

An Ordinance Pertaining to Licensing and Regulation of Taxi Cabs in the Town of Northfield, New Hampshire

Pursuant to the authority granted to the Selectmen under RSA 31:40, now therefore it be ordained that the Town of Northfield Board of Selectmen, following a duly noticed public hearing on April 7, 1998 have adopted this ordinance.

Section I. Taxicabs.

1.1 In order to protect public health, safety and general welfare, no person shall operate or cause to be operated a taxicab within the limits of the Town of Northfield unless a permit has therefore been provided.

- A. **Permit and Public Hearing Required.** No permit shall be issued unless the Board of Selectmen (hereinafter referred to as the Board) shall have held a public hearing in order to determine that public convenience and necessity require the operation of said taxicab. Evidence shall be submitted by the applicant on the question of convenience and necessity from at least four (4) sources, one (1) being the school system, one (1) being retail business, one (1) a local industrial business and one (1) being a resident of the Town, and such other information as may be required by the Board.
- B. **Application for Permit.** Application for such permit shall be made on forms provided by the Board, which will keep a record of all applications and permits granted, and all permits shall be numbered in order as granted. All applications shall set forth the name, age and address of the applicant, the trade name under which the applicant does or proposes to do business, where the proposed stands and garages are to be located, the number of vehicles the applicant desires to operate, with clear description of each vehicle, and such other facts as the Board may require. No permits granted hereunder shall be sold, assigned or transferred in any way.

- C. All taxi cab companies operating in the Town of Northfield as of the effective date of this ordinance shall apply for a permit within thirty days of the effective date of this ordinance.

1.2 Upon issuing such permit, the Board shall be guided by the following criteria:

- A. All Applicants shall prove to the satisfaction of the Board that they are thoroughly familiar with the topography and street layout of the Town of Northfield.
- B. Every applicant for a permit to operate a taxicab shall file with the Board, before the permit is issued, a policy or certificate of liability insurance covering the period of the permit for which taxicab the permit is sought, said policy or certificate of liability insurance to be acceptable and approved by the Town's Attorney and issued by a company authorized to do business in the State of New Hampshire, and insuring the applicant in the sums no less than the current limits and coverage of the Town's insurance policy. Such certificate or policy of liability insurance shall have incorporated in it as part of said policy that it will not be canceled except upon ten (10) days' written notice to the insured and to the Board.
- C. The Board may, in the interest of public safety, after issuance of a permit and upon twelve (12) hours notice, order any person, firm or corporation operating a taxicab, pursuant to this chapter, to present such taxicab to the Chief of Police or to any authorized motor vehicle inspection station that he may designate in order for proper inspection for mechanical defects to be performed by a competent mechanic.
- D. All taxicabs permitted under the provisions of this section shall be equipped with and carry appropriate safety devices for the passengers thereof, including children and such equipment and devices as may be specifically required by the Board.

- E. Appropriate stands and garages shall be provided, and all Town zoning requirements shall be met.

Section II. Taxicab Drivers.

2.1 All taxicab drivers shall be permitted annually. Taxi drivers or owners of any taxi company permitted in the Town Northfield will provide the Board with the name, address, date of birth and license number of all persons who are to drive the vehicles for the purpose of transporting customers. The Board shall submit such names to the Northfield Police Department for a check of each driver's criminal record and motor vehicle record. If such driver is found to be qualified to bear the responsibility of such transportation, the Northfield Police Department shall cause said driver to be issued a picture identification.

- A. Qualifications of driver. No person shall be permitted to drive taxis or be issued a permit to operate a taxi unless that person:
 - (1) Is at least twenty one (21) years of age and has had a minimum of two (2) years' experience driving a motor vehicle.
 - (2) Holds a valid New Hampshire driver's license.
 - (3) Has submitted the required information, on a form provided, to the Northfield Police Department.
 - (4) Can read and speak the English language sufficiently to converse with the public, to understand highway traffic signs and signals, to respond to official inquiries and to make entries on required reports and records.
 - (5) Is physically qualified to operate a motor vehicle and can

produce a copy of a physical examination report done by a licensed physician, if requested, by the Board.

B. Disqualification of drivers. An applicant for a taxi driver's permit or any person who has been issued a taxi driver's permit shall be disqualified for the issuance or retention of a permit if he has been convicted of any of the following:

- (1) Any felony not annulled or for which he/she has not received a pardon.
- (2) Conviction of any offense under:
 - (A) RSA 631-A (Sexual Assault and Related Offenses) not annulled or pardoned.
 - (B) RSA 318-B (Controlled Drug) not annulled or pardoned.
- (3) A conviction:
 - (A) within the preceding five (5) years of operation of a motor vehicle under the influence of alcohol or controlled drugs.
 - (B) of leaving the scene of an accident.
 - (C) for reckless operation of a motor vehicle.
 - (D) for driving so as to endanger.
 - (E) for making a false statement under RSA 261:73 or RSA 641:2,3,4 and 7.
 - (F) for operating after suspension or revocation.
- (4) Such other combination of convictions of any criminal or motor vehicle laws that the Board believes may have a direct bearing on the driver's fitness to be permitted to drive a taxi.

- (5) It is determined that there is evidence of a previous accident involvement that may have a direct bearing on the driver's fitness to drive.

C. Notification to drivers.

- (1) In cases involving refusal to issue a permit, revocation or immediate temporary suspension of a driver's permit, the Board shall prepare a notice of action and deliver a copy of said notice to the driver and taxicab owner, if different, either in person or by regular postal service, of his entitlement to an informal administrative hearing. Such notice shall be provided within ten (10) working days prior to an informal administrative hearing being conducted, unless sooner held by mutual agreement.
- (2) The Board may issue or reissue a permit if the applicant or licensee satisfies a majority of the Board that he/she is fit at the present time to hold such permit.
- (3) Application for permits must be made to the Board immediately of a driver being hired by the owner of the company, and the driver may not operate without a permit until such permit is approved. The permit will be issued automatically upon meeting all qualifications and upon written notice to the Board that no disqualifications exist, otherwise the procedures established in Subsection C, Notification to drivers, must be followed.

Section III. Violations.

- 3.1** Upon the conviction of a violation of the laws of the State of New Hampshire or this ordinance, the Chief of Police may, suspend or revoke

such permit. The procedures established in Subsection C shall be followed.

Section IV. Parking.

4.1 Parking for taxicabs and buses on Town streets shall be where and as directed by the Chief of Police and no other spaces may be used by such vehicles except while loading or unloading passengers.

Section V. Fees

5.1 The Licensing Board shall charge the following fees:

Permit Application	\$200.00
Annual Renewal	\$100.00
Driver's Permit	\$20.00 per driver's permit annually.

Section VI. Effective Date

6.1 The effective date of this ordinance is May 1, 1998.