

LOCAL LAW NO. 1 OF 2013

A LOCAL LAW TO AMEND CHAPTER 215 OF THE CODE
OF THE CITY OF SARATOGA SPRINGS, NEW YORK

BE IT ENACTED by the City Council of the City of Saratoga Springs, New York as follows:

SECTION 1. Chapter 215 of the Code of the City of Saratoga Springs entitled "Taxicabs" is hereby amended to read as follows (new material underlined, old material in brackets):

Chapter 215, TAXICABS

ARTICLE I, General Regulations

§ 215-1. Definitions

Unless otherwise expressly stated, whenever used in this Article, the following words shall have the meanings given to them by this section:

TAXICAB DRIVER -- Any person who engages in the business of driving a taxicab, whether such person is the owner of a taxicab or employed by a taxicab owner licensed in the City of Saratoga Springs.

[LICENSE -- Includes permission granted by the City of Saratoga Springs to any persons to engage in activities specified in this chapter.]

OPERATOR- Includes any taxicab owner or taxicab driver.

APPLICANT - Includes any person or entity who files an application for a taxicab license as an owner, driver, or both.

[OWNER -- Includes any person owning or having control of the use of one (1) or more taxicabs used for hire upon the streets of the City of Saratoga Springs or engaged in the business of operating a taxicab.]

TAXICAB OWNER – shall mean either:

- A. A person in whose name a taxicab is lawfully registered under NYS Vehicle and Traffic Law, or
- B. A person who, by contract, lease, or other lawful agreement, has possession and control of a taxicab lawfully registered under NYS Vehicle and Traffic Law to another person.

TAXICAB MEDALLION – An emblem or device placed on a taxicab as evidence that the vehicle has been inspected by the City of Saratoga Springs Code Administrator and is lawfully being used as a taxicab under this chapter.

PARCEL- Any single item of baggage or luggage; or a suitcase, trunk, bundle, or similar package of property.

PASSENGER – A member of the public who engages the use of a taxicab.

PERSON -- Includes one (1) or more individuals, corporations, partnerships, associations, joint-stock companies, societies and all other legal entities.

TAXICAB – Any motor vehicle which is engaged in the business of carrying persons for hire, except:

- A. [Vehicles subject to the transportation corporation law] Buses and other vehicles that carry persons for hire along a fixed route adopted and uniformly followed by the operator.
- B. Vehicles used by undertakers and funeral directors in the course of their business.
- C. Vehicles used exclusively by or under agreement with a hotel, hospital, club or other entity for the purpose of transporting members, guests, patients or clients.

- D. [Vehicles that carry persons by appointment only and subject to previously agreed terms and conditions.] Vehicles used exclusively for private car or limousine rentals by prearranged contract or appointment, where requests for service and/or payments are not made in person to a driver or occupant of a vehicle on the street.

TAXICAB STAND – Any part of a street, highway, public place or public way which has been reserved for the use of the public to hire taxicabs as provided in this chapter.

LENS – The NYS Department of Motor Vehicles License Event Notification Service.

§ 215-2. Licenses. [required]

- A. Taxicab Driver's License – No [person] operator shall engage in the business of driving a taxicab within the limits of the City of Saratoga Springs without such driver having in force and effect a [taxi driver's] license issued by the Commissioner of Accounts for such purpose as provided under the provisions of this Article. No operator shall engage in the business of driving a taxicab in the City of Saratoga Springs without having in force and effect a valid NYS driver's license of Class E or with a CDL endorsement(s), which is neither expired, revoked, or suspended nor has any conditions attached to it by the NYS Department of Motor Vehicles that prohibit said operator from driving or operating a taxicab.
- B. Taxicab Owner's License -No [person] applicant, [operator, and/or owner] shall own or have possession and control of the use of one (1) or more taxicabs used for hire upon the streets of the City of Saratoga Springs or engage in the business of operating a taxicab or permit anyone to engage in the business of driving a taxicab owned or controlled by him or her without having in force and effect [an owner's] a license issued by the City of Saratoga Springs to operate a taxicab as provided under the provisions of this Article. No operator shall engage in the business of owning a taxicab in the City of Saratoga Springs without having in force and effect a valid NYS driver's license of Class E or with a CDL endorsement(s), which is neither expired, revoked, or suspended nor has any conditions attached to it by the NYS Department of Motor Vehicles that prohibit said operator from driving or operating a taxicab.

§ 215-3. Application for Driver's License.

- A. An application for a driver's license shall be filed in the Office of the Commissioner of Accounts. The application shall be signed and sworn to by the applicant [Each applicant for a driver's license] and must comply with the following to the satisfaction of the Commissioner of Accounts. The applicant shall:
- (1) Be the holder of a duly valid New York State driver's license of Class [A, B, or] E or with a CDL endorsement(s), which is neither expired, revoked or suspended nor has any conditions attached to it by the NYS Department of Motor Vehicles that prohibit said applicant from driving or operating a taxicab.
 - (2) Not be subject to [epilepsy, vertigo, heart disease] any medical condition or any infirmity of mind or body which might render the applicant incapable or unfit to safely operate a motor vehicle.
 - (3) Be able to read and write the English language.
 - (4) Be clean in dress and person.
 - (5) Not consume [or], possess, or be addicted to any alcoholic beverage or controlled substance while driving a taxicab.
 - (6) Meet the [Be eligible for a taxi license under the] standards as embodied in Article 23-A of the Correction Law of the State of New York if he or she has previously been convicted of one or more criminal offenses.
 - (7) [Reserved.] Be at least eighteen (18) years of age.

- (8) [Reserved] Consent in writing to his or her enrollment in the NYS LENS Program for the period that his or her taxicab license is in effect.
- (9) Reserved.
- B. The application shall be submitted to the Commissioner of Accounts on a form or forms [as shall be required] provided by the Commissioner, and the information provided by the applicant shall be signed and sworn to under penalty of perjury.
- (1) The application shall also include:
- (a) A statement from the applicant giving his or her full name, residence, age, [color] ethnicity, height, color of eyes and hair, [whether a citizen of the United States] citizenship, places of previous employment, whether he or she has ever been convicted of a felony or misdemeanor, whether he or she has been previously licensed as a taxi driver and, if so, whether his or her license has ever been revoked, or suspended and for what cause. [The Commissioner of Accounts is hereby authorized and empowered to require such additional information as the Commissioner may deem necessary. The applicant's statement shall be filed with the Commissioner of Accounts. Any false statements made by the applicant for a driver's license shall result in denial of the application.]
 - (b) Written consent of the applicant that his or her driver information will be entered into the NYS DMV LENS Program and monitored by the Office of Risk and Safety of the City of Saratoga Springs.
 - (c) Written consent of the applicant that he or she authorizes the Commissioner of Accounts to investigate into any factual matters stated in the application, including facts which would, without such consent, be deemed confidential.
 - (d) [Three (3)] Two (2) recent un-retouched photographs, with no hat or sunglasses, of such size as shall be prescribed by the Commissioner of Accounts.
 - (e) A certified copy of the applicant's driving record obtained by the applicant from the Department of Motor Vehicles showing the applicant's driving history over the preceding ten (10) years, and dated within the last ten (10) business days preceding the application.
 - (f) [A set of the applicant's fingerprints, to be taken by the Saratoga Springs Police Department.] Fingerprints of the applicant, taken by the Saratoga Springs Police Department. Said fingerprints shall be kept on file with the Police Department.
- C. [Reserved] The Commissioner of Accounts shall forward all information provided by the applicant to the Police Department, who shall then investigate the applicant's qualifications and background. The applicant's fingerprints shall be submitted to the NYS Division of Criminal Justice Services and to the Federal Bureau of Investigation for a records search and report. Fees for said investigation and fingerprinting shall be indicated on the application form. The results of the investigation shall be kept on file at the Police Department. Upon completion of the investigation, the Police Department shall inform the Commissioner of Accounts whether the applicant is eligible for a taxi driver's license under the standards required in this Chapter, and shall continue to inform the Commissioner of known changes in the applicant's eligibility at all times thereafter.
- D. Upon consideration of the factors listed above, the Commissioner of Accounts may refuse to issue a taxicab driver's license to an applicant. Notification of such denial shall be sent to the applicant at the address indicated on the application by certified mail. [Upon the applicant's written request, a hearing shall be conducted at which the applicant may provide evidence that he or she should be issued a license.] The applicant may submit a written request to the Commissioner of Accounts to contest the Commissioner's denial. Upon such written request, a hearing shall be conducted at which the applicant may provide evidence that he or she should be issued a taxicab license.

§ 215-4. Suspension or Revocation of Driver's License.

- A. Revocation or Suspension - A taxicab driver's license may be revoked or suspended [at any time after a hearing] , upon due notice by the Commissioner of Accounts, for the following reasons:
- (1) The licensee becomes ineligible for a taxi license under the criteria embodied in Article 23-A of the Correction Law of the State of New York.
 - (2) Violation of any provision of this chapter or any rule or regulation established by the Commissioner of Accounts pursuant to this chapter.
 - (3) A taxicab driver's license shall be suspended or revoked automatically during any period in which the taxicab driver's New York State driver's license is suspended [or], revoked, expired, or has any conditions attached to it by the NYS Department of Motor Vehicles that prohibit the licensee from driving or operating a taxicab.
 - (4) A taxicab driver's license [shall automatically] may be suspended [for the remainder of its term] upon the taxicab driver's arrest or conviction [or] of a violation of any provision of § 1192 of the Vehicle and Traffic Law.
 - (5) Information obtained from the NYS DMV LENS Program that would prohibit the licensee from driving or operating a taxicab under this chapter.
 - (6) Any other conduct which evidences the inability of the driver to safely operate a motor vehicle or which evidences a disregard for public safety.
- B. Procedure - The following procedure(s) will be followed when revoking or suspending a taxicab driver's license:
- (1) A taxicab driver against whom revocation or suspension is proposed shall be sent written notice by certified mail, thereof at the address listed on his or her application. Said notice shall state the reason for the proposed suspension or revocation and shall state the date by which the taxicab driver may request a hearing, except that said date shall not be more than fifteen (15) days after the date of the written notice. Request for a hearing shall be in writing to the Commissioner of Accounts. The hearing shall be held no later than thirty (30) days following receipt of the written request, unless the licensee requests an adjournment of the hearing date. Failure to request a hearing by the date specified shall result in a waiver of such hearing, and the suspension or revocation shall then take effect.
 - (2) Pre-hearing Suspension - The license of a taxicab driver against whom suspension or revocation is proposed may be suspended immediately as part of the issuance of the written notice, pending the hearing and determination.
- C. Any such suspension shall be noted on the license, together with a statement of the reasons thereof, and the taxicab driver shall be deprived of his or her taxi license by the [official] Commissioner of Accounts. [suspending or revoking of such license.] Notification of such suspension or revocation shall be sent to the licensee at the address indicated on the application, by certified mail. A second suspension for the same reason [or, in any case, a third suspension of a taxi driver's license] shall automatically revoke the license. No taxicab driver whose taxi license has been revoked shall be [again licensed as a taxicab driver in the city] eligible to reapply for a license under this chapter for a period of twelve (12) months following the effective date of the suspension or revocation, unless [upon the presentation of] he or she presents reasons satisfactory to the Commissioner of Accounts, in writing.

§ 215-5. Application for Owner's License.

- A. An application for an owner's license shall be filed in the Office of the Commissioner of Accounts. The application shall be signed and sworn to by the applicant and shall contain the following information:
- (1) The name and address of the applicant.
 - (2) The number of taxicabs for which the application is made, stating the make, [type] model, year [of manufacture], vehicle identification number, passenger seating capacity, a copy of a valid automobile insurance card for each taxicab, [and] verification of registration for use as a taxicab by the New York State Department of Motor Vehicles, and, if the applicant is not the person to

whom the taxicab is registered, a copy of the contract, lease, or other agreement giving the applicant possession or control of the taxicab or taxicabs.

- (3) [Reserved.] Acceptable certificate of insurance, including a detailed inventory of each vehicle licensed by the applicant, NYS Statutory Worker's Compensation and Disability Insurance for each driver employed by the applicant, and Commercial Automobile Livery Insurance in the amount mandated by New York State Law.
 - (4) Written consent of the applicant that he or she authorizes the Commissioner of Accounts to investigate into any factual matters stated in the application, including facts which without such consent would be deemed confidential.
 - (5) Whether the applicant currently holds a taxicab owner's license, which has been suspended and, if so, for what reason.
 - (6) Whether the applicant was the former holder of a taxicab owner's license which has been revoked or suspended and, if so, for what reason.
 - (7) Whether the applicant employs one or more taxicab drivers whose licenses have been revoked and/or suspended.
 - (8) A set of the applicant's fingerprints, or, if the applicant is a legal entity other than an individual, a set of fingerprints [of] for each of the chief executive officers or chief representatives of that legal entity, to be taken by the Saratoga Springs Police Department. Said fingerprints shall be kept on file at the Police Department.
- B. [The Saratoga Springs Police Department shall investigate the applicant's qualifications and background, including a fingerprint search through the Division of Criminal Justice Services, and the results of that investigation shall be kept on file with the Saratoga Springs Police Department. The applicant shall be responsible for any fees due to the Division of Criminal Justice Service for the fingerprint search. The Police Department shall inform the Commissioner of Accounts whether the applicant is eligible for a taxi owner's license under the standards as embodied in Article 23-A of the Corrections Law, and shall continue to keep the Commissioner informed of any change in the applicant's eligibility at any time thereafter.]

The Commissioner of Accounts shall forward all information provided by the applicant to the Police Department, who shall then investigate the applicant's qualifications and background. The applicant's fingerprints shall be submitted to the NYS Division of Criminal Justice Services and the Federal Bureau of Investigation for a records search and report. Fees for such investigation and fingerprinting shall be indicated on the application form. The results of the investigation shall be kept on file at the Police Department. Upon completion of the investigation, the Police Department shall inform the Commissioner of Accounts whether the applicant is eligible for a taxicab owner's license under this chapter, and shall continue to inform the Commissioner of known changes in the applicant's eligibility at all times thereafter.

- C. Upon consideration of the factors listed above, the Commissioner of Accounts may refuse to issue a taxicab owner's license to an applicant. Notification of such denial shall be sent to the applicant at the address indicated on the application by certified mail. [Upon the applicant's written request, a hearing shall be conducted at which the applicant may provide evidence that he or she should be issued an owner's license.] The applicant may submit a written request to the Commissioner of Accounts to contest the Commissioner's denial. Upon such written request, a hearing shall be conducted at which the applicant may present evidence that he or she should be issued a taxicab owner's license.

§ 215-6. Suspension or Revocation of Owner's License

- A. Revocation or Suspension - An owner's license may be revoked or suspended [at any time after a hearing,] upon due notice, by the Commissioner of Accounts for the following reasons:

- (1) The licensee becomes ineligible for a taxicab owner's license under the criteria embodied in Article 23-A of the Correction Law of the State of New York.
 - (2) The licensee permits the operation of a taxicab by [a person] an operator not licensed under the provisions of this Article.
 - (3) The licensee permits the operation of a taxicab by an operator who has been notified by the Department of Accounts that information obtained from the NYS DMV LENS Program legally prohibits said operator from driving or operating a taxicab under this chapter.
 - (4) Violation of any provision of this Chapter or any rule or regulation established by the Commissioner of Accounts pursuant to this Chapter.
 - (5) The licensee engages in any other conduct which evidences his or her inability to safely engage in the business of operating a taxicab or which evidences a disregard for public safety.
 - (6) Failure to maintain appropriate insurance and registration for all his/her licensed taxicabs as required by New York State law.
- B. Procedure - The following procedure(s) will be followed when revoking or suspending a taxicab owner's license:
- (1) A taxicab owner against whom suspension or revocation is proposed shall be sent written notice by certified mail, thereof at the address listed on his or her application. Said notice shall state the reason for the proposed suspension or revocation and shall state the date by which the taxicab owner may request a hearing, except that said date shall not be more than fifteen (15) days after the date of the written notice. Request for a hearing shall be in writing to the Commissioner of Accounts. The hearing shall be held no later than thirty (30) days following receipt of the written request, unless the licensee requests an adjournment of the hearing date. Failure to request a hearing by the date specified shall result in a waiver of such hearing, and the suspension or revocation shall then take effect.
 - (2) Pre-hearing Suspension - The license of a taxicab owner against whom suspension or revocation is proposed may be suspended immediately as part of the issuance of the written notice, pending the hearing and determination.
- C. Any such suspension or revocation shall be noted on the license, together with a statement of the reasons thereof and the taxicab owner shall be deprived of his or her taxicab license by the Commissioner of Accounts. Notice of such suspension or revocation shall be sent to the licensee at the address listed on the application, by certified mail. [When the license is suspended or revoked, the license and a note of the revocation or suspension shall be forthwith sent to the Commissioner of Accounts, the license to be returned at the expiration of the period for which the license was suspended.] A second suspension for the same reason [or, in any case, a third suspension] shall automatically revoke the license. No taxicab owner whose license has been revoked shall be [again licensed as a taxicab owner in the city] eligible to reapply for a license under this chapter for a period of twelve (12) months following the effective date of the suspension or revocation, unless [upon the presentation of] he or she presents reasons satisfactory to the Commissioner of Accounts, in writing.

§ 215-7. Reserved

§ 215-8. Form and Terms of Taxi Licenses.

Upon satisfactory fulfillment of the foregoing requirements, there shall be issued to the applicant a taxicab license, in a form approved by the Commissioner of Accounts. [Each taxi license shall be stamped with the seal of the city and shall have attached to it a photograph of the licensee.] All taxicab licenses shall be numbered in the order in which they are issued and shall contain [the name and the address of the licensee] the name of each driver licensee and the name and address of each owner licensee, and the dates of issuance and expiration of the license. Any licensee who defaces, removes, or obliterates any official entry made upon his or her taxicab license shall be punishable by the revocation of his or her license. Both drivers' and

owners' taxicab licenses may be issued on any day of the year and shall be valid for one (1) year from the date of issue unless previously suspended or revoked. A driver's taxicab license shall be carried by the licensee at all times when operating or in charge of any taxicab and shall be displayed prominently inside the taxicab. The Commissioner of Accounts shall have authority to impose reasonable conditions upon the use of any taxicab license.

§ 215-9. Reserved

§ 215-10. Renewal of Taxi Licenses.

The Commissioner of Accounts may renew a taxicab license for an additional term upon receipt of an appropriate application, and any additional documentation that the Commissioner of Accounts may require. Such application shall be processed in the same manner as the original application.

§ 215-11. Records.

There shall be kept in the Office of the Commissioner of Accounts a complete record of each taxicab license issued and of all renewals, suspensions, and revocations thereof, which record shall be kept on file with the original application for a license.

§ 215-12. Rates of Fare; Posting of Rates.

A. Rates.

- (1) It shall be unlawful and result in the suspension or revocation of a license, for any taxicab owner or operator or for any taxicab driver to charge any passenger or passengers fares in excess of those established in the following schedule:
 - (a) Three dollars (\$3.00) [per person] for a passenger within the area bounded on the North by the City's North boundary line North of Skidmore College; on the East by Glen Mitchell Road, North Broadway, Church Street and Nelson Avenue; on the West by Clinton Street, Church Street, Beekman Street, West Circular Street and Union Street; and on the South by Lincoln Avenue, said area being the area designated as "Zone One"
 - (b) Three [D]dollars and [F]fifty [C]cents (\$3.50) [per person] for a passenger within the area bounded on the North by the City's North boundary line; on the East by Clinton Street, Church Street, Beekman Street, West Circular Street, Union Street and Broadway; on the West by Kirby Road and Pine Road; and on the South by the Avenue of Pines, said area being the area designated as "Zone Two".
 - (c) Five dollars (\$5.00) [per person] for a passenger within the area bounded on the North by the City's North boundary line; on the East by Kirby Road, Pine Road, the Avenue of Pines, and Broadway; on the West by Locust Grove Road, Brook Road, and Slade Road; and on the South by the East-West Road, said area being the area designated as "Zone Three".
 - (d) Six dollars (\$6.00) [per person] for a passenger within the area bounded on the North by the City's North boundary line; on the East by Locust Grove Road, Brook Road, Slade Road, the East-West Road, and Broadway; on the West by the City's West Boundary line; and on the South by the City's South boundary line, said area being the area designated as "Zone Four".
 - (e) Three dollars and [F]fifty [C]cents (\$3.50) [per person] for a passenger within the area bounded on the North by the City's North boundary line; on the East by Interstate Route 87; on the West by North Broadway, Church Street, Nelson Avenue, Union Avenue, and Broadway; and on the South by Crescent Avenue, said area being the area designated as "Zone Five".

- (f) Five [D]dollars (\$5.00) [per person] for a passenger within the area bounded on the North by the City’s North boundary line; on the East by Bog Meadow Brook; on the West by Interstate Route 87, Crescent Avenue, and Broadway; and on the South by Lake Lonely, Crescent Avenue, and Kaydeross Avenue East and West, said area being the area designated as “Zone Six”.
- (g) Six [D]dollars (\$6.00) [per person] for a passenger within the area bounded on the North by the City’s North boundary line; on the East by the City’s East boundary line; on the West by Bog Meadow Brook, Lake Lonely, Crescent Avenue, Kaydeross Avenue East and [w]West, and Broadway; and on the South by the City’s South Broadway line, said area being the area designated as “Zone Seven”
- (h) If a fare shall begin and end in different zones, the rate shall be determined as per the following table:

Zones	1	2	3	4	5	6	7
1	3.00	3.50	5.00	6.00	3.50	5.00	6.00
2	3.50	3.50	5.00	6.00	5.00	6.50	7.50
3	5.00	5.00	5.00	6.00	6.50	6.50	8.25
4	6.00	6.00	6.00	6.00	7.50	8.25	9.25
5	3.50	5.00	6.50	7.50	3.50	5.00	6.00
6	5.00	6.50	6.50	8.25	5.00	5.00	6.00
7	6.00	7.50	8.25	9.25	6.00	6.00	6.00

- (i) Notwithstanding the aforementioned rates, taxicab owners and drivers may, in the absence of previous contract, charge an hourly rate not to exceed twenty-three dollars (\$23.00) per hour per taxicab.
 - (j) When a passenger requests a taxicab driver to wait, [O]one dollar (\$1.00) for the first five minutes and [T]two dollars (\$2.00) for each subsequent five minute period of time, or part thereof.
 - (k) Each passenger may carry into a taxicab up to two (2) parcels at no additional charge, except that if a passenger's parcels consist only of paper or plastic bags filled with groceries, then that passenger may carry three (3) such parcels at no additional charge. Each parcel in excess of the above stated limits may be charged for at the rate of thirty-five cents (\$0.35) per parcel.
 - (l) When a taxicab driver accepts a fare for more than one (1) passenger, two additional dollars (\$2.00) for each additional passenger, except that there shall be no charge for additional passengers under the age of five years.
 - (m) For all taxicab passengers over sixty-five (65) years of age, there shall be a special rate of fifty cents (\$0.50) less than the rates set forth above.
- (2) All zones or places referred to herein are as designated on a map filed in the Office of the City Clerk, which is adopted concurrently with this ordinance and made a part thereof.
- B. Every taxicab [owner] operator [or driver] shall at all times conspicuously display on the inside of each taxicab operated by him or her a schedule of the above mentioned rates in such a manner so that it shall be plainly seen by all [persons] passengers inside the taxicab.
- C. Gasoline Surcharge.

- (1) In addition to the fares established in Subsection A above, it shall be lawful for any taxicab owner who purchases gasoline for use in taxicabs under his or her control to charge a surcharge not in excess of ten percent (10%) of the lawful fare for every increase of twenty-five cents (\$0.25) in the average price per gallon of regular unleaded gasoline in the City of Saratoga Springs in excess of one dollar and seventy-five cents (\$1.75), provided that such price increase has continued for a minimum of thirty (30) days, and further provided that such surcharge has been approved by the City Council. Any surcharge established pursuant to this subsection shall be lawful only for so long as the average price per gallon of regular unleaded gasoline in the City of Saratoga Springs, remains at the level for which the surcharge has been established. This surcharge may be initiated by the Council's own motion or by petition.
- (2) For purposes of this subsection, the Commissioner of Accounts shall have the authority to determine the average price per gallon of gasoline from any reasonable method.

D. Evening, Sunday and Holiday Surcharge.

In addition to the fares established in subsection A above, it shall be lawful for any taxicab owner or driver to charge a surcharge of one dollar (\$1.00) per fare during the following hours:

- (a) Evenings, 12 midnight to 6 am the following morning.
- (b) Any hour of a day which is a Sunday.
- (c) Any hour of a day which is a holiday.

For the purposes of this subsection, the following days of the year are designated as holidays: New Year's Day (January 1) Independence Day (July 4th), Christmas Day (December 25), New Year's Eve (December 31), Easter Sunday, and the days observed as Memorial Day, Labor Day, and Thanksgiving Day.

E. Review of [Fees] Fares.

The Commissioner of Accounts shall cause the aforementioned fares to be reviewed and reconsidered two (2) years from the effective date of this subsection, and in every second year after that. Said review and recommendation shall be completed by June 1 in each reviewing year. Nothing in this subsection shall be constructed so as to prohibit the Commissioner of Accounts from reviewing and reconsidering said fares more frequently, in the Commissioner's discretion.

§ 215-13 Operation of Taxicabs; Regulations

Every taxicab operated under this chapter shall comply with the following regulations:

- A. Every taxicab shall have installed an emergency signaling system, of a type approved by the Department of Public Safety, designed to allow the driver to show that assistance is required.
- B. No person shall smoke in a taxicab, and every taxicab shall contain a sign reading "NO SMOKING" in letters not less than one inch high, and posted in a location where it shall be plainly seen by all [persons] passengers in the taxicab.
- C. Every taxicab shall follow the shortest reasonable route when carrying passengers to destinations.
- D. No person under twelve (12) years of age shall ride as a passenger in the front seat of any taxicab.
- E. [Reserved.] Every taxicab shall have a sign posted inside indicating the "Taxicab Rider's Bill Of Rights" in a form approved and issued by the Commissioner of Accounts.
- F. Every taxicab driver shall, when so requested by a passenger, provide a written receipt showing the date, driver's name, the taxicab owner's name, the number of the taxicab, the places and times where the fare began and ended and the amount of the fare collected.
- G. Every taxicab shall follow the NYS Vehicle & Traffic Law in connection with seatbelts and a sign must be posted in the taxicab stating, "Seatbelts are available for your use, please buckle up."
- H. No taxicab owner or driver shall refuse to carry within the City of Saratoga Springs, any orderly person as a passenger unless:

- (1) The owner or driver reasonably determines that such person has no intention or ability to pay, or
 - (2) Such person cannot be transported safely under the circumstances.
- I. Every owner shall, at least once every twelve (12) months, cause every taxicab which is owned by him or her or which is under his or her possession and control to be inspected by the Department of Public Safety.

§ 215-14 Fees

[The following fees shall be paid for licenses under this chapter:

- A. For driver's license: twenty-five dollars (\$25.00) initially; renewal fee fifty dollars (\$50.00).
- B. For owner's license or renewal thereof; one hundred dollars (\$100.00) per year for each taxicab owned or controlled by the licensee.
- C. In addition to the fees specified above, a fee of twenty-five dollars (\$25.00) shall be paid to the Department of Public Safety for each set of fingerprints taken pursuant to this chapter.
- D. A money order for payment to the Division of Criminal Justice Services must be submitted with the application for taxi owner and/or taxi driver. This is a non-refundable fee for fingerprint background searches which is mandated by the Division of Criminal Justice Services for which the applicant is responsible.]

The City Council shall establish from time to time, by resolution, fees for licenses issued under this chapter.

§ 215-15. Marking Taxicabs.

- A. No taxicab shall be operated within the City of Saratoga Springs unless there shall be displayed by permanent letters and figures not less than three (3) inches high and in distinct contrast with the color of the body on both sides of the cowl of the taxicab or on both front doors thereof , except that if a taxicab is operated by an owner that operates not more than three(3) taxicabs, such letters and figures need not be permanent, or by a sign permanently attached to the top thereof, which sign shall be illuminated so as to be visible at all times, the owner's name and telephone number, the word "taxi", and a unique number used by the owner to identify the taxicab.
- B. No taxicab shall be operated within the City of Saratoga Springs unless there shall be affixed to it a numbered decal, sticker, plate or other identifying device, in a form determined by the Commissioner of Public Safety. Such device shall bear a unique number and shall identify the taxicab as duly licensed. The Commissioner of Public Safety shall determine where the device shall be placed on each vehicle.
- C. Reserved.

§ 215-16. Enforcement; Penalties for Offenses.

Any taxicab owner or taxicab driver who violates any provision of this chapter or any rule or regulation made pursuant to this chapter shall, upon conviction, be subject to the penalties set forth in Chapter 1, General Provisions, Article III, of this code. The Department of Public Safety is hereby authorized to enforce the provisions of this chapter. The Police Department is authorized to issue appearance tickets in accordance with Article 150 of the Criminal Procedure Law for violations of this chapter.

ARTICLE II, Taxicab Stands

§215.17 Designation

The Commissioner of Public Safety is hereby authorized to establish taxicab stands as deemed necessary. The Commissioner shall assign a number to each taxicab stand, and shall cause a sign or device bearing that number to be posted at that stand's location. The Commissioner shall further designate the number of such taxicabs that shall be allowed to stand at any taxicab stand. Owners of any property may apply to the Commissioner of Public Safety for the establishment of taxicab stands adjacent to their premises. Such application shall be granted solely in the discretion of the Commissioner of Public Safety and may be revoked by the Commissioner at any time.

§ 215-18 Regulations.

- A. Only taxicabs in such numbers as [are] designated by the Commissioner of Public Safety may remain at the stand while waiting for employment and only in single file, pointed in accordance with the traffic regulations.
- B. No taxicab standing at the head of any such line shall refuse to carry any orderly [person applying for] passenger requesting a taxicab who agrees to pay the proper rate of fare; but this shall not prevent any [person] passenger from selecting any taxicab he may desire on the stand, whether it be at the head of the line or not.
- C. As the taxicabs leave the line with passengers, those behind shall move up, and any taxicab seeking a space 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 on the stand.
- D. No taxicab shall stand within five (5) feet of any crosswalk unless otherwise designated by this article.
- E. No taxicab shall occupy a stand unless a taxi license has been issued by the Commissioner of Accounts.

SECTION 2. This Local Law shall take effect immediately upon filing in the office of the Secretary of the State of New York in accordance with [m] Municipal Home Rule Law Section 27.

ADOPTED: