

CITY OF TERRELL, TEXAS

ORDINANCE NO. 1391

“TAXICABS”

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES OF THE CITY OF TERRELL REQUIRING THE DISPLAY OF TAXICAB RATE CHARGES IN VEHICLES; ESTABLISHING REQUIREMENTS FOR TAXICAB DRIVERS; REQUIRING TAXIMETERS; REQUIRING TAXI DRIVERS TO USE MOST DIRECT ROUTES; ESTABLISHING INDURANCE REQUIREMENTS FOR TAXICABS; PROVIDING FOR THE REVOCATION OF TAXICAB BUSINESS PERMITS; PROVIDING FOR A GENERAL PENALTY FOR VIOLATIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS;

ARTICLE I

That Chapter 23 of the Code of Ordinances, City of Terrell, Texas, is hereby amended to read as follows:

Sec. 23-1 AUTHORITY OF CITY TO REGULATE FARES

The city council shall have the right to determine, fix, and regulate charges, fares, or rates of all taxicabs operating in the city, and from time to time, alter or change such rules and regulations. Before any charges, fares, or rates shall be changed and in order to ascertain the facts, the city council shall have full power to inspect the books, papers, and other documents in respect to the affairs of any taxicab company and to compel the attendance of witnesses to ascertain the true condition of said business.

It shall be unlawful for any taxicab operator to charge higher rates than those rates which have been approved by the city council and are on file with the city secretary.

Sec. 23-4 REQUIREMENTS FOR TAXI DRIVERS

It shall be unlawful for any person to drive a taxicab unless such person holds a valid chauffeur's or Class C license issued by the Texas Department of Public Safety.

In addition, no person may drive a taxicab if he or she has been convicted of a felony or Class A misdemeanor for which he or she has not pardoned or had full rights of citizenship restored by other official action; or is afflicted with a physical or mental disease or disability that is likely to prevent him from exercising ordinary and reasonable control over a motor vehicle or that is likely to endanger the public health or safety; or that has been convicted of more than four (4) moving traffic violation arising out of separate transactions or involved in more than two (2) automobile accidents in which it could be reasonably determined that he was at fault within any 12-month period during the preceding three (3) years; or has been convicted of, or discharged by probations or deferred adjudication for, driving while intoxicated within the preceding twelve (12) months or more than one (1) time within the preceding three (3) years.

Sec. 23-5 RATE CARD TO BE POSTED

There shall be posted in a conspicuous place on the inside of each taxicab for the passenger's view, a card showing rates charged for the use of such taxicab. The owner or operator of each taxicab shall be responsible for the posting of such rate cards.

Sec. 23-6 TAXIMETER REQUIRED

No taxicab shall be operated in the city unless it is equipped with a meter to register the fare to be charged and which shall be clearly visible to the passenger. The taximeter must be maintained in good operating condition and shall be tested and sealed at least once each year in accordance with state weights and measure laws. The owner or operator of the taxicab shall be responsible for furnishing certification of such testing by a qualified inspector to the city before any permit or renewal of any permit is granted. Such inspection shall not be longer than thirty (30) days prior to any application for a permit or renewal. The city reserves the right at anytime to require any taximeter to be tested by an inspector of their choice, especially if there is reason to believe that said meter is not calibrated accurately or is not registering properly. Any testing of taximeters shall be at the owner's expense.

Sec. 23-7 DRIVERS TO USE MOST DIRECT ROUTES

Any taxicab driver employed to carry a passenger to a definite point shall take the most direct route possible that will carry passengers safely and expeditiously to their destination.

Sec. 23-17 LIABILITY INSURANCE REQUIRED

Before any person shall be issued a permit to operate a taxicab business in the city, he or she shall have filed with the city secretary a policy of public liability and property damage insurance written by an insurance company duly authorized to do business in the State of Texas and performable in Kaufman county insuring the public against any loss or damage from the operating of such taxicab. The maximum amount of recovery of such policy shall not be less than the following:

\$100,000 combines single limit coverage for bodily injury and property damage.

However, if such taxicabs are also to be operated from within the City of Terrell to destinations outside the city and operate under the jurisdiction of the Texas Railroad Commission, the amount and character of insurance coverage shall not be less than specified by the Texas Railroad Commission for such vehicles.

Each insurance policy shall also contain an endorsement that cancellation of such policy shall not become effective before ten (10) days' written notice to the city of such termination or cancellation.

Sec. 23-20. REVOCATION OF TAXICAB PERMITS

The city council shall have the right to revoke any business permit to operate a taxicab service within the city for any misrepresentation of facts given in the permit application or for any violation of any section of this chapter or any other state law or ordinance of the city regulating or pertaining to the operation of taxicabs.

ARTICLE II

Penalties for violations of this ordinance shall be the same as provided for in Section 1-5 of the Code of Ordinances of the City of Terrell, Texas.

ARTICLE III

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE IV

That it is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of this ordinance hereby adopted are severable and, if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect

any of the remaining phrases, clauses, sentences, paragraphs and sections, since the same would have been enacted by the city council without the incorporation of any constitutional phrase, clause, sentence, paragraph, or section.

ARTICLE V

That this ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED on first reading this 4TH day of December 1984.

PASSED AND APPROVED on final reading this 18th day of December, 1984, by the City council of the City of Terrell, Texas.

APPROVED:

Mayor

ATTEST:

City Secretary