

Chapter 5-03

COMMERCIAL TRANSPORTATION VEHICLES

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Section 5-03-01 Statement of Purpose and Findings; Definitions

The Council finds that the public health, safety, and welfare requires safe vehicles, trustworthy drivers, and insurance on vehicles. The public is justifiably concerned about, and requires protection from, pricing that is arbitrary, unfair, or imposed under inequality of bargaining power or duress. The Council further finds that opportunities for passenger transport within the City are increasing, and hereby declares that commercial ventures attempting to enter this market should not be restrained or overregulated except to afford basic protections to the public and ensure a level playing field with respect to government regulation.

For the purposes of this Chapter, the following terms, phrases, words, and derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

A. Applicant

A person making an application for a license, or the renewal thereof, to own, lease, use, operate, drive, or maintain a Commercial Transportation Vehicle.

B. Auto Transportation Service

Any business operating one or more Commercial Transportation Vehicles for hire by pre-arranged appointment only, at hourly, daily, or weekly rates, or as agreed upon by the passenger and business, and which is conducted or maintained for the purpose of providing transportation with services carrying passengers for hire, and which transports passengers between points and over such routes as may be directed by a passenger, and not on a regular route.

C. Bus

A motor vehicle used for the purpose of transporting people with a minimum capacity of sixteen (16) passengers which is hired to provide services for a passenger or group of passengers traveling from one location to another for a common purpose or which provides regular route service from one location to another and which is subject to the Federal Motor Carrier Safety Regulations under the jurisdiction of the Idaho State Police and Idaho Transportation Department.

D. Commercial Transportation Service Business License

A license to engage in a business operating one or more Commercial Transportation Vehicles for the purpose of an Auto Transportation Service, Limousine Service, Shuttle Service, Touring Vehicle Service, or any other service for the purpose of transporting passengers between specified points on either a regular route or at the direction of the passenger at fares agreed upon by the passenger and business. Such a service does not include taxicabs which are regulated separately under Title 5, Chapter 24 and Title 12, Chapter 19 of this code. Such service does not include Buses or Courtesy Vehicle Services as defined herein.

E. Commercial Transportation Service Driver's License

A license to drive, operate, or have charge of a Commercial Transportation Vehicle pursuant to, and in conjunction with, a valid Commercial Transportation Service Business License.

F. Commercial Transportation Vehicle

Any vehicle, powered by gasoline engine, electric motor, horse-drawn, human-powered, or by any other means, used to transport passengers for hire or any other consideration. This definition includes vehicles used by an Auto Transportation Service, Limousine Service, Touring Vehicle Service, Shuttle Service, Pedicabs, Rigshaw, and any other vehicle other than taxicabs, buses, and those operated by a Courtesy Vehicle Service which transports passengers. This definition does not include the use of Taxicabs operated pursuant to Boise City Code Title 5, Chapter 24, Buses, Courtesy Vehicle Service vehicles, or vehicles operated as part of a governmentally-sponsored program. A Commercial Transportation Vehicle shall only be operated by a driver possessing a Commercial Transportation Service Driver's License pursuant to a Commercial Transportation Service Business License.

G. Courtesy Vehicle Service

Any service operating one or more Commercial Transportation Vehicles on behalf of a business such as a Hotel, Convention Center, or other business entity for the purpose of transporting passengers who are patronizing that business, to or from the business. Such vehicles are not for hire by the general public at any time, and shall be clearly marked with the business' name or logo, owned by, leased by, or contracted for by the business, and exclusively dedicated to serve the business and patrons of the business, at no charge to the patron. Courtesy Vehicles may not provide transportation to any passenger for a charge. Tips or gratuities may be offered to the driver at the conclusion of the service, at the sole discretion of the passenger, but may not be solicited or negotiated by the driver at any time.

H. Driver

Any person who drives or who is in actual physical control of any Commercial Transportation Vehicle. Actual physical control as used in this Chapter shall be defined as being in the driver's position of the Commercial Transportation Vehicle with the motor running or, if no motor exists in the vehicle, with the vehicle moving.

I. Fare

Money or other value given in exchange for transporting a person or passenger pursuant to a Commercial Transportation Business License, based upon agreement between the passenger and business.

J. Licensing Office

The City Clerk or his/her designee.

K. Limousine Service

Any business operating one or more Commercial Transportation Vehicles for hire by pre-arranged appointment only, at hourly, daily, or weekly rates as agreed upon between the passenger and business, which is conducted or maintained for the purpose of providing luxury transportation with services carrying passengers for hire, and which transports passengers between points and over such routes as may be directed by a passenger, and not on a fixed route. Such vehicles include, but are not limited to, limousines, luxury town cars, "party buses," and stretch sport utility vehicles.

L. Person

Any person, firm, partnership, association, corporation, company or any organization of any kind.

M. Pre-Arranged Appointment

Transportation for a passenger or group of passengers that is arranged in advance, or pursuant to a regular route between specified points, and is provided in a Commercial Transportation Vehicle.

N. Shuttle Service

Any business operating one or more Commercial Transportation Vehicles for hire by pre-arranged appointment and not on a regular route and charged on a per passenger basis, which may make multiple stops, picking up one or more fare-paying passengers, on the way to one or more destination.

O. Touring Vehicle Service

Any business operating one or more Commercial Transportation Vehicles, other than one rented without a Driver, or a Taxicab, Bus, or Limousine, or incident to a governmentally-sponsored program, used for the transportation of more than four (4) passengers for hire for sight-seeing, educational tours or other such similar excursions, the charges for which are determined by the length of time for which the vehicle is engaged, the distance traveled, a fixed fee, or any combination of such methods of determining such charges.

(6450, Added, 01/31/2006)

Section 5-03-02 Commercial Transportation Business License Required; Application and Qualifications

- A. It shall be unlawful for any person to own, lease, conduct, operate or maintain, or permit to be conducted, operated or maintained, or to participate in the conduct, operation or maintenance of, a Commercial Transportation Vehicle within the City unless a valid business license pursuant to this Chapter has been issued.
- B. Application for such license shall be made to the Office of the City Clerk in such form and manner as may be prescribed but the application shall include: the name and address of the applicant, and if a partnership, the names and addresses of each partner, and if a corporation or association, the names and addresses of the principal stockholders or agent; the name of the operating manager; proof of a valid driver's license; a statement of the number of vehicles to be operated and each vehicle's Vehicle Identification Number; a listed telephone number; and such other information as may be required.
- C. Upon receipt of an application for a license the Office of the City Clerk shall cause an investigation to be made to the extent necessary to determine whether the applicant is qualified to hold a Commercial Transportation Service Business License and to own, lease, conduct, operate or maintain, or permit to be conducted, operated or maintained, or to participate in the conduct, operation or maintenance of, a Commercial Transportation Vehicle.
- D. No person shall be issued a license to engage in the business of owning, leasing, conducting, operating, or maintaining a Commercial Transportation Vehicle when that person:
 - 1. is under the age of eighteen (18) years;
 - 2. is required to register as a sex offender, pursuant to the Sexual Offender Registration Notification and Community Right-to-Know Act, Idaho Code § 18-8301, et seq., and the Juvenile Sex Offender Registration Notification and Community Right-to-Know Act, Idaho Code § 18-8401, et seq.
 - 3. has ever been convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgment, sentenced to confinement (including options in lieu of confinement), or suffered the forfeiture of a bond for any felony involving the use or threat of violence against the person of another, or any felony involving the sexual enticement of minors.
 - 4. has been, within three (3) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgment, sentenced to confinement (including options in lieu of confinement), or suffered the forfeiture of a bond for any felony not covered by Section 5-03-02D3;
 - 5. has been, within three (3) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgment, or sentenced to confinement (including options in lieu of confinement) for any misdemeanor involving:

- a. the use of force against the person or property of another;
 - b. the threat of force against the person of another;
 - c. stalking, telephone harassment, or violations of protection orders or no contact orders;
 - d. theft or larceny;
 - e. the use, possession, or sale of illicit drugs;
 - f. possession of a concealed weapon;
 - g. illicit sexual activity; or
 - h. driving under the influence of alcohol and/or drugs.
6. has, at the time of such application, an outstanding warrant; or
7. has had a similar license revoked by this City or any other city of this State or of the United States within the preceding three (3) years.
- E. In addition to obtaining a Commercial Transportation Service Business License, the licensee shall ensure that all drivers of the business' Commercial Transportation Vehicles continually maintain and conspicuously place within the Commercial Transportation Vehicle a Commercial Transportation Service Driver's License. The operation of a Commercial Transportation Vehicle by a driver without a valid Commercial Transportation Service Driver's License shall subject the Commercial Transportation Service Business License to suspension or revocation.
- F. The affirmative showing required with respect to the qualifications of an applicant shall also be required to be made with respect to each partner of a partnership application and to each incumbent officer, director or member of the governing board of a corporation or association application.
- G. A Commercial Transportation Service Business License shall not be issued to a person who, at the time of application for renewal of a license issued hereunder would not be eligible or qualified for such license upon a first application, and a licensee must continue to have and maintain all the qualifications and none of the disqualifications provided herein throughout the license period. It shall be the duty of the licensee to immediately notify the Licensing Office if any event, subsequent to the issuance of a Commercial Transportation Service Business License, renders the licensee ineligible or unqualified for such a license. Failure to continually maintain said requirements throughout the duration of the license may result in the suspension or revocation of the business license.
- H. The applicant must maintain a telephone number which is answered during the hours his Commercial Transportation Service is in operation, and such telephone number must be provided to the Office of the City Clerk. Such telephone number may be an answering service.

I. If the applicant meets all of the qualifications and none of the disqualifications, the City Clerk shall issue, upon application and payment, a Commercial Transportation Service Business License. A provisional license may be issued pending completion of the required investigation.

J. A copy of the Commercial Transportation Service Business License must be conspicuously placed within each Commercial Transportation Vehicle.

(Ord-38-15, Amended, 8/25/2015; 6450, Added, 01/31/2006)

Section 5-03-03 Idaho Driver's License/Commercial Transportation Service Driver's License Required

Every person desiring to drive, operate, or have charge of a Commercial Transportation Vehicle within the City limits shall make application to the Office of the City Clerk for a license to do so. Such application shall be made upon a form provided by the Office of the City Clerk and shall be filled out and signed by the applicant in the applicant's handwriting.

A. It shall be unlawful for any person to drive, operate, or have charge of a vehicle operated as a Commercial Transportation Vehicle unless pursuant to a valid Commercial Transportation Business License and the driver possesses a valid State of Idaho Driver's license and a valid Commercial Transportation Service Driver's License as provided herein, all of which are in full force and effect.

B. Application for a Commercial Transportation Service Driver's License shall be made to the Office of the City Clerk in such form and manner as may be prescribed but the application shall include the name and address of the applicant, the length of time he has resided in the City, the last place of employment with the name and address of the employer, whether the applicant has been previously licensed as a driver, and such other information as may be required.

C. Upon receipt of an application for a license the Office of the City Clerk shall cause an investigation to be made to the extent necessary to determine whether the applicant is qualified to hold a Commercial Transportation Service Driver's License and to drive, operate, or have charge of a Commercial Transportation Vehicle.

D. No person shall be issued a license to drive, operate, or have charge of a Commercial Transportation Vehicle when that person:

1. is under the age of eighteen (18) years;
2. is required to register as a sex offender, pursuant to the Sexual Offender Registration Notification and Community Right-to-Know Act, Idaho Code § 18-8301, et seq., and the Juvenile Sex Offender Registration Notification and Community Right-to-Know Act, Idaho Code § 18-8401, et seq.
3. has ever been convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgment, sentenced to confinement (including options in lieu of confinement), or suffered the forfeiture of a bond for any felony involving the use or threat of violence against the person of another, or any felony involving the sexual enticement of minors.

4. has been, within three (3) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgment, sentenced to confinement (including options in lieu of confinement), or suffered the forfeiture of a bond for any felony not covered by Section 5-03-03D3.
 5. has been, within three (3) years prior to the date of making application for such license, convicted of, paid any fine, been placed on probation, received a deferred sentence, received a withheld judgment, or sentenced to confinement (including options in lieu of confinement) for any misdemeanor involving:
 - a. the use of force against the person or property of another;
 - b. the threat for force against the person of another;
 - c. stalking, telephone harassment, or violations of protection orders or no contact orders;
 - d. theft or larceny;
 - e. the use, possession, or sale of illicit drugs;
 - f. possession of a concealed weapon;
 - g. illicit sexual activity;
 - h. contributing to the delinquency of a minor; or
 - i. driving under the influence of alcohol and/or drugs.
 6. has at the time of such application, an outstanding warrant.
 7. has had a similar license revoked by this City or any other city of this State or of the United States within the preceding three (3) years.
- E. No license shall be granted to an applicant nor may a licensee maintain an existing license in good standing where satisfactory proof is submitted that such applicant operates motor vehicles in an unskillful, dangerous or reckless manner, or habitually uses intoxicating liquor or drugs, or who repeatedly violates the laws of the City relating to traffic or this Chapter, or who violates the laws of the City while engaged in the business activity regulated by this Chapter.
- F. A Commercial Transportation Service Driver's License shall not be issued to a person who, at the time of application for renewal of a license issued hereunder would not be eligible or qualified for such license upon a first application, and a licensee must continue to have and maintain all the qualifications and none of the disqualifications provided herein throughout the license period. It shall be the duty of the licensee to immediately notify the Licensing Office if any event, subsequent to the issuance of a Commercial Transportation Service Driver's License, renders the licensee ineligible or unqualified for such a license. Failure to continually maintain said requirements throughout the duration of the license may result in revocation of the driver's license.

- G. If the applicant meets all of the qualifications and none of the disqualifications, the City Clerk shall issue, upon application and payment therefore, a Commercial Transportation Services Driver's License. A provisional license may be issued pending completion of the required investigation.
- H. Upon approval by the Office of the City Clerk, a license shall be issued to the applicant for a Commercial Transportation Services Driver's License. Such license shall contain the applicant's full name, physical description, and a photograph of the applicant. Whenever the licensee is driving, operating or in charge of any Commercial Transportation Vehicle such license card must be so affixed to the vehicle so as to be in full and clear view of any passenger in the rear seat of the vehicle, if the vehicle's construction allows. It shall be unlawful for a licensee to fail or neglect to have his license card posted as required by this Chapter at all times while driving, operating or having charge of a Commercial Transportation Vehicle within the City limits, or to permit the use or possession of the license by another, or to fail or refuse upon demand of any City officer, police officer, peace officer, sheriff, deputy sheriff or passenger to exhibit the license for inspection.

(Ord-38-15, Amended, 8/25/2015; 6450, Added, 01/31/2006)

Section 5-03-04 License Fees

The application for a Commercial Transportation Service Business License enabling an applicant to own, lease, conduct, operate or maintain, or permit to be conducted, operated or maintained, or to participate in the conduct, operation or maintenance of a Commercial Transportation Vehicle within the City shall be accompanied by an annual nonrefundable license fee of one hundred fifty dollars (\$150.00) per vehicle. The Commercial Transportation Service Business License fees herein required shall be for one year expiring on June 30 of each year. A renewal of such license shall be issued by the City Clerk upon payment of the license fee on or before June 30 of the year for which such renewal is desired.

The application for each Commercial Transportation Service Driver's License enabling an applicant to drive, operate, or have charge of a Commercial Transportation Vehicle within the City shall be accompanied by a nonrefundable license fee of twenty-five dollars (\$25.00). The Commercial Transportation Service Driver's License herein required shall expire at the end of one year from the date of issuance.

License fees collected in accordance with this Title and Chapter shall be in addition to any license and other fees collected in accordance with Commercial Transportation Vehicles or other vehicles operating at the Boise Airport.

(6450, Added, 01/31/2006)

Section 5-03-05 Medical Certificate

Every two (2) years, each applicant for a Commercial Transportation Services Driver's License shall submit with the application a medical certificate from a licensed physician specifically stating that the applicant has sufficient hearing, vision, and general health such that the applicant is physically and mentally fit for the safe operation of a Commercial Transportation Vehicle.

(6450, Added, 01/31/2006)

Section 5-03-06 Insurance

- A. Each licensed Commercial Transportation Vehicle operating within the City shall be insured under a motor vehicle liability policy of insurance, issued by an insurance carrier duly authorized to do business in the State of Idaho, which provides coverage in the amount of five hundred thousand dollars (\$500,000.00).
- B. Every Commercial Transportation Service Business licensee shall tender to the City Clerk a certificate of insurance designating the vehicle or vehicles covered and certifying that insurance in the amounts specified herein is in effect. Said certificate of insurance shall specify as the certificate holder the City of Boise, P.O. Box 500, Boise, Idaho 83701.

The failure of any licensee to tender such certificate shall be grounds for suspension or revocation of said license. Such insurance shall be maintained throughout the licensing period.

- C. No Commercial Transportation Services Business License shall be issued or renewed and no quarterly inspection decal shall be issued until a certificate of insurance certifying that the Commercial Transportation Vehicle is insured as herein provided is tendered to the City Clerk.
- D. Every Commercial Transportation Service Business licensee shall immediately notify the City Clerk of the voluntary or involuntary cancellation of any certificate of insurance on any licensed Commercial Transportation Vehicle. In addition to other prescribed penalties for violations of this Ordinance, failure to so notify the City Clerk shall be grounds for suspension or revocation of the Commercial Transportation Service Business License.

(6450, Added, 01/31/2006)

Section 5-03-07 License Limitations or Restrictions

The Licensing Officer shall have the power to issue a license approved by this Chapter with limitations or restrictions relative to the nature of the license issued.

(6450, Amended, 01/31/2006)

Section 5-03-08 License Transfers

- A. A Commercial Transportation Service Business License may not be transferred or leased without the written approval, upon application, of the City Clerk. A Commercial Transportation Service Driver's License may not be transferred.
- B. An applicant for a transfer of a Commercial Transportation Service Business License within the City shall show the same qualifications and none of the disqualifications for a license as in the initial application. A nonrefundable application fee of one hundred fifty dollars (\$150.00) per vehicle shall accompany the application, for each such transfer requested, unless such transfer occurs on or after January 1, in which case the nonrefundable fee for transfer from one person to another shall be seventy five dollars (\$75.00).
- C. Transfer of a Commercial Transportation Service Business License from one vehicle to another vehicle shall be accompanied by a nonrefundable transfer fee of (\$25.00). Prior to the issuance of a license, the new vehicle must be inspected as required by this Chapter. A certificate of insurance and the transferred vehicle's license must be submitted with the application.

(6450, Added, 01/31/2006)

Section 5-03-09 Vehicle Inspections

A. Motorized Commercial Transportation Vehicles

No motor vehicle shall be issued a license as a Commercial Transportation Vehicle until that vehicle has been inspected in accordance with the following requirements, and found to be in acceptable condition. The inspection of a Commercial Transportation Vehicle shall be made at a time and place to be designated by the City Clerk. It shall be unlawful to substitute equipment or parts subsequent to inspection unless such substituted equipment or parts are in equal or better condition than the equipment or parts being substituted or replaced.

1. Mechanical:

a. Tires

Tires must not have cuts, breaks, or show excessive uneven wear. Tire wear bars must not be showing. Tire tread depth shall not be less than two/thirty-seconds (2/32) of an inch of an original tire. The vehicle must have a spare tire, fully inflated, and in the same condition as required above. Tires must all be of the same type (either radial or bias).

b. Body Condition

The body must be in good condition, free of holes and torn metal. Both a front and a rear bumper must be firmly attached. No extensive unrepaired body damage will be allowed. The vehicle shall be completely and properly painted.

c. Lights

Headlights shall be intact and operable on both high and low beam. Tail lights, parking lights, brake lights, and signal lights shall be intact and operable. An interior light capable of illuminating the interior shall be operable.

d. Wipers

Both windshield wipers shall be in good condition and operable.

e. Brakes

Both the parking brake and all four wheel brakes must be in good condition and operable. Brake shoes or pads must have a safe amount of wear left. Break pedal travel shall be no more than two and one-half (2 1/2) inches.

f. Steering

There shall not be more than three (3) inches of free play when turning the steering wheel from one side to the other.

g. Exhaust System

Mufflers shall not have any holes, and shall be firmly attached to the exhaust and tail pipes. Exhaust pipes shall be firmly attached to the engine, and free of leaks. Tail pipes shall extend beyond the passenger compartment, fully to the rear of the vehicle. All emission control devices shall be attached and in proper working order.

h. Windows

The windshield shall be free of cracks or chips that interfere with the driver's vision. Door windows shall be free of cracks and operable as they were intended by the manufacturer.

i. Door Handles

All door handles and latches shall be operable from both the inside and outside of the vehicle.

j. Seat Belts

The vehicle shall be equipped with sufficient seat belts to provide safety to each passenger, and be in accordance with Idaho law.

k. Suspension

The suspension system shall be maintained so that there are no broken or weak springs, or weak or defective shock absorbers.

2. Appearance:

a. Engine Compartment

The engine compartment shall be kept reasonably clean and free of uncontained combustible material.

b. Exterior

The exterior shall be kept clean and well maintained.

c. Interior

The interior shall be kept clean and free of litter. The seats and upholstery shall be kept clean and free of holes and tears.

B. Non-Motorized Commercial Transportation Vehicles

No non-motorized vehicle shall be issued a license as a Commercial Transportation Vehicle until that vehicle has been inspected in accordance with the following requirements, and found to be in acceptable condition. The inspection of a non-motorized Commercial Transportation Vehicle shall be made at a time and place to be designated by the City Clerk. It shall be unlawful to

substitute equipment or parts subsequent to inspection unless such substituted equipment or parts are in equal or better condition than the equipment or parts being substituted or replaced.

1. Mechanical:

a. Tires and wheels

Tires must not have cuts, breaks, or show excessive uneven wear. Tires must have adequate tread. Wheels must be true.

b. Body/Frame Condition

The body/frame must be in good condition, free of cracks, large dents, holes or torn metal. No extensive unrepaired body damage will be allowed.

c. Lights

If operating at nighttime, non-motorized Commercial Transportation Vehicles shall be equipped with an operable headlamp, a flashing or steady rear lamp, and reflectors on all wheels and on the front stem.

d. Brakes

Brakes must be in good condition and operable. Brake pads or disc brakes must have a safe amount of wear left and shall not be warped.

e. Steering

The steering apparatus shall be free of excessive or unsafe free play.

2. Appearance:

a. Exterior

The exterior shall be kept clean and well maintained.

b. Interior

The interior shall be kept clean and free of litter. The seats and upholstery shall be kept clean and free of holes and tears.

C. Inspection and Inspection Fees:

1. All motorized Commercial Transportation Vehicles must be in compliance with any required motor vehicle emission regulations, and must have a valid certificate of compliance, in addition to the inspection requirements listed above.

2. The inspection required by this section shall be performed prior to the issuance of a Commercial Transportation Service Business License, and each calendar quarter thereafter for motorized Commercial Transportation Vehicles, and each calendar year

thereafter for non-motorized Commercial Transportation Vehicles. Calendar quarters are the periods of January through March, April through June, July through September, and October through December. The required quarterly inspection shall be completed prior to the beginning of the next following quarter. The requirements of this section shall be maintained throughout the inspection quarter and year.

3. For motorized Commercial Transportation Vehicles, the fee for the initial vehicle inspection, for each quarterly inspection thereafter, and pursuant to a license transfer shall be twenty-six dollars (\$26.00). The fee shall be collected in advance of the inspection. If the inspection results in the need for a re-inspection of the vehicle, a five dollar and twenty-five cent (\$5.25) re-inspection fee shall be charged except where such re-inspection requires elevation of the vehicle in which case the re-inspection fee shall be fifteen dollars and fifty cents (\$15.50).
4. For non-motorized Commercial Transportation Vehicles, the fee for the initial vehicle inspection, for each yearly inspection thereafter, and pursuant to a license transfer shall be five dollars (\$5.00). The fee shall be collected in advance of the inspection. There shall be no additional charge for a re-inspection if one is needed.

D. Temporary Permit

If the inspection reveals deficiencies that are not imminently hazardous, the inspector may issue a temporary permit, not to exceed 15 days, to allow the deficiency to be corrected. No more than one temporary permit each calendar quarter may be issued to any one vehicle.

(6450, Added, 01/31/2006)

Section 5-03-10 Commercial Transportation Vehicles Licensed Elsewhere

Commercial Transportation Vehicles licensed by an Idaho municipality other than Boise City may transport passengers from within the state, but outside of the City to a destination within the City. It shall be unlawful for the owner or driver of any such Commercial Transportation Vehicle to seek or accept passengers within the City except such passengers whose destination is directly to a point in such other municipality; provided, however, that the provision of this Section shall only apply to vehicles licensed by a municipality which grants reciprocal rights to Commercial Transportation Vehicles licensed by the City. Nothing contained herein shall be construed to contradict or contravene PL 107-298, 49 U.S.C. § 14501, the Real Interstate Driver Equity Act of 2002.

(6450, Added, 01/31/2006)

Section 5-03-11 Fare

Fares charged by a person receiving a Commercial Transportation Services Business License to operate an Auto Transportation Service shall be no greater than those agreed upon by the passenger and the business. Fares, rates, and fees must be specified in sufficient detail to allow the passenger to make an informed decision about the total fare, rate, or fee to be paid prior to or following service. Any additional fares, rates, or fees and the circumstances under which such fees or fares may be assessed must be made known to available to the passenger prior to service.

All drivers of Commercial Transportation Vehicles employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination,

and no other method or means of measuring or computing distance or time shall be used or employed except as in this Chapter provided.
(6450, Added, 01/31/2006)

Section 5-03-12 Unlawful Practices

It shall be unlawful for any person to:

- A. permit or allow any person, or for any person to ride on the fenders, hood or any place on the outside of a Commercial Transportation Vehicle.
- B. permit more persons to be carried in a Commercial Transportation Vehicle as passengers than the rated seated capacity of the Commercial Transportation Vehicle, except that a child in arms shall not be counted as a passenger.
- C. verbally attempt to divert patronage from one hotel, motel or business to another.
- D. violate any parking laws, rules, regulations, or management practices authorized by law regulating parking within the City.
- E. permit any person other than a person licensed by this Chapter, to operate or drive a Commercial Transportation Vehicle while in service.
- F. solicit any person, or to assist in the solicitation of any person, to participate in any illicit, immoral, or unlawful sex act.
- G. operate or drive a Commercial Transportation Vehicle while consuming, or affected in any way by, any alcoholic beverage, illegal drug, or legal drug which impairs the ability to operate a motor vehicle, or to sell, provide, or buy for, any alcoholic beverage or illegal drug to a passenger.
- H. fail or neglect to visually display in the vehicle his/her Commercial Transportation Vehicle Business License, Commercial Transportation Vehicle Driver's License, and Idaho Driver's license card while driving, operating or having charge of a Commercial Transportation Vehicle within the City limits, or to permit the use or possession of his license by another or fail or refuse upon demand of any City officer, police officer, peace officer, sheriff, deputy sheriff or passenger to exhibit his license for inspection.
- I. solicit passengers or business for the Limousine Service, Shuttle Service, Touring Vehicle Service, or a particular Commercial Transportation Vehicle except by lawful advertisement, handheld signs seeking to establish contact with a pre-arranged passenger or passengers, or some other lawful means.
- J. accept hails from prospective passengers upon or along the streets of the City.
- K. loiter upon or about any premises within the City for the purpose of seeking or soliciting prospective passengers who have not engaged the Commercial Transportation Service by previous appointment.
- L. accept passengers other than by pre-arranged appointment initiated by a prospective passenger or such passenger's authorized agent or representative.

- M. charge any passenger a fare, fee, or rate in excess of the fare, fee or rates agreed upon between the passenger and business.
- N. violate any rule, regulation, ordinance, or management practice regulating the stopping, standing, parking, or operation on or about airport premises of Commercial Transportation Vehicles or regulating the conduct of persons operating or having charge of such Commercial Transportation Vehicles or revenue shuttles on or about airport premises, including occupation of any parking space at the airport other than those specifically designated by the Airport Commission or Airport Director for use by the applicable Commercial Transportation Vehicle or revenue shuttle.
- O. refuse to pay the regular fare, fee or charge for a Commercial Transportation Vehicle after having hired or employed the same.
- P. misrepresent the nature or purpose of the service being provided.
(6450, Added, 01/31/2006)

Section 5-03-13 Penalty

The violation of any of the provisions of this Chapter, or the failure or omission to perform any duty imposed by the provisions of this Chapter is hereby declared unlawful and punishable as a general misdemeanor. In addition to a criminal penalty, the violation of any of the provisions of this Chapter may result in either the suspension or revocation of the Commercial Transportation Service Business and/or Driver's License pursuant to Chapter 2 of this Title.

(6450, Added, 01/31/2006; 5816, Repealed, 10/14/1997)