

## Chapter 287: TAXICABS AND LIMOUSINES

[HISTORY: Adopted by the Township Council of the Township of Livingston 11-5-1979 as Ch. 27 of the 1979 Revised General Ordinances, amended by Ord. No. 1-1984. Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Traffic and parking — See Ch. 29, § 29-17.

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## ARTICLE I General Provisions

### § 287-1. Definitions.

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

**LIMOUSINE** — Any automobile with a carrying capacity of not more than nine passengers, excluding the driver, used in the business of transporting passengers for hire in the Township as more particularly described in N.J.S.A. 48:16-13. Nothing in this definition shall be construed to include taxicabs.

**TAXICAB** — Any automobile commonly called "taxi," engaged in the business of transporting passengers for hire in the Township and which generally accepts and discharges persons who may offer themselves for transportation from points within the Township to points within or without the Township, as more particularly described in N.J.S.A. 48:16-1.

### § 287-2. Suspension or revocation of license or permit.

- A. Any license or permit issued pursuant to this chapter may be suspended or revoked by the Township Council, after due notice and hearing, if:
- (1) The holder thereof has violated any of the provisions of this chapter;
  - (2) The holder thereof has violated any ordinance of the Township or the laws of the United States or of this state, the violation of which reflects unfavorably on the fitness of the holder;
  - (3) The holder thereof has performed any act which would be a basis for denial of the application; or
  - (4) The licensed taxicab is unfit, unsanitary or unsuitable for public patronage.
- B. Suspension prior to and pending a revocation or suspension for punishment proceeding may be made by the Township Manager for any of the causes set forth in Subsection A of this section.

### § 287-3. Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$500, or by imprisonment for a term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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## ARTICLE II Licenses and Certificates

### § 287-4. License and certificates required.

- A. No person shall operate or permit a taxicab to be operated within the Township without having first obtained a license for each individual vehicle to be used.
- B. The Clerk shall issue appropriate certificates for taxicabs and limousine services in compliance with this chapter, N.J.S.A. 48:16-1 et seq. and N.J.S.A. 48:16-13 et seq.

### § 287-5. Application for taxicab license; contents.

- A. Each application for a taxicab license, or renewal thereof, shall be filed with the Township Clerk on forms provided by the Township.

- B. Each application shall furnish the following information:
- (1) The name, including tradename or partnership name, if any, date of birth, social security number, home address and business address of the applicant(s). In the case of a corporation, the aforesaid information is to be provided for all officers, directors, and those owners with more than 10% of the outstanding shares of the corporation.
  - (2) The home and business telephone numbers of the applicant and all individuals named in Subsection B (1).
  - (3) Prior to actual issuance of the license, a description of the vehicle(s) to be licensed, including the make, mileage, serial number and state registration number.
- C. Each application shall be accompanied by the license fee prescribed in § 287-9.

**§ 287-6. Investigation of applicant; report; issuance of license.**

- A. The Township Clerk shall retain and file in her office the original of the application, and shall promptly submit a copy of the application to the Chief of Police who shall cause an investigation to be made of the applicant, or, in the case of a partnership, corporation or company, of its principals, as to his or their moral character. Additionally, a nonresident applicant shall submit a letter of good conduct from the Police Department from the place of applicant's residence or business.
- B. The Chief of Police shall report in writing the results of his investigation and, unless cause to the contrary be shown, the Township Council shall, within 30 days, authorize the Township Clerk to issue the license.

**§ 287-7. Insurance.**

- A. No taxicab license or limousine subject to the requirements of this chapter shall operate in the Township unless the applicant shall furnish to and file with the Clerk a valid liability insurance policy in the applicants name issued by an insurance company duly authorized to transact business in the state of New Jersey, covering each vehicle to be operated by applicant, protecting the owner and the drivers of such vehicle against liability or damages for injuries to persons or property suffered or sustained by any person as the result of an accident in which such vehicle may be involved, in the following amounts:
- (1) For injuries or death sustained by one person, the sum of \$50,000;
  - (2) For injuries or death sustained by more than one person, the sum of \$100,000;
  - (3) For damage to property, the sum of \$25,000.
- B. Each policy shall indicate that the covered vehicles are insured to operate as taxicabs or limousines, as the case may be, in the Township of Livingston. Each policy shall also contain a ten-day cancellation clause and shall name the Township of Livingston as co-insured.

**§ 287-8. Power of attorney.**

Concurrently with the filing of the insurance policy referred to in § 287-7, each taxicab and limousine owner shall submit a power of attorney whereby the owner shall appoint the chief fiscal officer of the Township his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed, as provided by N.J.S.A. 48:16-5 and N.J.S.A. 48:16-16.

**§ 287-9. License fee; expiration of license; nontransferability.**

- A. The license fee for each taxicab license shall be \$10.
- B. All taxicab licenses shall expire on the 31st day of December in the year in which issued.
- C. No license shall be transferable from one person to another.

**§ 287-10. Renewal of license.**

Upon expiration of any license, the same may be renewed for an additional period of one year, upon application

and payment of the license fee provided in § 287-9.

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## **ARTICLE III Taxicab and Limousine Driver License**

### **§ 287-11. License required.**

No person shall drive or operate, or permit or cause to be driven or operated, a taxicab or limousine within the Township without first having secured a driver's license as herein provided.

### **§ 287-12. Minimum qualifications of drivers.**

No taxicab or limousine driver's license shall be issued unless the applicant therefor:

- A. Be at least 18 years of age;
- B. Be of good moral character;
- C. Be the holder of a current and valid driver's license issued by the State of New Jersey, Division of Motor Vehicles;
- D. Not be addicted to the use of narcotics or intoxicating liquors;
- E. Be in good physical and mental condition.

### **§ 287-13. Application for license; contents; accompanying items.**

- A. An application for a taxicab or limousine driver's license, or any renewal thereof, shall be filed with the Township Clerk on forms provided by the Township. The application shall contain the following information:
  - (1) Name, birth date, social security number, address, and telephone number of the applicant.
  - (2) Number of the applicant's state driver's license and whether such license has ever been suspended or revoked and the reasons therefor.
  - (3) Record of convictions of applicant of any crimes or disorderly persons statutes.
  - (4) Such other information as the Township Council may require.
- B. The application shall be accompanied by:
  - (1) Two recent photographs of passport size of the applicant.
  - (2) The driver's permit fee prescribed in § 287-15.

### **§ 287-14. Investigation of applicant; report; temporary permit.**

- A. The Township Clerk shall retain and file in her office the original of the application, and shall promptly submit a copy of the application to the Chief of Police who shall thereupon cause an investigation to be made of the applicant's moral character. Additionally, nonresident applicants shall submit a letter of good conduct from the Police Department of the place of applicant's residence.
- B. The Chief of Police shall report in writing the results of his investigation and unless cause to the contrary be shown, the Township Council shall, within 30 days, authorize the Township Clerk to issue the license.
- C. Pending the completion of the investigation and report by the Chief of Police, the Township Clerk may issue a temporary driver's permit.

### **§ 287-15. License fee; expiration of driver's license; transfer.**

- A. The fee for a taxicab or limousine driver's license shall be \$5.
- B. The taxicab or limousine driver's license shall expire on the 31st of December of the year in which issued.
- C. No taxicab or limousine driver's license shall be transferable from one person to another.

**§ 287-16. Renewal of license.**

Upon the expiration of the taxicab or limousine driver's license, the same may be renewed for an additional period of one year, upon application and payment of the permit fee provided in § 287-15.

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**ARTICLE IV Regulations Governing Vehicles and Drivers****§ 287-17. Rates posted.**

All rates charged for individuals and shared rides by taxicabs shall be posted conspicuously in each vehicle and shall be submitted to the Township Clerk for filing. Any change in rates shall be submitted to the Township Clerk at least seven days in advance of the effective date. Simultaneously with the submission of rate changes to the Township Clerk, notice of such impending charges shall be posted in each vehicle.

**§ 287-18. Taxicab signs.**

Each taxicab shall display a sign indicating the name of the taxicab company and its telephone number.

**§ 287-19. Display of licenses.**

Each taxicab and limousine shall display, in a conspicuous place, the taxicab or limousine driver's license issued under this chapter, and each taxicab shall also display, in a conspicuous place, the taxicab license issued under this chapter.

**§ 287-20. Fare receipts.**

Every taxicab and limousine driver shall carry a receipt book, and, upon request of any passenger, issue a receipt showing the fare charged.

**§ 287-21. Trip records.**

- A. The driver of each taxicab and limousine shall keep a daily trip record upon which all trips shall be recorded.
- B. The daily trip records shall show:
  - (1) The New Jersey vehicle registration number of the vehicle;
  - (2) The name of the taxicab or limousine driver and the driver's taxicab or limousine license number;
  - (3) The time and place of the commencement of each passenger's trip and the time and place of the termination thereof;
  - (4) The number of passengers carried each trip; and
  - (5) The fare charged each passenger.
- C. The daily trip records shall be retained by the owner for a period of at least six months.

**§ 287-22. Refusal to carry orderly passengers prohibited.**

No taxicab driver shall refuse or neglect to carry any orderly person, upon request, unless the driver is previously engaged or unable or forbidden by law.

**§ 287-23. Lost articles.**

At the termination of each shift, every taxicab and limousine driver shall thoroughly search the interior of the vehicle for any property lost or left therein by a passenger. Such property, unless sooner claimed or delivered to the owners, shall be delivered to the Police Department.

**§ 287-24. Conduct of driver.**

Every taxicab or limousine driver shall, while operating his vehicle, refrain from smoking, except with permission of passengers, and conduct himself in an orderly and businesslike manner.

**§ 287-25. Taxicab stands.**

No vehicle licensed under this chapter shall park in any public streets or public places of the Township, except in such place or places as may be from time to time designated by the Township. Editor's Note: See Ch. 29, Traffic and Parking.

**§ 287-26. False statements.**

No person shall make or disclose any false statement in any application or in any record required to be kept or maintained by this chapter.

**§ 287-27. Conveyance of passengers.**

No driver shall convey any passenger to any other place or over any other route contrary to a passenger's instructions.