

**CHAPTER 17
VEHICLES FOR HIRE**

ARTICLE I. TAXICABS GENERALLY

Section 17-1. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section.

Driver: Any person driving or in a physical control of a taxicab.

Owner: Any person driving having control of the operation or maintenance of a taxicab or of the collection of revenue derived from its operation.

Taxicab: Any motor vehicle used for the transportation for hire or reward of passengers upon the streets of the town, other than buses being operated under franchise and over fixed routes between fixed termini.

Section 17-2. Compliance with article.

It shall be unlawful for any person to operate or cause to be operated any taxicab within the town except as set forth in this article.

Section 17-3. Insurance.

Every owner of a taxicab in operation in the town shall keep in effect at all times such policies of insurance as are now or may be required under the rules and regulations of the State Corporation Commission. Each such policy of insurance shall contain a clause whereby the policy may not be cancelled until after thirty (30) days notice of intention to cancel shall be given to the town clerk.

Section 17-4. Identification of vehicles.

There shall be painted on two (2) sides of every taxicab operating under a certificate of public convenience and necessity issued under this article the name of the owner of such vehicle, in letters not less than two (2) inches high and plainly visible at a distance of one hundred (100) feet.

Section 17-5. Maintenance of vehicles.

Each taxicab operating under a certificate of public convenience and necessity issued under this article shall be at all times maintained in good order and repair.

Section 17-6. Radios in vehicles.

No person shall operate any taxicab in which is installed a radio capable of receiving police calls. It shall be unlawful ~or such vehicles to be equipped with a radio capable of receiving only standard broadcasts and messages from their dispatchers.

Section 17-7. Fares - Maximum rates.

The maximum rates to be charged by taxicab drivers operating under certificates of public convenience and necessity in accordance with this article shall be as fixed by the town council.

Section 17-8. Nonpaying passengers.

No nonpaying passenger shall be transported in a taxicab with a paying passenger.

Section 17-9. Maximum number of passengers.

- (a) Not more than five (5) passengers shall be transported on one trip in a five (5) passenger taxicab or more than seven (7) passengers in a seven (7) taxicab.
- (b) Not more than one passenger shall be transported in a taxicab at one time, without the consent of the passenger first engaging the vehicle.

Section 17-10. Parking, standing or cruising.

No person shall park or stand any taxicab while waiting for an engagement, on any of the streets of the town, other than at duly designated taxicab stands, nor shall any person cruise taxicab while seeking employment.

Section 17-11. Loitering around stand or vehicle.

The operator of a taxicab stand or the driver of any taxicab shall not allow loitering or loafing about the stand, car or the vehicle for which such operator or driver is responsible.

Section 17-12. Interference with operation.

No person shall interfere with the furnishing of transportation by any properly licensed taxicab in the town. Improper, misleading or false calls for taxicab service shall be prima fade evidence of intention to interfere with the proper operation of taxicabs.

Section 17-13. Accident reports.

Every accident, however slight, in which a taxicab is involved, shall be immediately reported, by the owner or driver of the taxicab, to the police department.

ARTICLE II.
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Section 17-14. Required.

It shall be unlawful for any person to operate a taxicab within the town, unless a current certificate of public convenience and necessity has been issued therefor pursuant to the provisions of this article. No license for the operation of a taxicab shall be issued until such certificate has been issued.

Section 17-15. Application.

Application for a certificate required by this article, addressed to the town council, shall be filed in duplicate by the owner or proposed owner, with the town police, at least thirty (30) days prior to the regular council meeting at which such application is to be acted upon. Such application shall contain the following information:

- (1) Full name, home and business address of the applicant.
- (2) Trade name under which the applicant does or purposes to do business.

- (3) Financial ability and responsibility of the applicant.
- (4) Convictions of, or pleas of guilty or nolo contendere by, the applicant for violation of any law.
- (5) Experience of the applicant in transportation of passengers for hire.
- (6) Reason why the applicant believes the public convenience and necessity require the granting of his application.

Section 17-16. Investigation of applicant.

Upon receipt of an application pursuant to Section 17— 15, the Town Police shall promptly make or cause to be made an investigation as to the suitable character and qualifications of the applicant to conduct a taxicab business and, in the case of corporations, shall investigate the fitness of the officers, directors and stockholders. He shall report his findings in writing to the regular council meeting at which such application is to be acted upon.

Section 17-17. Council determination: grant or refusal.

The town council, upon receiving the report referred to in Section 17—16, shall determine whether the public convenience and necessity required the operation of the taxicabs for which the application is filed under this division. The council's authorized to grant or refuse the certificate applied for or to grant a certificate for a lesser number of vehicles than that specified in the application.

Section 17-18. Transfer.

No certificate issued under this article may be transferred, except by consent of the town council. Application for such transfer shall be filed with the town police, and the person to whom the transfer is to be made shall file an application as if an original application for a certificate under this article was being made.

Section 17-19. Expiration and renewal.

Each certificate issued under this article shall expire twelve (12) months from the date of issuance. Application for renewal of such certificate, similar to the original application, shall be filed with the town police at least thirty (30) days prior to the expiration of the certificate then in force.

Section 17-20. Revocation or suspension

The town council may, for cause, cancel, revoke or suspend any certificate after due notice to the holder of the certificate.

ARTICLE III.
MOTORIZED SKATEBOARDS OR SCOOTERS, BYCYCLES, OR ELECTRIC POWER-ASSISTED
BYCYCLES FOR HIRE.

Section 17-21. Purpose.

The purpose of this ordinance is to regulate the hiring or lease of motorized skateboards or scooters, bicycles, or electric power-assisted bicycles used within the corporate limits of the Town of Floyd.

Section 17-22. Application.

No person may hire or lease to others any motorized skateboard or scooters, bicycles, or electric power-assisted bicycles to be used in the boundaries of the Town of Floyd without first obtaining a permit from the Town Council, conditioned upon the terms and requirement of this ordinance, and in addition without first obtaining a business license for the same.

Section 17-23. Conditions and Requirements.

Before any permit shall issue, the person seeking the permit shall provide sufficient proof to the Town that:

- (1) All such devices meet all safety requirements of the Code of Virginia and the rules and regulations of all other public agencies for use on public roads.
- (2) All users or renters of such devices shall have a valid driver's license and shall be adequately instructed in the safe use of such devices.
- (3) No more than 15 such devices may be hired or leased by any permittee, and the types of devices and model numbers be provided on the application and/or supplied to the Town before such devices are hired or leased.
- (4) All users or lessees shall be instructed that such devices are prohibited on Town Sidewalks, Crosswalks and shared-use pathways.
- (5) No parking of such devices shall be allowed on any street or public area except as many specifically be allowed by the Town. There shall be no overnight parking of any such devices on any area where parking may be permitted.
- (6) The wearing of headphones, earbuds, or any other devices which impede the ability of a user of such devices to hear sounds around such user is prohibited.
- (7) All users or lessees shall wear helmets which shall meet the minimum requirement for motorcycles in the Commonwealth of Virginia.
- (8) The permittee shall be required to obtain, at its sole expense, and produce to the Town, certificates of insurance from a company or companies licensed to do business in Virginia, showing commercial general liability insurance in the amount of \$3,000,000.00 per occurrence and naming the Town and its Council members, officers, employees and agents as additional insureds thereunder. The Town may adjust this requirement as it deems necessary and may require other forms or types of insurance to protect its interests. Nothing contained here shall be construed as a waiver of sovereign or governmental immunity.

Section 17-24. Fees.

Every application for a permit hereunder shall be accompanied by a non-refundable fee of \$500.00. Such fee may be increased in the future as decided by Council.

Section 17-25. Penalties.

The Town shall have the unilateral right to revoke a permit if any of the requirements or conditions contained in this Ordinance are not being followed. In addition, any permittee violating this ordinance shall be subject to a civil penalty of up to \$2,500.00.

(Article III. Adopted December 5, 2019)