

# Chapter 6

## Taxicabs

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### **Sec. 7-6-1 Regulation of Taxicabs.**

- (a) No person, firm or corporation shall operate a public vehicle, taxicab or automobile for the conveyance of passengers, with or without baggage, for hire or reward, without having first obtained a license therefor from the Common Council. Such license shall entitle such person, firm or corporation to operate such public vehicle, taxicab or automobile for hire or reward until the first day of July of the year subsequent to the issuance thereof. This Section shall apply to all vehicles conveying persons or baggage for hire or offering taxicab or cab or similar transportation service to the public, except such vehicles as operate over a regular route or between fixed termini, excepting, also, such vehicles as are rented to be driven by the renter or his agent, commonly known as rent-a-cars, and except vehicles operated solely as funeral cars.
- (b)
  - (1) Application for the licensing of a taxicab business shall be addressed to the Common Council and shall be filed with the City Clerk, together with a tendered license fee prorated on the basis of the annual license fee set forth in Subsection (d), should each remaining portion of the calendar license year be less than eleven (11) months. The application shall contain the name and address of the applicant, the rates to be charged, the number of vehicles to be licensed, number of adult persons the vehicle is designed to carry, name of insurance carrier, name of the insured and the number, amount and duration of the policy.
  - (2) Upon the filing with the City Clerk of such application, together with a receipt of the City Clerk showing payment of the license fee required, the Common Council shall

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either grant or deny such license, whichever shall, in its judgment, appear in the interests of the public, specifying the terms and conditions, if any, under which said person, firm or corporation shall operate a public vehicle, taxicab or automobile for hire, including the rates to be charged therefor and any other limitations or conditions that may be deemed advisable in the judgment of the Council. After the granting of such license by the Council, the City Clerk shall issue to the applicant a license for the operation of such vehicle or vehicles.

- (c) No license for taxicab business based on new application therefor shall be issued except upon a showing that the available transportation facilities are not adequate to meet the public need and that the applicant is proper and able to furnish it.
- (d) The taxicab business license fee shall be as set forth on the City of Onalaska Fee Schedule and shall be paid annually. The taxicab business license shall be reviewed annually.
- (e) The license year for taxicab business licenses shall be from July 1st through June 30th. As a condition to the continued holding and renewal of license for a taxicab business, the proprietor, owner or his agent shall pay to the City the license fees computed as set forth in Subsection (d) above each year on or before the 15th day of May.

Code in effect 2/12/19

### **Sec. 7-6-2 Insurance Required.**

- (a) It shall be unlawful to operate a vehicle for the conveyance of passengers for hire or permit the same to be operated, nor shall any license be issued hereunder until and unless the applicant for a license deposit with the City Clerk a certificate of liability insurance for the vehicles for which licenses are sought, said certificate of liability insurance to be acceptable and approved by the City Clerk and issued by a company authorized to do business in the State of Wisconsin, indemnifying the applicant in the amount of One Hundred Thousand Dollars (\$100,000.00) for damage to property, and One Hundred Thousand Dollars (\$100,000.00) for injury to one (1) person and Three Hundred Thousand Dollars (\$300,000.00) for injury to more than one (1) person caused by the operation of said vehicles in the City.
- (b) Each taxicab insurance policy shall contain a provision that the same may not be cancelled before the expiration of its term except upon thirty (30) days' written notice to the City. Every day upon which any vehicle is operated for the conveyance of passengers for hire or when taxicab or cab or similar transportation is offered to the public without an insurance policy as required herein being in effect and on file with the City Clerk shall be deemed a separate violation. The cancellation or other termination of any insurance policy issued in compliance with this Section shall automatically revoke and terminate all licenses issued for the taxicab covered by such insurance policy, unless another policy shall be provided and in effect at the time of such cancellation or termination.
- (c) The insurance policy or certificate shall further provide that it cannot be cancelled until fifteen (15) days' notice of such cancellation shall have been given by registered mail to the City Clerk. The cancellation or other termination of any such insurance policy or certificate shall automatically revoke and terminate all licenses issued for the taxicabs

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covered by such time of such policy cancellation or termination.

- (d) The owner of any taxicab, at the time of filing with the City Clerk said insurance policy or certificate, shall also file a receipted bill from the insurance company issuing said policy or certificate showing that the premium for said policy or certificate for one (1) year has been paid in full.

Code in effect 2/12/19

### **Sec. 7-6-3 Inspection Required.**

- (a) No vehicle shall be licensed until it has been annually examined by a reputable automobile repair facility and found to be in a thoroughly satisfactory and safe condition for the transportation of passengers, clean, of good appearance and well painted. The Chief of Police shall determine whether said vehicle complies with all the other provisions of this Chapter. If such examination and inspection shows that vehicle does not comply with any of the provisions of this Section, no license shall be issued. At the request of the Chief of Police, the taxicab owners shall take their vehicles to a reputable garage for an independent inspection at owner's expense.
- (b) No taxicab shall be licensed until the Police Department has approved that:
  - (1) The horn, footbrake, windshield, rear vision mirror, fenders, exhaust system, windshield wipers, emergency brake, directional signals, speedometer, license lamps, tires, headlamps, stop lamps and tail lamps are in legal working order as required by the Wisconsin Motor Vehicle Code;
  - (2) The taxicab is in generally safe, sanitary and reliable condition.
- (c) The inspection required by this Section is only an inspection of the taxicab's exterior and passenger areas and shall not be a thorough mechanical inspection of the taxicab. Nothing in this Section shall be interpreted as relieving the owner or operator of a taxicab from any and all liability arising from any unsafe, unsanitary, unreliable or illegal conditions existing in his taxicab, whether or not such conditions are discovered or omitted by the inspections required herein. This Section shall not be interpreted as creating a duty or liability on the part of the City of Onalaska, the Police Department or any employee or agent of the City to any person.
- (d) Any police officer of this City may, at all reasonable times, inspect any cab or public hack under such taxicab business license and may prohibit the use of any cab which is unsafe or not in proper repair.

Code in effect 2/12/19

### **Sec. 7-6-4 Conditions of License.**

- (a) **Licenses Nontransferable.** Licenses issued or granted under this Chapter shall be non-assignable and nontransferable.

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- (b) **Information Card to be Displayed.** A card containing the name of the owner, license number, the number of the vehicle and rates of fare printed thereon shall be placed and at all times kept in a conspicuous place inside such vehicle.
- (c) **Liability of Licensee.** Any licensee shall be liable for any violations of ordinances or statutes by any and all persons operating taxicabs under its license.
- (d) **Number of Passengers.** No licensee or person driving a taxicab shall carry or permit to be carried in any such vehicle more than the number of persons specified in the license applicable to such vehicle.
- (e) **Common Council May Impose Further Restrictions.** Any licensee hereunder shall be subject to such further regulations and restrictions as may be imposed at any time by the Common Council.
- (f) **Duty to Carry Passengers.** No person, firm or corporation engaged in the business of carrying passengers for hire or reward shall refuse to carry passengers to or from any part of the City with reasonable promptness and at the rates fixed in the license to operate.
- (g) **Individual Service.** Every patron who first engages services in a vehicle for the convenience of passengers for hire shall receive individual service unless he shall give consent to additional passengers being carried.

Code in effect 2/12/19

### Sec. 7-6-5 Meters and Rates.

All taxicabs operated under the authority of this Chapter, except those operating under the Onalaska Shared Ride Program, shall be equipped with taximeters fastened in front of the passengers, visible to them at all times, day and night; and, after sundown, the face of the taximeter shall be illuminated. Said taximeter shall be operated mechanically, be a mechanism of standard design and construction, driven either from the transmission or from one (1) of the front wheels by a flexible and permanently attached driving mechanism. They shall be sealed at all points and connections which, if manipulated, would affect their correct reading and recording. Each taximeter shall have thereon a flag to denote when the vehicle is employed and when it is not employed, and it shall be the duty of the driver to throw the flag of such taximeter into a non-recording position at the termination of each trip. The said taximeters shall be subject to inspection from time to time by the Police Department. Any police officer is hereby authorized, either on complaint of any person or without any complaint, to inspect any meter and, upon discovering any inaccuracy therein, to notify the person operating such taxicab to cease operation. Thereupon said taxicab shall be kept off the highways until the taximeter is repaired and in the required working condition. Each vehicle operated under a license required by this Chapter shall have displayed in a prominent place therein the schedule of rates charged. The licensee shall submit to the Council with each application a schedule of the rates proposed to be charged during the license year. The Council may approve or disapprove the proposed rates or may substitute in its discretion a rate or rates which shall be reasonable under the circumstances.

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Generally, the rate applicable to the City of La Crosse shall prevail in the City of Onalaska. Standards of service shall also be as prescribed by the Common Council. Failure to charge the rate subsequently approved by the Council or to provide the service proposed to be performed, or failure to comply with any of the provisions of this Section shall subject the licensee to the penalties provided by this Chapter.

Code in effect 2/12/19

### **Sec. 7-6-6 Exceptions.**

This Chapter shall not apply to persons, firms or corporations engaged in the business of carrying passengers for hire both interstate and intrastate between regularly established points and on regularly established time schedules, nor to the operator of a motor vehicle engaged in the business of transporting school students for hire.

Code in effect 2/12/19

### **Sec. 7-6-7 Refusal to Pay Taxi Fare Prohibited.**

No person who has been transported by a taxicab shall refuse to pay the fare for such transportation as such fare is shown on the taximeter or zone meter.

Code in effect 2/12/19

### **Sec. 7-6-8 Revision of License.**

The Common Council may, after due hearing thereon and pursuant to notice to all interested parties while any license required by this Chapter is in full force and effect, change such license or licenses by inserting therein additional terms or conditions of schedules of changes in the rates as may, to the Council, appear to be for the public good.

Code in effect 2/12/19

### **Sec. 7-6-9 Operator's License.**

No person shall operate any vehicle within the City of Onalaska without a valid driver's license. It shall be unlawful for an operator of a vehicle for hire or reward to operate said vehicle more than twelve (12) hours out of every twenty-four (24) hours. The Police Chief may examine operators as to their qualifications as a driver for an automobile for hire in the City of Onalaska and may include a finding as to the moral character and other necessary qualifications required to be a competent operator.

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**Sec. 7-6-10 Revocation of License.**

- (a) **Revocation.** Licenses granted under this Chapter may be suspended or revoked at any time by the Chief of Police for any violation of this Chapter. When a taxicab license is revoked or cancelled as herein provided, the Chief of Police shall immediately notify the owner to cease at once to operate the vehicle for which the license has been revoked as a taxicab.
- (b) **Appeals.** Any person who received a revocation of license and objects to all or part thereof may appeal to the Common Council within seven (7) days of the receipt of the order and the Common Council shall hear such appeal within thirty (30) days of receipt of such written notice of the appeal. After such hearing, the Common Council may reverse, affirm or modify the order or determination.

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