**File #:** 19032, **Version:** 2

## Fiscal Note

No expenditure is required.

## Title

**AMENDED** Repealing and recreating Sec. 11.06(7)(e) of the Madison General Ordinances to permit drivers of public passenger vehicles to charge estimated fares in advance for rides.

## Body

DRAFTER'S ANALYSIS: This ordinance permits drivers of licensed passenger vehicles to elect to charge an estimated fare in advance for rides under certain circumstances. It also permits the driver to refuse to carry the passenger if the passenger refuses to pay the estimated fare.

**********

The Common Council of the City of Madison do hereby ordain as follows:

Subdivision (e) entitled "Refusal to Carry Passengers Prohibited" of Subsection (7) entitled "Operating Requirements" of Section 11.06 entitled "Licensing and Regulating Public Passenger Vehicles, For Hire" of the Madison General Ordinances is repealed and recreated to read as follows:

"(e) Refusal to Carry Passengers Prohibited.

1. Drivers may elect to charge estimated fares in advance for rides when a passenger or prospective passenger engages in any of the following activities:
   a. ~~Has on a prior occasion refused to pay a fare after receiving taxicab service~~ **Is known to the driver as having refused to pay a fare after receiving taxicab service**.
   b. Indicates that they may be unable or unwilling to pay the full fare.
   c. Requests service by hailing the taxicab rather than contacting a dispatcher.
   d. Indicates their destination is outside the City of Madison.
   e. Changes their destination while en route or is unable to provide the driver with an exact destination.
   f. Requests to make a stop before the final destination is reached.
   g. Admits to being intoxicated or shows signs of intoxication.
   h. Is placed in the taxicab by a law enforcement officer.
2. In the event a driver requires a passenger to prepay an estimated fare, at the conclusion of the ride, the driver shall refund the difference if the estimated fare exceeds the actual fare, or the passenger shall pay any additional fare owed if the actual fare exceeds the estimated fare that was prepaid.

**3. A driver will notify the dispatch center of each instance in which a passenger is requested to pay an estimated fare in advance and this information will be recorded and maintained by the cab company.**

**~~3~~4**. No driver may request an estimated fare be paid in advance of service unless a notice informing a passenger that they may be required to prepay under this Ordinance is posted in the vehicle.

**~~4~~5**. No driver or licensee may refuse to carry passengers or baggage unless a passenger or prospective passenger engages in violent, abusive or indecent behavior or refuses to pay the estimated fare in advance when the driver makes that request for one of the above reasons. A driver or licensee may also refuse to carry a passenger or baggage if the driver or licensee can demonstrate that the passenger intentionally summoned more than one licensee for the same ride.

**~~5~~6**. Except as provided above, no driver or licensee may refuse to carry passengers or baggage to or from any part of the City with reasonable promptness and at prices established in compliance within this

ordinance.”
EDITOR’S NOTE:
Sec. 11.06(7)(e) currently reads as follows:
“(e) Refusal to Carry Passengers Prohibited. Licensees may elect to charge estimated fares in advance for rides commenced between the hours of 9:00 p.m. and 5:00 a.m. This election may only be exercised at the time the licensee files its schedule of rates of fares with the City Clerk, as required by Subsection (9) of this ordinance. A licensee who makes this election shall post a notice of the requirement in each vehicle.

No driver or licensee may refuse to carry passengers or baggage unless a passenger or prospective passenger engages in violent, abusive or indecent behavior or refuses to pay the estimated fare in advance during the period of time from 9:00 p.m. to 5:00 a.m. to a licensee who has elected to charge estimated fares in advance, filed notice of such election with its schedule of rates of fares, and posted a notice in the vehicle. At the conclusion of the ride, no driver may charge a fare which exceeds by more than ten percent the estimated fare paid in advance by the passenger. A driver or licensee may also refuse to carry a passenger or baggage if the driver or licensee can demonstrate that the passenger intentionally summoned more than one licensee for the same ride. Except as provided above, no driver or licensee may refuse to carry passengers or baggage to or from any part of the City with reasonable promptness and at prices established in compliance with this ordinance.”