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ARTICLE I. - MOTORIZED VEHICLES

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Sec. 28-1. - Business tax receipt required.

(a)

It shall be unlawful for any person to be engaged in or carry on the business of operating a vehicle for hire within the city for the transportation of passengers within the city, other than buses operating on regularly scheduled routes, without first obtaining a business tax receipt from the city to do so as required by chapter 25 of this Code. This business tax receipt will be issued only after a franchise is granted.

(b)

This chapter shall not apply to any company that is temporarily in the city for the sole purpose of delivering passengers from another jurisdiction. However, such out-of-city cab or limousine shall not pick up passengers in the city without complying with this chapter, except that a limousine may return passengers delivered in the city, when such return is part of the same contract.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 1, 9-25-06; Ord. No. 070022, § 12, 6-25-07)

Sec. 28-2. - Definitions.

The following words and phrases when used in this chapter shall have the meanings indicated unless the text indicates otherwise:

Approved certified automobile mechanic shall mean an automobile mechanic certified by the National Association of Certified Mechanics or the Association of Service Excellence.

Barbiturate or *barbiturates* shall include all hypnotic or somnifacient drugs, whether or not derivatives of barbituric acids.

Barbituric acid derivative shall mean each of the salts and derivatives of barbituric acid, also known as malonyl urea, and derivatives, compounds, mixtures or preparations thereof.

Business tax receipt shall mean the license required of any business operating within the city by chapter 25 of this Code.

Central nervous system stimulants shall mean amphetamine and desocyphedrine, and any derivative, compounds, mixture or preparation thereof.

Company shall mean any person, association, corporation or other organization which operates or intends to engage in the business of operating vehicles for hire.

Conviction shall mean the conviction by a court including an adjudication of guilt on a plea of guilty or nolo contendere or the forfeiture of a bond when charged with a crime.

Driver shall mean an individual permitted to drive or operate a vehicle for hire.

Fees shall mean nonrefundable payments required herein.

For hire drivers permit means the written authority granted by the city to drive a vehicle for hire within the city limits.

Limousine shall mean any automobile, with chauffeur, contracted for with charges prepaid, engaged in the transportation of persons for a consideration, that does not operate regularly or at intervals over a designated route and that is not fitted with a meter or device for calculating or measuring the distance traveled or the waiting time of such vehicle and that is constructed so as to carry five or more passengers in the vehicle. Commercial non-emergency medical transport vehicles (such as medivans) shall be considered limousines for the purpose of this chapter.

Manifest shall mean a daily record prepared by a taxicab or limousine driver of all trips made by the driver showing time and place of origin, destination, number of passengers, and the amount of fare of each trip.

Medallion shall mean the tangible symbol that a permit has been granted to operate the vehicle for hire to which it is physically attached.

Narcotic drugs shall mean coca leaves, opium, cannabis, marijuana, isonipecaine and every synthetic substance known to have narcotic action.

Revocation shall mean the rescinding of a franchise.

Shuttle vehicle shall mean a vehicle for hire with a capacity of at least eight persons, including the driver, which is not equipped with a taximeter and is not used as a taxicab or for cruising.

Suspension shall mean the temporary rescinding of a franchise. The suspension may be for a time certain or indefinite pending compliance with the terms of this chapter.

Taxicab shall mean a motor vehicle used as a public conveyance, subject to the rules and regulations of this chapter.

Taximeter shall mean an instrument or device attached to a vehicle and designed to measure mechanically or electronically the distance traveled by such vehicle, to record the times said vehicle travels or is in waiting, and to indicate the fare to be obtained.

Vehicle for hire (VFH) shall mean any taxicab, shuttle, prearranged limousine and any other motor vehicle with a driver transporting passengers for a fare, fee, or other charge within the city limits. The term vehicle for hire excludes:

- (1) School and church buses;
- (2) Sightseeing cars and buses;
- (3) Ambulances;
- (4) Funeral home vehicles;
- (5) Interstate buses;
- (6) Horse drawn carriages;
- (7) Shuttles from hotels and motels which provide this as a service for guest;
- (8) Passenger vehicles owned, operated, leased or controlled by a governmental agency; and
- (9)

Vehicle-for-hire services provided:

- a. As transportation services as outlined in F.S. § 427.015(2) to the Transportation Disadvantaged, as defined in F.S. § 427.011(1);
- b. By a transportation operator, as defined in F.S. § 427.011(6);
- c. Pursuant to a contract authorized in F.S. § 427.0155, with the community transportation coordinator (CTC), as defined in F.S. § 427.011(5) which contract is on file with the VFH administrator; and
- d. The vehicles used to provide such services shall be clearly and distinctively marked as disadvantaged transportation.

Vehicle for hire administrator shall mean the person(s) appointed by the chief of police to administer this chapter regulating vehicles for hire.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 970576, § 1, 3-9-98; Ord. No. 060198, § 1, 9-25-06; Ord. No. 070022, § 12, 6-25-07; Ord. No. 070676, § 1, 12-10-07; Ord. No. 080456, § 2, 4-2-09)

Sec. 28-3. - Application for franchise and franchise owner.

- (a) It shall be unlawful for any company as defined herein to operate or engage in the business of operating vehicles for hire within the city without having first obtained a franchise from the city manager or designee.
- (b) It shall be unlawful for any driver as herein defined to operate a VFH under the auspices of a company that doesn't have a valid franchise from the city.
- (c) No company as defined herein shall operate or engage in the business of operating vehicles for hire within the city without having first obtained a franchise from the city manager or designee. An application shall be submitted on forms furnished by the city containing appropriate information reasonably related to the business of operating vehicles for hire.
- (d) In order to secure or renew a franchise, the company applicant shall file an application with the city manager or designee. Effective October 1, 2007, the application shall be verified under oath and shall include a notarized checklist acknowledging submittal of all information and documentation required by this chapter:
 - (1) The name and address of the company. If the company is a corporation or partnership, the name and address of all officers, shareholders, partners or any principals or owners with an interest greater than five percent of the company must be listed.
 - (2) Effective October 1, 2007, proof of compliance with F.S. § 865.0 (Fictitious Name Act).
 - (3) The location of proposed depots and terminals.
 - (4) Provide a log listing the year, make, model, vehicle identification number (serial number) and ownership status of all vehicles in the company's fleet. The vehicles must be currently operating, licensed, and inspected, as required by this chapter. Each vehicle must conform to the United States Department of Transportation (USDOT) maximum passenger standards allowed for the vehicle to operate.
 - (5) Proof of proper amount of insurance coverage on the vehicles listed as provided in section 28-11, with the insurance coverage being filed with and approved by the city manager or designee.
 - (6) Certified documentation from the department of highway safety and motor vehicles that each driver for the VFH company has a valid drivers license.
 - (7) Certified documentation from the department of highway safety and motor vehicles of each driver's seven-year driver's license history.
 - (8) Criminal history report from the Florida Department of Law Enforcement (FDLE) for the owner of the VFH company and each driver.
 - (9) A schedule of rates to be charged, including regular and any special event rates, baggage and other miscellaneous

charges.

(10)

For all VFH companies operating as taxicabs, a description of the franchise color scheme and insignia including a photograph or drawing accurately reflecting the color scheme and insignia as required by section 28-8 of this chapter.

(11)

Such other information as the city manager may require.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 2, 9-25-06; Ord. No. 070676, § 2, 12-10-07)

Sec. 28-3.5. - Service at Gainesville Regional Airport.

(a)

All franchises providing service to the Gainesville Regional Airport, shall have a decal authorizing access to the airport permanently affixed to each VFH. The decal shall be affixed in a conspicuous and uniform location by the issuing authority.

(b)

Airport decals may be purchased each year from the City of Gainesville when yearly franchise fees are paid. Rates and charges for airport decals are set by Resolution of the Gainesville Alachua County Regional Airport Authority.

(Ord. No. 060198, § 3, 9-25-06)

Sec. 28-4. - Maintaining a franchise.

In order to maintain a franchise to operate or engage in the business of operating vehicles for hire, the company must:

(a)

Obtain and hold a current business tax receipt from the city as required by chapter 25 of this Code;

(b)

Maintain an office within the city staffed by company agents or employees between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except national holidays, where all records, logs, financial statements, manifests and franchise documents required by this chapter are kept and may be examined during business hours by the city manager or designee or by the police department (taxicabs only);

(c)

Maintain the name and home address of each driver affiliated with the company;

(d)

Provide and maintain a log listing the year, make, model, vehicle identification number (serial number) and ownership status of all vehicles in the company's fleet to city manager or designee; and notify the city manager or designee of any changes within ten days.

(e)

Maintain proper amount of insurance as provided in section 28-11; and notify the city manager or designee of any changes within ten days.

(f)

Comply with all state and local statutes, ordinances, rules and regulations regarding motor vehicles, taxicabs or limousines.

(g)

Comply with the applicable Gainesville Alachua County Regional Airport rules and regulations if transporting to or from the Gainesville Regional Airport.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 3, 9-25-06; Ord. No. 070022, § 12, 6-25-07)

Sec. 28-5. - Duration of franchise; annual reports; fees.

(a)

All franchises granted by the city pursuant to this chapter shall have a five-year term. Each franchise owner shall, however, file an annual report with the city containing the information required by section 28-3. This report shall be filed at least 30 days and no more than 60 days prior to the annual expiration date of the business tax receipt, or, if no business tax receipt is required, at least 30 days and no more than 60 days prior to the anniversary of the initial franchise.

(b)

All franchises granted by the city for a five-year term will pay the yearly fees established in appendix A for each year of the franchise. The franchise owner shall be responsible for other fees as established in appendix A when assessed. Effective October 1, 2007, for each properly documented vehicle for which the fees have been paid, the VFH company shall receive a VFH medallion. The medallions shall be vehicle specific and may not be transferred from one vehicle to another.

(c)

A penalty, as established in appendix A will be paid for every month or part thereof that the annual report or payment is not timely filed, or is incomplete, or is incorrect.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 050120, § 9, 9-26-05; Ord. No. 060198, § 4, 9-25-06; Ord. No. 070022, § 12, 6-25-07)

Sec. 28-6. - Revocation or suspension of a franchise, grounds; right of appeal.

(a)

Revocation or suspension of franchise. Upon a finding of due cause, as defined below, the city manager or designee shall have the authority to revoke or suspend any vehicle-for-hire franchise granted by the city. Prior to suspension or revocation, the franchise owner shall be served notice by certified mail or hand delivery of the proposed action to be taken; and upon request shall have an opportunity to present to the city manager or designee evidence as to why the franchise should not be revoked or suspended. The franchise owner must request a hearing within ten days after mailing or hand delivery of the notice of proposed action.

(b)

Due cause for revocation or suspension. Due cause for revocation or suspension of a franchise shall include, but not be limited to, the following:

(1)

The failure of the company to maintain any of the general qualifications applicable to the initial granting of the franchise as set forth in section 28-3 above;

(2)

Obtaining a franchise by providing false information;

(3)

Repeat violation of a provision of this ordinance within 60 days.

(4)

Conviction by a court of competent jurisdiction of any shareholder, officer, partner, member, principal or owner of any corporation, partnership, firm or association holding a five percent interest or more in the entity, of any of the following: criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, lewd and lascivious acts, criminal solicitation to commit any of the above, criminal attempt to commit any of the above, or possession, sale or distribution of narcotic drugs, barbituric acid derivatives and/or central nervous system stimulants if such violation or violations are related to operation of the company, or violation of any ordinance of the city governing the conduct of a franchise owner.

(c)

Right of appeal. Any franchise owner whose franchise is revoked or suspended by the city manager or designee may appeal such decision to the city commission. Such appeal shall be taken by filing written notice with the clerk of the commission's office within five days after the decision of the city manager or designee. The notice of the appeal shall contain the grounds for the appeal and shall contain information showing that either the finding is contrary to the law or is not supported by competent substantial evidence. The clerk of the commission shall transmit copies of the appeal to the city commission along with papers constituting the record upon which the action appealed from is based. The filing of a notice of appeal will not delay the effectiveness of any suspension or revocation. If the city commission decides the appeal in favor of the franchise owner, the franchise will be immediately reinstated.

(d)

A person or entity whose franchise is revoked pursuant to subsection 28-8.5(b)4 shall not be entitled to reinstatement or an opportunity to reapply for such franchise or license for a period of three years from the date of such revocation. Second and subsequent revocations shall be for a period of five years.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 4, 9-25-06)

Sec. 28-7. - Transfer of franchise.

No franchise may be sold, assigned, mortgaged or otherwise transferred without the consent of the city manager. Application for transfers of any franchise shall be filed jointly by the assignor and assignee and shall be subject to the same provisions as original applications for franchises. Transfer, sale or assignments of an interest of five percent or more of the corporate stock or partnership interest or transfer of effective control of the franchise from the person or persons granted the franchise, shall be deemed a transfer under the terms of this section.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 4, 9-25-06)

Sec. 28-8. - Identifying signs and medallions.

(a)

Each franchise with VFH which operate as taxicabs, shall be readily identifiable as a taxicab and shall bear on the doors of

both sides, in letters not less than three inches nor more than six inches in height, the name of the company to whom the franchise is issued. Each such taxicab shall also be numbered uniquely, with such numbers being placed both immediately below the name of the franchise and on the lower left corner of the vehicle's trunk, with said numerals being not less than four and one-half inches nor more than six inches in height.

- (b) Effective October 1, 2007, all required markings set forth in subsection (a) above shall be permanently affixed to each VFH by the franchise owner. Magnetized or other temporary markings are prohibited.
- (c) Each franchise shall have all of its taxicabs painted in a unique color scheme, to be chosen by the franchise owner and approved by the city manager or designee. The color scheme shall have sufficient disparity so as to avoid franchise confusion. The taxicabs shall be kept in such condition so that the appearance of such taxicabs conforms to the approved color.
- (d) The medallion granted by the city manager/designee shall at all times be held and registered with the city in the name of the owner and the privilege of operating the VFH in the city is vested in the owner. So long as a vehicle is operated under the authority of a franchise, the rights, requirements and responsibilities which attach to the medallion remain with the franchise owner, not the owner of the vehicle who drives it and these rights and responsibilities are unaffected by any agreement, understanding or contractual arrangement between the franchise owner and a vehicle owner or driver. The medallion supplied by the city designee shall remain with and be affixed to the issued VFH so long as the vehicle is used as a VFH in the city or until the medallion is surrendered to the city as required. Effective October 1, 2007, the VFH medallion is to be uniformly placed on the driver's side lower rear window. The annual renewal sticker shall be placed directly next to the medallion.
- (e) All franchise VFH operating as taxicabs shall have a roof-mounted, lighted sign with the word "TAXI" printed in letters at least four inches in height.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06; Ord. No. 070676, § 3, 12-10-07)

Sec. 28-8.5. - Vehicle for hire driver permit requirements.

- (a) Effective October 1, 2007, no person shall operate a VFH within the city limits without a current city VFH driver permit.
- (b) Effective October 1, 2007, no franchise owner shall allow a franchise vehicle to be operated by a person not in possession of a current city issued VFH driver permit. Violations of this provision shall result in progressive penalties as follows:
- (1) First violation—A written warning.
 - (2) Second violation—Three-month suspension of the franchise.
 - (3) Third violation—One-year suspension of franchise.
 - (4) Subsequent violations shall result in revocation of the franchise as provided in subsection 28-6(c).
- (c) Effective October 1, 2007, the VFH driver permit shall be issued in duplicate. One shall be prominently displayed in the vehicle so as to be readily visible to a person of average visual acuity sitting in the rear passenger seat. The duplicate VFH driver permit shall be worn on the exterior garment of the VFH driver for identification purposes when the driver is outside of the VFH while on duty.
- (d) Effective October 1, 2007, a VFH driver shall not have been convicted, pled nolo contendere to, or had adjudication withheld for or been incarcerated after any conviction, plea of nolo contendere or adjudication withheld for any of the following:
- (1) Any capital felony, any first degree felony, sexual battery, any violent felony involving the use of a gun or knife or which results in great bodily harm.
 - (2) Within the previous ten years, any violent felony not referenced in subsection (1) above.
 - (3) Within the previous ten years, any felony or first degree misdemeanor directly related to the business of towing motor vehicles; repossession of motor vehicles; motor vehicle theft; car jacking or chop shops; or liens for recovering, towing, or storing vehicles and vessels (F.S. § 713.78).
 - (4) Within the previous five years, of either: (1) driving under the influence of alcohol, a controlled substance, or a

chemical substance, to the extent that normal faculties are impaired; or (2) driving with an unlawful blood alcohol level.
(Ord. No. 060198, § 5, 9-25-06; Ord. No. 070676, § 4, 12-10-07)

Sec. 28-9. - Taximeter required.

- (a) All taxicabs operated under the authority of this chapter shall be equipped with taximeters fastened in a manner so that the face shall be visible and readable to passengers at all times both day and night. The face of the taximeter shall be set so that it will register and compute on a mileage basis while the taxicab is moving and on a time basis while the taxicab is standing and while the service is being rendered the base fare to be charged. They shall be sealed at all points and connections which, if manipulated, would affect their correct reading and recording shall be sealed.
- (b) Each taximeter shall have a current inspection sticker issued by the state and shall remain sealed. No taximeter that has been unsealed shall be used until it is again inspected by the state.
- (c) The taximeter shall be used for all trips, and the fare charged shall be that shown on the taximeter, plus any posted extra passenger or other charges, except that on special event days, such as University of Florida football home games, trips from/to the Gainesville Regional Airport related to the event, may be charged a flat rate as posted in the taxicab pursuant to section 28-15.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-10. - Two-way communication required.

- (a) All taxicabs or limousines covered by this chapter shall be equipped with an operable two-way radio or telephone allowing the vehicle to receive and transmit calls. Such communication system shall be functional whenever the vehicle is in operation.
- (b) No taxicab, limousine or franchise operating under this chapter shall use or operate installed scanners to intercept calls to or from another franchise for the purpose of soliciting business directed to another franchise.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-11. - Liability insurance required.

No franchise shall be granted or continue in operation unless there is in full force and effect a liability insurance policy issued by an insurance company authorized to do business in the State of Florida for each vehicle in not less than the minimum amounts as provided for under Florida's Financial Responsibility Law (F.S. § 324.032) Each franchise will maintain a \$200,000.00 general liability policy for the company. The city, its elected and appointed officers, employees and agents shall be named as additional insureds.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06; Ord. No. 070676, § 5, 12-10-07)

Sec. 28-12. - Miscellaneous regulations.

- (a) It shall be unlawful for any driver or operator of a taxicab or limousine to drive or operate or be on duty or on call for the operation of a taxicab or limousine for more than 12-hours within any 24-hour period.
- (b) No driver shall solicit patronage by means of unwanted touching, detaining, impeding or intimidation, nor shall any driver obstruct the movement of any person or follow any person for the purpose of soliciting patronage.
- (c) Upon discovery of any personal property left by a passenger, a driver shall deposit such property with the police department within 24 hours.
- (d) A driver shall take either the most direct or the fastest route to a passenger's destination unless otherwise authorized or directed by the passenger.
- (e) No driver shall refuse to accept a passenger on the basis of race, color, national origin, religious belief, age, sex or sexual

orientation.

- (f) It shall be unlawful for the driver of a taxicab or limousine operated in the city to permit any person to accompany or use such vehicle for the purpose of prostitution or lewdness, or to direct, take or transport any other person with knowledge or reasonable cause to believe that the purpose of such directing, taking or transporting is for the purpose of prostitution or lewdness.
- (g) No taxicab shall be permitted to carry non-paying passengers while transporting a paying passenger or passengers except for the purpose of driver training.
- (h) No driver shall solicit or carry a paying passenger while in the process of carrying another paying passenger except when requested to do so by the paying passenger.
- (i) Every taxicab and limousine driver shall maintain a daily manifest upon which are recorded all trips made each day, showing time and place of origin and destination, of each trip and amount of fare, and all such completed manifests shall be returned to the owner by the driver at the conclusion of his/her tour of duty. The forms for each manifest shall be furnished to the driver by the owner. These manifests must be kept for one year and be available during regular business hours at the office of the franchise owner for inspection by the city.
- (j) A vehicle driver shall not smoke cigarettes, cigar, pipe or other tobacco substance in the vehicle while such vehicle is occupied by a passenger, unless the passenger(s) consents otherwise.
- (k) A vehicle driver on a public street or right-of-way shall receive and discharge passengers on the side of the vehicle opposite traffic.
- (l) No driver shall permit more persons to be carried in a taxicab or limousine as passengers than the rated seating capacity of the taxicab or limousine.
- (m) No driver shall solicit business for any hotel or motel, or attempt to divert patronage from one hotel or motel to another.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-13. - Seat belts required.

All taxicabs and limousines covered by this chapter shall be equipped with operational seat belts and child restraints as required by state law. Notices shall be posted inside of each taxicab, visible to passengers, that seat belts must be worn at all times by passengers in the front seat and should be worn at all times by passengers in the rear seat. Child restraint seats should not be used in the front passenger seat which is equipped with an airbag.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-14. - Vehicle inspection.

- (a) In addition to all other vehicle inspections required by law, each vehicle for hire shall be inspected prior to initially being put into service and every year thereafter by an approved certified automobile mechanic. The inspection shall include items listed on a standardized inspection form approved by the city.
- (b) Copies of completed inspection forms must be filed with the city manager or designee 30 days prior to expiration of the business tax receipt.
- (c) The city manager/designee and/or law enforcement has the authority to place a VFH out of service/commission if it is deemed unsafe or hazardous until the vehicle is brought up to safe standards and a certified mechanic has completed a safety inspection and corrected any unsafe or hazardous conditions. Proof of correction of unsafe or hazardous conditions, signed by and approved certified automobile mechanic as defined in section 28-2 above, must be submitted before a vehicle may be returned to service.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06; Ord. No. 070022, § 12, 6-25-07)

Sec. 28-14.5. - Equipment and safety requirements of VFH.

A motor vehicle in service as a VFH shall have and maintain the following equipment in good working order:

- Adequate heater and air conditioner;
- Adequate brakes on all wheels;
- Tires of good quality;
- Speedometer;
- Seat belts for the driver and all passengers.

Each VFH shall be maintained in a clean, well painted manner so as to provide a generally good appearance.

(Ord. No. 060198, § 5, 9-25-06)

Sec. 28-15. - Rates.

- (a) Each franchise owner shall provide the city manager or designee a copy of its proposed rates 30 days prior to any change in rates.
- (b) Every taxicab operating under a franchise shall have rate cards setting forth the rates of fare, displayed both on the inside of the front windshield at the roof line of the passenger side, on the inside of the right rear window at the eye level of a seated passenger measuring at least five inches wide by five inches in height. All rate cards shall state the rates of fare and any additional charges, such as for bags and luggage. Additionally, the same information shall be displayed on a sign outside the taxicab consisting of lettering not less than one inch in size for all information.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-16. - Overall service required; conditions for trip.

- (a) All persons engaged in the taxicab or limousine business in the city operating under the provisions of this chapter shall render an overall service to the public desiring to use their vehicles. All franchise owners shall answer all calls received by them for services inside the corporate limits of Gainesville as soon as they can do so; and if said services cannot be rendered within a reasonable time, they shall then notify the prospective passenger how long it will be before the service can be rendered and provide a reason for delay. A franchise owner who shall refuse to accept a call anywhere within the corporate limits of Gainesville at any time when such holder has available cabs, or who shall fail or refuse to give overall service, shall be considered in violation of this chapter; and the permit granted to such franchise owner may be revoked by the city manager in accordance with the provisions of section 28-6 of this chapter.
- (b) Any vehicle driver, including a taxicab vehicle driver, after responding to a call, may request or demand payment up front prior to commencement of a trip, may refuse to initiate such trip, or may terminate a trip and may request payment if the vehicle driver has a bona fide, justifiable reason to believe the passenger(s) may cause bodily injury to him/her or the passengers become unruly, rowdy or cause physical damage to the vehicle or the vehicle driver.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-17. - Unlawful to refuse to pay fare; complaint procedure.

- (a) It shall be unlawful for any person to fail or refuse to pay the legal fare of any taxicab or limousine used by such person.
- (b) When a passenger objects to the fare charged, the passenger shall pay the fare, and a written receipt shall be issued to the passenger by the driver providing the following information: the place where the passenger boarded the vehicle, the place to which passenger was driven, the amount of the fare paid (exclusive of baggage charges), baggage charges, and the address and telephone number of the city manager's office clearly indicating that a formal complaint may be lodged with that office not later than 20 days following the payment of said fare.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-18. - Exemptions for vehicles regulated by ICC.

The provisions of this chapter shall not apply to any vehicle or the operator thereof when engaged in operations under and by virtue of any certificate or permit from the Interstate Commerce Commission of the United States when a permit, license or certificate is required for such operation by that regulatory commission.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-19. - Reserved.

Sec. 28-20. - Soliciting passengers or baggage at railway, bus station or airport.

(a)

Vehicles for hire drivers, or persons acting for them, shall remain at their respective vehicles while soliciting passengers or baggage in any bus station, airport facility or open stands, and shall conduct themselves in a quiet and orderly manner while soliciting passengers or baggage. VFHs operating at the airport shall serve on a first-come first-serve basis with an orderly and professional approach. This shall not be construed to prevent passengers from boarding taxicabs of their choice.

(b)

No maintenance shall be performed on vehicles at an open stand.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06)

Sec. 28-21. - Inspection.

The city manager or designee has the right to conduct an inspection for ordinance compliance during anytime the vehicle for hire franchise is in operation or appears to be in operation.

(Ord. No. 950601, § 1, 9-25-95; Ord. No. 060198, § 5, 9-25-06; Ord. No. 070676, § 6, 12-10-07)

Secs. 28-22—28-29. - Reserved.