding whether a permit shall be issued, this question, the Commission the Council shall consider the criteria set out in (d)(13) of this article. No certificate shall be required for the renewal of any operators license.

(2) No person shall operate or permit a taxicab owned, leased, or controlled by them to be operated in the city without having first obtained a taxicab operator permit, if such a permit is required under the provisions of this article, as

amended. Further, the taxicab operator permit shall be renewable under the provisions of this article.

(3) No person not licensed under this article shall display a sign on a motor vehicle reading "taxi", "taxicab", or anything of the same meaning for the purpose of soliciting passengers for hire in the city.

(4) Application. No later than ten days after receipt of a completed application for a taxicab operator permit, the administrator shall notify the applicant in writing of the date that the Public Vehicle Commission will meet to make a recommendation on the application ~~of the hearing on the application in front of the public vehicle commission.~~ At the next regularly scheduled meeting of the Springdale City Council following this meeting of the Public Vehicle Commission, a hearing will be conducted on the application in front of the Springdale City Council. The city shall cause to be given to each and every taxicab operator in the city a due and reasonable notice in writing of the date and time of this hearing. The hearing shall be conducted by the City Council for all persons interested in or affected by the application.

(5) Shuttle services are not required to have a taxicab operator's permit so long as they have a valid shuttle service permit. In addition to this permit, shuttle services must also obtain the following licenses from the Springdale City Clerk:

a. A shuttle service license (issued annually). In obtaining such license, the shuttle service operator shall present proof of their shuttle service permit. If at any time after the shuttle service license is issued by the city clerk, the shuttle service permit is revoked or suspended, or not renewed for any reason by the Northwest Arkansas Regional Airport Authority, then such shuttle service permit issued by the city clerk shall be canceled. Shuttle service operators are not subject to the taxicab rates set out in this article, nor any other restrictions set out in this article, except those specifically set out in section 122-27(c)(5).

~~b. A shuttle service driver's permit. No person who owns or controls a shuttle service shall permit it to be so operated at any time within the city, unless the driver of such shuttle service has first obtained and shall have in force a shuttle service driver's permit issued under the provisions of this chapter. Qualifications to obtain a shuttle service driver's permit, costs, and all other provisions shall be the same as those required for a taxicab driver's permit as set out in section 122-27(f).~~

(d) General provisions. Before any taxicab operator permit may be issued, the applicant shall satisfy the following conditions:

(1) Every operator shall agree to abide by all laws and regulations now in force and/or enacted or promulgated in the future relating to the conduct of the taxicab business in the city.

(2) Every operator shall maintain a fixed place of business and every operator shall maintain an office open and staffed for a minimum of eight hours a day, five days a week. Every operator shall have a telephone number in the name of the business, which is published in the local directory, and accessible through directory assistance.

(3) Every operator shall agree to notify the administrator immediately upon change of business address.

(4) Every operator shall provide for each taxicab a communication system to be approved by the administrator and comply with FCC regulations.

(5) Every taxicab operator shall maintain a dispatch system in operation 24 hours each day, capable of providing reasonably prompt service in response to requests received by telephone. The dispatch system shall be approved by the administrator and comply with FCC regulations. Two-way radios are the

preferred system. CB radios will not be used as the source of communication between the operator's place of business and the taxicab picking up passengers.

(6) Every operator providing taxicab service in the city shall at all times meet all safety standards required by state and federal law and minimum requirements established by the rules and regulations. All taxicabs must be in mechanically safe condition and must be equipped with basic equipment that ensures the safety and well being of the passengers. This includes, but is not limited to: operating air conditioning and heating systems, functional seat belts, non-cracked window glass, and exhaust system. Seats, floor coverings, and headliners shall be clean, sanitary, and free of visually unappealing, shabby, or torn areas.

(7) No operator shall permit a taxicab to be operated in the city until it has been inspected and approved by the administrator. The administrator shall authorize the police department to perform an inspection on each taxicab before an operator permit is issued and an annual inspection every year ~~a quarterly inspection every three months~~ thereafter to ensure compliance to all federal, state, and local rules and regulations. The administrator is authorized to make spot inspections of such taxicabs. If any taxicab operator in the city does not comply with the provisions of this article and established rules and regulations, a hearing will be called in front of the public vehicle commission to determine if the taxicab operator permit should be suspended or revoked.

(8) Inspections. The operator shall inspect taxicabs on a daily basis for compliance with all pertinent provisions of this article and rules and regulations promulgated hereunder.

(9) Insurance. Before any taxicab operator permit is issued, the applicant shall file with the administrator a copy of a policy of insurance issued by some good and solvent corporate insurer licensed to do business in the State of Arkansas covering separately, or on a schedule attached to such policy, each taxicab to be operated under the direction of such applicant. The policy must insure payment in accordance with the provisions thereof to any person, except employees of the applicant, for personal injuries to such person and for any damage to property, except property owned, rented to leased to, in charge of, or transported by the operator other than baggage of passengers, caused by the operation of such taxicab. The policy must be for the minimum amounts required under Arkansas law, which are currently \$25,000.00 for the injury or death of any one person and subject to that limit for each person up to \$50,000.00 for each accident; and for damage to property, \$15,000.00 for each accident. The city shall be listed as an additional insured on the policy, and is to receive notice from the insurance company of lapse or cancellation of such policy. Upon lapse or cancellation of such policy, the taxicab operator permit granted to the operator shall be suspended as of the day the operator's insurance ceases to be in effect: it will thereafter be unlawful for such operator to operate any taxicab in the city.

(10) Identification. The administrator shall allocate a sequence of numbers to each operator for the purpose of identifying all taxicabs. From that sequence an operator shall allocate a number for each of its taxicabs. This number shall be at least three inches in height; letters of the operator's name shall also be at least three inches in height. Both the number and name of the operator shall be permanently affixed to the taxicab in contrasting colors. The color scheme shall be approved by the administrator.

(11) Transfer of taxicab operator permit. No taxicab operator permit granted under this article may be sold, assigned, transferred, leased or mortgaged without the approval of the public vehicle commission.

(12) Application and fees. Application for a taxicab operator's permits shall be made on forms provided by the Springdale City Clerk and such application shall be verified by oath and shall set forth the facts showing the qualifications of the applicant to render taxicab service within the City of Springdale, together with the facts the applicant considers justified and required in rendering to the public taxicab service ~~filed with the administrator~~. The application shall contain

(1) Required. No person shall operate a taxicab for hire in the city and no person who owns or controls a taxicab shall permit it to be so operated at any time for hire, unless the driver of said taxicab shall have first obtained and shall then have in force a taxicab driver's permit issued under the provisions of this chapter.

(2) Qualifications. No taxicab driver's permit shall be granted unless the applicant has the required Arkansas license for transporting passengers, and the applicant has no active suspension on his or her driving privileges in any state. Further, no permit shall be issued if the applicant has been convicted of a felony in the past five years. Further, no permit shall be issued if the felony conviction was for a sexual offense, an offense involving drugs, or the use of a firearm in the commission of the offense, or if it was a violent felony, regardless of when the felony occurred (there is no five-year limitation for this type [of] felony crime).

(3) Application. Any person desiring a taxicab driver's permit shall, under oath, apply in writing to the administrator. The form of such application shall be developed by the administrator and shall include, but not be limited to, the age, name and address of the applicant. The police department shall also have the authority to require additional documentation, as needed, to process the application.

~~a. Photographs. Each applicant shall file with the administrator two photographs not more than one year old, size two and one-half by two and three-fourths inches.~~

~~b. It is the responsibility of the individual driver and not the taxicab operator to file the photograph with the application.~~

ea. Fee. A fee of \$5.00 shall be paid to the city at the time the original application is filed, and an annual fee of \$5.00 shall be assessed each year for renewal of the permit.

db. [Reserved.]

ec. When the application is approved, the taxicab driver's permit shall be issued in card form designed by the administrator. The photograph of the driver shall be attached to the card. Each driver will be given a taxicab drivers permit number which will be on such permit. This card shall be posted in a prominent place in the taxicab as prescribed by the administrator and shall be shown to any passenger, police officer, or to the administrator upon request. Only one driver's permit shall be posted in a taxicab at any time.

~~fd.~~ Acknowledgment of application. The applicant shall acknowledge with any application that he or she understands that the taxicab driver's permit, if granted, will be for a specific period of time not to exceed one year, and an annual fee will then be charged for renewal of the permit. The applicant shall also acknowledge that it is his or her obligation to notify the administrator any time the drivers driving privileges are suspended, or the driver is convicted for driving while intoxicated or actual control of a motor vehicle while intoxicated.

(4) Investigation. Each applicant shall be given an Arkansas State Police background check form which they will complete and forward to the Arkansas State Police, Records Section, with required fee. Upon return of the record check, applicant will deliver it to the administrator for completion of the background investigation. The administrator shall forward all applications to the Springdale Police Department, Records Section, for a city criminal record check and traffic record. The police department shall return the application with the criminal record check and traffic record to the administrator. The administrator may develop rules and regulations with respect to the investigation and issuance of a taxicab driver's permit, but no driver's permit shall be issued if the applicant has a suspended or revoked driver's license in any state.

(5) Duplicate driver's permit. Upon presentation of convincing evidence that a taxicab driver's permit has been lost or destroyed and payment of a replacement fee of \$2.50 the administrator shall issue a duplicate driver's permit.

(6) Penalty for DWI. Suspension of taxicab driver's permits shall be for three years for the conviction of driving while intoxicated.

(7) Smoking prohibited. No taxicab driver or other employee of the taxicab company shall smoke in the taxicab while passengers are present.

(g) Use of scanner prohibited; monitoring of other operators' calls prohibited. The use of scanners and the monitoring of other operators' calls is hereby prohibited.

(h) Emergency suspension; grounds for suspension or revocation of permit. The administrator has the power to suspend a taxicab operator permit or a taxicab driver's permit in the case of an emergency. The administrator also has the power to seek an injunction in the event of such emergency. The administrator shall hold hearings and make recommendations to the public vehicle commission concerning suspension or revocation of operators' and drivers' permits. Such action may be taken for, but shall not be limited to, violation of rules and regulations as developed by the administrator, violation of this article, the criminal laws of the State of Arkansas, or the laws of the United States.

(i) Hearings. If a taxicab operator or driver feels aggrieved by any action taken by the administrator, such person can appeal the decision of the administrator to the public vehicle commission. If any taxicab operator or driver feels aggrieved by any decision by the public vehicle commission, such person may take an appeal to the city council for the city. If there is an appeal from the administrator's decision to the public vehicle commission, such appeal will be heard within ten days after the public vehicle commission is notified that a hearing is requested. If an appeal is taken to the city council, the council shall set a hearing on the appeal within 21 days after the city clerk is notified of such appeal request.

Section 2: Article II, Taxicabs, Section 122-31 is hereby amended as follows:

Sec. 122-31. Meter rates established.

(a) It shall be unlawful for any person, owning, operating, driving, or in charge of any taxicab for hire in the city to drive or operate such taxicab, or to use or advertise in connection therewith the word "taxi," "taxicab," or "cab" or in soliciting trade from the public to represent or exhibit such vehicle as a "taxi," "taxicab," or "cab" unless such vehicle is equipped with an approved taximeter according to the provisions of this chapter. An approved taximeter is a taximeter that registers accumulating fare charge with each amount being visible to passenger(s).

(b) Meter rates shall be used exclusively by all taxicabs excluding waiting time except as provided in subsection (e) of this section. The ceiling rates shall apply to all taxicabs operating in the city effective June 12, 2007, ~~February 15, 1997~~, and the ceiling rates may be amended by the city council by passage of a resolution.

The following initial rates are effective as of June 12, 2007 ~~set out as follows~~:

(1) Exclusive ride. Ceiling rate, no more than a rate of:

a. Initial meter charge ~~\$2.00~~ \$3.50

b. Charge per mile ~~\$1.50~~ \$2.25

(2) No more than \$1.00 per additional person shall be charged.

(3) Waiting time ceiling rate, not to exceed \$18.00 per hour.

(c) Under the share ride, a maximum of three pickups at different locations shall be permitted; after which all parties must reach their destination before additional pickups can be made.

(d) Passengers shall pay only the fare which appears on the meter. If no fare appears on the meter, the passenger's ride shall be free, except as provided in subsection (e) and excluding waiting time.

(e) A taxicab operator may make special contractual arrangements in advance with persons at fares either higher or lower than those set forth by this article, but such contract must be in writing and a copy thereof filed with the administrator.

Section 3: Article II, Taxicabs, Section 122-34 is hereby amended as follows:

Sec. 122-34. Additional charges.

(a) An additional charge of \$1.00 may be made for each passenger who is more than 12 years of age and who is a member of a business or social group on a joint mission with the passenger paying the fare.

~~(b) A charge of \$0.30 per minute may be made for all the time a taxicab is required to wait at the request of the passenger.~~

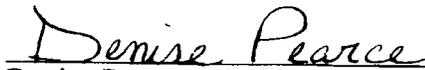
Section 4: Emergency Clause. It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED this 12th day of June, 2007.



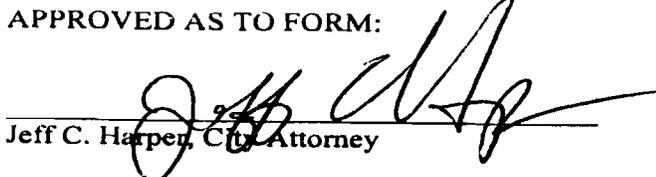
Jerre M. Van Hoose, Mayor

ATTEST:



Denise Pearce, City Clerk

APPROVED AS TO FORM:



Jeff C. Harper, City Attorney