

11.06 LICENSING AND REGULATING PUBLIC PASSENGER VEHICLES, FOR HIRE.

- (1) Purpose. The purpose of this ordinance is to
  - (a) Protect consumers by providing for safe, convenient and efficient public transportation for hire.
  - (b) Protect the health and safety of drivers of public passenger vehicles.
  - (c) Eliminate conflict and confusion among different types of service.
  - (d) Improve operating conditions to enable licensees and drivers to provide better public service.
- (2) License Required.
  - (a) No person shall engage in the business of transporting passengers for hire or drive a vehicle transporting passengers for hire within the City limits of Madison unless duly licensed to do so as hereinafter provided.
    - 1. Transportation of passengers for hire includes demand-responsive transportation by a specialized transportation vehicle.
    - 2. Transportation of passengers for hire shall include taking any tip, donation or gratuity for the service, regardless of whether an actual quoted fare is paid.
    - 3. Transportation of passengers for hire does not include the following:
      - a. Inter-city bus transportation or school bus transportation whether by fixed route or by charter service.
      - b. Transportation provided exclusively for elderly or low-income persons or persons with disabilities, when such transportation is provided by volunteers or by agents or employees of bona fide non-profit agencies, and transportation provided by ambulance.
      - c. Courtesy rides provided to customers by auto dealerships or auto repair businesses.
      - d. Pre-arranged ground transportation service.
  - (b) No public passenger vehicle shall be used to transport passengers for hire unless a permit has been issued under this ordinance for such use.
  - (c) The City Traffic Engineer shall have the authority to issue a provisional license to Pedal-Cab operators pending final approval of the Common Council if the Pedal-Cab operator obtains a valid driver permit, provides proof of liability insurance coverage as required in Subsection (8)(b) of this ordinance, and passes a vehicle inspection.
  - (d) No person licensed to offer public passenger vehicle service or similar transportation service to the public within the City limits of Madison shall employ a driver or allow any person to drive any vehicle licensed in the name of said person unless said driver or person shall have first obtained a public passenger vehicle driver's permit as hereinafter provided.

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- (e) No person shall operate any public passenger vehicle until s/he shall have obtained a public passenger vehicle driver's permit from the Chief of Police.
  - (f) A person who is licensed as a driver under Subsection (6) of this ordinance and who complies with the terms of that license is not required to also be licensed under Subsection (4), unless that person is also engaged in the business of transporting passengers for hire.
  - (g) The inspection of public passenger vehicles and enforcement of this section shall be under the supervision and control of the City Traffic Engineer. Appeals from decisions of the City Traffic Engineer shall be governed by Subsection (13) of this ordinance. (Am. by Ord. 11,848, Adopted 4-14-97; Effective 5-21-97)
- (Sec. 11.06(2) Am. by ORD-12-00086, 6-26-12)

(3) Definitions.

- (a) "Accessible" means, with respect to vehicles, complying with the accessibility requirements of 49 CFR 37.3 Definitions (Wheelchairs); and 49 CFR §§38.23 Mobility aid accessibility, 38.25 Doors, steps and thresholds, 38.29 Interior circulation, handrails and stanchions, and 38.31, Lighting, currently in effect and as amended from time to time. (Cr. by Ord. 13,596, 4-21-04)
- (b) "Accessible taxicab service" means public passenger vehicle service for hire which provides one or more accessible vehicles. (Cr. by Ord. 13,596, 4-21-04)
- (c) "Airport shuttle service" shall mean a service by means of a public passenger vehicle for hire, not equipped with a taximeter and not licensed as a taxicab. Such service is covered by this ordinance only for rides between the Dane County Regional Airport and points within the City of Madison. (Renumbered by Ord. 13,596, 4-21-04)
- (d) "Carpool" shall mean any group of three or more persons using a self-propelled vehicle for travel to or from work. (Renumbered by Ord. 13,596, 4-21-04)
- (e) "Demand-responsive transportation" shall mean transportation by any public passenger vehicle available for call or hail and not operated on a fixed route along a public way. (Renumbered by Ord. 13,596, 4-21-04)
- (f) "Driver" shall mean a person who holds a valid permit authorized by this ordinance to drive a public passenger vehicle as authorized by this ordinance. (Renumbered by Ord. 13,596, 4-21-04)
- (g) "Estimated fare" shall mean the fare which, under ordinary circumstances, would be the fare for the trip requested by the passenger. (Renumbered by Ord. 13,596, 4-21-04)
- (h) "Group loading" shall mean the method of entry by passengers constituting a single party on a trip in a demand-responsive vehicle where all of the passengers enter at the same point of origin and disembark at the same destination; or, at the request of any passenger, the trip might involve multiple origins and/or multiple destinations; all paying only one single fare for the group ride, whether by meter or mileage rate. The passengers constitute a group load. (Renumbered by Ord. 13,596, 4-21-04)
- (i) "Horse-drawn vehicle" shall mean any vehicle which is operated or pulled by a horse, mule, ox or any other beast of burden which may be hired for the transportation of passengers and which picks up passengers within the corporate limits of the City of Madison. (Renumbered by Ord. 13,596, 4-21-04)
- (j) "Low-speed vehicle" shall mean a vehicle subject to Wis. Stat. § 340.01(27h). Low-speed vehicle does not include a golf cart. (Cr. by ORD-14-00049, 3-6-14)
- (k) "Meter taxicab" shall mean a public passenger vehicle so designated under Subsection (5) and equipped with a taximeter for the purpose of registering the fare charged upon the basis of the time and distance traveled. (Renumbered by Ord. 13,596, 4-21-04; ORD-14-00049, 3-6-14)
- (l) "Multiple loading" shall mean the method of entry by passengers constituting separate parties on a trip where all of the passengers enter at the same point of origin and disembark at more than one destination, or vice versa, each paying an individual fare for the trip. (Renumbered by Ord. 13,596, 4-21-04; ORD-14-00049, 3-6-14)

- (m) "Party" shall mean either an individual passenger or multiple passengers requesting a trip together if they have sufficient common bonds (for example: family, friends, etc.). In general, such commonality can be determined by whether or not there is a single spokesperson requesting a trip for a number of passengers; if there is, then the number constitutes a single party; if the passengers individually request a trip then the number constitutes separate parties. (Renumbered by Ord. 13,596, 4-21-04; ORD-14-00049, 3-6-14)
- (n) A "peak period" is a period of high passenger demand. For the purpose of this ordinance, a peak period must be identified in one of the following ways:
1. The City Traffic Engineer may provide licensees with advance notice of a peak period or periods. Such notice may be by FAX or regular mail and must contain the date and time of the beginning and end of the peak period.
  2. The Director of the Dane County Regional Airport may provide the City Traffic Engineer and all licensees simultaneously with notice of a peak period or periods. Such notice may be by FAX, or by regular mail and must contain the date and time of the beginning and end of the peak period.
- (Am. by Ord. 11,911, 7-29-97; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)
- (o) Pedal-cab operator: Any person, partnership, corporation, association, or other organization engaged in the business of transporting passengers for hire by means of one or more than one pedal-cab. (Cr. by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)
- (p) Pedal-cab: A multi-wheeled, hooded or unhooded vehicle that is propelled by human power, is used in the transport of passengers and is available for hire on the public streets within the corporate limits of the City of Madison. (Cr. by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)
- (q) Pedal-cab driver: Any person who drives a pedal-cab, including an operator or an employee of an operator. (Cr. by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)
- (r) "Person" shall mean a natural person, firm, partnership, corporation, association, company or any other group of individuals acting together for a common purpose; and together with associated pronouns, shall include the male or female gender, singular or plural, as the context in which they are used requires. (Renumbered by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)
- (s) "Public passenger vehicle" shall mean any vehicle used for the transportation of passengers for hire, including but not limited to, self-propelled motor vehicles, pedal-cabs, or horse-drawn vehicles, airport shuttles, commercial quadricycles, vehicles operating as a part of a Transportation Network Company (TNC) and low-speed vehicles ~~which is used for the transportation of passengers for hire, excepting excepting:~~ 1) those operated on fixed routes pursuant to authority granted by the City, State or Federal Government; 2) such vehicles as are rented to be driven by the renter or her/his agent, commonly known as rent-a-cars; 3) vehicles operated solely as funeral cars; 4) carpools; 5) amphibious motor vehicles properly registered and licensed by the Wisconsin Department of Transportation as motor buses and operating on the highway upon routes between lake access points; and 6) hotel shuttle vehicles. (Renumbered & Am. by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Am. by ORD-05-00127, 7-22-05; ORD-12-00112, 11-07-12; Renum. by ORD-14-00049, 3-6-14)
- (t) "Pre-arranged ground transportation service" shall mean that the reservation for the service was made and documented at least 24 hours prior to the commencement of the ride.
- (t) "Public way" shall mean any public street, road, boulevard, alley, lane, highway and sidewalk, and including those portions of any public place under the control of the public or county which have been designated for use by motor vehicles. (Renumbered by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)

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- (u) "Rest period" means a continuous uninterrupted period of time, lasting at least eight (8) hours, during which the driver does not drive a public passenger vehicle. (Renumbered by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)
- (v) "Scanner" means an FM radio receiving device capable of operating in taxicab radio bands. (Renumbered by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)

- (w) "Shared ride" means a method of operating a zone taxicab in which passengers sharing a common portion of a trip may enter the vehicle at one or more points of origin and disembark at one or more destinations, each passenger paying an individual fare for the trip. (Renumbered by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)
- (x) "Specialized transportation vehicle" shall mean a vehicle for hire, other than a taxicab, shuttle vehicle, horse-drawn vehicle, luxury limousine or courtesy car, or mass transportation vehicle, which is especially suited for the transportation of elderly persons or persons with disabilities. (Renumbered by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Am. by ORD-06-00099, 8-2-06; Renum. by ORD-14-00049, 3-6-14)
- (y) "Taximeter" shall mean a mechanical or electrical device which records and indicates a charge or fare calculated according to distance traveled, waiting time, traffic delay, initial charge, and other charges authorized by this section or by rule, or any combination of any of the foregoing, and which records other data. (Renumbered by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)
- (z) "Zone taxicab" shall mean a public passenger vehicle so designated on the permits and which operates on the zone system of charges established by tariff in accordance with the provisions of this ordinance. (Renumbered by Ord. 11,229, 4-13-95; Ord. 13,596, 4-21-04; Renum. by ORD-14-00049, 3-6-14)