

EVANSVILLE CITY CLERK
1 NW MARTIN LUTHER KING JR. BLVD.
CIVIC CENTER, ROOM 314
EVANSVILLE, IN 47708



OFFICE HOURS: 8:00AM – 4:30PM
MONDAY – FRIDAY
OFFICE PHONE: 812-436-4992
WWW.EVANSVILLE.IN.GOV

**EVANSVILLE CITY CLERK
LAURA WINDHORST**

TAXICABS CERTIFICATE OF CONVENIENCE AND NECESSITY

Evansville Municipal Code 5.40.020 requires a certificate of convenience and necessity for the taxicab by an ordinance duly passed by the Common Council and approved by the Mayor in order to be licensed for operation. All certificates of convenience and necessity issued expire on January 1st of each year hereafter.

Ordinances are typically considered for approval in two readings over the course of two City Council meetings. It is important to have your ordinance and certificate of convenience and necessity filed with the City Clerk's Office well in advance of City Council's December meetings to comply with city code and to avoid interruption in your operation after January 1st. It is strongly encouraged to have documents filed in the beginning of November.

Prior to filing, please check that your packet includes the following items as per Evansville Municipal Code 5.40:

1. Application for Certificate of Convenience & Necessity
2. Ordinance (City Councilperson listed as Sponsor)
3. Signed and Notarized Affidavit
4. Certificate of Liability Insurance (coverage for Jan 1 through December 31)
5. Vehicle Fleet List (Car #/Type/VIN)
6. Rates of Fare
7. Drug Policy

Two copies must be submitted to the City Clerk's Office located at 1 N.W. Martin Luther King, Jr. Blvd. Civic Center Room 314, Evansville, IN 47708 by **noon** four business days prior to the City Council meeting the ordinance is introduced.

Please contact the City Clerk's Office with any questions at 812-436-4992.

Chapter 5.40

TAXICABS

Sections:

- 5.40.010 Definitions.
- 5.40.020 License requirements – Certificates of necessity.
- 5.40.030 Vehicle application – Inspection.
- 5.40.040 Insurance.
- 5.40.050 Taxicab driver's license.
- 5.40.060 Driver conduct, appearance and duties.
- 5.40.070 Taxicab license revocation.
- 5.40.080 Taximeters required.
- 5.40.090 Carrying more than one person.
- 5.40.100 Record of trips.
- 5.40.110 Posting fare schedule.
- 5.40.120 Rates of fare.
- 5.40.130 Penalty.

5.40.010 Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Taxicab” means a vehicle driven by mechanical power, designed to carry not more than seven passengers, for public hire within the City; provided, however, that for purposes of this chapter the term “taxicab” shall not apply to the following:

- (A) Motor vehicles used as school buses while engaged in the transportation of students, under the supervision, control, and direction of school authorities;
- (B) Motor vehicles while being used or operated under the control, direction, and supervision of the United States government, the State, a political subdivision, or the board of trustees of any State institution;
- (C) Motor vehicles used for ride-sharing programs on a nonprofit basis;
- (D) Motor vehicles used for commuter services operated by an employer for the exclusive use of its employees;
- (E) Motor vehicles certified as ambulances by the Indiana Emergency Medical Services Commission under IC 16-31;

(F) Motor vehicles used exclusively to provide regular route intercity passenger service on regular routes originating or terminating outside the City, including such vehicles which make one or more incidental stops along such routes within the City;

(G) Motor vehicles without a taximeter that are used exclusively to provide transportation for persons with a mental or physical disability or illness, older adults, or persons who require nonemergency medical treatment and that are operating under a certificate or permit of public convenience and necessity issued by the Indiana Department of State Revenue;

(H) Motor vehicles used exclusively to solicit and transport passengers on trips originating outside the City;

(I) Motor vehicles which are the subject of cost sharing arrangements between passengers and drivers, which arrangements are not designed to generate a profit; and

(J) Motor vehicles excluded from the City's regulatory authority by State law, including a transportation network company regulated pursuant to IC 8-2.1-19.1 et seq.

"Taximeter" means a mechanical device which records and indicates a charge of fare measured by the distance traveled, waiting time, if any, and extra passengers, if any. [Ord. G-2019-13 § 1, passed 10-29-19. 1962 Code § 759.01; 1982 Code § 116.01; 1983 Code § 11.116.01.]

5.40.020 License requirements – Certificates of necessity

(A) No person shall operate for hire on the streets of the City any taxicab without first having obtained a license therefor, as provided in this title. No license for the operation of any taxicab within the City shall be granted until the person applying for the license is granted a certificate of convenience and necessity for the taxicab by an ordinance duly passed by the Common Council and approved by the Mayor. In the adoption of such an ordinance, consideration shall be given to the demands of the public as to the number, kind, type, equipment, and traffic conditions on the streets of the City. All certificates of convenience and necessity so issued shall expire on January 1st of each year hereafter.

(B) The granting or the refusing of a certificate of convenience and necessity for any taxicab as herein provided shall be final and conclusive. Certificates of convenience and necessity shall at all times be granted to two or more persons operating a taxicab business or desiring to operate a taxicab business in the City. The failure of any person who has obtained a certificate of convenience and necessity to operate the taxicab for a period of 30 days shall be sufficient ground for revoking the certificate of convenience and necessity for the taxicab. The revoking of any certificate of convenience and necessity shall be in the same manner as the granting of it.

(C) Upon the transfer of ownership of any taxicab, the City Controller shall, where the transferor requests, validate by appropriate endorsement thereon the license for use on another taxicab to be designated by the transfer. This provision shall likewise apply where the licensee produces satisfactory evidence that the taxicab, through destruction or otherwise, has ceased to be used as a taxicab. Upon any transfer of ownership of any taxicab where the transferor indicates that the vehicle is to continue in use as a taxicab, the City Controller shall by appropriate endorsement thereon validate the license in the hands of the transferee.

(D) Each applicant for a certificate of convenience and necessity shall not be granted a certificate of convenience and necessity until such applicant submits a drug/alcohol testing program. Such drug/alcohol testing program shall provide for such testing for new drivers and for existing drivers under standards and criteria consistent with United States Department of Transportation (DOT) rules and regulations of 49 CFR Part 382, Controlled Substances and Alcohol Use and Testing, as the same may be amended, as if such

rules and regulations were applicable to the drivers. Said testing program shall be filed along with the application and a copy submitted to the City Director of Administrative Services. The Director of Administrative Services shall review the testing program to ensure that it complies and is consistent with the DOT rules and regulations. If a driver fails to comply with the requirements of the taxicab company's drug and alcohol program, he shall not be issued a license to operate a taxi. If a failure to comply occurs after being issued a license, the taxicab company shall not permit the driver to drive any of its taxicabs, the taxicab company shall notify the Secretary to the Safety Board of the driver's failure, and the license shall be revoked by the Safety Board at its next meeting. The driver may appeal the revocation within 30 days of revocation by the Safety Board. [Ord. G-2008-24 § 1, passed 10-8-08; Ord. G-2003-05, passed 1-27-03. 1962 Code § 759.02; 1982 Code § 116.02; 1983 Code § 11.116.02.]

5.40.030 Vehicle application – Inspection

(A) All applications for licenses for taxicab vehicles shall be made by the owner to the City Controller, on blanks to be furnished by the City Controller. The application shall contain the full name and address of the owner, the length of time the vehicle has been in use, the number of persons it is capable of carrying, and the model, year, serial number, and motor number of the vehicle.

(B) No taxicab shall be licensed in any year until it has been inspected by an automobile service facility approved by the Board of Public Safety, and found to be in a safe operating condition in compliance with the manufacturer's recommendations for equipment safety, or the requirements of the State of Indiana, whichever is more restrictive.

(1) An approved taxicab inspection facility shall meet the following standards:

(a) Have within its employ one or more persons trained in replacing or servicing tires, brakes, suspension system, and lights and be familiar with the requirements for such equipment;

(b) Be in the business of offering automotive service to the general public;

(c) The service facility must be in compliance with applicable zoning ordinances and other applicable State and local laws and regulations; and

(d) A service facility may not inspect a taxicab if an owner, partner or manager of the service facility has an ownership interest in the taxicab company whose vehicle they are inspecting.

(2) Said vehicle inspection shall consist of inspecting the tires, brakes, suspension system and exterior lights to make sure they are in proper operating condition according to State standards and the vehicle manufacturer's recommended standards. The Controller's office shall furnish a form for the inspection facility to complete showing the results of the inspection.

(3) The owner of the taxicab shall not be required to have any corrective service work done by the inspecting service facility.

(C) If on inspection the taxicab is found to be of lawful construction and in proper condition in accordance with the provisions of this chapter, and upon payment of the fees set forth in EMC 5.05.060, when so licensed there shall be delivered to the owner, in addition to the license, a card of the size and form prescribed by the City Controller. This card shall contain the official City license number of the taxicab, together with the date of inspection of the taxicab. The card shall be signed by the City Controller and shall contain blank spaces on which an entry may be made of the date of every inspection of the vehicle. The license card shall be of distinctly different color each year and shall contain the name of the person owning the taxicab and the State and City license numbers issued therefor. On the payment of \$1.00 to the City

Controller and furnishing proof by affidavit of the loss or destruction of the license or the card, a duplicate thereof shall immediately be issued to the licensee with the notation thereon that it is a duplicate.

(D) The City Controller's office shall keep a complete and public record of the issuance of each license and all renewals, suspensions, and revocations thereof. Upon reason to believe that a taxicab may not be in proper operating condition as provided in this chapter, the Controller may order an inspection be made at any time to ensure compliance.

(E) No person shall place a taxicab into operation without first having the vehicle inspected as provided in this section. Any person who places a taxicab into operation without having it inspected as required in this section shall be fined \$250.00 per violation. Each day of operation without complying with this section shall be considered a separate offense. [Ord. G-2004-13, passed 8-26-04; Ord. G-97-31, passed 12-22-97. 1962 Code § 759.03; 1982 Code § 116.03; 1983 Code § 11.116.03.]

5.40.040 Insurance

(A) Before the City Controller shall issue a license to operate a taxicab for hire, the licensee shall file with the City Controller a certificate executed by a duly authorized officer of an insurance company authorized to write insurance in the State, to the effect that a policy of insurance has been issued to the licensee for the taxicab covering the period of the license and is in full force and effect and that the premium has been paid as required thereon, together with a true copy of the policy contract or certificate of insurance. The policy of insurance for each licensed taxicab shall be in the minimum sum of \$100,000 conditioned for the payment of any final judgments recovered against the person for the death or injury of persons caused in the operation, maintenance, use, or defective condition of the taxicab. The policy shall be limited to the minimum sum of \$300,000 to more than one person, and limit the liability of the insurer to a minimum \$100,000 for damages to, or destruction of, property. Any person who operates a taxicab without furnishing the City Controller with a certificate of insurance showing the vehicle is properly insured as required by this chapter shall be subject to a civil fine of \$250.00 per violation. Each day a taxicab is operated in violation hereof shall be considered a separate violation.

(B) The insurance policies required herein must contain an endorsement that cancellation of the policy, by the insurer, may be effected only upon 30 days' written notice by the insurer to the Evansville City Controller of the insurer's intention to terminate the policy.

If any insurance company whose policy has been so filed pursuant to this section files such notice in the office of the City Controller of its intention to terminate and cancel the policy of insurance and give notice thereof to the named licensee, whereupon after 10 days of the filing, unless the licensee or owner complies with the provisions of this chapter with respect to insurance, the licensee or owner shall cease to operate or cause to be operated within the City the taxicab for hire. The license issued therefor shall be automatically revoked. However, the liability of the insurance company under the canceled or revoked policy for any act or omission of the licensee or owner occurring prior to the effective date of cancellation shall not be discharged or impaired thereby.

(C) In lieu of the policy of insurance herein provided for, the licensee may be self-insured for the first \$5,000 and shall present to the City Controller certificates for insurance in excess of the sum up to the limits provided for herein. The licensee shall also place in the hands of the City Controller negotiable securities in the amount of \$25,000 to insure the payment by the licensee of any judgment or portion of judgment for which the licensee is self-insured. [Ord. G-2009-25 § 1, passed 12-8-09; Ord. G-97-31, passed 12-22-97; Ord. G-68-37, passed 1-6-69. 1962 Code § 759.05; 1982 Code § 116.04; 1983 Code § 11.116.04.]

5.40.050 Taxicab driver's license

- (A) No person shall act as a driver of a taxicab without first having obtained a City of Evansville taxicab driver's license under this chapter.
- (B) Application. Each applicant for a taxicab driver's license shall provide the following on a form approved by the Safety Board:
- (1) The name and residence address of the applicant including all previous names or aliases used;
 - (2) Applicant's residence for the previous five years;
 - (3) Two current photographs at least two inches by two inches showing the shoulders up without any darkened glasses or head covering;
 - (4) A copy of the applicant's driver's license entitling them to drive a cab in Indiana;
 - (5) A list of convictions for all criminal offenses including the offenses, dates and location of convictions;
 - (6) Physical description of the applicant.
- (C) Qualifications. Each applicant and licensee shall:
- (1) Be at least 18 years of age.
 - (2) Have a State license entitling them to drive a cab in Indiana.
 - (3) Not have operated a taxicab for hire in the City without obtaining a City of Evansville taxicab driver's license. Any person who drives a taxicab for hire without having a valid City of Evansville driver's license shall not be issued a license for 30 days from the date of approval by the Safety Board and shall pay a fine of \$50.00 prior to the issuance of the new license.
 - (4) Not have been convicted of a felony within five years of the date of application.
 - (5) Not have committed an act in any state which would constitute a violation of the following Indiana statutes if it had been committed in Indiana:
 - (a) Rape in violation of IC 35-42-4-1;
 - (b) Criminal deviate conduct in violation of IC 35-42-4-2;
 - (c) Child molesting in violation of IC 35-42-4-3;
 - (d) Child exploitation in violation of IC 35-42-4-4;
 - (e) Vicarious sexual gratification in violation of IC 35-42-4-5;
 - (f) Child solicitation in violation of IC 35-42-4-6;
 - (g) Child seduction in violation of IC 35-42-4-7;
 - (h) Sexual battery in violation of IC 35-42-4-8;
 - (i) Criminal confinement in violation of IC 35-42-3-3;

- (j) Kidnapping in violation of IC 35-42-3-2;
- (k) Voluntary manslaughter in violation of IC 35-42-1-3;
- (l) Murder in violation of IC 35-42-1-1;
- (m) Attempt to commit the crimes listed in subsections (C)(5)(a) through (l) of this section in violation of IC 35-41-5-2;
- (n) Conspiracy to commit the crimes listed in subsections (C)(5)(a) through (m) of this section in violation of IC 35-41-5-2;
- (o) Within the last five years prior to application, not committed the following:
 - (i) Public indecency – indirect exposure in violation of IC 35-45-4-1;
 - (ii) Promoting prostitution in violation of IC 35-45-4-4;
 - (iii) Robbery in violation of IC 35-42-5-1;
 - (iv) Involuntary manslaughter in violation of IC 35-42-1-4;
 - (v) Theft or receiving stolen property in violation of IC 35-43-4-2;
 - (vi) Criminal conversion in violation of IC 35-43-4-3;
 - (vii) Forgery in violation of IC 35-43-5-2;
 - (viii) Deception in violation of IC 35-43-5-3;
 - (ix) Fraud in violation of IC 35-43-5-3;
 - (x) Stalking in violation of IC 35-45-10-5;
 - (xi) Aggravated battery in violation of IC 35-42-1-3.

Additionally, no applicant or licensee shall be listed on a National or State Registry of Sex Offenders. A conviction in a Court shall constitute a violation. The Safety Board shall determine if the findings of a court of another state constitute a violation of statutes listed above. The applicant shall cooperate in determining whether a violation occurred.

(D) The Police Department shall cause an investigation to be made of the applicant to see whether the applicant meets the qualifications listed above and report the department's findings to the Safety Board prior to action by the Safety Board.

(E) Practices and Procedures.

- (1) A licensee shall operate a taxicab in a safe manner in accordance with the requirements of this municipal code and State and Federal law.
- (2) A licensee shall not commit acts constituting a violation of the laws listed in subsection (C) of this section.
- (3) A licensee shall notify the Police Chief in writing, within five business days, if the information contained on the application is no longer correct.
- (4) No person shall operate a taxicab for hire without the required insurance under EMC 5.40.040.
- (5) No license shall be granted for 30 days from approval by the Safety Board if the applicant has operated a taxicab for hire in the City without a valid City of Evansville taxicab driver's license as required in this section.

(6) Every taxicab driver shall have his City of Evansville taxicab driver's license conspicuously displayed on the inside of the taxicab so that it may be clearly seen by occupants of his taxicab.

(7) A licensee shall operate taxicabs that are properly licensed by the State of Indiana and the City of Evansville.

(8) A licensee shall not charge a fare in excess of rates provided in EMC 5.40.120.

(F) The fee for a taxicab driver's license shall be \$10.00. All licenses expire on December 31st of the year they are effective. Any person operating a taxicab without a City taxicab driver's license shall pay a fee/fine of \$50.00 before a new license is issued.

(G) Denial of License and Revocation. The Safety Board may deny a license to any person who fails to meet the standards and qualifications stated herein. Any person denied a license may request, within 30 days of denial, a public hearing before the Safety Board. A license may be revoked by the Safety Board for violation of any of the terms and conditions of this section. Notice of charges and allegations, and the date, time and place of the hearing shall be mailed to the applicant or licensee at the address listed on his application (or as updated in writing to the Police Chief). A licensee or applicant shall be entitled to present evidence and arguments, call and cross-examine witnesses, and be represented by counsel at his cost. [Ord. G-97-21, passed 10-27-97. 1962 Code § 759.06; 1982 Code § 116.05; 1983 Code § 11.116.05.]

5.40.060 Driver conduct, appearance and duties

(A) It shall be the duty of every person driving or operating a taxicab to be courteous, to refrain from swearing, loud talk, or boisterous conduct, to drive his vehicle carefully and in full compliance with all traffic laws, ordinances, and regulations or orders of the Police Department and the Board of Public Safety, and to deal honestly with the public and with his employer. Upon the violation of any of the provisions of this section, on the recommendation of the Chief of Police, the Board of Public Safety may suspend or revoke the license of any offending taxicab driver.

(B) It shall be the duty of every taxicab driver to be hygienically clean, well groomed, neat and suitably dressed in compliance with the requirements of this municipal code and the regulations of the taxicab company. Shorts, swimwear, underwear, T-shirts and tank tops shall not be worn as outer garments. All clothing shall be neat and clean.

(C) A driver shall not engage in the following conduct while driving a taxi on the streets of the City:

(1) Make any offensive gesture or display that by its very nature tends to incite an immediate breach of the peace;

(2) Create by chemical means any noxious and unreasonable odor;

(3) Threaten another person with physical harm;

(4) Fight with another person; or

(5) Engage in conduct that constitutes a violation of Federal, State or local laws or rules and regulations.

(D) Any passenger who engages the services of a taxicab shall have the exclusive right to the passenger compartment of the taxicab, and it shall be a violation of this municipal code for a taxicab driver to carry

additional passengers unless permission is obtained from the passenger who originally engaged the taxicab.

(E) It shall be a violation of this municipal code for a taxicab driver to refuse to transport a person to a requested destination located within the corporate limits of the City. A taxicab company shall make its services available to the entire City, and there shall be no zone or area restrictions.

(F) Each taxicab driver shall inspect his taxicab before going on duty and after discharging each passenger to see that the taxicab is free of cigars, cigarettes, papers, bottles and anything that could cause offensive or objectionable odors. The driver shall check the interior of the taxicab and the trunk to see that no articles have been left in the vehicle after each passenger reaches his destination. In the event a passenger should leave any article in the taxicab, the taxicab driver shall immediately notify the taxicab dispatcher and the driver shall immediately return the article to the owner, the company dispatcher, or a company representative, before making another trip. When a driver delivers the article to the owner or the dispatcher, a receipt for the article shall be delivered to a company representative with the owner's signature or that of the dispatcher. The company shall keep the article for a period of not more than 10 days, and if the owner of the article has not claimed it within that time period, the company shall deliver it to the Police Department as lost property. The Police Department shall give the company a receipt for the article and shall treat it as other lost property according to Police Department procedures. [Ord. G-2003-5, passed 1-27-03. 1962 Code § 759.07; 1982 Code § 116.06; 1983 Code § 11.116.06.]

5.40.070 Taxicab license revocation

Any taxicab vehicle license granted under the terms and provisions of this chapter may be suspended or revoked by the City Controller if the taxicab shall, with the knowledge and consent of the owner, be used for, or the driver shall, with the consent of the owner, be engaged in, any activity in violation of any City ordinance, or any State or Federal law. Any person being aggrieved by reason of the conduct or action of any taxicab driver, or owner in the operation of the taxicab, may present a complaint to any law enforcement officer of the City. It shall be the duty of the Police Department to promptly investigate the complaint and take appropriate action. No owner or taxicab operator shall permit any unlicensed driver, or any driver whose license has been suspended or revoked, to operate any taxicab within the City. [1962 Code § 759.08; 1982 Code § 116.07; 1983 Code § 11.116.07.]

5.40.080 Taximeters required

(A) Every taxicab operated under a certificate of convenience and necessity in the City shall be equipped with a taximeter of a make, construction, and operation satisfactory to the Board of Public Safety. In addition to other requirements prescribed by the board, the taximeter shall have lighted in plain view to passengers a dial whereon shall be registered the fare for each trip in accordance with the rates established in this chapter, and all meters, before being used for the charging of fares, shall be inspected by the Inspector of Weights and Measures. All taximeters shall be inspected for accuracy once each six months by the City Inspector of Weights and Measures and any taximeter concerning which a complaint is made shall be immediately re-inspected by the City Inspector of Weights and Measures. If any taximeter is found to be inaccurate the taxicab to which it is attached shall not be operated until the taximeter is properly approved, adjusted, and resealed by the City Inspector of Weights and Measures upon re-inspection. When any inspection shows that a taximeter accurately records the proper fare, it shall be sealed under the direction of the City Inspector of Weights and Measures and a written certificate of inspection shall be issued to the owner of any taxicab.

(B) No person, except in the repair thereof, shall tamper with, break, or mutilate any taximeter or the seal thereof, with the purpose of causing the taximeter to register any fare incorrectly, or for any other purpose whatsoever. No taxicab on which the seal of the taximeter has been broken shall be operated in the City

until the taximeter is re-inspected by the City Inspector of Weights and Measures and resealed. No person shall operate any taxicab without a sealed operating taximeter in compliance with this chapter. [1962 Code §§ 541.02, 759.09; 1982 Code § 116.08; 1983 Code § 11.116.08.]

5.40.090 Carrying more than one person

(A) Whenever two or more passengers going to different destinations engage the same taxicab, the first passenger to depart shall pay the amount indicated on the taximeter at his destination and the taximeter shall be cleared of all charges before leaving the first destination point. The second passenger shall pay the amount indicated on the taximeter from the first destination to his destination. Each additional passenger shall in turn pay only the amount shown on the taximeter from the last destination to the destination to which he is traveling.

(B) Taxicabs shall not carry more than one passenger or more than one group of passengers; however, a second passenger or group of passengers may be picked up or admitted to the taxicab only with consent of the first passenger or group of passengers engaging the taxicab. [Ord. G-79-5, passed 4-12-79; Ord. G-76-28, passed 12-30-76. 1962 Code § 759.11; 1982 Code § 116.09; 1983 Code § 11.116.09.]

5.40.100 Record of trips

(A) Every holder of a certificate of convenience and necessity, as provided for in this chapter, for the operation of taxicabs in the City, shall keep an accurate record of all trips made by all the taxicabs operated under the certificate. This record shall be made by the operator and driver of a taxicab and shall show the point of origin and destination of all trips; the number of passengers carried; and the time the trip began and the time the trip was completed.

(B) The records shall be open to inspection by the Board of Public Safety or any of its duly authorized representatives; however, it shall not be necessary to preserve the record of any trip for more than 60 days after the date the trip was made. [1962 Code § 759.13; 1982 Code § 116.10; 1983 Code § 11.116.10.]

5.40.110 Posting fare schedule

(A) Each taxicab shall have posted in a manner approved by the Board of Public Safety and in a conspicuous place in letters of legible size a schedule of fares. No operator or driver of any taxicab shall demand or collect a different charge for taxicab service than those posted. No passenger or person engaging a taxicab shall refuse to pay any fare posted in accordance with this chapter.

(B) No person, firm, or corporation holding a certificate of convenience or necessity shall permit any taxicab to be operated within the City wherein the fare established by this chapter is not posted as required therein and no person shall operate a taxicab within the City, for hire, in which the fare established by the provisions of this chapter is not conspicuously posted as required.

(C) No person shall refuse to pay the fare established by this chapter, if the fare is posted pursuant to the provisions of this chapter, after engaging the services of the taxicab.

(D) No operator or driver of any taxicab shall demand or collect a different charge for taxicab service other than the fares established pursuant to the provisions of this chapter. [Ord. G-2008-16 § 1, passed 7-15-08. 1962 Code §§ 541.03, 541.04, 541.05, 759.12; 1982 Code § 116.11; 1983 Code § 11.116.11.]

5.40.120 Rates of fare

Each person, firm, or corporation holding a certificate of convenience and necessity under this chapter shall file and keep on file with the City Clerk a copy of its current fare schedule, which shall be open to the public and exhibit all rates and charges which the company has established and requires as payment for any of its services. Upon passage of the ordinance codified in this section, any existing person, firm, or corporation holding a certificate of convenience and necessity under this chapter shall file its fare schedule with the City Clerk within 30 days, with any new fare schedule to go into effect immediately upon filing with the Clerk, and upon compliance with all other provisions of this chapter. It shall be unlawful for any taxicab operator to charge or to permit to be charged a fare greater than is specified in its rate schedule. A fare schedule may only be changed upon 30 days' written notice to the City Clerk. All licensed taxicabs shall display the current rates in a prominent place within each vehicle, as required by EMC 5.40.110. [Ord. G-2008-16 § 2, passed 7-15-08; Ord. G-2003-05, passed 2-3-03; Ord. G-91-16, passed 4-30-91; Ord. G-87-2, passed 2-9-87; Ord. G-83-24, passed 5-23-83; Ord. G-80-50, passed 9-22-80; Ord. G-79-5, passed 4-12-79; Ord. G-76-28, passed 12-30-76. 1962 Code § 759.10; 1982 Code § 116.12; 1983 Code § 11.116.12.]

5.40.130 Penalty

Any person who violates any provision of this chapter shall be subject to the penalties set forth in EMC 1.05.180. [1982 Code § 116.99; 1983 Code § 11.116.99.]