

**AN ORDINANCE
OF THE
CITY OF MINNEAPOLIS**

By Council Member Niziolek

**Amending Title 13, Chapter 341.310 of the Minneapolis Code of Ordinances
relating to Licenses and Business Regulations: Taxicabs.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 341.310 of the above entitled ordinance be amended to read as follows:

341.310. Limited license. Taxicab licensees operating under a common color scheme may apply for additional licenses, to be known as limited licenses, for the period October first of each year to April first of the next year, for which applications shall be made on or before October first preceding the license period. The license fee shall be ~~one-half of the fee for a regular taxicab license as specified in Appendix J, License Fee Schedule.~~

Taxicab licensees in each company or association operating under a common color scheme may be granted limited licenses in an amount not exceeding one for every five (5) regular taxicab licenses held by that company or association. Fractions of less than one-half ($1/2$) shall be rounded down.

Limited licenses shall be held in the names of individual taxicab owners within each color scheme. Applicants for limited licenses shall file their applications and provide evidence of insurance by October 1, and pass vehicle inspection by October 31. Failure to meet these deadlines shall result in denial of the license application without refund of fees paid. The service company shall then designate another applicant for the limited license. If that applicant does not meet all requirements by November 30, the license shall be awarded by lottery to a different service company.

Failure of a limited licensee to operate the vehicle on the street, or failure to maintain insurance, shall be grounds for cancellation of the limited license.

Limited licenses shall not be transferable from person to person without the approval of the city council.

Section 2. That Section 341.410 of the above entitled ordinance be amended to read as follows:

341.410. License fee. (a) Each applicant for a taxi driver's license shall, at the time of filing his or her application, pay a nonrefundable license fee ~~of eighty-three dollars (\$83.00) as specified in Appendix J, License Fee Schedule.~~

(b) For applicants who must complete the taxicab driver training course as a prerequisite to obtaining a license, the license fee and the course tuition fee may be combined and paid in two (2) installments, payable as follows: ~~Sixty dollars (\$60.00) upon filing the application, and the remaining fifty-eight dollars (\$58.00) upon completion of the taxicab driver training course, prior to final approval of the license application specified in Appendix J, License Fee Schedule.~~

Section 3. That Section 341.430 of the above entitled ordinance be amended to read as follows:

341.430. Renewals. ~~(a)~~ Drivers' licenses shall be issued as of July first of each year and shall expire June thirtieth the next succeeding year. The director may cause the renewal of a driver's license from year to year by appropriate endorsement upon the application for renewal and payment of an annual fee of ~~fifty-five dollars (\$55.00)~~ as specified in Appendix J, License Fee Schedule. The driver in applying for a renewal of a license shall make such application upon a form to be furnished by the department that shall be filled out with the full name and address of the applicant, together with the date and number of the original license. If a driver has not been licensed in the previous license year, he or she shall be considered a new applicant.

~~(b) Licenses issued for the 1999 license year to expire on June 1, 2000 shall be extended for thirty (30) days to expire on June 30, 2000.~~

Section 4. That Section 341.580 of the above entitled ordinance be amended to read as follows:

341.580. Requirements for license. Each applicant for a taxicab license must comply with the following to the satisfaction of the department:

- (a) Be a citizen of the State of Minnesota.
- (b) Be of the age of eighteen (18) years or over in the case of an individual person or copartners or, in the case of a corporation, must be authorized to operate taxicabs and carry on business in accordance with the laws of the State of Minnesota.
- (c) Must be a United States citizen, or an alien admitted for permanent residence, or who has otherwise obtained work authorization from the United States Immigration and Naturalization Service.
- (d) Must fill out upon a blank form to be provided by the department giving such information as required by the director regarding the applicant and the vehicle to verify that the terms and conditions of this chapter have been met.
- (e) Said application shall also include an accurate and detailed description of the color scheme of the taxicabs, including inscriptions or monograms thereon, proposed to be operated by the applicant, which shall be distinctly different from that of the taxicabs of any other licensed taxicab owner or operator, and from that of the taxicabs of the same owner or operator licensed in another jurisdiction, so that the ownership and identity may be readily ascertained by the police department and patrons of any taxicab, except that one or more of the applicants who are members of the same taxicab organization or who subscribe for services to the same service company and who are authorized to use the color scheme of taxicabs, including the inscription or monograms thereon, of such organization or service company, may be licensed to do so when proper evidence of their right from such organization or service company to use such color scheme and inscriptions or monograms shall be filed with their application. The owner of any color right shall appoint the service company to be responsible for compliance and administration of the chapter with respect to licensees using the color scheme and shall notify the department of that appointment. No owner of any

taxicab or the operator or driver thereof, licensed under the terms of this article, shall make any change whatever in the color scheme of the taxicabs or the inscriptions or monograms thereon without first obtaining the approval of the city council.

- (f) The applicant applying for a taxicab license shall, before being issued a license, pay into the city treasury an annual license fee ~~of four hundred forty dollars (\$440.00)~~ as specified in Appendix J, License Fee Schedule, for each and every vehicle to be licensed; except that when application shall be made after the commencement of any license year, licenses shall be issued for the period from the day of application thereof to the beginning of the next license year, upon payment by the applicant of a proportionate amount of the annual license fee.
- (g) The applicant(s) shall be the true beneficial owner(s) of the taxicab business to be licensed. The full legal names and addresses of all persons holding a beneficial interest in the business shall be provided on the application.
- (h) The applicant shall hold legal title to the vehicle. In the case of a partnership, the title shall be in the name of the partnership or one of the partners. In the case of a corporation, the title shall be in the name of the corporation. Exceptions to this provision may be granted for a vehicle held under a long-term lease from a reputable dealership or leasing company, in which case the applicant shall appear in the Minnesota vehicle registration as lessee. Exceptions may also be granted for vehicles in which title is held for financing purposes by a financial institution.
- (i) The applicant(s) shall have no felony convictions in the last five (5) years, nor any nontraffic gross misdemeanor or misdemeanor convictions in the last three (3) years involving the use of force, possession or sale of a controlled substance, prostitution, or indecent conduct. The city council may grant an exception to this provision upon evidence that the offense is not related to the taxicab business.
- (j) No license shall be issued to an applicant in the case of a limited partnership, master limited partnership, or limited liability company. (83-Or-081, § 2, 4-8-83; 86-Or-041, § 1, 3-14-86; 88-Or-004, § 20, 1-15-88; 88-Or-064, § 3, 4-15-88; 90-Or-014, § 1, 1-26-90; 95-Or-128, § 7, 8-25-95; 2000-Or-010, § 9, 3-3-00)

Section 5. That Section 341.625 of the above entitled ordinance be amended to read as follows:

341.625. Special inspection fee. A taxi vehicle licensee may arrange for a special inspection of his or her vehicle outside the regularly scheduled inspection days and times of the department upon application and payment of a fee ~~of thirty-five dollars (\$35.00)~~ as specified in Appendix J, License Fee Schedule, for each vehicle to be inspected. Special inspections shall be scheduled during the normal working hours of the department and all requests for special inspections must be filed by 9:00 a.m. on the day the inspection is to be conducted.

Section 6. That Section 341.645 of the above entitled ordinance be amended to read as follows:

341.645. Replacement car authorized. In the event that a regular, licensed taxicab shall

become disabled because of accident or mechanical breakdown, a licensee may substitute another vehicle for a period not to exceed twenty (20) days, subject to the following conditions:

- (a) The substitute vehicle shall be covered by insurance as required by section 341.500;
- (b) The substitute vehicle must be inspected and conform with the vehicle condition requirements of this chapter and all other requirements pertaining to equipment;
- (c) The substitute vehicle must be painted with the color scheme and license number of the vehicle it is replacing;
- (d) The licensee shall pay a fee of ~~thirty-five dollars (\$35.00)~~ as specified in Appendix J, License Fee Schedule, and shall receive a license certificate which shall be kept in the replacement vehicle at all times that the vehicle is in service.

Section 7. That Section 341.650 of the above entitled ordinance be amended to read as follows:

341.650. Transfer of license--Vehicle to vehicle. Taxicab licenses issued under the provisions of this article may be transferred from cab to cab upon payment of a fee of ~~fifty-five dollars (\$55.00)~~ as specified in Appendix J, License Fee Schedule, and the filing of a written application. Wheelchair accessible taxicab licenses may only be transferred to another wheelchair accessible taxicab. The applicant for such transfer shall make application, setting forth the information required by section 341.590, and shall present therewith a policy of insurance or bond approved in the manner and required by section 341.500. In the event such application is accompanied by a transfer of such policy of insurance or bond covering the first vehicle, such transfer shall contain a clause providing that the same shall not release the principal or surety from any liability resulting from the operation of the vehicle formerly covered under such policy, up to and including the date of such transfer. Upon the fulfillment of all of the provisions of this chapter concerning vehicle condition, insurance, title registration, and vehicle marking, and upon passing vehicle inspection, the department shall issue the necessary license and card to be displayed in said taxicab. (83-Or-081, § 2, 4-8-83; 86-Or-041, § 1, 3-14-86; 88-Or-004, § 31, 1-15-88; 88-Or-064, § 6, 4-15-88; 90-Or-014, § 1, 1-26-90; 2000-Or-010, § 16, 3-3-00; 2001-Or-146, § 4, 12-14-01)

Section 8. That Section 341.655 of the above entitled ordinance be amended to read as follows:

341.655. Transfer of license--Person to person. (a) Taxicab licenses issued prior to October 1, 1995, under the provisions of this article may be transferred from person to person upon payment of a fee of ~~one hundred ten dollars (\$110.00)~~ as specified in Appendix J, License Fee Schedule, and completion of an application provided by the department, and approval by the city council. In addition to the information and requirements prescribed by sections 341.500 and 341.580, each application for a transfer shall contain a sworn statement from the present licensee by which he or she consents to the proposed transfer. If the licensee is a partnership, all partners shall complete such statement and if a corporation, the statement shall be completed by an elected officer of the corporation. Such application shall be accompanied by true copies of any proposed or actual purchase agreement, bill of sale, promissory note, mortgage or other evidence of indebtedness which such applicant may incur or may have incurred as a result of the transfer. Such application shall also include a fiscal breakdown as to

the cost of the vehicle(s), equipment, corporate stock, goodwill, contract rights and other intangibles included within the transfer. Among other things, the committee in its deliberations in the granting of such application, shall consider the reasonableness of the price the applicant shall have agreed to pay for a specified article or intangible. No value shall be attributed to the taxicab license to be transferred that is in excess of the proportion of the annual license fee remaining for the license year.

- (b) Whenever taxicab licenses issued on or after October 1, 1995 are held by a corporation and the record of equitable ownership of stock of any such corporation is transferred, sold, pledged or otherwise assigned to new or different stockholders or whenever new or different directors, officers or managers are elected or appointed by any corporation holding a license as herein defined, such changes shall require the filing of an application for license in the manner provided by this chapter except that this provision shall not apply where the corporation's stock is publicly traded on a stock exchange.
- (c) Failure to report any change in stockholders, officers or managers shall be grounds for the revocation of all licenses held by the corporation. Every corporation licensed under the provisions of this section shall adopt and maintain in its bylaws a provision that no transfer of stock is valid or effective unless approved by the city council and shall require that all of its certificates of stock shall have printed on the face thereof: "the transfer of this stock certificate is invalid unless approved by the city council of Minneapolis, Minnesota," and failure to comply with this provision shall be grounds for the revocation of all licenses held by the corporation. The provisions of this section shall not apply to the issuance of any license to a corporation whose stock is traded on a public stock exchange.
- (d) Licenses issued after October 1, 1995, may not be transferred. Such licenses remain the property of the City of Minneapolis, and must be surrendered to the director, upon cessation of operation in compliance with provisions of this ordinance.