



Legislation Details (With Text)

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**Title:** An Ordinance to Discontinue the Taxicab Board and Establish a Transportation Commission by Repealing and Replacing Section 1:207 of Chapter 8 of Title I and Amending Chapter 85 of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-16-26)

**Sponsors:** Zachary Ackerman, Chuck Warpehoski, Kirk Westphal, Christopher Taylor, Taxicab Board

**Indexes:**

**Code sections:**

**Attachments:** 1. 16-26 Briefed and Approved as Amended on 112116.pdf, 2. ORD16-26 Briefed as Amended on 112116, 3. 16-26 Transportation Commission Ordinance-Briefed as amended 11-10-16.pdf, 4. Transportation Commission Ordinance-Briefed as amended at First Reading 111016, 5. Transportation Commission Ordinance-Briefed-revised 11-8-16, 6. July 18 2016 Taxicab Board Memo to Council, 7. Transportation Commission Ordinance-Briefed.pdf

Date	Ver.	Action By	Action	Result
11/21/2016	1	City Council	Adopted on Second Reading	Pass
11/21/2016	1	City Council	Held and Closed	
11/10/2016	1	City Council	Approved as Amended on First Reading	Pass
10/27/2016	1	Taxicab Board	Recommended for Adoption	Pass
7/21/2016	1	Taxicab Board	Deferred	
6/23/2016	1	Taxicab Board	Deferred	

An Ordinance to Discontinue the Taxicab Board and Establish a Transportation Commission by Repealing and Replacing Section 1:207 of Chapter 8 of Title I and Amending Chapter 85 of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-16-26)

City staff and the Taxicab Board have considered subsuming the role of the Taxicab Board into a Transportation Commission that would advise on broader transportation matters in addition to handling the duties of the Taxicab Board under Chapter 85 (Taxicabs) of the Code.

This ordinance does so by creating a Transportation Commission and discontinuing the Taxicab Board. Chapter 85 is amended to reflect that the Transportation Commission will handle the duties of the former Taxicab Board. The Chapter 85 amendments also include a number of technical and formatting changes and corrections that do not change the substance of the chapter.

Prepared by: Christopher Frost, Assistant City Attorney

Reviewed by: Howard S. Lazurus, City Administrator

ORDINANCE NO. ORD-16-26

First Reading: November 10, 2016

Approved: November 21, 2016

Public Hearing: November 21, 2016

Published: December 1, 2016

Effective: Upon Appointment of  
New Board

## TRANSPORTATION COMMISSION ORDINANCE

AN ORDINANCE TO REPEAL SECTION 1:207 (TAXICAB BOARD) AND REPLACE WITH A NEW SECTION 1:207 (TRANSPORTATION COMMISSION) OF CHAPTER 8 OF TITLE I AND TO AMEND CHAPTER 85 (TAXICABS) OF TITLE VII OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That the current Section 1:207 (Taxicab Board) of Title I of the Code of the City of Ann Arbor is repealed and replaced with a new Section 1:207 which shall read as follows:

### **1:207. - Transportation Commission.**

- (1) The Transportation Commission is established to foster excellence in the planning, design, construction, and maintenance of a sustainable and resilient multimodal transportation network for the City of Ann Arbor. The Transportation Commission will serve as an advisory body to the City Council and the City Administrator on transportation policy with a focus on accessibility, mobility, equity, and safety for all citizens.
- (2) The Transportation Commission shall consist of 11 voting members. Appointments should be of individuals who, insofar as is possible, have an interest in the various forms and modes of transportation needs of the community. Members shall be appointed by the Mayor and approved by the City Council unless otherwise stated.
  - (a) To support a holistic evaluation of the community's concerns, the voting members of the Transportation Commission shall be as follows:
    1. Six members of the public.
    2. One owner or operator of a transportation business operating in Ann Arbor.
    3. One member of the Planning Commission, appointed by the Planning Commission.
    4. One member of the Commission on Disability Issues, appointed by the Commission on Disability Issues.
    5. One individual appointed by the board of the Ann Arbor Area Transportation Authority.
    6. One member of the City Council.
  - (b) The City Administrator, a City Traffic Engineer, a representative of the City Systems Planning Unit, and the Chief of Police shall be nonvoting members of the Transportation Commission. The City Administrator shall designate staffing to support the Transportation Commission.
  - (c) The Regional Transit Authority of Southeast Michigan, the University of Michigan, and the Ann Arbor Public Schools may each appoint one nonvoting member to the Transportation Commission.
  - (d) Unless otherwise stated in this subsection, voting members of the Transportation Commission shall be appointed to three-year terms, which shall be staggered so that approximately one third of the terms expire each year. Initial terms may be for less than three years so that the terms are staggered. The City Council member shall be appointed for a one-year term in the same manner as for City Council committee appointments. Members appointed by other City boards or commissions shall continue to serve until they are no longer members of the appointing board or commission or until the appointing board or commission appoints a different member. The member appointed by the board of the Ann Arbor Area Transportation Authority shall continue to serve until the board appoints a different member.
- (3) The Transportation Commission shall have the following powers and duties:
  - (a) Advise the City Council and City Administrator on:
    1. Transportation grants.
    2. Streets and highways.

3. The use of, restrictions on, and upkeep of public rights-of-way.
  4. Bus and rail service.
  5. Pedestrian and bikeway programs and projects.
  6. Safety-related programs and projects.
  7. Regulation of vehicles for hire, including taxicabs, transportation network and ride-sharing entities, pedicabs, and other transportation vehicles; and all related matters including permits, annual permits, franchise permits, transportation franchise requests, renewals, rate adjustments, and hours of operation.
- (b) Provide comments to the Planning Commission, City Council, Downtown Development Authority, and the Ann Arbor Area Transportation Authority on transportation policy, and the impact of proposed projects to the same.
  - (c) Recommend to the City Council and the City Administrator priorities and budget allocations related to transportation.
  - (d) Provide recommendations on the City's transportation master plans including the City Transportation Plan and Non-Motorized Transportation Plan.
  - (e) Report annually to the City Council and the City Administrator regarding the effectiveness of the City's transportation strategy process and make recommendations for any changes thereto.
  - (f) Make proposals and recommendations to achieve and maintain a holistic and inclusive transportation ecosystem that meets the mobility needs of all people, including the mobility-impaired.
  - (g) Have the powers and duties set forth in Chapter 85 of this Code.
  - (h) Form special purpose task forces and subcommittees to carry out the business of the commission.
  - (i) Perform other duties as directed by City Council.

Section 2. That Chapter 85 of Title VII of the Code of the City of Ann Arbor is amended as follows:

## CHAPTER 85 TAXICABS

### 7:151. - Definitions.

- (1) *Administrator*: The City Administrator or a designee.
- (2) *Approved special event*: A public event that is specially organized by a recognized group or body of organizers and that is formally approved for purposes of this chapter by Council resolution.
- (1) (3) *Reciprocity*: A mutual or cooperative interchange between the City of Ann Arbor and 1 or more other municipalities of taxicab **Taxicab** licensing requirements and the privileges afforded under the respective municipalities' taxicab **Taxicab** ordinances. Reciprocity exempts from the licensing requirements under this chapter only taxicab **Taxicab** vehicles and drivers who are licensed by another municipality with which the cC ity is cooperating.
- (2) (4) *Special eEvent*: A significant occurrence or happening, activity, contest or sports program that is arranged, conducted in, or appropriated for a particular occasion or purpose, for a specified time, that increases public transportation needs in the cCity or in 1 or more other municipalities such that reciprocity **Reciprocity** is reasonably necessary to respond to the increased public demand. Such events may be, but are not limited to: a football playoff game such as a Super Bowl, a baseball playoff game such as the World Series, a soccer playoff game such as World Cup Soccer, or any event approved by City Council resolution as a special event requiring taxicab **Taxicab** reciprocity **Reciprocity**.
- (3) (5) *Taxicab*: Any commercial vehicle that is equipped with a taximeter and operates on the streets of the cC ity, accepting passengers for hire as directed by the passenger. The term "taxicab **Taxicab**" does not refer to the following: vehicles owned and operating over fixed routes, vehicles owned and operated by governmental agencies, school buses, chartered buses, vehicles while in use for funerals, weddings, christenings and similar events; or vehicles providing individual or group transportation while operated pursuant to an agreement with the Ann Arbor **Area** Transportation Authority.

- (6) *Board*: The Taxicab Board as specified in section 1:207 of Chapter 8 of this Code.

### 7:152. - Required Licenses and Fees.

- (1) Except as otherwise provided in this section, no person shall operate or allow the operation of a taxicab in the City of Ann Arbor unless the company, the vehicle, and the driver are currently licensed under this chapter.
- (2) The fee for each type of license shall be as determined by City Council resolution.
- (3) As specified in this subsection, the City Council may by resolution grant reciprocity for a special event to owners and operators of taxicabs and drivers licensed under other local jurisdictions but not licensed under this chapter in order to allow their operation in the city in the same manner as permitted for taxicab owners and drivers who are licensed under this chapter. Such a resolution may be passed under the following circumstances:
- (a) The organizers of a special event have made a written request to the city requesting taxicab reciprocity.
- (b) The resolution specifies that reciprocity will be in effect only during the specific time period requested by the organizers of the special event.
- (c) The event organizer issues uniform non-transferable insignia for all taxicab vehicles licensed in the City of Ann Arbor as of the date of the resolution and to those taxicabs operating in the other local jurisdictions to whom City Council has granted and with which the city is enjoying reciprocity.
- (d) The resolution specifies that the special event is approved for taxicab reciprocity and sets forth any other conditions and standards reasonably needed to implement the period of reciprocity, including but not limited to a fee for distribution of the insignia of the special event.
- (e) The resolution shall specify the terms under which reciprocity will be recognized, such as conditioning the City's grant of reciprocity on the other jurisdiction(s) having approved a similar resolution that would allow taxicabs and drivers licensed in the City of Ann Arbor to operate in the other jurisdiction for the special event, a deadline for receiving the other jurisdiction's grant of reciprocity, and other similar terms for the purpose of establishing that there is reciprocity.

### 7:153. - Taxicab Company License.

- (1) Application. An application for a taxicab company license shall be made pursuant to regulations adopted by the board and on forms approved by the Taxicab Board.
- (2) Issuance of taxicab company license. A taxicab company license will be issued by the City Administrator after the following conditions are met:
- (a) The company has submitted a complete application as defined by this chapter and the regulations and has paid the applicable fee.
- (b) The applicant satisfies the requirements in the regulations that demonstrate sufficient experience and resources to provide taxicab services to residents of the City of Ann Arbor.
- (c) The Taxicab Board has approved the application.
- (3) Expiration of taxicab company license. A taxicab company license is valid for 10 years from the date of approval as recorded in the minutes of the Taxicab Board by the Transportation Commission.
- (4) Change in ownership. If there is a change in the ownership or primary contact for a company, the city shall be notified of the change within 30 days.
- (5) Suspension/Revocation.
- (a) If a licensed taxicab company discontinues services within the City of Ann Arbor for 45 consecutive days, the Taxicab City Administrator may request the board to revoke the company license at its next regularly scheduled meeting. A company with a revoked license may re-apply for a new company license after 1 year from date of the revocation.
- (b) In the event a company has a driver or drivers with recurring issues related to threatening or

unprofessional behavior and the board [Transportation Commission](#) determines that the company is either unwilling or unable to address the issues, the board [Transportation Commission](#) may suspend or revoke the company license.

**7:154. - Taxicab vVehicle License.**

- (1) Application. An application for a taxicab [Taxicab](#) vehicle license shall be made pursuant to regulations adopted by the board [Transportation Commission](#) and on forms approved by the Taxicab Board [Transportation Commission](#).
- (2) Issuance of a taxicab [Taxicab](#) vehicle license. A taxicab [Taxicab](#) vehicle license will be issued by the [City](#) Administrator after the following conditions are met:
  - (a) The vehicle owner has submitted a complete application as defined by this chapter and the regulations and has paid the applicable fee.
  - (b) The vehicle is currently registered in the State of Michigan as a commercial vehicle as shown on a photocopy of the vehicle registration accompanying the application.
  - (c) The applicant indicates on the application the rates that will be charged for passengers and baggage.
  - (d) The application is accompanied by a certificate from an automobile master mechanic licensed in the State of Michigan that indicates that the vehicle has been thoroughly inspected and has been found to comply with all the requirements of the Michigan Vehicle Code. The certificate shall be on a form approved by the board [Transportation Commission](#) and must have been issued within 60 days before the date of application.
  - (e) The application is accompanied by proof of insurance in the types and amount specified by Chapter 77. The proof of insurance shall specifically state that the insurance obtained covers a taxicab [Taxicab](#).
  - (f) It appears from the mechanic's certificate that the vehicle is in full compliance with the Michigan Vehicle Code.
  - (g) A city [City](#) inspection of the vehicle indicates that it is clean, safe, and in full compliance with all applicable City of Ann Arbor ordinances and regulations.
  - (h) The Police Department has determined the accuracy of the taximeter and sealed the taximeter based on the rates indicated in the application.
  - (i) The age of the vehicle shall be no greater than the maximum age established by regulations adopted pursuant to this chapter. Enforcement of this provision will begin with vehicle licenses issued for periods beginning June 1, 2008, and beyond.
- (3) Transfer of a taxicab [Taxicab](#) vehicle license. A taxicab [Taxicab](#) vehicle license may be transferred to another vehicle owned by the vehicle license holder after proof is submitted to the city [City](#) that all requirements for issuance of a new vehicle license are met, and payment is made of the taxicab [Taxicab](#) vehicle license transfer fee, as established by City Council resolution.
- (4) Expiration of taxicab [Taxicab](#) vehicle license. All taxicab [Taxicab](#) vehicle licenses expire on the next May 31 immediately following the date the vehicle license was issued.
- (5) Revocation of a taxicab [Taxicab](#) vehicle license. A taxicab [Taxicab](#) vehicle license shall be revoked by the [City](#) Administrator upon any of the following circumstances:
  - (a) The vehicle is found to be in a condition that does not comply with the maintenance requirements of this chapter and the regulations.
  - (b) A [P](#)erson is found driving the vehicle for taxicab [Taxicab](#) purposes who does not have a current valid taxicab [Taxicab](#) driver license or chauffeur's license. However, if the [p](#)erson was properly licensed at the time he commenced driving for the taxicab [Taxicab](#) company, this section will only be applicable if the company has been notified that the driver does not have a valid license.
  - (c) The required vehicle insurance is not maintained.
- (6) Change of rates. After a taxicab [Taxicab](#) vehicle license is issued the rates may be changed 1 time during the license year pursuant to an application for rate change. Only 1 rate change application will be accepted during the license year regardless of whether the vehicle license application indicated only a single rate to be charged or different rates to be charged at different times during the day. A rate change will take effect only upon re-sealing of the taximeter by the Police Department within 30 days after the date the application for rate change is submitted.



**7:155. - Taxicab dDriver's lLicense.**

- (1) Application. An application for a taxicabTaxicab driver's license shall be made pursuant to regulations adopted by the boardTransportation Commission and on forms approved by the Taxicab Board Transportation Commission.
- (2) Issuance of taxicabTaxicab driver's license. A taxicabTaxicab driver's license will be issued by the City Administrator after the following conditions are met:
  - (a) The applicant has submitted a complete application as defined by this chapter and the regulations and has paid the applicable fee.
  - (b) The applicant has a current valid Michigan chauffeur's license.
  - (c) The applicant is able to read, write and speak the English language.
  - (d) The applicant has no more than 6 current points for moving violations in accordance with the Michigan Vehicle Code, MCL 257.1 et seq.
  - (e) Within the past 2 years, the applicant has not been convicted of a violation or attempted violation of MCL 257.625 or MCL 257. 625m of the Michigan vVehicle cCode, MCL 257.1 et seq., or a violation or attempted violation of a local ordinance or law of another state substantially corresponding to MCL 257.625 or MCL 257.625m.
  - (f) Within the past 5 years, the applicant has not been convicted of a felony involving force or violence or of criminal sexual conduct, for which the maximum penalty is 2 years or more.
  - (g) The applicant does not have any outstanding warrants.
  - (h) The applicant does not have a physical or mental impairment which would make it unsafe to operate as a taxicabTaxicab driver.
  - (i) The applicant has not been convicted of violating any provision of this chapter within the last 2 years.
  - (j) The applicant has an acceptable driving record. An acceptable driving record is defined as:
    1. i. A driving record on which there are no more than 6 points displayed at any given point in time.
    2. ii. A driving record on which the average number of points displayed over the most recent 3-year period is no more than 7. For purposes of this requirement, the average is calculated as the total points reported on the official driving record during the last 3 years divided by 3. An applicant who cannot meet this requirement shall not be issued either a full or a temporary license until the 3-year average of points falls to 7 points or below.
- (3) Suspension or revocation of a taxicabTaxicab driver's license. A taxicabTaxicab driver's license may be suspended or revoked if any of the following occur:
  - (a) The driver is no longer able to comply with the requirements for the issuance of a taxicabTaxicab driver's license.
  - (b) The driver is found to have falsified any information in the application.
  - (c) The City Administrator reasonably believes that the driver poses a danger to himself, passengers, or others, or has acted in an unprofessional, harassing or threatening manner to passengers, or others.
  - (d) The driver violates any provision of this chapter.
- (4) A driver whose taxicabTaxicab driver's license or chauffeur's license is suspended or revoked shall notify the taxicabTaxicab company management of the suspension or revocation within 10 business days after the service of notice of suspension or revocation on the driver. For purposes of a taxicabTaxicab driver's license, the date of service is the date printed on the written notice of suspension or revocation from the cityCity. For purposes of a chauffeur's license, the date of service is the date on which the Secretary of State provided notice of the suspension or revocation in the manner provided for under the Michigan Vehicle Code.
- (5) A driver who has more than 6 points on his or her driving record and who is charged with another moving violation shall report the fact of the new charge to the City Administrator within 10 business days after the new charge was issued.
- (6) Expiration of taxicabTaxicab driver's license. All taxicabTaxicab driver licenses expire on the next May 31 immediately following the date the taxicabTaxicab driver's license was issued. Licenses issued in April or May will be valid for the following year.

**7:156. - License dDisplay.**

- (1) No Pperson shall operate or permit the operation of a taxicabTaxicab that does not have a current

vehicle license issued by the city **City** affixed to the vehicle and displayed at all times in compliance with this chapter and regulations.

- (2) No **P**erson shall operate or permit the operation of a taxicab**Taxicab** that does not have the driver's taxicab**Taxicab** driver's license conspicuously displayed inside the taxicab**Taxicab** at all times.

#### **7:157. - Maintenance of the vVehicle.**

No **P**erson shall permit the operation of a taxicab**Taxicab** or drive a taxicab**Taxicab** that is not maintained at all times in compliance with this chapter and the regulations.

#### **7:158. - Driver aAppearance.**

The driver of a taxicab**Taxicab** shall be clean in dress and person at all times while operating a taxicab**Taxicab**.

#### **7:159. - Taxicab rRates.**

- (1) The maximum lawful rates that a taxicab**Taxicab** owner or operator may charge for the transportation of passengers and carrying of baggage or parcels shall be determined by resolution of the City Council. It is at the sole discretion of **City** Council whether to set 1 basic maximum rate that applies at all times or to set different maximum rates that apply at different times during the day or in different geographic regions.
- (2) The rates for the transportation of passengers and carrying of baggage or parcels, which shall be no more than the maximum rates set by **City** Council resolution, shall be determined by the taxicab**Taxicab** owner or operator as indicated in his or her most recent application for a taxicab**Taxicab** vehicle license or subsequent application for rate change during the license year. Such rates take effect only after the Police Department has determined the accuracy of the taximeter and sealed the taximeter based on the rates indicated in the application or application for rate change.
- (3) A taxicab**Taxicab** owner or operator shall not charge more than the maximum rates as set by **City** Council resolution.

#### **7:159A. - Taxicab rRate iInformation.**

A **P**erson who owns or operates a taxicab**Taxicab** shall comply with all of the following:

- (1) The rates to be charged for passengers and baggage shall be clearly indicated on a rate card in letters and numbers not less than 1 inch in height, which shall be posted in the vehicle in plain view of passengers and in accordance with regulations established as provided for in this chapter.
- (2) All advertising shall indicate the rates to be charged for passengers and baggage.

#### **7:160. - Baggage and pParcels.**

This chapter does not regulate delivery of baggage and parcels not in connection with the transportation of passengers.

#### **7:161. - Hours of oOperation.**

It shall be a violation of this chapter for the owner of a taxicab**Taxicab** not to have a taxicab**Taxicab** in service or available for service on a 24-hour, 7-day a week basis unless the following conditions are met:

- (1) Three months before any change of hours, the owner files with the **City** Administrator a schedule showing the hours when a taxicab**Taxicab** will not be available for service.
- (2) All advertising, including Yellow Pages advertising, indicates the hours of operation.
- (3) Telephone calls to the telephone number(s) advertised are not answered by anyone.

#### **7:162. - Enhanced mMonitoring.**

In an appeal to the board**Transportation Commission** of the denial, suspension, or revocation of a taxicab**Taxicab** driver's license on grounds that the driver does not have an acceptable driving record as defined in this chapter, the board**Transportation Commission** may at its sole discretion grant a temporary license with enhanced monitoring for a term no more than 6 months within a 12-month period, however no temporary license with enhanced monitoring shall be granted if there are more than 9 points displayed on the driver's driving record. The board**Transportation Commission** may also, at its sole discretion, grant relief in the form of

enhanced monitoring in an appeal of a taxicabTaxicab driver's license denial, suspension, or revocation on grounds other than lack of an acceptable driving record. Enhanced monitoring may include, but is not limited to, periodical reporting of the driver's current driving record to the City Administrator.

**7:163. - Deception of pPassengers.**

No driver shall deceive or attempt to deceive any passenger as to that passenger's destination or rate of fare. No driver shall convey any passenger to a place other than directed by the passenger or employ any longer route to a destination than necessary unless agreed to by the passenger.

**7:164. - Smoking pProhibited.**

No taxicabTaxicab driver or any passenger shall smoke while inside the taxicabTaxicab.

**7:165. - Seating cCapacity.**

No driver shall permit a taxicabTaxicab to be occupied by more Ppersons over the age of 2 than the number specified as the seating capacity as reflected by the number of functioning seatbelts in the vehicle.

**7:166. - Taxicab sStands.**

Pursuant to the procedures of Chapter 126, taxicabTaxicab stands may be established by traffic control orders. The traffic control orders may specify restrictions on the number of taxicabTaxicabs which may use the stands at 1 time, the use of stands for parking other vehicles, and the hours of any restrictions. The restrictions shall be indicated by traffic control devices at the taxicabTaxicab stands. No Pperson shall violate the restrictions imposed on the use of taxicabTaxicab stands. Only licensed taxicabTaxicabs are permitted to park on the taxicabTaxicab stand.

**7:167. - Solicitation of pPassengers.**

- (1) No taxicabTaxicab driver shall solicit passengers at a location where a temporary or permanent taxicabTaxicab stand is designated.
- (2) No taxicabTaxicab driver shall solicit passengers at a location where the driver has reason to know the services of another taxicabTaxicab company or driver have been requested.
- (3) No taxicabTaxicab driver shall solicit passengers at a location marked as a temporary or permanent bus, train, or other mass transit stand.
- (4) No taxicabTaxicab driver shall solicit any passenger who is entering or is inside another taxicabTaxicab.
- (5) No Pperson shall operate a motor vehicle and solicit or accept passengers who have not previously arranged to be transported in the motor vehicle without first obtaining the driver's license and vehicle license provided for in this chapter.

**7:168. - Meter sSeal.**

No Pperson shall operate a taxicabTaxicab or permit the operation of a taxicabTaxicab with a meter that has a broken seal or no seal.

**7:169. - Defrauding a taxicabTaxicab dDriver.**

No Pperson shall request taxicabTaxicab services for the purpose of defrauding the owner or driver of the taxicabTaxicab or defraud the owner or driver after having been rendered taxicabTaxicab services. The conduct prohibited by this section includes, but is not limited to, the following:

- (1) Refusal to pay the lawful rate for the taxicabTaxicab services.;
- (2) Absconding without paying the lawful rate for the taxicabTaxicab services.;
- (3) Requesting taxicabTaxicab services for a Pperson or a location where such services are not desired.;
- (4) Refusal to pay for taxicabTaxicab services with other than a bill greater than \$20.00 over the fare.

**7:170. - Appeals.**

Any Pperson aggrieved by the decision of the City Administrator to deny, suspend, or revoke a taxicabTaxicab company, vehicle or taxicabTaxicab driver's license may appeal that decision to the Taxicab Board



**Transportation Commission.** The Taxicab Board **Transportation Commission** shall consider appeals according to due process procedures adopted by the board **Transportation Commission**. The Taxicab Board **Transportation Commission** may deviate from the strict requirements of this chapter if justice so requires. In making its decision, the Taxicab Board **Transportation Commission** may consider the following criteria:

- (1) The seriousness of an offense, if that is a basis for the denial, suspension, or revocation.
- (2) The length of time before points will be removed from the driver's driving record, if that is a basis for the denial, suspension or revocation.
- (3) Any matter the board **Transportation Commission** reasonably finds necessary to insure the health, safety, and welfare of passengers and the general public.

#### **7:171. - Regulations.**

The Taxicab Board **Transportation Commission** may adopt regulations to facilitate the administration of this chapter. The regulations shall take effect after the City Attorney approves their form and they are filed with the City Clerk.

#### **7:172. - Prohibited cConduct.**

In addition to other prohibited conduct specified in this chapter, no pPerson shall:

- (1) Operate or permit the operation of a taxicab **Taxicab** that is held out to the public as a limousine.
- (2) Operate or permit the operation of a vehicle as a taxicab **Taxicab** if a certificate of authority has been issued under the Limousine Transportation Act, MCL 257.1901 et seq. for the vehicle.
- (3) Operate or permit the operation of a taxicab **Taxicab** and charge a fare more than the amount calculated by the taximeter installed in the taxicab **Taxicab**.
- (4) Operate a vehicle held out to the public as a "taxicab," "cab," or "taxi" by way of advertising, "for hire" lights on the roof of the vehicle, or any other means, without obtaining appropriate licenses under this chapter.

#### **7:173. - Business Identification.**

A pPerson operating a taxicab **Taxicab** or allowing the operation of a taxicab **Taxicab** shall do all of the following:

- (1) Maintain the distinctive color or color scheme on the Pperson's or company's taxicab **Taxicab**, unique from other taxicab **Taxicabs** operating in the cCity, as indicated on the application for vehicle license.; and
- (2) Have information identifying the name of the taxicab **Taxicab** business painted or permanently attached on each side of the vehicle in letters of not less than 3 inches in height, not lower than the bottom edge of the door. This information shall be in sharp contrast to the background and use the word "taxicab," "cab" or "taxi" and not the word "limousine."
- (3) Each company must assign and display a unique 2 or more digit number to each vehicle on the rear and on both sides of the vehicle. The number should be permanently applied and be not less than 3 inches in height and not lower than the bottom edge of the door.

#### **7:174. - Full sService taxicabTaxicab cCompany.**

Any licensed taxicab **Taxicab** company in the City of Ann Arbor which licenses 10 or more taxicab **Taxicabs** for use in the city **City** shall be required to be a full service taxicab **Taxicab** company. A full service taxicab **Taxicab** company must provide, at a minimum, the following services:

- (1) Taxicab service to the general public 24 hour a day, 7 days a week (may not be excepted under the 3 provisions in section 7:161).
- (2) Identify and adopt a reasonable process for handling lost and found items, which includes a location within 5 miles of the city **City** limits where items can be claimed.
- (3) Establish a process for accepting and responding to customer complaints, which includes having a local manager available during normal office hours (9:00 a.m. to 5:00 p.m., Monday through Friday) who will investigate and respond to the complaining party with 5 days.

**Section 3.** This ordinance shall take effect ten days after publication or after appointment of a quorum of new **Transportation Commission** members, whichever occurs later.

**As Amended by Ann Arbor City Council at First Reading on November 10, 2016 and Second Reading on November 21, 2016**

**CERTIFICATION**

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of November 21, 2016.

Jacqueline Beaudry, City Clerk

Date

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk's Webpage on December 1, 2016.

Jacqueline Beaudry, City Clerk