

~CHAPTER 23~

TAXICABS & BUSES

Section 23-1. Definitions.

Terms used in this chapter, except where the context otherwise plainly requires, shall mean:

1. **Taxicab** - a motor vehicle for carrying passengers, with a seating capacity for seven (7) persons or less, not including the driver, not traveling any definite or prescribed route, operated by a driver, and carrying or accepting passengers for hire, but shall not include funeral cars or ambulances.
2. **Bus or motor bus** - a motor vehicle for carrying passengers with a seating capacity of at least eight (8) persons, not including the driver, and traveling a prescribed route, and carrying or accepting passengers for hire, but shall not include buses that stop to accept or discharge passengers only at an established bus depot, nor shall it apply to sightseeing buses, nor school business, nor shall it apply to funeral cars or ambulances.
1. **Operator** - a person engaged in business as an operator of a taxicab or taxicabs or bus or buses as the case may be.
2. **Driver** - one who actually engages in the driving of a taxicab or bus.
3. **Seating capacity** - the number of persons, not including the driver, who can be conveniently seated in a taxicab or bus without overdue crowding.

Section 23-2. License Required.

No person shall engage in the business of operating a taxicab or taxicabs, or bus or buses, upon the streets or act as a driver of any such taxicab or any such bus, without a license as provided by this chapter.

Section 23-3. Application for License to Engage in Business as Operator.

Every person desiring a license to engage in business as an operator of a taxicab or taxicabs, or bus or buses, in the City, shall make application in writing to the Common Council in the general form required

for all applications for license and shall also give the following additional information:

1. Taxicabs:
 - (a) Previous experience in such business, if the applicant has not been licensed before;
 - (b) Number of taxicabs to be operated.
2. Buses:
 - (a) Previous experiences in such business, if the applicant has not been licensed before;
 - (b) Number of buses to be operated, with a full description as to each, including the age thereof;
 - (c) The proposed route or routes to be used;
 - (d) A rough draft of the proposed time schedule to be used;
 - (e) The rate of fare to be charged;
 - (f) A list of the proposed stops.

Section 23-4. Granting License.

The Common Council shall approve the issuance of the license applied for if they are satisfied that the applicant has met the following requirements:

1. That he is a fit person to engage in such business.
2. That his vehicles and equipment are such as are consistent with the safety of the public.
3. That he has indemnity and public liability insurance covering the operation of each vehicle, to protect such operator against liability to passengers and third persons for personal injury suffered or sustained by them as a result of the operation of such taxicab or bus, and said policies to be in an amount of not less than One Hundred Thousand Dollars (\$100,000) for damage to any one person and not less than Three Hundred Thousand Dollars (\$300,000) for damage to more than one person, injured as the result of any one accident, and not less than Fifty Thousand Dollars (\$50,000) for property damage resulting from any one accident. Such policies shall be maintained during the term of the license.

4. In the case of an application to operate a bus or buses, the Common Council may request changes or alterations in the proposed route or routes, time schedule, rate of fare, or stops before granting a license. After the license has been issued, the operator shall not materially change or alter the approved route or routes, time schedules, rate of fare, or stops without first receiving the approval of the Common Council to make such change.

Section 23-5. License Fee.

The license fee shall be Forty Dollars (\$40.00) per year to operate one (1) taxicab or bus and Fifteen Dollars (\$15.00) per year for each additional taxicab or bus.

Section 23-6. Driver's License.

No person shall operate, drive, or be engaged or employed in the business of driving upon the public streets of Hot Springs, any taxicab or bus, as defined in this chapter, without first having procured a license therefore from the Police Department, and no such license shall be issued unless upon the recommendation of the Chief of Police that the applicant is a proper person to drive a taxicab or bus. The license shall contain the signature of the licensee and a blank space upon which a record may be made by the police of any arrest or serious complaint against the licensee. Every licensed driver shall have such license in his possession whenever engaged in driving a taxicab or bus, and exhibit it for inspection whenever requested to do so by a police officer or a passenger. The license fee for a driver's license shall be One Dollar (\$1.00) per year effective January 1, 1978.

Section 23-7. Taxicab Fares.

The prices which any licensee shall be permitted to charge for taxicab service within the City of Hot Springs shall be uniform and shall be fixed by such licensee. Each licensee shall display in each and every taxicab operated by him a complete printed schedule showing all the different fares charged by him for taxicab service.

Section 23-8. Penalty for Excessive Fares.

The owner or driver of any taxicab, who may have demanded any fare in excess to that provided for by this chapter, shall return the excess received and his license may be revoked.

Section 23-9. Unlawful Use.

No person operating a taxicab within the City limits of this City or within one (1) mile from the outer

boundaries thereof shall use or permit or allow such taxicab to be used for carrying, transporting, peddling, or otherwise handling any intoxicating liquors. The finding of any intoxicating liquor on or about the person of the operator of such taxicab or in or about such vehicle, shall be prima facie evidence of the violation of this section, and it is hereby made and declared sufficient grounds for the revocation and cancellation by the Common Council of any license theretofore issued by it for the use and operation of such taxicab.

Section 23-10. Taxicabs or Buses on Sidewalks.

No person driving or having charge of any taxicab or bus shall drive any such vehicle onto the sidewalk of any street, or stop any such vehicle at any crosswalk or intersection of streets, so as to obstruct or hinder the traffic along such crosswalks or intersections of streets.

Section 23-11. Bus Stops.

The Common Council shall designate certain places where buses, as defined in this chapter, may stop to receive or discharge passengers. No person operating or driving a bus shall stop to receive or discharge passengers at any place within the corporate limits of the City of Hot Springs other than at an established bus depot or designated bus stop.

Section 23-12. Must Give True Name.

No operator or driver of any licensed taxicab or bus shall refuse to give his true name on request of any person, or impose upon or deceive any person in any manner or form as to any duty or requirement of this chapter.

Section 23-13. Accidents.

If any accident or injury shall happen to any person, vehicle, or thing by reason of coming in contact with any licensed taxicab or bus, it shall be the duty of the person driving or having charge of the same to immediately stop and, if necessary, render assistance, and to give his name and residence of the owner thereof.