

## Chapter 5-24

### TAXI CABS

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#### **Section 5-24-01 FINDINGS AND STATEMENT OF PURPOSE**

- A. The Boise City Council finds as follows:
1. Taxicabs provide an essential component of the transportation options available to citizens of, and visitors to, Boise City.
  2. Taxicabs are operated by private companies or individuals and utilize public streets, roads, and other rights-of-way in providing their services.
  3. It is important to protect the public health, safety, and welfare without restraining, burdening, or over-regulating the taxicab industry.
  4. The protection of the public health, safety, and welfare shall be paramount in the enforcement and interpretation of taxicab regulations.
- B. To achieve those goals, it is the City Council's intent, by enacting this chapter, to:

1. Ensure that taxicab vehicles provide a safe means of transportation.
2. Taxicab drivers are trustworthy and competent to carry out their duties in a safe and efficient manner.
3. Taxicab owners carry adequate liability insurance on their taxicab vehicles.

**Section 5-24-02      DEFINITIONS**

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. Words used throughout this chapter, but not defined herein, shall have their plain, ordinary, and common meaning.

- A.     **Applicant**  
A person making application for a license, or the renewal thereof:
  1.     To own or lease a taxicab vehicle;
  2.     To own, lease, and/or operate a taxicab business; or
  3.     To operate or drive a taxicab vehicle.
  
- B.     **Fare**  
Money or other value paid for transportation of a person or passenger.
  
- C.     **Immediate Out-of-Service Status**  
The status of a taxicab vehicle which, upon written or verbal notice by the Licensing Officer, is such that no person shall operate the taxicab vehicle.
  
- D.     **In Service**  
A taxicab vehicle is deemed to be "in service" whenever in operation upon any public street, road, or right-of-way, regardless of its status as available for hire, already hired, off-duty, or otherwise unavailable.
  
- E.     **Inspection Decal**  
A decal that is approved, authorized, and issued by the Licensing Officer, that demonstrates that the vehicle passed inspection.
  
- F.     **Insurance**  
An automobile liability policy for each licensed taxicab vehicle in the amount designated within this chapter, combined single limits, written by an insurer

authorized by the State of Idaho to write insurance policies, and continuously in force for the full term of each taxicab vehicle license.

G. Licensee

A person having a Boise City license in full force and effect issued pursuant to this chapter:

1. To own or lease a taxicab vehicle;
2. To own, lease, and/or operate a taxicab business; or
3. To drive or operate a taxicab vehicle.

H. Licensing Officer

The Boise City Clerk, a City Licensing Enforcement Specialist, a sworn Peace Officer, or a designee of the Boise City Clerk or City Licensing Enforcement Specialist.

I. Mobility Device

A device designed for use by individuals with a mobility disability for the main purposes of indoor and/or outdoor locomotion, including, but not limited to, wheelchairs, walkers, crutches, canes, braces, or other similar devices.

J. Operator

Any person who drives or who is in actual physical control of any taxicab, or any person who drives or who is in actual physical control of any vehicle used as a taxicab.

K. Passenger

For the purposes of this chapter, a passenger is a person who is a member of the public who hires, employs, directs, or otherwise engages a taxicab to transport a passenger between two points, as directed by a passenger.

L. Person

Any person, firm, partnership, association, corporation, company, or any organization, regardless of its nature or type.

M. Rate Card

An approved card or other display setting forth the schedule of taxicab fares and rates.

N. Service Animal

A service animal is a dog that is individually trained to do work or perform tasks for people with disabilities, including, but not limited to, guiding people who are

blind or have a visual impairment, alerting individuals who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure or reminding a person with mental illness to take prescribed medications.

- O. **Street**  
The entire width between the boundary lines of every way publicly maintained when any part is open to the use of the public for vehicular travel, with jurisdiction extending to the adjacent property line, including sidewalks, shoulders, berms and rights-of-way not intended for motorized traffic. The term "highway" is interchangeable with "street."
- P. **Taxicab Business**  
A business that leases, owns, operates, or controls one (1) or more taxicab vehicles.
- Q. **Taxicab or Taxicab Vehicle**  
Any motor vehicle capable of carrying one (1) or more passengers or parcels, that carries passengers between points and over such route as may be directed by a passenger, that is available for hails or through a dispatch service, that does not require prearranged appointments, and that is not operated on a fixed route, or a vehicle that is held out to the public as a taxicab.
- R. **Taxicab Stand**  
A place alongside the curb of a street or other place designated and reserved exclusively for the use of taxicab vehicles or commercial transportation vehicles.
- S. **Taximeter**  
An instrument or device attached to a taxicab to mechanically or electronically measure the distance driven, the waiting time, and any other basis upon which the fare is calculated.
- T. **Top Light**  
A lighted display device permanently attached to the center front of a taxicab vehicle's exterior roof that is illuminated when the taximeter is deactivated, the illumination of which is sufficient to be clearly seen at night. The device shall act in unison with the taximeter to indicate the service status of the taxicab vehicle to which it is attached.
- U. **Waiting Time**  
As used herein, "waiting time" shall mean the time when a taxicab is not in motion, beginning at the timely arrival at the place to which it was called, and consisting of the time when the taxicab is standing or waiting at the direction of the passenger, or is otherwise forced to stand while hired, employed, directed, or otherwise engaged in the transportation of a passenger or parcel.

(Ord-50-13, Amended, 01/7/2014)

**Section 5-24-03      LICENSES REQUIRED; APPLICATION; STANDARDS AND REQUIREMENTS; EXPIRATION AND RENEWAL**

**A.      Taxicab Business License**

1.      Every person who owns, leases, conducts, or operates a taxicab business in Boise City shall make written application for and obtain a taxicab business license, which license shall be maintained in full force and effect.
2.      Every taxicab business license shall expire on June 30 of each year.
3.      A taxicab business license may be renewed by payment of the established license renewal fee on or before June 30 of each year.

**B.      Taxicab Vehicle License**

1.      Every person who owns, leases, conducts, operates, or maintains a taxicab vehicle in Boise City shall make written application for and obtain a taxicab vehicle license, which license shall be maintained in full force and effect.
2.      Every taxicab vehicle license shall expire on June 30 of each year.
3.      Every licensee who is an applicant for renewal of a taxicab vehicle license shall complete the application process annually. Upon completion of the application process, if the applicant is qualified, the Licensing Officer will issue a renewed taxicab vehicle license to the applicant.
4.      The taxicab vehicle license of any taxicab not in service for fifteen (15) consecutive days shall be deemed abandoned, and such taxicab vehicle license shall revert to Boise City unless the owner/lessee/agent licensee of such taxicab vehicle notifies the Licensing Officer in writing prior to expiration of the fifteen (15) days that said taxicab vehicle is out of service due to major mechanical or structural damage requiring in excess of fifteen (15) days to repair. In the event such written notification is given, the licensee shall have a reasonable period of time, to be determined by the Licensing Officer, to place said taxicab vehicle back in service. A licensee may, in writing, request permission from the Licensing Officer to exceed the fifteen (15) days not in service limit if unforeseen special circumstances are likely to prevent the licensee from placing the vehicle back into service. In the event said taxicab is not placed back in service within the reasonable period of time determined by the Licensing Officer, if no permission for an extension was granted by the Licensing Officer, such taxicab vehicle license shall be deemed abandoned and shall revert to Boise City.
5.      Every owner, lessee, and operator of a taxicab vehicle, and every taxicab vehicle licensee, shall notify the Licensing Officer in writing within seven (7) calendar days of the sale, lease, transfer, or loan of the taxicab vehicle to any other person.

6. Every owner, lessee, and operator of a taxicab vehicle, and every taxicab vehicle licensee, shall notify the Licensing Officer in writing within seven (7) calendar days of the taxicab being taken “off-line” or the taxicab no longer being used as a taxicab. The taxicab vehicle license of such taxicab shall be returned to the Licensing Officer within ten (10) business days of the taxicab vehicle being taken “off-line” or the taxicab no longer being used as a taxicab.

C. Taxicab Driver’s License

1. Every person who drives, operates, conducts, or is in actual physical control (as that term is defined and used in Title 18, Idaho Code, and as interpreted by applicable case law) of a taxicab in Boise City shall make written application for and obtain a taxicab driver’s license, which license shall be maintained in full force and effect at all times when the person is driving, operating, conducting, or in actual physical control of a taxicab.
2. Every taxicab driver’s license shall expire one (1) year from the date of issuance.
3. Every licensee who is an applicant for renewal of a taxicab driver’s license shall complete the application process annually. Upon completion of the application process, if the applicant is qualified, the Licensing Officer will issue a renewed taxicab driver’s license to the applicant.
4. Every Taxicab Driver’s License issued by the Licensing Officer shall include, at a minimum, the following:
  - a. The licensee’s full name.
  - b. A photograph of the licensee.
  - c. The license expiration date.
  - d. The licensee’s license number.

D. Applications; General Standards and Requirements

1. Every application for a license required by this chapter shall be made to the Licensing Officer in such form and manner as may be prescribed. Every application shall include, at a minimum:
  - a. The name, address, and telephone number of the applicant. If the applicant is a business entity, corporation, association, or other organization, the names, addresses, and telephone numbers of each partner, officer, director, member, and principal stockholder;

- b. Every address at which the applicant has been a resident for the past five (5) years.
  - c. The name and direct telephone number of the operating manager of the taxicab business under which the applicant will be licensed;
  - d. If an application for a taxicab business license, a description of every taxicab vehicle to be operated pursuant to the taxicab business license, including the year, make, model, current mileage, license plate number, Boise City taxicab vehicle license number, and vehicle identification number (VIN) of each vehicle;
  - e. Whether the applicant has previously applied for any Boise City license or permit;
  - f. If a taxicab driver's license application, whether the applicant has previously been licensed as a taxicab driver by Boise City or by any other jurisdiction; and
  - g. A statement, signed and sworn by the applicant, under penalty of perjury, that all information included on the application is true and correct.
2. The Licensing Officer shall determine what other information shall be required of every applicant.
3. If an applicant fails to provide any piece of required information, or fails to sign the application as required, the Licensing Officer shall not issue that applicant a license.
4. No applicant shall be issued any license governed by this chapter if that person:
- a. Is under the age of eighteen (18) years;
  - b. Has ever:
    - i. Been required to register as a sex offender; or
    - ii. Pleaded guilty to, been convicted of, or received a withheld judgment for any crime, whether felony or misdemeanor, involving the sexual battery of any person, sexual exploitation or sexual abuse of a minor or vulnerable adult, enticement of a minor, child pornography, kidnapping, lewd conduct with a minor, prostitution, rape, or homicide.

- c. Has, within the five (5) years immediately preceding the date of application:
  - i. Had any taxicab driver's license, taxicab vehicle license, or taxicab business license revoked by Boise City, or by any other city or jurisdiction; or
  - ii. Pleaded guilty, been convicted of, or received a withheld judgment for any felony criminal violation; or
  - iii. Been incarcerated in any jail or prison as a result of any felony criminal violation; or
  - iv. Been serving a term of probation or parole as a result of any felony criminal violation; or
  - v. Pleaded guilty, been convicted of, or received a withheld judgment for a misdemeanor criminal violation involving:
    - (A) The use of force against the person or property of another; or
    - (B) The threat of force against the person of another; or
    - (C) Theft, larceny, or other dishonest act; or
    - (D) The use, possession, or sale of illicit drugs or drug paraphernalia; or
    - (E) The illegal use, possession, or sale of alcohol or liquor, including (but not limited to):
      - (1) The sale or transfer of alcohol or liquor to a person under twenty-one (21) years of age; or
      - (2) The sale or transfer of alcohol or liquor by an unlicensed person; or
      - (3) The possession or consumption of alcohol by a person under twenty-one (21) years of age.
    - (F) Possession of a concealed or illegal weapon; or
    - (G) Illicit sexual conduct.
- d. At the time of application:



- i. Has any outstanding warrant for their arrest, detention, extradition, or deportation; or
  - ii. Is currently serving any term of criminal probation or parole.
- 5. Every applicant for a license governed by this chapter shall be able to speak and understand the English language sufficiently to converse with the general public, to understand road and highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.
- 6. In addition to all requirements and qualifications set forth above:
  - a. No applicant shall be issued a taxicab vehicle license:
    - i. When the applicant is not the bona fide owner or lessee of the taxicab vehicle(s);
    - ii. Until the certificate of insurance, of the type and in the amount required by this chapter, is tendered to the Licensing Officer.
  - b. No applicant shall be issued, or shall be allowed to maintain, a taxicab driver's license:
    - i. If the applicant, within the five (5) years immediately preceding the date of application, pleaded guilty to, was convicted of, or received a withheld judgment for:
      - (A) A violation of Idaho Code § 18-8004, § 18-8004C, or § 18-8006, regardless of whether the violation occurred in a taxicab vehicle, a personal vehicle, or any other type of vehicle.
      - (B) Any crime involving the illegal consumption of alcoholic liquor, as that term is defined in Idaho Code § 23-105, or involving the operation of any motor vehicle while impaired by alcohol or drugs.
      - (C) Any crime involving the sale, possession, or use of illegal drugs or drug paraphernalia.
    - ii. If the Licensing Officer, after reviewing an applicant's criminal background check, driving record, and any other relevant documents or information, determines that the applicant:

- (A) Operates motor vehicles in an unskillful, dangerous, or reckless manner; or
  - (B) Habitually uses intoxicating liquor or drugs; or
  - (C) Repeatedly violates traffic laws; or
  - (D) May pose a risk of harm to citizens of Boise City and the general public, based upon a criminal record of repeated convictions for crimes against person(s) or property.
- iii. The applicant fails to achieve a score of at least seventy percent (70%) correct on a general local geographic knowledge and communication skill test developed and administered by the Licensing Officer. Applicants shall pay the fee set forth on the City Clerk's fee schedule to cover the cost of administering the tests, which fee shall be in addition to all other licensing application fees and other fees authorized by this chapter. The general local geographic knowledge and communication skill test shall be developed and administered to assess an applicant's ability to recognize various points of interest in Boise City, to evaluate the applicant's ability to determine the shortest geographical route between established Boise City landmarks and to evaluate communicate skills to adequately converse with the general public. To achieve the goals of this licensing requirement, every general local geographic knowledge test shall be taken and completed by the applicant alone, with no help or assistance of any kind from any person other than the Licensing Officer.
- iv. Unless, at the time of application or renewal, the applicant for a taxicab driver's license submits a current Department of Transportation (D.O.T.) medical card from a licensed physician, which medical card specifically states that the applicant meets all physical requirements as outlined in the Code of Federal Regulations, 49 C.F.R. Part 391.41.
- (A) A violation of any of the following shall be an infraction:
    - (1) The medical card shall be kept current by the applicant or licensee during the term of the license issued.
    - (2) The applicant or licensee shall notify the Licensing Officer in writing within two (2) business days of any illness, accident, injury, or other health issue that may cause the applicant/licensee to fail to meet

any of the physical requirements contained in 49 C.F.R. Part 391.41.

(3) Every restriction and requirement placed on the applicant or licensee's operation of a motor vehicle by the examining physician who issued the medical card shall be operative as a restriction or requirement on the taxicab driver's license issued by the Licensing Officer.

(4) Every restriction and requirement placed on the applicant or licensee's operation of a motor vehicle by the Idaho Department of Transportation shall be operative as a restriction or requirement on the taxicab driver's license issued by the Licensing Officer.

(B) At any time the Licensing Officer determines there exists good cause therefor, the Licensing Officer may require an applicant or licensee to obtain a new medical card bearing a physician's certification that the applicant or licensee meets the physical requirements of 49 C.F.R. Part 391.41.

7. Prior to issuance of a taxicab business license, the Licensing Officer, upon determining the existence of good cause therefor, may require any or all partners, officers, directors, board members, and/or principal stockholders of a taxicab business, regardless of the form or type of business entity, to:
  - a. Submit to the criminal history check authorized by this chapter; and
  - b. Achieve the affirmative showing required by this chapter with respect to the qualifications of an applicant.
8. No license shall be issued to an applicant who, upon application for renewal of any license, would not be eligible or qualified for such license upon an initial application.
9. Every licensee shall continue to have and maintain all of the qualifications and none of the disqualifications provided in this chapter throughout the license period or, in addition to the criminal penalties prescribed therefor, the Licensing Officer shall suspend or revoke all licenses issued pursuant to this chapter that are held by the licensee. The procedures for suspension and revocation, including the right of appeal, are contained in Title 5, Chapter 2, Boise City Code.
10. Following the review of an application and successful completion of a background investigation by the Licensing Officer, if an applicant possesses all of

the required qualifications and none of the disqualifications, the Licensing Officer will issue, upon application and payment therefor, the license for which the applicant applied.

11. Every applicant and licensee shall have an affirmative continuing duty to notify the Licensing Officer in writing within two (2) business days of any change to the information provided on a license application, and of any change to the information provided by the applicant or licensee upon which the Licensing Officer relied in issuing a license.
  - a. All notices required by this chapter shall be in writing.
  - b. Unless specifically provided otherwise in this chapter, written notice shall be provided within fourteen (14) days of the date of change.
  - c. In addition to any potential criminal penalties, failure to notify the Licensing Officer in writing of a change to the information provided on a license application shall result in the immediate suspension of all affected licenses for a minimum of fourteen (14) days.

E. License Limitations and Restrictions

1. The Licensing Officer shall have the authority to issue any license required by this chapter with limitations or restrictions relative to the nature of the license issued, to ensure protection of the public health, safety, and welfare.
2. In addition to the penalties prescribed for a violation of license limitations or restrictions, every licensee who violates the license limitations or restrictions imposed upon them by the Licensing Officer shall have their license revoked, pursuant to the procedures for revocation in Title 5, Chapter 2, Boise City Code.

F. The taxicab driver's license requirement of this Chapter shall not apply when all of the following conditions exist:

1. The person driving or operating the taxicab is doing so for the purpose of diagnosing, performing, completing, or road-testing maintenance or repairs to the taxicab vehicle; and
2. The exterior of the taxicab vehicle is clearly marked or signed in such a manner as to indicate that it is being driven solely for the purpose of performing, completing, or road-testing maintenance or repairs to the taxicab vehicle.

(Ord-38-15, Amended, 8/25/2015)

**Section 5-24-04 LICENSE TRANSFER**

- A. A taxicab vehicle license issued pursuant to this chapter may be transferred to another vehicle owned by the same person upon successful completion of the application process.
- B. Prior written approval of the Licensing Officer is required to transfer a taxicab vehicle license.
- C. A taxicab vehicle license shall only be transferable to another vehicle owned by the same licensee.
- D. An applicant for the transfer of a taxicab vehicle license shall show the same qualifications and none of the disqualifications for the license as in an initial license application.
- E. Every application to transfer a taxicab vehicle license shall be accompanied by a non-refundable transfer fee in an amount established by the Boise City Council and listed on the most current City Clerk Fee Schedule.
- F. Prior to the issuance of a transferred taxicab vehicle license, the proposed taxicab vehicle shall:
  - 1. Meet all requirements of this chapter;
  - 2. Pass all inspections required by this chapter; and
  - 3. Be insured as required by this chapter. A valid certificate of insurance covering the taxicab vehicle to which the license will be transferred shall be provided to the Licensing Officer prior to the effective date of the transfer.
- G. Every license being transferred shall be surrendered to the Licensing Officer. A new license will be issued by the Licensing Officer upon successful completion of the transfer.
- H. No taxicab business license shall be transferred.
- I. No taxicab driver's license shall be transferred.
- J. A violation of any provision of this section shall be an infraction.

**Section 5-24-05      LICENSE FEES**

Every application for a license required by this chapter shall be accompanied by a non-refundable license fee in an amount established by the Boise City Council and listed on the most current City Clerk License Fee Schedule. The required license fee, and all other required costs and fees, shall be paid at the time of application for such license.

**Section 5-24-06 LICENSE DENIAL, REVOCATION, AND SUSPENSION**

- A. Every civil license penalty imposed by the Licensing Officer shall be proportional to the type and severity of the violation.
  
- B. License Denial
  - 1. In the event the Licensing Officer, in his/her discretion, determines that an applicant fails to qualify for a license governed by this chapter, the Licensing Officer shall deny such applicant a license.
  
  - 2. Notice of a denial shall be deemed properly served if sent by United States Postal Service Certified Mail to the address on file in the City Clerk's office that was provided by the applicant, or if notice is hand-served upon the applicant. An applicant's failure to accept, acknowledge, or receive notification of a denial shall not invalidate the denial, provided notice was served as provided in this section.
  
  - 3. Notice of a license denial shall include the grounds upon which the revocation is based, and shall include a statement that informs the applicant of their right to appeal the denial.
  
- C. License Revocation
  - 1. In the discretion of the Licensing Officer, a licensee who pleads guilty to, is found guilty of, is convicted of, receives a withheld judgment for, or is sentenced for a violation of this chapter or for a violation of any Boise Air Terminal rule, law, or regulation, in addition to the criminal penalties prescribed therefor, may have the affected license(s) governed by this chapter held by that licensee revoked and be ineligible for reapplication, reinstatement, or issuance of any license governed by this chapter for a period of up to five (5) years.
  
  - 2. In the discretion of the Licensing Officer, a licensee who pleads guilty to, is found guilty of, is convicted of, receives a withheld judgment for, or is sentenced for a violation of Idaho Code § 18-8001, § 18-8004, § 18-8004A, § 18-8004C, or § 18-8006, in addition to the criminal penalties prescribed therefor, may have the affected license(s) governed by this chapter held by that licensee revoked and be ineligible for reapplication, reinstatement, or issuance of any license governed by this chapter for a period of up to five (5) years. A licensee does not have to be operating a taxicab vehicle at the time of the violation for the revocation authorized by this section to have operative effect.
  
  - 3. In the event a licensee fails to take corrective action within the timeframe specified in a notice of suspension to resolve or correct the basis for a suspension of the license(s) governed by this chapter held by that licensee, the Licensing Officer may, in his/her discretion, revoke the affected license(s) governed by this

chapter held by the licensee. Such revocation shall prevent the licensee from obtaining or reinstating any license governed by this chapter for a minimum period of one (1) year from the date of revocation.

4. If the Licensing Officer determines that a licensee failed to continue to have and maintain all of the qualifications and none of the disqualifications provided in this chapter throughout the license period, the Licensing Officer shall revoke the affected license(s) governed by this chapter held by that licensee. Such revocation shall prevent the licensee from obtaining or reinstating any license governed by this chapter until the licensee qualifies for the license(s) governed by this chapter and applies anew for said license(s).
5. If the Licensing Officer determines that an application for a license knowingly included fraud, misrepresentation, or any false statement, the Licensing Officer shall revoke all licenses governed by this chapter held by that licensee. Such revocation shall prevent the licensee from obtaining or reinstating any license governed by this chapter for a period of five (5) years.
6. If the Licensing Officer determines that the activity, use or privilege conducted pursuant to the license is being or has been exercised so as to be detrimental to the public health, safety, or welfare, the Licensing Officer may, in his/her discretion, revoke the affected license(s) governed by this chapter held by the licensee. Such revocation shall prevent the licensee from obtaining or reinstating any license governed by this chapter until the Licensing Officer determines the detriment has ceased.
7. If the Licensing Officer determines that the license issued is being or has been exercised contrary to the terms or conditions of such license, or in violation of any law, the Licensing Officer may, in his/her discretion, revoke the affected license(s) governed by this chapter held by the licensee. Such revocation shall prevent the licensee from obtaining or reinstating any license governed by this chapter for a minimum period of one (1) year from the date of revocation.
8. A third (3rd) license suspension within one (1) license term shall be deemed a revocation.
9. Every license revocation shall be effective at twelve o'clock (12:00) a.m. on the third (3rd) day following the date written notice is sent to the licensee.
10. Notice of a revocation shall be deemed properly served if sent by United States Postal Service Certified Mail to the address on file in the City Clerk's office that was provided by the applicant or licensee, or if hand-served upon the licensee. A licensee's failure to accept, acknowledge, or receive notification of a revocation shall not invalidate the revocation, provided notice was served as provided in this section.

11. Notice of a revocation shall include the grounds upon which the revocation is based, and shall include a statement that informs the licensee of their right to appeal the revocation.
12. A person whose license is revoked shall be required to re-apply for a new license, rather than apply for reinstatement of the revoked license.

D. License Suspension

1. Every licensee who violates any provision of the Idaho Code or the Boise City Code, or violates any law, rule, or regulation established by the Boise Air Terminal, in addition to the criminal or civil penalties prescribed by law for such violation, may, in the discretion of the Licensing Officer, have all licenses governed by this chapter suspended for a period not to exceed one hundred eighty (180) days.
2. A license governed by this chapter may be suspended even though no criminal charge or infraction is filed.
3. Unless otherwise provided in a notice of violation, every license suspension shall be effective at twelve o'clock (12:00) a.m. on the third (3rd) day following the date written notice of the suspension is sent to the licensee.
4. Notice of a suspension shall be deemed properly served if sent by United States Postal Service Certified Mail to the address on file in the City Clerk's office that was provided by the applicant or licensee, or if hand-served upon the licensee. A licensee's failure to accept, acknowledge, or receive notification of a suspension shall not invalidate the suspension, provided notice was served as provided in this section.
5. Notice of a suspension shall include the grounds upon which the suspension is based, and shall include a statement that informs the licensee of their right to appeal the suspension.
6. Upon determining that a licensee is in violation of any provision of the Idaho Code or the Boise City Code, or any law, rule, or regulation established by the Boise Air Terminal, but that the licensee does not pose an immediate threat of harm to the public health, safety, or welfare, the Licensing Officer may, in his/her sole discretion, precede the suspension of a license governed by this chapter with a notice of violation.
  - a. Every notice of violation issued pursuant to this chapter shall:
    - i. Conform to the same notice and service requirements as a notice of suspension;



- ii. State the basis for the notice of violation;
  - iii. Identify the corrective action(s) that shall be taken to address the basis for the notice of violation;
  - iv. State the date and time by which the required corrective action(s) shall be completed;
  - v. State the date on which the license suspension would begin, and the length and terms of such a suspension, should the licensee fail to complete the required corrective action(s) by the date and time specified in the notice of violation.
- b. The Licensing Officer shall not be required to serve a licensee with a notice of violation prior to suspending the affected license.
  - c. In the event a licensee, having received a notice of violation, fails to complete the corrective action(s) stated in the notice of violation, his/her affected license shall be suspended as stated in the notice of violation.
    - i. It shall be the duty of the licensee to provide proof of completion of the corrective action(s) to the Licensing Officer. Failure to do so shall result in license suspension as stated in the notice of violation.
    - ii. Upon receipt of satisfactory proof of completion of the correction action(s), the Licensing Officer shall provide the licensee with written notice rescinding the possibility of the suspension stated in the notice of violation.
    - iii. No notice of suspension shall be required to be served upon the licensee for a suspension following a notice of violation to take effect. The notice of suspension contained within the notice of violation shall suffice to provide notice of suspension.
    - iv. The licensee shall maintain the right to appeal a suspension that follows a notice of violation.

**Section 5-24-07      RIGHT OF APPEAL**

- A. Every applicant who, upon application, is denied a license governed by this chapter, or who has a license governed by this chapter suspended or revoked, shall have a right of appeal. Unless otherwise expressly provided herein, appeal procedures shall follow those set forth in Title 5, Chapter 2, Boise City Code.

B. Appeal of License Denial

1. An applicant whose application for a license governed by this chapter was denied shall have ten (10) business days from the date the denial notice was mailed to appeal the denial.
2. Appeal shall be made by filing a written notice of appeal with the Licensing Officer, and paying a cash appeal bond of two hundred fifty dollars (\$250.00). In the event the appeal is unsuccessful or fails to be prosecuted by the applicant, the cash bond shall be forfeited to Boise City. If the appeal is granted, the cash bond shall be refunded to the applicant.

C. Appeal of License Revocation

1. A licensee whose license is revoked pursuant to this section shall have ten (10) business days from the date the denial notice was mailed to appeal the revocation.
2. Appeal shall be made by filing a written notice of appeal with the Licensing Officer, and paying a cash appeal bond of two hundred fifty dollars (\$250.00). In the event the appeal is unsuccessful or fails to be prosecuted by the applicant, the cash bond shall be forfeited to Boise City. If the appeal is granted, the cash bond shall be refunded to the applicant.
3. Upon receipt of a written appeal, the revocation being appealed shall be stayed pending a ruling by the Hearing Examiner. In the event the appeal is unsuccessful, the revocation shall be effective at twelve o'clock (12:00) a.m. on the day immediately following issuance of the Hearing Examiner's ruling.

D. Appeal of License Suspension

1. A licensee whose license is suspended pursuant to this section shall have ten (10) business days from the date the denial notice was mailed to appeal the suspension.
2. Appeal shall be made by filing a written notice of appeal with the Licensing Officer, and paying a cash appeal bond of two hundred fifty dollars (\$250.00). In the event the appeal is unsuccessful or fails to be prosecuted by the applicant, the cash bond shall be forfeited to Boise City. If the appeal is granted, the cash bond shall be refunded to the applicant.
3. Upon receipt of a written appeal, the suspension being appealed shall be stayed pending a ruling by the Hearing Examiner. In the event the appeal is unsuccessful, the suspension shall commence at twelve o'clock (12:00) a.m. on the day immediately following issuance of the Hearing Examiner's ruling.

- A. Taxicabs and taxicab drivers licensed by a municipality other than Boise City may transport passengers from outside Boise City to a destination within Boise City.
- B. This section shall apply only to taxicabs and taxicab drivers licensed by a municipality that grants reciprocal rights to taxicabs licensed by Boise City.
- C. It shall be unlawful for the owner or driver of a taxicab licensed by a municipality other than Boise City to seek or accept passengers within Boise City, except such passengers whose destination is directly to a point in such other municipality.
- D. Prior to transporting any passenger into Boise City, and prior to seeking or accepting any passenger within Boise City, a vehicle or driver that is not licensed by another municipality that grants reciprocal rights to taxicabs licensed by Boise City shall obtain all required Boise City licenses.
- E. A violation of any of the provisions of this section shall be an infraction.

**Section 5-24-09 TAXICAB VEHICLE INSURANCE REQUIRED**

- A. Every taxicab vehicle in operation within Boise City shall be continuously insured under a motor vehicle liability policy of insurance issued by an insurance carrier duly authorized to do business in the State of Idaho that provides coverage in the amount of \$500,000, general liability, combined single limits.
- B. Every taxicab business licensee and taxicab vehicle licensee shall tender to the Licensing Officer a certificate of insurance designating the taxicab vehicle or vehicles covered and certifying that insurance of the type and in the amount required by this chapter is in effect. Said certificate of insurance shall specify as the certificate holder the City of Boise City, P.O. Box 500, Boise, Idaho 83701-0500.
- C. Every taxicab business licensee and taxicab vehicle licensee shall notify the Licensing Officer in writing of the voluntary or involuntary cancelation of, or changes to, any policy of insurance on any taxicab vehicle owned or operated by the licensee within two (2) business days of such cancellation or change.
- D. Additional Civil License Penalties for an Insurance Violation
  - 1. In addition to the criminal penalties prescribed therefor, any one (1) or more of the following acts or omissions shall be grounds for immediate revocation of all licenses issued pursuant to this chapter held by that licensee:
    - a. Failure to maintain valid insurance of the type and in the amount required by this chapter for all taxicab vehicles owned or operated by the licensee;

- b. Failure to notify the Licensing Officer of the cancelation of a policy of insurance on any taxicab vehicle owned or operated by the licensee within two (2) business days of such cancelation;
2. Every license revoked pursuant to this section shall remain revoked for the remaining duration of the license term.
3. In addition to the criminal penalties prescribed therefor, any one (1) or more of the following acts or omissions shall be grounds for immediate suspension of all licenses issued pursuant to this chapter held by that licensee:
  - a. Failure to tender any insurance certificate required by this chapter to the Licensing Officer;
  - b. Failure to notify the Licensing Officer of any changes to a policy of insurance on any taxicab vehicle owned or operated by the licensee within two (2) business days of such change;
  - c. Failure to provide a certificate or proof of liability insurance for inspection upon request of the Licensing Officer;
  - d. Failure of a taxicab driver or operator to have in their possession a certificate or proof of liability insurance of the type and in the amount required by this chapter at all times when the vehicle is operated within Boise City.
4. Licenses suspended pursuant to this section shall not be reinstated until correction of the basis for suspension, and only upon written approval of the Licensing Officer.
5. Except as specifically provided in this chapter, all procedures for the suspension or revocation of a license issued pursuant to this chapter, including the right of appeal, are contained in Title 5, Chapter 2, Boise City Code.

**Section 5-24-10 TAXICAB VEHICLES**

**A. Taxicab Vehicle Age and Usage Limitations**

1. Except as expressly provided herein, no vehicle that exceeds either of the following limits shall be licensed as a taxicab vehicle or used as a taxicab vehicle:
  - a. Seven (7) years of age; or
  - b. Five hundred thousand (500,000) miles.

2. Taxicab vehicle age shall be computed using the model year of the vehicle and December 31st of the year in which the taxicab vehicle license is sought. (For example, if a vehicle is a 2004 model year and the application for a taxicab vehicle license is submitted in July 2012, that vehicle is eight (8) years of age.)
3. Exemptions
  - a. If the safety and equipment standards and requirements contained in this chapter are met, the following vehicles may be licensed and used in taxicab service until the age and/or mileage limits indicated:
    - i. A vehicle seven (7) years of age or older may be licensed and used in taxicab service until it reaches ten (10) years of age or one million (1,000,000) miles on the odometer, whichever occurs first, upon a determination that the vehicle meets or exceeds all standards and requirements established pursuant to section 5-24-10(B)(7), Boise City Code;
    - ii. A wheelchair accessible vehicle may be licensed and used in taxicab service until it reaches eleven (11) years of age or one million one hundred thousand (1,100,000) miles on the odometer, whichever occurs first;
    - iii. A clean fuel or clean air vehicle that meets or exceeds the Ultra Low Emission Vehicle standard may be licensed and used in taxicab service until it reaches eleven (11) years of age or one million one hundred thousand (1,100,000) miles on the odometer, whichever occurs first.
    - iv. Exemption for Classic, Vintage, or Antique Vehicles
      - (A) A vehicle that is determined by the Licensing Officer to qualify as a “classic,” “vintage,” or “antique” vehicle, pursuant to criteria developed, promulgated, and published by the Licensing Officer as an administrative regulation, may qualify for an exemption to the vehicle age and usage requirements of this chapter.
      - (B) An applicant who seeks this exemption shall notify the Licensing Officer at the time of application of the intent to operate a classic, vintage, or antique vehicle as a taxicab.
      - (C) Every classic, vintage, or antique vehicle for which a taxicab vehicle license is sought shall comply with all safety and inspection requirements set forth in this chapter.

- (D) The process of applying for a taxicab vehicle license for a classic, vintage, or antique vehicle may require additional time.
  - (E) The Licensing Officer may, if reasonably necessary to protect the public health, safety, and welfare, place conditions and/or restrictions on the operation and use of a taxicab vehicle license for a classic, vintage, or antique vehicle.
  - (F) Any person who operates a classic, vintage, or antique vehicle as a taxicab and does not comply with the conditions and restrictions placed on operation of the vehicle by the Licensing Officer is guilty of an infraction.
- b. Every taxicab vehicle to which any exemption may apply shall be inspected by the Boise City shop, and must pass said inspection, at the beginning of the process of application for a taxicab vehicle license.
4. The vehicle age and usage limits contained herein shall not apply to any taxicab vehicle originally licensed prior to the effective date of this chapter, provided such taxicab vehicles have been licensed continuously at all times since first licensed by Boise City.

**B. Required Taxicab Vehicle Inspections**

- 1. Every taxicab vehicle shall submit to a quarterly inspection to assess compliance with the standards and requirements contained in this chapter.
- 2. No vehicle shall be issued a taxicab vehicle license unless and until that vehicle has passed an inspection in accordance with the standards and requirements contained in this chapter.
- 3. In addition to all other prescribed penalties for violations of this chapter, any person who owns, leases, or operates a taxicab vehicle that does not conform to the minimum inspection standards and requirements set forth in this section shall be subject to immediate suspension or revocation of the taxicab vehicle license held by that person.
- 4. Every taxicab vehicle placed in service or licensed after February 2, 2012, shall submit to and pass an annual inspection conducted by Boise City. This annual inspection shall occur in lieu of one quarterly inspection required herein.
- 5. All taxicab vehicle inspections, and all inspections of vehicles for which a taxicab vehicle license application has been filed, that are conducted by Boise City shall be made at the time and place designated by the Licensing Officer.

6. A violation of any of the provisions of subsection B. of this section shall be a misdemeanor.
7. To pass the quarterly and annual inspections required by this chapter, all taxicab vehicles shall meet or exceed the following standards and requirements, unless specifically provided otherwise within this chapter:
  - a. Tires
    - i. Tires shall not have cuts, breaks, gaps, or show excessive or uneven wear.
    - ii. Tire wear bars shall not be showing.
    - iii. Tire tread depth shall be no less than two thirty-seconds of an inch ( $2/32''$ ) of an original tire.
    - iv. The vehicle shall have a spare tire that is fully inflated and meets the same requirements as tires installed on the vehicle.
    - v. The vehicle shall have a jack or other device capable of lifting the vehicle to enable a tire to be changed.
    - vi. Tires shall all be of the same size and type (either radial or bias).
  - b. Body Condition
    - i. The vehicle body shall be in good condition, free of holes, excessive wear, and torn metal.
    - ii. A front and a rear bumper shall both be firmly attached.
    - iii. The vehicle body shall be free of any unrepaired body damage.
    - iv. The vehicle shall be completely and properly painted in conformance with the color scheme required by this chapter and approved in advance by the Licensing Officer.
  - c. Lights
    - i. Headlights shall be intact and operable on both high and low beam.
    - ii. Tail lights, parking lights, brake lights, top light, and signal lights shall be intact and operable.

- iii. An interior light capable of illuminating the interior shall be operable.
- d. Windshield Wipers
  - i. All windshield wipers shall be operable.
  - ii. Windshield wiper blades shall be in good condition.
- e. Brakes
  - i. Both the parking brake and all four (4) wheel brakes shall be operable and in good condition.
  - ii. All brake shoes and pads shall have a safe amount of wear remaining.
  - iii. Brake pedal travel shall not exceed two and one half inches (2.5”).
- f. Steering
  - i. The steering system shall be in good mechanical order.
  - ii. All steering components shall meet the minimum specifications and standards set by the manufacturer.
- g. Exhaust System
  - i. Mufflers shall not have any holes.
  - ii. Mufflers shall be firmly attached to the exhaust and tail pipes.
  - iii. Tail pipes shall extend beyond the passenger compartment, fully to the rear of the vehicle.
  - iv. All emission control devices shall be attached, and shall be in proper working order.
- h. Windows
  - i. The windshield shall be completely free of cracks, and shall be free from chips or pitting that interferes with the driver’s vision.
  - ii. Door windows shall be free of cracks and shall be operable as they were intended by the manufacturer.



- i. Door Handles and Locks
  - i. All door handles and latches shall be operable from both the inside and outside of the vehicle.
  - ii. All door locks shall be operable by the passenger.
- j. Seat Belts
  - i. The vehicle shall be equipped with sufficient operable seat belts to provide safety to each passenger.
  - ii. The seat belts shall comply with Idaho law.
- k. Suspension
  - i. There shall be no broken or weak springs.
  - ii. Shock absorbers shall not be weak or defective.
  - iii. All suspension components shall meet the minimum specifications and standards set by the manufacturer.
- l. Appearance
  - i. The engine compartment shall be kept reasonably clean and free of uncontained combustible material.
  - ii. The exterior shall be kept clean and well maintained.
  - iii. The interior shall be kept clean and free of garbage and litter.
  - iv. The seats and upholstery shall be kept clean and free of holes and tears.
  - v. The vehicle shall be kept free from unsightly dirt, grime, and stains.
  - vi. No vehicle shall have floor covering, headliner, or upholstery that is worn through or torn.
  - vii. No vehicle shall have unauthorized signs, markings, or stickers affixed thereto.
  - viii. Every wheel shall be covered by a matching hubcap, where there is a place for such hubcap.

- ix. Every taxicab shall be maintained free of noxious, unhealthy, or unpleasant odors, fumes, stench, and smells, including (but not limited to) urine, feces, smoke, fuel, or vomit.
8. Every taxicab vehicle shall comply with Ada County motor vehicle emissions standards and regulations, regardless of where the vehicle itself is registered, and shall have a valid certificate of compliance, in addition to the inspection requirements listed above.
9. All inspections required by this section shall be performed prior to the issuance or renewal of a taxicab vehicle license, and every calendar quarter thereafter. The calendar quarters are the periods of January through March, April through June, July through September, and October through December.
10. Every required quarterly and annual inspection must be completed prior to the beginning of the next quarter.
11. The Licensing Officer is authorized to establish rules and guidelines governing the timing of, and scheduling procedure for, quarterly and annual taxicab vehicle inspections.
12. The Licensing Officer may, upon determining the existence of good cause therefor, require any taxicab vehicle applicant or licensee to submit any taxicab vehicle to an additional inspection.
13. Every requirement of this section shall be maintained throughout the inspection quarter, and throughout the term of the taxicab vehicle license.
14. Inspections of Vehicles Seven (7) Years of Age or Older - Additional Standards and Requirements
  - a. Quarterly inspections of all vehicles Seven (7) years of age or older shall be completed using inspection standards and requirements that are more stringent than those set forth herein.
  - b. The inspection standards and requirements for taxicab vehicles Seven (7) years of age or older shall be established and promulgated by the Licensing Officer, in consultation and collaboration with the Boise City shop.
15. Inspection Fees
  - a. Every initial quarterly vehicle inspection shall be accompanied by a fee in an amount established by the Boise City Council and listed on the most current City Clerk License Fee Schedule.

- b. All fees are nonrefundable and shall be collected in advance of the inspection.
- c. If any inspection results in the need for re-inspection of the vehicle, a re-inspection fee in an amount established by the Boise City Council and listed on the most current City Clerk License Fee Schedule shall be charged.
- d. If any re-inspection requires elevation of the vehicle or any re-inspection of the taximeter, an additional fee in an amount established by the Boise City Council and listed on the most current City Clerk License Fee Schedule shall be charged.

16. Approved Inspection Locations

- a. The Licensing Officer shall review and approve persons that inspect taxicab vehicles pursuant to the requirements of this chapter.
- b. All inspections required by this chapter shall be performed by persons approved to conduct such inspections.
- c. No person related to or affiliated with the taxicab vehicle owner or operator, or related to or affiliated with the taxicab business licensee, shall be approved to inspect taxicab vehicles pursuant to this chapter.

C. Taxicab Vehicle Inspection Decal

- 1. Upon passing every inspection required by this chapter, a taxicab vehicle shall be issued two (2) identical inspection decals by the Licensing Officer, each bearing the date the vehicle passed inspection.
- 2. The design, color, and type of inspection decal will be determined by the Licensing Officer, with the color of the inspection decal changing annually.
- 3. The Licensing Officer shall affix the inspection decals to the taxicab vehicle, with one (1) inspection decal affixed on each side of the taxicab vehicle.
- 4. Inspection decals shall not be transferable, and shall be affixed or removed only by the Licensing Officer.

D. Approved Color Scheme, Name, Trade Name, and License Number

- 1. Every owner or of a taxicab vehicle or fleet of taxicab vehicles shall submit a distinctive and uniform color scheme to the Licensing Officer for approval at the time of making application for a taxicab vehicle license pursuant to this chapter.

2. No color scheme shall be approved that directly conflicts with an approved color scheme, monogram, trade name, design, or insignia that is already in use on another licensed taxicab vehicle.
3. Every taxicab vehicle shall have, on both sides and on the rear of the vehicle, either painted upon it or permanently affixed to it by means of a plate or other device approved by the Licensing Officer:
  - a. The trade name under which the taxicab is operated;
  - b. The taxicab vehicle license number of the taxicab; and
  - c. The telephone number by which the Licensing Officer or a member of the public will have the ability to contact the licensee, as required by this chapter.
4. All lettering required to be affixed to the exterior of a taxicab vehicle shall be at least two inches (2") in height, and shall be of a color that is in clear contrast to the dominant color of the color scheme.
5. New, additional, or repainted vehicles owned or operated by the same person shall conform to the same color scheme approved for that person's taxicab vehicles, and all vehicles owned or operated by the same person shall display the same approved color scheme, design, and trade name. All new, additional, or repainted vehicles shall be subject to all inspection and approval requirements set forth in this chapter.
6. No vehicle that bears a taxicab color scheme, has a taxicab top light permanently affixed as required by this chapter, is licensed as a taxicab vehicle, or holds itself out to be a taxicab vehicle, regardless of license status, shall be operated as other than a taxicab vehicle, unless:
  - a. The taxicab top light is completely and securely covered in such a way that it is not visible; and
  - b. All taxicab logos and trade names visible to the exterior of the vehicle are completely and securely covered, such that they are not visible; and
  - c. That all covers and covering devices used to comply with this subsection shall be approved by the Licensing Officer prior to use on the taxicab vehicle.
7. No taxicab shall bear or have affixed to it any unapproved or unauthorized sticker, sign, banner, or magnet.

8. A violation of any of the provisions of subsection D. of this section shall be an infraction.

E. Taximeters

1. Every taxicab shall be equipped with, and have permanently attached thereto, a taximeter that automatically registers the amount of the fare charged. Every fare shall be:
  - (a) Automatically computed and registered in proportion to the miles traveled by the taxicab; or
  - (b) Automatically computed and registered by a combination of miles traveled and time elapsed.
2. Every taximeter shall be installed so the taximeter and the amount of fare displayed thereon shall be plainly visible to the passenger(s) riding in the taxicab.
3. The face of every taximeter shall be illuminated by a suitable light, or shall bear letters and numbers that are sufficiently backlit, to be plainly visible to a passenger seated in the rear seat.
4. Every taximeter shall be connected to and operate from a wheel or from the transmission of the motor of the taxicab.
5. The taximeter shall be calibrated, inspected, and tested for each rate or fare required and set by this chapter, and the taximeter case shall be sealed by the Boise City shop or such other person designated by the Licensing Officer.
6. No person related to or affiliated with the taxicab vehicle owner or operator, or related to or affiliated with the taxicab business licensee, shall calibrate, inspect, test, or seal any taximeter.
7. It shall be the duty of the owner of the taxicab to have the taximeter inspected and approved as required by this chapter.

F. Top Light (“For Hire” Signal)

1. Every taxicab shall be equipped with a top light, which shall be connected to and activated by the taximeter to denote whether or not such taxicab is available for hire.
2. It shall be unlawful for any taxicab driver, while carrying passengers or while under employment, to illuminate a top light.
3. Every top light shall be:

- a. Permanently affixed to the roof of the taxicab.
  - b. White or yellow, and emit only white or yellow light.
  - c. Clearly visible during daylight hours from a distance of at least one hundred fifty feet (150’).
  - d. Clearly visible at night, when illuminated, from a distance of at least three hundred feet (300’).
4. A violation of any of the provisions of subsection F. of this section shall be an infraction.

**Section 5-24-11 IMMEDIATE OUT-OF-SERVICE**

- A. Subject to a right of appeal, every taxicab owner or operator shall remove any taxicab from operation or service immediately upon notification from the Licensing Officer that the taxicab vehicle qualifies for “immediate out-of-service” designation.
- B. A taxicab vehicle qualifies for “immediate out-of-service” designation when any of the following conditions is present:
- 1. The vehicle is found to be in an unsafe operating condition.
  - 2. A notice of violation or infraction citation was issued for vehicle or equipment defect or condition, with due notice given to correct the defect, deficiency, or condition, and the defect, deficiency, or condition was not corrected within the time period stated on the notice of violation or infraction citation.
  - 3. The vehicle has not passed an inspection required by this chapter.
  - 4. The vehicle does not contain proof of valid insurance of the type and in the amount required by this chapter.
- C. A taxicab vehicle designated “immediate out-of-service” shall not be operated, except as may be necessary to return the taxicab vehicle to the residence or place of business of the owner or operator or to a garage or repair facility, until the taxicab vehicle has been deemed to be in conformance with all requirements of this chapter.
- D. Every taxicab vehicle designated “immediate out-of-service” shall be re-inspected and cleared by the Licensing Officer prior to returning to service or operation.

**Section 5-24-12 RATES & FARES**

A. Every taximeter shall be set and calibrated such that the rate or fare shall not exceed those set forth in the following schedule:

1. An initial charge of two dollars (\$2.00) for which one (1) or two (2) passengers shall be entitled to transportation for a distance of one-twelfth (1/12) of a mile or a waiting time of not to exceed two (2) minutes. The initial charge (drop charge) may be increased by twenty cents (\$0.20) per trip when the average self service pump price of leaded/unleaded gasoline exceeds one dollar (\$1.00) per gallon in Boise City and increased by twenty cents (\$0.20) for every one dollar increase per gallon thereafter. That price shall be established as follows: The Oil Price Information Service (OPIS) price plus current state and federal taxes plus ten cents (\$0.10).
2. Subsequent to the initial charge, the rate of fare shall not exceed two dollars and forty cents (\$2.40) per mile, or fraction thereof, and forty cents (\$.40) for each minute, or fraction thereof, waiting time.
3. The rates or fares provided in subsections 1. and 2. of this section are the totals to be charged for one (1) or two (2) passengers. There shall be an additional charge not to exceed one dollar (\$1.00) for each additional passenger over two (2).
4. Whenever a taxicab is engaged or hired solely on an hourly basis for use within the corporate limits of the City, the fare shall not exceed the rate of thirty dollars (\$30.00) per hour, regardless of the number of passengers.
5. Whenever a taxicab is engaged or hired, each passenger shall be entitled to have conveyed, without charge, two (2) items of luggage, which may be valises, suitcases, bags, or similar items, and shall be entitled, if the size and capacity of the taxicab is sufficient, to have additional items of luggage carried at a charge not to exceed fifty cents (\$.50) for each item of luggage in excess of two (2) per person. A mobility device used by a disabled person shall not be considered a luggage item, and shall be conveyed without cost.
6. No charge for waiting time shall be assessed for time lost or used on account of inefficiency of the taxicab or taxicab driver, operation of the taxicab, or the taxicab's premature arrival in response to a call for service.
7. Charges for passengers other than those first employing the taxicab shall be as follows:
  - a. If the destination of the additional passenger(s) is the same as the original passenger(s), one dollar (\$1.00) for each additional passenger and fifty cents (\$0.50) for each item of luggage.

- b. If the destination of the additional passenger(s) is beyond the destination of the original passenger(s), upon discharge of the original passenger(s) the meter shall be reset and charges shall be assessed at the rates provided in this section.
      - c. If the destination of the additional passenger(s) is before the destination of the original passenger(s), the additional passenger(s) shall be charged the fare on the meter at their destination. Upon discharge of the additional passenger(s), the meter shall be reset and the original passenger(s) shall be charged the rates provided in this section from that point to their destination.
    - 8. As established by section 12-19-07, Boise City Code, taxicabs operating at the Boise Air Terminal shall be authorized to charge an additional one dollar and fifty cents (\$1.50) from each person engaging or hiring the taxicab at the Boise Air Terminal for transportation to a destination off Boise Air Terminal grounds to offset the fee for use of the taxicab loading area established in section 12-19-05, Boise City Code.
- (Ord-50-13, Amended, 1/7/2014)
- B. Whenever requested by a passenger or customer, a taxicab driver shall be able to provide a receipt that includes the following:
    - 1. Each rate, fare, and charge incurred by the taxicab customer; and
    - 2. The name, address, and telephone number of the taxicab company; and
    - 3. The number of the taxicab vehicle license; and
    - 4. The name of the taxicab driver; and
    - 5. The date and time of the fare.
  - C. There may be, at the discretion of the City Council, a review and adjustment of taxicab rates on or about June 30 of each year. This review and adjustment shall be based on changes in the Producer Price Index for the following specified categories: Insurance, mechanics, automobile parts, tires, and dispatch or communication devices. The base index for this adjustment shall be March, 1993.
  - D. No taxicab driver shall charge any additional fare or fee for assisting a person with a disability with the stowing of a mobility device or for conveying any mobility device used by a person with a disability.
  - E. No taxicab driver shall charge any additional fare or fee for conveying or transporting a service animal.

(Ord-50-13, Amended, 1/7/2014)



**Section 5-24-13      DAILY RECORD**

- A. All taxicab drivers shall keep and maintain a written daily record of all calls made and passengers transported.
- B. Every daily record shall include, at a minimum:
  - 1. The time and place at which the passenger was picked up.
  - 2. The time and place at which the passenger was dropped off.
  - 3. The number of passengers transported during each trip.
- C. Every daily record shall be kept and maintained by the driver of the taxicab for at least six (6) months.
- D. Every daily record shall be made immediately available for inspection at any time upon request of the Licensing Officer.
- E. A violation of any of the provisions of this section shall be an infraction.

**Section 5-24-14      TAXICAB STANDS**

- A. The Licensing Officer, with the consent of the Boise City Parking Services Office, is hereby authorized and empowered to establish open stands in such place or places upon the streets of Boise City as may be deemed necessary for the use of taxicabs and the convenience of the general public.
- B. The Boise City Parking Services Office shall:
  - 1. Work with the Licensing Officer to determine the number, location, and hours of taxicab stands in Boise City.
  - 2. Prescribe the dimensions of every taxicab stand.
  - 3. Set the maximum number of taxicabs that may occupy each taxicab stand.
- C. It shall be unlawful for any taxicab driver to exceed the maximum number of taxicabs that may occupy a taxicab stand.
- D. It shall be unlawful for any person, vehicle, motorcycle, or other means of conveyance other than a licensed taxicab to use or occupy any taxicab stand.

- E. A violation of any of the provisions of this section shall be an infraction.

**Section 5-24-15 NO PICK-UP/DROP-OFF ZONES**

- A. To ensure the public safety of pedestrians, taxicab customers, passengers, and regular vehicular traffic, the following streets, roads, and areas are designated “No Pick-up/Drop-off Zones” from 9 p.m. until 5 a.m., seven (7) days per week:
  - 1. On Main Street between Capitol Boulevard and 5th Street.
  - 2. On 6th Street between Main Street and Grove Street.
- B. Taxicabs shall not drop-off or pick-up any passenger(s) within a No Pick-up/Drop-off Zone.
- C. Taxicab vehicles shall not occupy, even temporarily or momentarily, for any purpose, any designated on-street parking space within a No Pick-up/Drop-off Zone.
- D. Taxicab vehicles shall utilize the nearest taxicab stand outside the No Pick-up/Drop-off Zones to pick-up or drop-off passengers.
- E. No taxicab shall stand or park at any place on any road, street, or highway within a No Pick-up/Drop-off Zone, or in any alley accessible from within a No Pick-up/Drop-off Zone, except as directed or required by an official traffic sign, official traffic signal, or peace officer.

**Section 5-24-16 TAXICAB DRIVER DRESS CODE**

- A. Every taxicab driver shall conform to the dress code established by the Licensing Officer.
- B. The dress code shall include, at a minimum:
  - 1. Every taxicab driver shall wear a shirt with a collar, either long-sleeved or short-sleeved. Tank tops are not acceptable.
  - 2. Every taxicab driver shall wear pants, shorts, a skirt, or a dress. Cut-off shorts are not acceptable.
  - 3. Every taxicab driver shall wear shoes. Sandals or “flip-flop” type footwear is not acceptable.
  - 4. All clothing and shoes must be clean, without holes, with no visible rips or tears.
  - 5. Hair, beards, and moustaches shall be kept clean and neatly trimmed.

C. A violation of any of the provisions of this section shall be an infraction.

## **Section 5-24-17 ILLEGAL ACTS**

In addition to the unlawful practices and illegal acts and omissions proscribed throughout this chapter, each of the following acts or omissions shall be unlawful:

### **A. Licenses Required**

1. Every person who drives, operates, or is in actual physical control of a taxicab within Boise City shall be in actual possession of all required licenses, all of which shall be posted, as required by this chapter.
2. No person shall drive or operate, or permit to be driven or operated, or participate in the driving or operation of a taxicab within Boise City unless pursuant to a valid taxicab business license.
3. No person shall drive or operate, or permit to be driven or operated, or participate in the driving or operation of a taxicab within Boise City unless pursuant to a valid and vehicle-specific taxicab vehicle license.
4. No person shall drive, operate, or be in actual physical control of a taxicab within Boise City unless that person is a licensee in possession of a valid taxicab driver's license.
5. No person owning, leasing, operating, or otherwise in control of a taxicab business or vehicle shall employ or contract with a taxicab driver unless such driver is licensed as required by this chapter.

### **B. Licenses - Generally**

1. All licenses issued pursuant to this chapter shall remain the property of Boise City, and shall be surrendered to the Licensing Officer within seventy two (72) hours of suspension, revocation, or expiration thereof, or upon demand by the Licensing Officer.
2. No person shall have in their possession any license issued pursuant to this chapter that has been suspended, revoked, or that has expired.
3. No person shall transfer any license issued pursuant to this chapter without prior written approval of the Licensing Officer.

4. Every applicant & licensee shall notify the Licensing Officer in writing within two (2) business days upon the change of any of the information provided by the applicant or licensee in the license application submitted to the Licensing Officer.
5. Every applicant & licensee shall continue to have and maintain all the qualifications, and none of the disqualifications, for licensure pursuant to this chapter.
6. Every applicant & licensee shall notify the Licensing Officer in writing within two (2) business days in the event the applicant or licensee loses any qualification, or gains any disqualification, for licensure pursuant to this chapter.
7. Every person driving, operating, or in charge of a taxicab shall have all required licenses posted in the taxicab vehicle at all times the licensee is driving, operating, or in charge of the taxicab. All licenses shall be posted in full and clear view of any passenger in the rear seat of the taxicab.
8. Every licensee, upon request or demand of the Licensing Officer, a peace officer, or a passenger or potential passenger, shall immediately present all required licenses for inspection.
9. No licensee shall permit or allow the use or possession of that person's license(s) by any other person, except for temporary inspection of the license by an authorized person as required by this chapter.
10. No licensee shall permit or allow any unlicensed person to operate or drive a taxicab.
11. No licensee whose license was issued with limitations, restrictions, or conditions shall fail to obey and adhere to the prescribed limitations, restrictions, or conditions.
12. No person with any license issued pursuant to this chapter that has expired or has been suspended or revoked shall operate any taxicab vehicle. Any operation of a taxicab during the period of suspension or following a license revocation or expiration shall be deemed a separate offense for each day on which the taxicab is illegally operated.

C. Medical Certificate

1. Every taxicab driver shall maintain and keep current the medical card required by this chapter.
2. Every taxicab driver shall notify the Licensing Officer within two (2) business days of any illness, accident, injury, or other health issue that may cause the

licensee to fail to meet any of the physical requirements contained in 49 CFR Part 391.41.

3. No taxicab driver shall fail to comply with all restrictions and requirements placed on that person's operation of a taxicab or other motor vehicle by the examining physician who issued the medical card.
4. No taxicab driver shall fail to comply with all restrictions and requirements placed on that person's operation of a motor vehicle by the Idaho Department of Transportation.
5. A violation of any of the provisions of subsection C. of this section shall be an infraction.

D. Insurance Required

1. A certificate or proof of liability insurance of the type and in the amount required by this chapter shall be tendered to the Licensing Officer prior to operation of the covered taxicab(s).
2. The owner and the driver of a taxicab shall ensure that the certificate or proof of liability insurance of the type and in the amount required by this chapter is carried in the taxicab vehicle covered by the insurance and shall be immediately provided for inspection upon request of the Licensing Officer.
3. No person shall fail to notify the Licensing Officer in writing within two (2) business days of any change to or cancellation of any policy of insurance covering any taxicab under that person's ownership, care, or control.

E. Inspection and Safety

1. No person shall operate any vehicle as a taxicab unless and until said vehicle has passed all inspections required by this chapter and has valid inspection decals affixed thereto as required by this chapter.
2. No person shall fail to present a taxicab under their ownership, care, control, or operation for a scheduled inspection to be conducted by Boise City at the time and place designated by the Licensing Officer.
3. Every taxicab vehicle owner or operator shall make any taxicab under their ownership, care, control, or operation immediately available for inspection at any time upon reasonable notice from the Licensing Officer.
4. No person shall substitute vehicle equipment or parts subsequent to inspection unless such substituted equipment or parts are in equal or better condition than the equipment or parts being replaced.

5. No person shall operate any taxicab vehicle that does not have two (2) valid inspection decals affixed thereto.
6. No person, other than the Licensing Officer, shall affix, remove, destroy, or deface any inspection decal.
7. Every taxicab owner or operator shall notify the Licensing Officer in writing within two (2) business days of the removal, destruction, or defacement, other than by the Licensing Officer, of any inspection decal affixed to a taxicab within his or her ownership, care, or control.
8. No person shall operate any taxicab in excess of the vehicle age and use limits set forth in this chapter, unless pursuant to an exemption authorized by this chapter and approved by the Licensing Officer.
9. Every taxicab owner, operator, and licensee shall ensure that every taxicab vehicle under his/her ownership, care, or control conforms with all safety and inspection requirements set forth in this chapter at all times the taxicab vehicle is in operation.
10. Every person who operates a classic, vintage, or antique vehicle as a taxicab shall comply with all conditions and restrictions placed on operation of the vehicle by the Licensing Officer. A violation of subsection 10 is an infraction.

F. “Immediate Out-of-Service”

1. Every vehicle designated “immediate out-of-service” shall be removed from operation or service at the time notice of the “immediate out-of-service” designation is given, and shall not return to service or operation until inspected and cleared, in writing, by the Licensing Officer.
2. It shall be unlawful for any person to drive, operate, or permit or allow the operation of any taxicab designated “immediate out-of-service.”
3. No person, other than the Licensing Officer, shall affix, remove, destroy, or deface any “immediate out-of-service” decal.

G. Taximeter

1. It shall be unlawful for any person to drive, operate, or permit or allow the operation of a taxicab in Boise City unless such taxicab is equipped with a taximeter that meets all requirements of this chapter.

2. It shall be unlawful for any person to tamper with or alter any gear, wheel, or other part of a taxicab or taximeter that would alter, or cause the alteration of, the rates set forth in this chapter.
3. It shall be unlawful to change any taximeter from one taxicab to another unless such taximeter is re-inspected, tested and resealed, as required herein.
4. No person shall drive, operate, or permit the operation of any taxicab having an unsealed taximeter, or having a taximeter that does not have its cover and all gears intact.
5. No person shall drive, operate, or permit the operation of any taxicab with a taximeter having or containing an unauthorized rate or fare.

#### H. Rates and Fares

1. Except as otherwise provided in this chapter, it shall be unlawful for any person to charge, demand, collect, or receive any rate, fare, or charge that is greater than one directly based on, measured and computed by, and displayed upon an inspected, approved, and sealed taximeter.
2. It shall be unlawful for any licensee to engage any rate or fare on a taximeter that is not in compliance with the schedule set forth in this chapter.
3. No taxicab rate, fare, or other fee shall be charged by any person unless it complies with the schedule set forth in this chapter.
4. Every taxicab shall have posted, in a conspicuous place visible to all passengers, the rate card or sticker furnished by the Licensing Officer.
5. The taximeter shall be activated and used in all cases where the taxicab vehicle is employed to carry or convey a passenger or passengers.
6. Unless specifically directed by the passenger, it shall be unlawful for any taxicab driver or operator to fail to use the most direct route possible to a stated destination.
  - a. For purposes of this section, “most direct route possible” shall mean the shortest geographical distance between the point at which the taxicab was hired and the passenger’s stated destination.
  - b. For example, any taxicab driver who conveys a passenger from the airport into downtown Boise via I-184 (“The Connector”), unless specifically directed by the passenger to do so, shall be in violation of this section.

7. Whenever requested by a passenger, every driver of a taxicab shall provide a receipt containing all information required by this chapter.
8. Every taxicab driver shall provide exact change upon payment of a fare, unless directed otherwise by the customer.
9. Every taxicab and taxicab driver must have the ability to lawfully accept debit and credit cards, and shall do so only with a verified merchant account.
10. No taxicab shall have a “minimum fare requirement” for payment by credit card.
11. Every person who hires or employs a taxicab shall pay the fare or charge for the taxicab service provided.

I. Top Light

1. Every taxicab shall be equipped with a top light, which shall be connected to and activated by the taximeter to denote whether or not the taxicab is available for hire.
2. Every top light shall meet all requirements and specifications contained in this chapter.
3. No taxicab driver, while carrying any passenger(s) or while hired or under employment, shall illuminate a top light.

J. Color Scheme; Design

1. No person shall operate a taxicab bearing an unapproved color scheme or a color scheme that does not comply with the requirements of this chapter.
2. Once a color scheme is approved, no person shall modify, alter, or change any element of the approved color scheme without prior written approval of the Licensing Officer.
3. No person shall drive or operate a taxicab unless the taxicab has, on both sides and on the rear of the vehicle, each of the following either painted upon it or permanently affixed to it by means of a plate or other device approved by the Licensing Officer, with letters of at least two inches (2”) in height:
  - a. The trade name under which the taxicab is operated;
  - b. The taxicab vehicle license number of the taxicab vehicle; and
  - c. The telephone number by which the owner, lessee, driver, or operator of the taxicab vehicle can be reached.



4. No person shall operate a taxicab bearing or having attached to it any unauthorized sticker, sign, banner, or magnet.
5. No person shall operate a taxicab vehicle licensed pursuant to this chapter as anything other than a taxicab vehicle, unless the top light, all logos, and all instances of the taxicab trade name on the vehicle are completely covered by approved means, as required by this chapter.

K. No Pick-up/Drop-off Zones

1. Taxicabs shall not drop-off or pick-up any passenger(s) within a designated No Pick-up/Drop-off Zone.
2. Taxicabs shall not occupy, even temporarily or momentarily, for any purpose, any on-street parking space within a designated No Pick-up/Drop-off Zone.
3. No taxicab shall stop, wait, stand, or park at any place on a road, street, highway, or alley within a designated No Pick-up/Drop-off Zone, other than as directed or required by a traffic sign, traffic signal, or peace officer.
4. A violation of any of the provisions of subsection K. of this section shall be an infraction.

L. Ability to Contact

1. Every applicant and licensee shall maintain a current, valid telephone number, which shall be answered by the licensee during the hours any taxicab operated by the licensee or pursuant to the licensee's taxicab business license is in operation.
2. This telephone number shall be provided to the Licensing Officer, and shall be updated in writing by the applicant or licensee within two (2) days of any change.
3. The telephone number may be answered by a voicemail system, answering service, or competent person who takes a message; provided that the licensee shall return every message left by the Licensing Officer within twenty four (24) hours of the time such message is left.

M. Other Unlawful Practices

1. No person shall ride on the fenders, hood, or any place on the outside of a taxicab, or permit or allow any person to do so.
2. No taxicab driver shall carry or transport any person other than those who first hired or employed the taxicab unless the person or persons who first hired or

employed the taxicab expressly consent to the acceptance of additional passenger or passengers.

3. No taxicab driver shall carry more passengers in a taxicab than the rated seating capacity of the taxicab vehicle.
4. No taxicab driver shall refuse or neglect to convey, on public roads or private roads open to the public, any orderly person or persons, unless previously hired or employed. Every driver shall have the right to demand payment of a fare in advance if he/she has reasonable grounds to believe that the fare will not be paid at the completion of the trip.
5. No taxicab owner, driver, or operator shall attempt to divert patronage from one business entity or person to another.
6. No taxicab owner, driver, or operator shall violate any law, rule, or airport management practice concerning the conduct of persons owning, operating, or having charge of taxicabs on or about airport premises.
7. No licensee shall solicit any person, or assist in the solicitation of any person, to participate in any illegal, illicit, immoral, fraudulent, or unlawful act.
8. No licensee shall engage in any unfair or deceptive act or practice.
9. Every taxicab driver shall keep and maintain a daily record, as required by this chapter.
10. Every taxicab driver, upon request or demand of the Licensing Officer, shall make the required daily record available for inspection.
11. No person shall park a taxicab upon any street, alley, or public place in Boise City where the time for parking is restricted, except in a designated stand or during the time necessary for receiving and discharging passengers at the curb.
12. No person or vehicle, other than a taxicab licensed pursuant to this chapter, shall occupy or use any taxicab stand.
13. Except as specifically authorized by this chapter, no person shall mark out, extend, or designate any taxicab stand.
14. No taxicab driver shall exceed the maximum number of taxicabs allowed to occupy a taxicab stand.
15. No person shall operate or drive a taxicab while consuming, or affected in any way by, any alcoholic beverage, illegal drug, legally prescribed drug, or “over-the-counter” drug that may impair or affect the ability to operate a motor vehicle

in a safe manner. For the purposes of this section, any drug for which a warning, precaution, adverse event, or side effect indicating that the drug may impair alertness, motor coordination, mental or physical alertness or abilities, light-headedness, dizziness, sedation, or similar effect is required by the Food and Drug Administration (F.D.A.) to be printed on the label shall be considered “a drug that may impair or affect the ability to operate a motor vehicle in a safe manner.”

16. Every taxicab driver shall retain all lost or unclaimed property for a minimum of thirty (30) days, and upon claim by a passenger, shall transfer such property back to the rightful owner.
17. No person shall consume any beer, wine, alcohol beverage, liquor, tobacco or tobacco product, or illegal drug in a taxicab vehicle.
18. Taxicab drivers, while driving, operating, or otherwise in actual physical control of a taxicab, are prohibited from having any beer, wine, alcohol beverage, or liquor in their possession, on their person, or within their control..
19. No taxicab driver shall purchase and transport any beer, wine, alcohol beverage, liquor, or tobacco or tobacco product at the request or direction of any other person for transport or delivery to that person or any other person.
20. No person shall aggressively solicit any other person to engage or hire a particular taxicab that is waiting in a taxicab stand or line.
21. No person shall fail to fully comply with every provision of Title 5, Chapter 24, Boise City Code.
22. No taxicab driver shall discriminate against a person with a disability. Discrimination may include, but is not limited to:
  - a. Refusing to provide taxicab service to a person with a disability; or
  - b. Refusing to assist with the stowing of any mobility device when the taxicab driver is physically able to assist; or
  - c. Refusing to transport a service animal; or
  - d. Charging a higher fare or an additional fee for providing taxicab service to a person with a disability.

(Ord-50-13, Amended, 1/7/2014)

## **Section 5-24-18 VIOLATIONS; PENALTIES**

### **A. Violations**

Unless otherwise specifically indicated herein, every violation of the provisions of this chapter shall be a misdemeanor.

B. Misdemeanor Penalty

Every misdemeanor violation of the provisions of this chapter shall be punishable by a fine not exceeding one thousand dollars (\$1000.00), imprisonment in the county jail not to exceed six (6) months, or both such fine and imprisonment.

C. Infraction Penalty

Every violation of this chapter specifically identified as an infraction shall be punishable by a fine of one hundred dollars (\$100.00), exclusive of court costs and fees. There shall be no right to a trial by jury of an infraction citation or complaint. Trials of infraction charges shall be before the court without a jury.

(6847, Repealed, Reenacting,05/22/2012)

