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**Chapter 85 - TAXICABS**     **[32]**

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**7:151. - Definitions.**

- (1) *Administrator:* The City Administrator or a designee.
- (2) *Approved special event:* A public event that is specially organized by a recognized group or body of organizers and that is formally approved for purposes of this chapter by Council resolution.
- (3) *Reciprocity:* A mutual or cooperative interchange between the City of Ann Arbor and one or more other municipalities of taxicab

licensing requirements and the privileges afforded under the respective municipalities' taxicab ordinances. Reciprocity exempts from the licensing requirements under this chapter only taxicab vehicles and drivers who are licensed by another municipality with which the City is cooperating.

- (4) *Special event*: A significant occurrence or happening, activity, contest or sports program that is arranged, conducted in, or appropriated for a particular occasion or purpose, for a specified time, that increases public transportation needs in the City or in one or more other municipalities such that reciprocity is reasonably necessary to respond to the increased public demand. Such events may be, but are not limited to: a football playoff game such as a Super Bowl, a baseball playoff game such as the World Series, a soccer playoff game such as World Cup Soccer, or any event approved by Council resolution as a special event requiring taxicab reciprocity.
- (5) *Taxicab*: Any commercial vehicle that is equipped with a taximeter and operates on the streets of the City, accepting passengers for hire as directed by the passenger. The term "taxicab" does not refer to the following: vehicles owned and operating over fixed routes, vehicles owned and operated by governmental agencies, school buses, chartered buses, vehicles while in use for funerals, weddings, christenings and similar events; or vehicles providing individual or group transportation while operated pursuant to an agreement with the Ann Arbor Transportation Authority.
- (6) *Board*: The Taxicab Board as specified in [section 1:207](#) of [Chapter 8](#) of this Code.

(Ord. No. 9-07, § 2, 4-16-07; Ord. No. 11-18, § 1, 11-11-11)

## **7:152. - Required licenses and fees.**

- (1) Except as otherwise provided in this section, no person shall operate or allow the operation of a taxicab in the City of Ann Arbor unless the company, the vehicle, and the driver are currently licensed under this chapter.
- (2) The fee for each type of license shall be as determined by Council resolution.
- (3) As specified in this subsection, the City Council may by resolution grant reciprocity for a special event to owners and operators of taxicabs and drivers licensed under other local jurisdictions but not licensed under this chapter in order to allow their operation in the City in the same manner as permitted for taxicab owners and drivers who are licensed under this chapter. Such a resolution may be passed under the following circumstances:
  - (a) The organizers of a special event have made a written request to the City requesting taxicab reciprocity.
  - (b) The resolution specifies that reciprocity will be in effect only during the specific time period requested by the organizers of the special event.
  - (c) The event organizer issues uniform non-transferable insignia for all taxicab vehicles licensed in the City of Ann Arbor as of the date of the resolution and to those taxicabs operating in the other local jurisdictions to whom Council has granted and with which the city is enjoying reciprocity.
  - (d) The resolution specifies that the special event is approved for taxicab reciprocity and sets forth any other conditions and standards reasonably needed to implement the period of reciprocity, including but not limited to a fee for distribution of the insignia of the special event.
  - (e) The resolution shall specify the terms under which reciprocity will be recognized, such as conditioning the City's grant to reciprocity on the other jurisdictions(s) having approved a similar resolution that would allow taxicabs and drivers licensed in

the City of Ann Arbor to operate in the other jurisdiction for the special event, a deadline for receiving the other jurisdiction's grant to reciprocity, and other similar terms for the purpose of establishing that there is reciprocity.

(Ord. No. 9-07, § 2, 4-16-07)

### **7:153. - Taxicab company license.**

- (1) *Application.* An application for a taxicab company license shall be made pursuant to regulations adopted by the Board and on forms approved by the Taxicab Board.
- (2) *Issuance of taxicab company license.* A taxicab company license will be issued by the Administrator after the following conditions are met:
  - (a) The company has submitted a complete application as defined by this chapter and the regulations and has paid the applicable fee.
  - (b) The applicant satisfies the requirements in the regulations that demonstrate sufficient experience and resources to provide taxicab services to residents of the City of Ann Arbor.
  - (c) The Taxicab Board has approved the application.
- (3) *Expiration of taxicab company license.* A taxicab company license is valid for 10 years from the date of approval as recorded in the minutes of the Taxicab Board.
- (4) *Change in ownership.* If there is a change in the ownership or primary contact for a company, the City shall be notified of the change within 30 days.
- (5) *Suspension/Revocation.*
  - (a) If a licensed taxicab company discontinues services within the City of Ann Arbor for 45 consecutive days, the taxicab administrator may request the Board revoke the company license at its next regularly scheduled meeting. A company with a revoked license may re-apply for a new company license after 1 year from date of the revocation.
  - (b) In the event a company has a driver or drivers with recurring issues related to threatening or unprofessional behavior and the Board determines that the company is either unwilling or unable to address the issues, the Board may suspend or revoke the company license.

(Ord. No. 9-07, § 2, 4-16-07; Ord. No. 11-18, § 2, 11-11-11)

### **7:154. - Taxicab vehicle license.**

- (1) *Application.* An application for a taxicab vehicle license shall be made pursuant to regulations adopted by the Board and on forms approved by the Taxicab Board.
- (2) *Issuance of a taxicab vehicle license.* A taxicab vehicle license will be issued by the Administrator after the following conditions are met:
  - (a) The vehicle owner has submitted a complete application as defined by this chapter and the regulations and has paid the applicable fee.
  - (b) The vehicle is currently registered in the State of Michigan as a commercial vehicle as shown on a photocopy of the vehicle

registration accompanying the application.

- (c) The application is accompanied by a certificate from an automobile master mechanic licensed in the State of Michigan that indicates that the vehicle has been thoroughly inspected and has been found to comply with all the requirements of the Michigan Vehicle Code. The certificate shall be on a form approved by the Board and must have been issued within 60 days before the date of application.
  - (d) The application is accompanied by proof of insurance in the types and amount specified by [Chapter 77](#). The proof of insurance shall specifically state that the insurance obtained covers a taxicab.
  - (e) It appears from the mechanic's certificate that the vehicle is in full compliance with the Michigan Vehicle Code.
  - (f) A City inspection of the vehicle indicates that it is clean, safe, and in full compliance with all applicable City of Ann Arbor ordinances and regulations.
  - (g) The Police Department has determined the accuracy of the taximeter and sealed the taximeter.
  - (h) The vehicle must be not more than 10 years old. Enforcement of this provision will begin with vehicle licenses issued for periods beginning June 1, 2008, and beyond.
- (3) *Transfer of a taxicab vehicle license.* A taxicab vehicle license may be transferred to another vehicle owned by the vehicle license holder after proof is submitted to the City that all requirements for issuance of a new vehicle license are met, and payment is made of the taxicab vehicle license transfer fee, as established by City Council resolution.
- (4) *Expiration of taxicab vehicle license.* All taxicab vehicle licenses expire on the next May 31 immediately following the date the vehicle license was issued.
- (5) *Revocation of a taxicab vehicle license.* A taxicab vehicle license shall be revoked by the administrator upon any of the following circumstances:
- (a) The vehicle is found to be in a condition that does not comply with the maintenance requirements of this chapter and the regulations.
  - (b) A person is found driving the vehicle for taxicab purposes who does not have a current valid taxicab driver license or chauffeur's license. However, if the person was properly licensed at the time he commenced driving for the taxicab company, this section will only be applicable if the company has been notified that the driver does not have a valid license.
  - (c) The required vehicle insurance is not maintained.

(Ord. No. 9-07, § 2, 4-16-07)

### **7:155. - Taxicab driver's license.**

- (1) *Application.* An application for a taxicab driver's license shall be made pursuant to regulations adopted by the Board and on forms approved by the Taxicab Board.
- (2) *Issuance of taxicab driver's license.* A taxicab driver's license will be issued by the administrator after the following conditions are met:
  - (a) The applicant has submitted a complete application as defined by this chapter and the regulations and has paid the applicable fee.

- (b) The applicant has a current valid Michigan chauffeur's license.
  - (c) The applicant is able to read, write and speak the English language.
  - (d) The applicant has no more than 6 current points for moving violations in accordance with the Michigan Vehicle Code, MCL 257.1, et seq.
  - (e) Within the past 2 years, the applicant has not been convicted of a violation or attempted violation of MCL 257.625 or MCL 257.625m of the Michigan vehicle code, MCL 257.1, et seq., or a violation or attempted violation of a local ordinance or law of another state substantially corresponding to MCL 257.625 or MCL 257.625m.
  - (f) Within the past 5 years, the applicant has not been convicted of a felony involving force or violence or of criminal sexual conduct, for which the maximum penalty is 2 years or more.
  - (g) The applicant does not have any outstanding warrants.
  - (h) The applicant does not have a physical or mental impairment which would make it unsafe to operate as a taxicab driver.
  - (i) The applicant has not been convicted of violating any provision of this chapter within the last 2 years.
  - (j) The applicant has an acceptable driving record. An acceptable driving record is defined as:
    - i. A driving record on which there are no more than 6 points displayed at any given point in time.
    - ii. A driving record on which the average number of points displayed over the most recent 3-year period is no more than 7. For purposes of this requirement, the average is calculated as the total points reported on the official driving record during the last 3 years divided by 3. An applicant who cannot meet this requirement shall not be issued either a full or a temporary license until the 3-year average of points falls to 7 points or below.
- (3) *Suspension or revocation of a taxicab driver's license.* A taxicab driver's license may be suspended or revoked if any of the following occur:
- (a) The driver is no longer able to comply with the requirements for the issuance of a taxicab driver's license.
  - (b) The driver is found to have falsified any information in the application.
  - (c) The Administrator reasonably believes that the driver poses a danger to himself, passengers, or others, or has acted in an unprofessional, harassing or threatening manner to passengers, or others.
  - (d) The driver violates any provision of this chapter.
- (4) A driver whose taxicab driver's license or chauffeur's license is suspended or revoked shall notify the taxicab company management of the suspension or revocation within 10 business days after the service of notice of suspension or revocation on the driver. For purposes of a taxicab driver's license, the date of service is the date printed on the written notice of suspension or revocation from the City. For purposes of a chauffeur's license, the date of service is the date on which the Secretary of State provided notice of the suspension or revocation in the manner provided for under the Michigan Vehicle Code.
- (5) A driver who has more than 6 points on his or her driving record and who is charged with another moving violation shall report the fact of the new charge to the Administrator within 10 business days after the new charge was issued.
- (6) *Expiration of taxicab driver's license.* All taxicab driver licenses expire on the next May 31 immediately following the date the taxicab driver's license was issued. Licenses issued in April or May will be valid for the following year.

(Ord. No. 9-07, § 2, 4-16-07; Ord. No. 11-18, § 3, 11-11-11)

**7:156. - License display.**

- (1) No person shall operate or permit the operation of a taxicab that does not have a current vehicle license issued by the City affixed to the vehicle and displayed at all times in compliance with this chapter and regulations.
- (2) No person shall operate or permit the operation of a taxicab that does not have the driver's taxicab driver's license conspicuously displayed inside the taxicab at all times.

*(Ord. No. 9-07, § 2, 4-16-07)*

**7:157. - Maintenance of the vehicle.**

No person shall permit the operation of a taxicab or drive a taxicab that is not maintained at all times in compliance with this chapter and the regulations.

*(Ord. No. 9-07, § 2, 4-16-07)*

**7:158. - Driver appearance.**

The driver of a taxicab shall be clean in dress and person at all times while operating a taxicab.

*(Ord. No. 9-07, § 2, 4-16-07)*

**7:159. - Standard taximeter and baggage rates.**

- (1) No person who operates or permits the operation of a taxicab shall charge, attempt to charge or direct a passenger to pay meter rates or rates for the carrying of baggage and parcels of passengers higher than the rates approved by resolution of the City Council.
- (2) No person who operates or permits the operation of a taxicab shall fail to keep a rate card that clearly indicates the current meter rates posted in the vehicle in plain view of the passengers.

*(Ord. No. 9-07, § 2, 4-16-07)*

**7:160. - Baggage and parcels.**

This chapter does not regulate delivery of baggage and parcels not in connection with the transportation of passengers.

*(Ord. No. 9-07, § 2, 4-16-07)*

**7:161. - Hours of operation.**

It shall be a violation of this chapter for the owner of a taxicab not to have a taxicab in service or available for service on a 24-hour 7-day a week basis unless the following conditions are met:

- (1) Three months before any change of hours, the owner files with the Administrator a schedule showing the hours when a taxicab will not be available for service.
- (2) All advertising, including Yellow Pages advertising, indicates the hours of operation.
- (3) Telephone calls to the telephone number(s) advertised are not answered by anyone.

*(Ord. No. 9-07, § 2, 4-16-07)*

### **7:162. - Enhanced monitoring.**

In an appeal to the Board of the denial, suspension, or revocation of a taxicab driver's license on grounds that the driver does not have an acceptable driving record as defined in this chapter, the Board may at its sole discretion grant a temporary license with enhanced monitoring for a term no more than 6 months with a 12-month period, however no temporary license with enhanced monitoring shall be granted if there are more than 9 points displayed on the driver's driving record. The Board may also, at its sole discretion, grant relief in the form of enhanced monitoring in an appeal of a taxicab driver's license denial, suspension, or revocation on grounds other than lack of an acceptable driving record. Enhanced monitoring may include, but is not limited to, periodical reporting of the driver's current driving record to the Administrator.

*(Ord. No. 9-07, § 2, 4-16-07)*

### **7:163. - Deception of passengers.**

No driver shall deceive or attempt to deceive any passenger as to that passenger's destination or rate of fare. No driver shall convey any passenger to a place other than directed by the passenger or employ any longer route to a destination than necessary unless agreed to by the passenger.

*(Ord. No. 9-07, § 2, 4-16-07)*

### **7:164. - Smoking prohibited.**

No taxicab driver or any passenger shall smoke while inside the taxicab.

*(Ord. No. 9-07, § 2, 4-16-07)*

### **7:165. - Seating capacity.**

No driver shall permit a taxicab to be occupied by more persons over the age of 2 than the number specified as the seating capacity as reflected by the number of functioning seatbelts in the vehicle.

*(Ord. No. 9-07, § 2, 4-16-07)*

## **7:166. - Taxicab stands.**

Pursuant to the procedures of [Chapter 126](#), taxicab stands may be established by traffic control orders. The traffic control orders may specify restrictions on the number of taxicabs which may use the stands at 1 time, the use of stands for parking other vehicles, and the hours of any restrictions. The restrictions shall be indicated by traffic control devices at the taxicab stands. No person shall violate the restrictions imposed on the use of taxicab stands. Only licensed taxicabs are permitted to park on the taxicab stand.

*(Ord. No. 9-07, § 2, 4-16-07)*

## **7:167. - Solicitation of passengers.**

- (1) No taxicab driver shall solicit passengers at a location where a temporary or permanent taxicab stand is designated.
- (2) No taxicab driver shall solicit passengers at a location where the driver has reason to know the services of another taxicab company or driver have been requested.
- (3) No taxicab driver shall solicit passengers at a location marked as a temporary or permanent bus, train, or other mass transit stand.
- (4) No taxicab driver shall solicit any passenger who is entering or is inside another taxicab
- (5) No person shall operate a motor vehicle and solicit or accept passengers who have not previously arranged to be transported in the motor vehicle without first obtaining the driver's license and vehicle license provided for in this chapter.

*(Ord. No. 9-07, § 2, 4-16-07; Ord. No. 11-18, § 4, 11-11-11)*

## **7:168. - Meter seal.**

No person shall operate a taxicab or permit the operation of a taxicab with a meter that has a broken seal or no seal.

*(Ord. No. 9-07, § 2, 4-16-07)*

## **7:169. - Defrauding a taxicab driver.**

No person shall request taxicab services for the purpose of defrauding the owner or driver of the taxicab or defraud the owner or driver after having been rendered taxicab services. The conduct prohibited by this section includes, but is not limited to, the following:

- (1) Refusal to pay the lawful rate for the taxicab services;
- (2) Absconding without paying the lawful rate for the taxicab services;
- (3) Requesting taxicab services for a person or a location where such services are not desired;
- (4) Refusal to pay for taxicab services with other than a bill greater than \$20.00 over the fare.

*(Ord. No. 9-07, § 2, 4-16-07)*

## **7:170. - Appeals.**



Any person aggrieved by the decision of the Administrator to deny, suspend, or revoke a taxicab company, vehicle or taxicab driver's license may appeal that decision to the Taxicab Board. The Taxicab Board shall consider appeals according to due process procedures adopted by the Board. The Taxicab Board may deviate from the strict requirements of this chapter if justice so requires. In making its decision, the Taxicab Board may consider the following criteria:

- (1) The seriousness of an offense, if that is a basis for the denial, suspension, or revocation.
- (2) The length of time before points will be removed from the driver's driving record, if that is a basis for the denial, suspension or revocation.
- (3) Any matter the Board reasonably finds necessary to insure the health, safety, and welfare of passengers and the general public.

*(Ord. No. 9-07, § 2, 4-16-07)*

### **7:171. - Regulations.**

The Taxicab Board may adopt regulations to facilitate the administration of this chapter. The regulations shall take effect after the City Attorney approves their form and they are filed with the City Clerk.

*(Ord. No. 9-07, § 2, 4-16-07)*

### **7:172. - Prohibited conduct.**

In addition to other prohibited conduct specified in this chapter, no person shall:

- (1) Operate or permit the operation of a taxicab that is held out to the public as a limousine.
- (2) Operate or permit the operation of a vehicle as a taxicab if a certificate of authority has been issued under the Limousine Transportation Act, MCL 257.1901, et seq. for the vehicle.
- (3) Operate or permit the operation of a taxicab and charge a fare more than the amount calculated by the taximeter installed in the taxicab.
- (4) Operate a vehicle held out to the public as a "taxicab", "cab", or "taxi" by way of advertising, "for hire" lights on the roof of the vehicle, or any other means, without obtaining appropriate licenses under this Chapter.

*(Ord. No. 9-07, § 2, 4-16-07; Ord. No. 11-18, § 5, 11-11-11)*

### **7:173. - Business identification.**

A person operating a taxicab or allowing the operation of a taxicab shall:

- (1) Maintain the distinctive color or color scheme on the person's or company's taxicab, unique from other taxicabs operating in the City, as indicated on the application for vehicle license; and
- (2) Have information identifying the name of the taxicab business painted or permanently attached on each side of the vehicle

in letters of not less than 3 inches in height, not lower than the bottom edge of the door. This information shall be in sharp contrast to the background and use the word "taxicab", "cab" or "taxi" and not the word "limousine."

- (3) Each company must assign and display a unique 2 or more digit number to each vehicle on the rear and on both sides of the vehicle. The number should be permanently applied and be not less than 3 inches in height and not lower than the bottom edge of the door.

(Ord. No. 9-07, § 2, 4-16-07)

### **7:174. - Full service taxicab company.**

Any licensed taxicab company in the City of Ann Arbor which licenses 10 or more taxicabs for use in the City shall be required to be a full service taxicab company. A full service taxicab company must provide, at a minimum, the following services:

- (1) Taxicab service to the general public 24 hour a day, 7 days a week (may not be excepted under the 3 provisions in [section 7:161](#)).
- (2) Identify and adopt a reasonable process for handling lost and found items, which includes a location within 5 miles of the City limits where items can be claimed.
- (3) Establish a process for accepting and responding to customer complaints, which includes having a local manager available during normal office hours (9:00 a.m. to 5:00 p.m., Monday through Friday) who will investigate and respond to the complaining party with 5 days.

(Ord. No. 10-05, § 1, 2-16-10)

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#### **FOOTNOTE(S):**

*(32) **Editor's note**— Ord. No. 39-82, adopted Oct. 4, 1982, repealed Ch. 85 and added new provisions designated as Ch. 85 to read as herein set out. Subsequently, Ord. No. 9-07, § 1, adopted April 16, 2007, repealed Ch. 85, in its entirety, and § 2 of said ordinance enacted provisions designated as a new Ch. 85 to read as herein set out. Former Ch. 85 pertained to similar subject matter. See also the Code Comparative Table. ([Back](#))*