

**CHAPTER 12**  
**CITY OF PRESQUE**  
**ISLE**

*Taxicab Ordinance*



Approved by the City Council: May 20, 1991

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Amended Section 12: Rates and Section 22: Fee Schedule by City Council: February 2 2022

Attest: Kimberly A. Finnemore Finnemore, City Clerk

## CHAPTER 12 TAXICABS

### Section 1 Definitions

The following words and phrases when used in this chapter shall have the following meanings:

- A. Driver's License: means the permission granted by the Council to drive a taxicab upon the streets and roadways of the City, provided the person possesses a valid Maine Driver's License.
- B. Licensed Inspector: means and includes any person designated by the Clerk to perform inspections of taxicabs.
- C. License to operate: means the license issued by the Council authorizing a person to operate a taxicab business in the City.
- D. Limousine: means and includes any motor vehicle except a taxicab, used for the transportation of passengers for hire for special events and by appointment.
- E. Person: Includes an individual, corporation, partnership or other business association.
- F. Rate Card: means a card issued by the City Clerk for display in each taxicab which boldly shows the rates then in force.
- G. Revocation: means a suspension of the right to conduct business or drive a taxicab for a period that exceeds one year.
- H. Suspension: means taking away the right to conduct business or drive a taxicab that does not exceed one year.
- I. Taxicab: means a motor vehicle regularly engaged in the business of carrying passengers for hire, having a seating capacity of not less than four (4) persons and not operated on a fixed route.
- J. Taxicab Operator: means a person engaged in the business of employing drivers and taxicabs for transporting passengers for hire.
- K. Waiting Time: means the time when a taxicab is not in motion from the time of acceptance of a passenger to the time of discharge, but does not include any time that the taxicab is not in motion if due to any cause other than the request, act, or fault of the passenger.

### Section 2 Police Department to Report Violations to Council

The Police Department is hereby given the authority and is instructed to watch and observe the conduct of operators and drivers operating under this chapter.

Upon discovering a violation of the provisions of this chapter, the Police Department shall report the same to the Council which will order or take appropriate action.

### **Section 3 Operator's License Required**

No person shall operate or permit a taxicab owned or controlled by him to be operated as a vehicle for hire upon the streets of the City without having first obtained a license from the Council.

### **Section 4 Application for License to be Filed; Information Desired**

An application for a taxicab operator license required by Section 3 shall be filed with the City Clerk upon forms provided by the City and such application shall be verified under oath and shall furnish the following information:

- A. The name and address of the applicant
- B. Evidence of ability to secure bond or insurance
- C. The experience of the applicant in the transportation of passengers
- D. The number of vehicles to be operated or controlled by the applicant
- E. Such further information as the Council may require

### **Section 5 Issuance of License**

If the Council finds that an applicant is fit, willing and able to perform such public transportation, and to conform to the provisions of this chapter and the rules promulgated by the Council, then the City Clerk shall issue an operator's license stating the name and address of the applicant, the number of vehicles authorized under the license and the date of issuance, otherwise the application shall be denied.

All licenses covered by this chapter shall expire on the first (1<sup>st</sup>) day of May of each year, except if the first (1<sup>st</sup>) shall fall on a weekend or a holiday the license will expire on the next regular business day.

### **Section 6 Indemnity Insurance Required**

No operator's license required by Section 3 shall be issued or continued in operation unless there is in full force and effect vehicle insurance in such form and amount of coverage per applicable State law and/or regulation.

Said insurance, shall inure to the benefit of any person who shall be injured or who shall sustain damage to property, proximately caused by the negligence of a taxi operator. A copy of said insurance shall be filed with the City Clerk, with the City as a named insured.

### **Section 7 Fees Prerequisite to Issuance to License**

No operator's license provided under this chapter shall be issued or continued in operation unless the holder thereof has paid an annual license fee for the right to engage in the taxicab business and the required fee for each vehicle under a license.

Said license fees shall be valid for one year and shall be in addition to any other license fees or charges established by proper authority and applicable to said taxicab operator or the vehicle or vehicles under his operation and control.

### **Section 8 Transfer of Operator's License**

No operator's license may be sold, assigned, mortgaged, or otherwise transferred.

### **Section 9 Suspension, Revocation of License; Hearing**

An operator's license issued under the provisions of this chapter may be revoked or suspended by the Council if the holder thereof has:

- A. Violated any of the provisions of this chapter;
- B. Discontinued operations for more than sixty (60) days without due cause;
- C. Has violated any Ordinance of the City or the laws of the United States or of the State of Maine, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation.

Prior to suspension or revocation, the holder shall be given ten (10) days notice of the proposed action to be taken and shall have an opportunity to be heard.

### **Section 10 Duty to Provide Service; Penalty**

Holders of an operator's license issued in accordance with this chapter shall maintain a central place of business for the purpose of receiving calls and dispatching cabs.

Holders of an operator's license shall answer all calls received by them for services inside the corporate limits of the City as soon as they can do so and if services cannot be rendered within reasonable time they shall then notify the prospective passengers how long it will be before the call can be answered and give the reason therefor.

Any holder of an operator's license who shall refuse to accept a call during business hours anywhere in the corporate limits of the City at any time when such holder has available taxicabs, or who shall fail or refuse to give service during business hours shall be deemed a violator of this section and the license granted to such holder may be revoked at the discretion of the Council.

### **Section 11 Taxicabs to be Marked**

Taxicabs will be clearly marked as such. Taxicab operators may employ a specific color scheme, identifying design, monogram or insignia.

Each licensed taxicab shall have on the top and/or each side in letters readable from a distance of twenty (20) feet the name of the licensee or the dispatch controller for the purpose of receiving calls, as well as a designated number assigned by the City Clerk to be no smaller than three (3) inches to be placed on each side of each licensed vehicle, or on each side of the taxi sign on top of the vehicle.

### **Section 12 Rates**

No taxicab operator or taxicab driver shall charge a sum for the use of a taxicab higher than that in accordance with the following rates:

- A. Fees listed in the Rate Schedule in Section 23
- B. Children under ten (10) years of age accompanied by adults will be carried without charge.
- C. Taxicabs may be employed as sightseeing cabs at the rate of \$20.00 per hour for the first hour and, for each quarter hour thereafter or fraction thereof, \$5.00, provided, however, that no taxicab shall be engaged as a sightseeing cab for a shorter period than one hour.
- D. No charge shall be made for the transportation of the first two bags or parcels per passenger. A charge of \$ .75 may be charged for more than two bags or parcels.
- E. Passengers are under no obligation to pay the fare for any trip originating in the City and going outside the City or originating outside the City and coming inside the City unless the passenger and the driver have agreed upon an amount of the fare prior to the commencement of the trip.
- F. A rate card shall be issued by the City Clerk together with each taxicab license. The rate card shall be clearly visible to the passenger at all times when the taxicab is in service. The rate card shall also contain the following statement: "If you have a complaint about the service you have received or the fare you have been charged, please call the Clerk of the City of Presque Isle at 760-2720."

### **Section 13 Equipment**

- A. Taxicabs shall be at all times clean and in good repair inside and out and shall be maintained at all times in compliance with the laws of the state relating to passenger vehicle and the rules and regulations of the State Commissioner of Transportation enacted pursuant thereto.  
Taxicabs shall be inspected and must pass inspection by a State of Maine Certified Inspection Station three (3) times per year, during the months of January, May and September.
- B. Every taxicab shall be equipped with an exterior light affixed to the roof thereof which shall be covered with a translucent fixture marked with the work "Taxi" in legible lettering and which shall be operated during the period between sunset and sunrise, as long as the taxicab is in service.
- C. Every taxicab shall be conspicuously marked in letters not less than one and one-half

(1 ½ ) inches in height with the word “Taxi” and the owner’s name or trade name, or, in lieu of such name or trade name, with a design or monogram containing the owner’s name or trade name. Such design or monogram shall be not less than eight (8) inches in diameter.

#### **Section 14 Display of License**

A taxicab driver shall display his or her taxicab driver’s license in a place within the cab which is clearly visible to passengers at all times when the cab is in service.

#### **Section 15 Ordering of Taxicab from Service**

The license inspector may require any licensee to present a taxicab for inspection whenever the inspector deems such inspection necessary and may in writing order a taxicab business licensee to remove from service any taxicab which is in violation of this chapter; provided that a reinspection shall be scheduled as soon as possible but in no case more than three (3) days thereafter. There shall be a charge of \$5.00 for the first reinspection, and a charge of \$25.00 for each reinspection thereafter, of any taxicab ordered removed from service for any violation which is deemed by the license inspector to represent a serious threat to the health or safety of passengers. Any licensee aggrieved by such an order may appeal at any time to the Clerk who shall as soon as possible, and in no case more than three (3) days thereafter determine whether such taxicab is in violation of this chapter and shall either affirm the order of the license inspector or give the licensee written permission to return the taxicab to service. Notwithstanding any other provision of this section or chapter, the license of any licensee charged with operating a taxicab which the license inspector has ordered out of service shall be suspended in accordance with Section 9, and shall either be suspended or revoked upon a finding, after notice and hearing, that the violation has in fact been committed.

#### **Section 16 Required**

No person shall operate a taxicab within the City unless such taxicab and the driver thereof are currently licensed. All licenses issued pursuant to this chapter shall be granted, denied, suspended or revoked by the Clerk, in accordance with the other provisions of this chapter. A taxicab business license shall apply to one vehicle only.

#### **Section 17 Application**

- A. Applications under this chapter shall be filed as follows:
  1. Taxicab operator’s licenses:
    - a. Name(s) of the stockholders of the corporation will be submitted along with the application. In all other cases by all persons having actual ownership interests in the applicant. If the applicant is a corporation, the application shall state the name and the date and place of birth of each of the principal officers of the applicant and of every person having

management authority in the business of the applicant. In all other cases, the application shall state the name and address and the date and place of birth of every person having an actual ownership interest or having management authority in the business of the applicant.

- b. A record of any disqualifying criminal conviction or a statement that no such conviction exists shall be provided.
  - c. A detailed description of the graphic design, insignia, wording and coloring which will appear upon the vehicle, if licensed, shall be included.
  - d. The application shall contain an appropriate form of statement over the signature of each person signing the application, giving all persons and governmental agencies having information relevant to the above items permission to release the same to the Clerk.
2. Taxicab drivers license. The taxicab driver's license application shall:
- a. State the age of the applicant; all applicants must be at least 18 years of age.
  - b. Provide proof the applicant has a valid, active, Maine driver's license.
  - c. Contain a complete statement of the applicant's health and physical condition
  - d. Contain a complete record of the applicant with respect to any disqualifying criminal conviction or a statement that no such conviction exists
  - e. Contain a record of convictions for reckless driving, driving to endanger, operating or attempting to operate under the influence during the year preceding the application; and
  - f. State whether any driver's license held by the applicant is presently revoked or has been revoked during the three (3) years preceding the application and the reasons for such revocation or revocations.
- B. The application shall contain an appropriate form of statement over the signature of the applicant giving all persons and governmental agencies having information relevant to the above items permission to release the same to the Clerk and shall be accompanied by two (2) photographs of the applicant of such size as the Clerk may specify.

### **Section 18 Standards for Denial**

In addition to those standards set forth in this chapter, a license under this section shall be denied to the following persons:

- A. Taxicab operator's licenses:
  1. To a corporation which is not licensed to do business in the state;
  2. To an applicant other than the registered owner of the vehicle;
  3. To a corporation if any principal officer or stockholder thereof or any

- person having actual ownership interest therein has a disqualifying criminal conviction;
4. To an applicant, other than a corporation, if such applicant or any person having an actual ownership interest or management authority therein has a disqualifying criminal conviction; and
  5. To any applicant whose taxicab business license has been revoked within the three (3) years preceding the application.

### **Section 19 Transfer**

Notwithstanding any other provision of this chapter, and in lieu of any other fee, a taxicab license may be transferred to another vehicle. All additional fee of \$5.00 will be charged for the transfer at the time the transfer is requested.

### **Section 20 Automatic Revocation or Suspension**

No taxicab driver's license shall be effective for the purposes of this chapter during any period in which the state driver's license of the licensee is suspended or revoked.

### **Section 21 Grounds for Suspension or Revocation**

- A. Either License. In addition to the grounds for suspension or revocation of licenses set forth in other sections of this chapter, either a taxicab operator's license or a taxicab driver's license may be suspended or revoked upon a determination that the licensee:
  1. Knowingly took a longer route to his or her destination than was necessary unless so requested by the passenger;
  2. Knowingly conveyed any passenger to a place other than that which the passenger specified;
  3. Transported any person other than the passenger first engaging the taxicab without the express consent of such passenger;
  4. Drove a taxicab when not clean and neat in appearance;
  5. Failed to remain in the driver's compartment of the taxicab at all times that the taxicab was in service or was waiting to be hired; other than to assist a passenger or his or her bags into or out of the taxicab; or permitted any person other than the driver, and a passenger or passengers to remain in the taxicab at any such time; except a trainee, if a licensed taxicab driver;
  6. Refused to transport any orderly person upon request unless, in the case of a single taxicab business the taxicab is engaged, or in the case of a taxicab business operating more than one taxicab, all taxicabs operated by such business and then in service are engaged (if no taxicab is available at the time when a



request for taxicab service is telephoned to a dispatch service, the dispatch service shall arrange with the caller for transportation by the next available taxicab using such dispatch service unless the caller expressly declines to make such arrangement);

7. Charged more than the maximum fare specified on the rate card displayed in the taxicab;
  8. Failed to notify the Clerk of any change of any material fact set forth in the application for such license; or
  9. Removed from a taxicab or obscured or caused to be removed from a taxicab or obscured the notice required by Section 12.
- B. Taxicab drivers licenses only. In addition to the provisions of Subsection (A), a taxicab driver’s license may be suspended or revoked upon the determinations that the driver:
1. Engaged in any loud argument, fight or other disturbance; harassed, threatened or assaulted another person; intentionally damaged, destroyed or threatened to damage or destroy any property; or in any other manner engaged in conduct detrimental to the orderly and efficient transportation of passengers.  
Maximum suspensions of taxicab driver’s licenses, under this section shall be as follows:  
5 days for the first violation; 14 days for the second violation within a one-year period. Third violations shall result in revocation of the taxi driver’s license and may be the basis for further action with respect to the taxicab operator’s license.
- C. Taxicab operator’s licenses. In addition to the provisions of Subsection (A), taxicab operator’s licenses shall be subject to suspension or revocation where it is determined that there have been repeated violations by the driver or drivers which resulted in four (4) or more suspensions for similar conduct by the same driver, or eight (8) or more suspensions by employees of the same person holding more than one taxicab operator’s license for similar conduct establishing a pattern of conduct by the holder of the taxicab operator’s licenses.

**Section 22 Fee Schedule**

The following list of fees are set in compliance with this chapter:

Type	Fee
1. Taxicab Operator’s License	\$100.00
2. Taxicab Driver’s License	\$ 25.00
3. Transfer Request	\$ 5.00
4. Inspection Required by Section 15	\$ 5.00 and \$25.00

**Section 23 Rate Schedule**

The following list of rates are set in compliance with this chapter:

1. \$10.00 may be charged for any trip within the compact urban line, except the Airport, an additional fee of \$1.75 per mile may be charged for trips outside the compact urban line.
2. \$2.00 may be charged for each additional passenger picked up and dropped off at some locations. If passengers require different locations it constitutes a separate fare.
3. \$25.00 may be charged for any trip to or from the Airport, inside the compact urban line or from any hotel or motel in the City.
4. Trunks may be charged for at a rate of \$2.00.
5. Waiting time may be charged at \$ 1.00 per minute after 3 minutes or \$20.00 per hour.
6. Charge for errands may be \$1.00 over the cost of the fare.
7. Charge for the delivery of groceries, parcels, etc. may be \$10.00 for in town, \$1.75 beyond urban line.
8. When used for sightseeing the fare may be \$20.00 per hour, and \$5.00 of every quarter hour thereafter.
9. No fare may be collected for any child under the age of 10 years old, when accompanied by an adult.
10. \$2.00 may be charged for the transportation of pets in a carrier, \$20.00 if not in a carrier.

#### **Section 24 Penalties**

Notwithstanding any other provision of this chapter, if found to have violated any provision of this chapter, taxicab operators may be fined up to \$500.00 and taxicab drivers may be fined up to \$50.00 for any violations of this chapter or may also be charged criminally or civilly for any violations of this chapter that also constitute a violation of State law, but not both.

#### **Section 25 Sunset Provisions**

This Ordinance shall be in force for the term of four (4) years from its effective date. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date, unless recommended and required by the City Council to remain effective prior to such expiration date.