

TAXICABS & LIMOUSINES

Chapter 226

TAXICABS, AUTOCABS AND LIMOUSINES

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[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge 12-26-75 by Ord. No. 700 as Chapter VII of the 1975 Revised General Ordinances of the Borough of Wood-Ridge. Sections 226-5 and 226-9 amended and § 226-18 added at

time of adoption of Code; see Ch. 1, General Provisions, Art. III. Other amendments noted where applicable.]

GENERAL REFERENCES

General penalty — See Ch. I, Art. II.

§ 226-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

OPERATION OF A TAXICAB — Consists of transporting in a taxicab one (1) or more persons for hire. Accepting a passenger to be transported for hire from a point of departure within the borough to a destination within or without the borough shall be considered “operation of a taxicab” within the borough. The “operation of a taxicab” by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxi. The transportation of any person other than the owner or driver in any motor vehicle bearing a sign using the words “taxi,” “taxicab,” “cab” or “hack” shall be prima facie evidence of operation.

OWNER — Any person in whose name title to any taxicab is registered with the New Jersey Division of Motor Vehicles or who appears in the Division’s records to be a conditional vendee or lessee or has any other proprietary interest in a taxicab.

TAXICAB or TAXI — A motor vehicle used to transport passengers for hire which does not operate over a fixed route and is not hired by the day or hour.

§ 226-2. License required.

No taxicab shall be operated within the borough unless or until the owner thereof shall have obtained a license in the manner herein provided.

§ 226-3. Application for license.

Application for a taxicab owner's license shall be made to the Council and filed with the Borough Clerk on forms provided by him. All applications shall contain the following information:

- A. The name and address of the owner.
- B. A description of the vehicle, including the license number and where it may be inspected.
- C. The location of any proposed depots or terminals.
- D. The proposed fare to be charged.
- E. Appropriate evidence as to the owner's good character and business responsibility so that an investigator will be able to properly evaluate it.
- F. An agreement to comply with the requirements of this chapter and any rules and regulations adopted pursuant thereto.
- G. Any other appropriate information which the Council may by resolution require.

§ 226-4. Notice of hearing.

The Borough Clerk shall advise the Council of the filing of an application. The Council shall set a date for a hearing on the application and notify the applicant. The date set shall be within a reasonable time after the filing of the application.

§ 226-5. Investigation; report.¹

The Chief of Police or a police officer designated by him shall investigate the application. A report containing the results of the investigation and evaluation, a recommendation by the Chief of Police that the license be granted or denied, and the reasons for his recommendation shall be forwarded to the Council at least three (3) days before the date set for the hearing.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. III.

§ 226-6. Conduct of hearing.

At the hearing any person who is a resident or taxpayer of the borough may appear in person and make a brief statement or submit a written statement in support of or opposition to the granting of a license. In addition, the applicant and any other person who will be affected by the granting or denial of the license other than as a borough resident or taxpayer shall have the right to be represented by an attorney, to testify himself or to present witnesses in support of his position, to cross-examine opposing witnesses and, at his own expense, to have a stenographic record made of the proceedings.

§ 226-7. Factors to be considered in grant or denial of license.

In determining whether to grant or deny the license, the Council shall take into consideration the following factors:

- A. The character, business and financial responsibility and experience of the applicant and the probability that, if granted a license, the applicant will operate his taxicab in accordance with the provisions of this chapter.
- B. Any other factors directly related to the granting or denial of the license which would substantially affect the public safety or convenience.

§ 226-8. Issuance of license.

A license shall be issued only when authorized by resolution of the Council, shall be signed by the Mayor and attested by the Borough Clerk and shall have the corporate seal affixed thereto.

§ 226-9. Expiration of licenses; fees. [Amended 12-19-83 by Ord. No. 20-83²]

- A. A taxicab owner's license shall expire on January 1 next after issue. The license fee for each taxicab licensed hereunder shall be fifty dollars (\$50.) per vehicle per annum. Where the

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. III.

license is issued for a period less than a year, the fee therefor shall be prorated. All license fees shall accompany the application.

- B. Pursuant to the provisions of N.J.S.A. 48:16-13 et seq., a license fee of fifty dollars (\$50.) per vehicle shall be charged for limousines and livery service.

§ 226-10. Renewal of licenses.

A taxicab owner's license may be renewed by the Council without a hearing upon the licensee's filing with the Borough Clerk a sworn statement that there have been no changes in the information contained in the initial application and upon payment of the required fee.

§ 226-11. Revocation or suspension of licenses.

In addition to the causes for revocation of a license set forth in § 168-10 of this Code, any license issued under this chapter may be revoked or suspended, or any application for the issuance or renewal of a license denied, for any of the following reasons:

- A. Failure to render reasonable, prompt, safe and adequate taxicab service.
- B. The existence of a judgment unsatisfied of record against the licensee in any suit arising over the operation of a motor vehicle.
- C. Permitting any taxicab owned by the licensee to become unsafe, unsanitary or dirty.
- D. Failure to comply with all applicable laws of the State of New Jersey, the ordinances of the borough or the rules and regulations adopted in accordance with this chapter.

§ 226-12. License void upon change of ownership.

In case of a change of ownership of any taxicab licensed hereunder, the license therefor shall immediately become void.

§ 226-13. Inspections of vehicles; correction of defects.

- A. Initial inspection. Before any vehicle is used as a taxicab within the borough, it shall be inspected by the Chief of Police or a police officer designated by him to ascertain that it is in a safe, clean and sanitary condition and contains all safety devices required by law.
- B. Reinspections. All taxicabs shall be reinspected annually or more often if the Council so requires by resolution. In addition, any police officer may inspect any taxicab at any reasonable time to determine if it is clean, sanitary and in a safe and proper operating condition.
- C. Failure to pass inspection. Any taxicab which fails to pass inspection shall be immediately taken out of service and shall not be operated again within the borough until the defects which led to its rejection are corrected. In the case of minor defects which do not constitute an immediate danger to the health or safety of the public, the taxicab may continue to be operated for a period of one (1) week, at the end of which time it shall be reinspected. If the defect has not by then been corrected, the vehicle shall immediately be taken out of service and remain out of service until the defect is corrected.

§ 226-14. Identification of vehicles.

- A. Identification required. Each taxicab operated in the borough shall have a sign permitted on each rear door. The sign shall contain the owner's name and the words "taxicab" or "taxi" in letters not less than four (4) nor more than eight (8) inches in height.
- B. Imitation of color scheme or insignia. No taxicab operated in the borough shall imitate the color scheme or any identifying design or insignia of another taxicab lawfully operating in the borough, nor shall one taxicab have a color scheme or identifying design or insignia which is so similar to that of another taxicab as to be likely to have a tendency to mislead the public. The person first using a particular color scheme or identifying design or insignia for his taxicab shall have the prior right to it.

§ 226-15. Fares.

- A. Display required. There shall be posted in a conspicuous place in each taxicab a schedule of the rate of fares.
- B. Refusal to pay. No person after hiring a taxicab shall refuse to pay the legal fare, nor shall any person hire a taxicab with the intent not to pay the legal fare.

§ 226-16. Establishment of rules and regulations.

The Council may establish by resolution rules and regulations relating to the operation of taxicabs and the conduct of licensees. A copy of the rules and regulations shall be furnished to each licensee.

§ 226-17. Conduct while vehicle is in motion.

No fare shall be collected while a vehicle is in motion, and no operator or driver shall carry on a conversation with a passenger or any other person while the vehicle is in motion, except to answer necessary questions.

§ 226-18. Violations and penalties.³

Any violation of the provisions of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article II.

³ Editor's Note: Added at time of adoption of Code; see Ch. 1, General Provisions, Art. III.