

ORDINANCE 2005-Or-____
By

Amending Title 13, Chapter 341 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 341.10 of the above-entitled ordinance be amended to read as follows:

341.10. Definitions. Whenever used in this chapter the following words shall mean:

Director: The director of the department of licenses and consumer services and his or her designee.

Section 2. 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 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~~ director of licenses and consumer services.

Section 3. That Section 341.360 (g) of the above-entitled ordinance be amended to read as follows:

341.360. Prerequisites to license. Every taxicab driver shall meet and maintain the following requirements in order to hold a taxicab driver's license:

- (g) Shall have no felony convictions in the last five (5) years; shall have no nontraffic gross misdemeanor or misdemeanor convictions in the last three (3) years involving the use or threat of use of force, possession or sale of a controlled substance, prostitution, or indecent conduct. The city council issuing authority for the license may grant an exception to the above provisions upon evidence that the offense is not related to the occupation of taxicab driver.

Section 4. That Section 341.380 (c) of the above-entitled ordinance be amended to read as follows:

341.380. Taxicab driver training course.

- (c) Successful completion of the taxicab driver training course shall be a prerequisite for obtaining a license for all taxicab drivers not licensed on the effective date of this ordinance, all taxicab drivers whose licenses have lapsed for more than one year, and may ~~in the discretion of the city council~~ be imposed as a requirement in any disciplinary action against a licensed driver, as a condition for renewal of a taxicab driver's license in the event of customer complaints, violations of taxicab regulations, or moving violations, and as a condition for reinstatement of any revoked or suspended taxicab driver's license.

Section 5. That Section 341.510 (a) of the above-entitled ordinance be amended to read as follows:

341.510. Requirements for insurance. (a) Such insurance policy or policies shall be in an insurance company duly licensed to do business in the State of Minnesota, shall be approved by the ~~city council~~ director of licenses and consumer services, and shall insure such person, his or her lessees or licensees, against loss in the sum of at least one hundred thousand dollars (\$100,000.00) because of bodily injury to or death of one person in any one accident, and subject to said limit for one person, to a limit of not less than three hundred thousand dollars (\$300,000.00) because of bodily injury to or death of two (2) or more persons in any one accident resulting from the negligent operation, use or defective condition of a taxicab.

Section 6. That Section 341.530 of the above-entitled ordinance be amended to read as follows:

341.530. Replacement of insufficient insurance policy. If at any time in the judgment of the department, any such policy is not sufficient in form for any reason, the department shall require the owner, lessee, licensee or operator of such vehicle to replace such policy with another approved by the ~~city council~~ director of licenses and consumer services, and if for any reason any such policy shall become inoperative, no person shall operate any such taxicab until a policy approved by the ~~city council~~ director shall have been obtained and deposited with the department as herein provided.

Section 7. 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~~ director of licenses and consumer services.
- (f) The applicant applying for a taxicab license shall, before being issued a license, pay into the city treasury an annual license fee 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~~ director 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.

Section 8. That Section 341.600 of the above-entitled ordinance be amended to read as follows:

341.600. Issuance and form of license. ~~When the city council has approved~~ an application for a taxicab license has been approved, the director of licenses and consumer services, upon satisfactory fulfillment of the foregoing requirements, shall issue a taxicab license which shall be in such form as to contain:

- (a) Class and passenger-carrying capacity of the taxicab licensed.
- (b) The make of the car and, if available, the engine number and/or serial number, and the state license number.
- (c) Each successful applicant shall be issued a decal that shall be permanently attached to the rear of the taxicab vehicle. The placement of such decal shall be to the immediate right or left of the rear license number required by section 341.640 of this article. The cost for replacement of a lost, damaged or destroyed decal shall be thirty-five dollars (\$35.00).

Section 9. 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 as specified in Appendix J, License Fee Schedule, and completion of an application provided by the department, and approval by the ~~city council~~ director of licenses and consumer services. 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.

Section 10. That Section 341.660 (c) of the above-entitled ordinance be amended to read as follows:

341.660. Unauthorized acts.

- (c) No person shall change the color scheme, inscription or monogram of any licensed taxicab without approval of the ~~city council~~ director of licenses and consumer services.