

**AN ORDINANCE OF THE
COUNCIL OF THE CITY OF
KNOXVILLE TO AMEND
CHAPTER 26, ARTICLES I
THROUGH III OF THE CODE OF
ORDINANCES OF THE CITY OF
KNOXVILLE, REGULATING
TAXIS, SHUTTLES AND
LIMOUSINES.**

WHEREAS, the Knoxville Police Department has requested certain updates and housekeeping clarifications be made to Chapter 26, Articles I through III of the Knoxville City Code regarding taxis, shuttles and limousines; and

WHEREAS, updating these articles of the Code will assist the public in better understanding certain requirements and restrictions with regard to the operation of taxis, shuttles and limousines in the City of Knoxville; and

WHEREAS, the Council of the City of Knoxville has determined that it is in the public interest, safety, and welfare of the City of Knoxville to amend Chapter 26, Articles I through III of the Code to regulate taxis, shuttles and limousines operating within the city limits of Knoxville.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF KNOXVILLE:**

SECTION 1: Chapter 26, Articles I through III, of the Code of Ordinances is hereby amended by deleting the existing language in its entirety and substituting, in its place, the following language as a new Chapter 26, Article I through III:

ARTICLE I. IN GENERAL

Sec. 26-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Whenever any words and phrases used in this article are not defined in this section but are defined in the state laws regulating the operation of vehicles, any such definition in the state laws regulating the operation of vehicles shall be deemed to apply to such words and phrases used in this article, except when the context otherwise requires.

Applicant means:

- (1) Any person making application for a certificate of public convenience and necessity or a driver permit to operate a vehicle for hire;
- (2) Any driver of a wrecker/tow truck operating an approved wrecker on the city's wrecker rotation list; or
- (3) Any driver of a wrecker/tow truck operating a wrecker which is pending approval to be used as a wrecker on the city's rotation list.

Certificate means certificate of public convenience and necessity issued by the Knoxville Police Department.

Certificate Holder means any applicant granted a certificate of public convenience and necessity under this Chapter and includes persons, firms, corporations, joint stock companies, syndicates, or associations as well as the agents and employees of said applicant.

City includes all the area within the corporate limits of the City of Knoxville and public facilities outside the corporate limits owned and operated by the City of Knoxville, including but not limited to the McGhee Tyson Airport.

Department means the City of Knoxville Police Department, its Chief or designated representative.

Taxi Inspector means the Taxi, Shuttle and Limousine Inspector for the Knoxville Police Department, or in the absence of such official, the Chief of Police.

Vehicles for hire means all shuttles, taxicabs, limousines and any other public transportation for hire. It shall also include those wreckers and/or tow trucks which apply to participate in the city's rotation list pursuant to section 26-401 et seq. (Ord. No. O-2-08, § 1, 1-2-08)

Sec. 26-2. Background records investigation of vehicle operators on city's rotation list or transporting the public.

- (a) In accordance with T.C.A. § 6-54-128, all applicants desiring to drive a wrecker on the city's rotation list, or to obtain a license or permit pursuant to this chapter will be required to submit a full set of fingerprints to the city police department and applicants will be required to undergo a criminal conviction records investigation.
 - (b) Fingerprints from the applicant will be forwarded to the state bureau of investigation and the Federal Bureau of Investigation in order to verify the identity of the applicant and to conduct a criminal record investigation.
 - (c) Results of the criminal record investigation will be used to determine the suitability of the applicant for issuance of a license, certificate or permit applied for pursuant to this chapter.
 - (d) Applicants shall pay a fee in the amount of \$48.00 to the city for the cost to the city to obtain the applicant's criminal record investigation.
 - (e) Failure to comply with the requirements of this section shall prevent the applicant from being approved as a driver on the city's wrecker rotation list or obtaining any license or permit to drive a vehicle for hire from the city.
- (Ord. No. O-2-08, § 1, 1-2-08)

Sec. 26-3. Penalty for violation of Chapter.

Any person found guilty of violating any provision of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-9 of this Code.
(Code 1962, § 39-212)

Secs. 26-4--26-20. Reserved.

ARTICLE II. TAXICABS*

***State law references:** Authority to regulate public transportation services, T.C.A. § 7-51-1003; motor carriers, T.C.A. § 65-15-101 et seq.; taxicabs exempt from motor carriers law, T.C.A. § 65-15-103(3).

DIVISION 1. GENERALLY

Sec. 26-21. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Whenever any words and phrases used in this article are not defined in this section but are defined in the state laws regulating the operation of vehicles, any such definition in the state laws regulating the operation of vehicles shall be deemed to apply to such words and phrases used in this article, except when the context otherwise requires.

ASE means a mechanic certified by the National Institute for Automotive Service excellence.

Baggage means parcels, bags, packages, suitcases and all other items which are hauled in connection with the transportation of a for-hire passenger.

Company means a person or business entity issued a certificate of public convenience and necessity to operate a vehicle for hire under this article.

Cruising means the driving of a taxicab on the streets, alleys or public places of the city in search of or soliciting prospective passengers for hire.

Driver means the individual driving a vehicle for hire, whether as the owner or employee.

Driver permit means the written permit issued by the Knoxville Police Department authorizing a driver to operate a vehicle for hire within the City of Knoxville.

Exclusive use of taxicab means the sole use of a taxicab by a passenger at the passenger's request.

Goods means small parcels, packages, messages, food or other items that are hauled by taxicabs and which are not accompanied by a passenger.

Group riding means the sharing of a taxicab by a group which arranges the sharing of the taxicab prior to entering it. The members of the group must have either the same origin or the same destination or both.

KTA means the Knoxville Transportation Authority as established by Chapter 21, Section 21-31.

Meter rates means the rates according to a taximeter installed and operated in a taxicab.

Owner means any person owning one (1) or more vehicles for hire and operating said vehicles in the City of Knoxville.

Rate card means a card to be displayed in each taxicab showing the rates of fare in force.

Ride sharing means the practice, by taxicab companies and drivers, of improving vehicle efficiency by combining passenger trips between the same general area.

Rules and Regulations means the Knoxville Police Department's rules and regulations to regulate the operation of vehicles transporting persons for compensation under a certificate.

Taxicab means every motor vehicle for hire, except a limousine, designed or constructed to accommodate and transport not more than nine (9) passengers, exclusive of the driver, and fitted with taximeters or using or having some other device, method or system to indicate and determine the passenger fare charged for distance traveled, and the principal operation of which is confined to the area within the corporate limits of the city and suburban territory adjacent thereto, and is not operated on a fixed route or schedule.

State law references: Similar provisions, T.C.A. § 65-15-102(9).

Taxicab stand means a place alongside a street, or elsewhere, which has been designated and signed as a space for taxicabs to stand while waiting for passengers.

Taximeter means a meter instrument or device attached to a taxicab which records the fare based upon the distance driven and the waiting time.

Waiting time means the time when a taxicab is not in motion from the time of acceptance of a passenger to the time of discharge, but such term does not include any time that the taxicab is not in motion if due to any cause other than the request, acts or fault of a passenger.

(Code 1962, §§ 39-100--39-124)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 26-22. Determination of vehicle classification.

The department shall have sole discretion as to whether a vehicle or service is a limousine, sedan, shuttle, taxicab or other vehicle for hire within the provisions of this Chapter.

(Code 1962, § 39-801)

Sec. 26-23. Use of taxicab stands by vehicles other than taxicabs.

Private vehicles or vehicles for hire other than taxicabs shall not at any time occupy the spaces upon the streets that have been established as taxicab stands.

(Code 1962, § 39-707)

Secs. 26-24--26-86. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 26-87. Taxicab inspectors; duties of police department.

(a) Police officers of the City designated by the Chief of Police shall perform the duties of taxi inspectors.

(b) The Department shall enforce all laws, ordinances and regulations relating to the licensing and operation of taxicabs and shall report all violations thereof and all accidents involving taxicabs to the taxi inspector.

(Code 1962, § 39-201)

Sec. 26-88. Authority to establish additional regulations.

The Department is authorized and directed to make such additional rules and regulations, not in conflict with the provisions of this article, to regulate the operation of vehicles transporting persons for compensation under a certificate issued under this article; provided that no regulation shall be made or enforced in conflict with this article or any other city ordinance.

(Code 1962, § 39-200)

Sec. 26-89. Authority of Department.

The Department shall have exclusive jurisdiction of the licensing and permitting drivers and vehicles for hire within the City of Knoxville

(Code 1962, § 39-202)

Sec. 26-90. Enforcement generally; authority to suspend or revoke certificate or permit; appeal; emergency suspension.

(a) The police and the taxicab inspector shall watch and observe the conduct of certificate holders and drivers operating under this article. The police and taxicab inspector are authorized to investigate all possible violations of the provisions of this article. The taxi inspector is authorized to suspend or revoke a certificate or a driver permit for any violation of any local, state, or federal law. Upon receipt of notice that a certificate or a driver permit has been suspended or revoked, the certificate holder or holder of a driver permit may file a written appeal with the commissioners of the Knoxville Transportation Authority within ten (10) days of the date of such notice. Upon receipt of such appeal, the suspension or revocation is automatically stayed pending a hearing unless the suspension or revocation is pursuant to Section 26-90(b), and the commissioners of the transportation authority shall convene to give the holder an opportunity to be heard and make a determination regarding the appeal. The decisions of the authority shall be final. The penalties in this section may be applied in addition to penalties provided for violation of ordinances of the city.

(Code 1962, § 39-204)

(b) The chairman of the KTA, upon recommendation of the taxi inspector and with the approval of the director of law, is authorized to suspend until the next regular or specially-called meeting of the KTA any permit or certificate issued under authority of this article, upon the receipt of information which he considers to be credible, that the

permittee or certificate holder has been charged with a misdemeanor offense of driving under the influence pursuant to Tennessee Code Annotated Sections 55-10-401, 55-10-415 or has been has been charged with committing any felony contained in Tennessee Code Annotated Sections 39-13-101 *et seq.* The suspension of any permit or certificate by the chairman shall be without prejudice to any action which may be taken by the KTA.

Sec. 26-91. Certificate required; term.

(a) No person shall operate or permit a taxicab to be operated as a vehicle for hire upon the streets and roads of the City without first obtaining a certificate of public convenience and necessity from the Department.

(b) Only one certificate of public convenience and necessity may be issued to any individual or business entity.

(c) Certificates of public convenience and necessity shall be issued upon compliance with the terms of this article and shall be valid for the current calendar year. Applicants for certificates and renewals of certificates under this article shall submit their applications no later than December 1 for consideration for operation during the next twelve-month period, beginning January 1 of each year. Applicants who have not held a certificate of public convenience and necessity during the immediately previous twelve-month period may apply for a certificate at any time, but in no instance shall a certificate be issued for operation longer than a period of time to the next December 31st.

(d) Applicants for certificates under this article shall submit their applications no later than thirty (30) days prior to the applicant's desired date to commence operation. In no instance shall a certificate be issued for a period of time longer than the next December 31st.

(Code 1962, § 39-205)

Sec. 26-92. Application for certificate, Application Fee, Renewal.

The initial application for a certificate of public convenience and necessity shall be filed with the taxicab inspector upon forms provided by the Department and upon the payment of a nonrefundable fee of two hundred and fifty dollars (\$250.00). Applicants who timely renew their applications in accordance with Section 26-91 shall pay a renewal application fee of fifty dollars (\$50.00) per year. Such application shall be verified under oath and shall furnish the following information:

- (1) The name and address of the applicant.
- (2) The financial status of the applicant, including the amounts of all unpaid judgments against the applicant and the nature of the transaction or acts giving rise to such judgments.
- (3) The experience of the applicant in the transportation of passengers.
- (4) Any facts which the applicant believes tend to prove that public convenience and necessity require the granting of a certificate.
- (5) The number of vehicles to be operated or controlled by the applicant.
- (6) The color scheme and insignia to be used to designate the vehicles of the applicant.

(7) Such further information as the taxicab inspector or the Department may require.
(Code 1962, § 39-206)

Sec. 26-93. Appeal of denial.

Upon receipt of notice that an application for a certificate of public convenience and necessity has been denied, the applicant may file an appeal with the commissioners of the Knoxville Transportation Authority within ten (10) days of the date of the notice. Upon receipt of such appeal, the commissioners of the transportation authority shall convene to give the applicant an opportunity to be heard at the next regularly scheduled meeting of the KTA at which a quorum is present. The decision of the transportation authority shall be final.

(Code 1962, § 39-207)

Sec. 26-94. Transfer of certificate.

No certificate of public convenience and necessity may be sold, assigned, mortgaged or otherwise transferred.

Sec. 26-95. Inspection Fee; payment of business tax; registration sticker.

Before certificates of public convenience and necessity and taxicab vehicle stickers required under this article are issued the applicant shall:

(1) Pay an inspection fee of one hundred dollars (\$100.00) per vehicle. For any vehicle inspected after June 30th, the fee shall be fifty dollars (\$50.00). All registration stickers expire on December 31st.

(2) Provide a copy of a current business license and any other license or permit required by law. The business license must be in compliance with Tennessee State law.

Sec. 26-96. Grounds for revocation or suspension of certificate.

A certificate of public convenience and necessity and all vehicle registrations thereunder issued under the provisions of this article may be revoked or suspended by the taxi inspector pursuant to section 26-90 when the holder has:

- (1) Violated any of the provisions of this article.
- (2) Discontinued operations for more than thirty (30) days.
- (3) Violation of any local, state or federal law.

Secs. 26-97--26-110. Reserved.

DIVISION 3. DRIVER PERMITS

Sec. 26-111. City driver permit required.

No person shall operate a taxicab for hire within the City, and no person who owns or controls a taxicab shall permit it to be so driven, unless the driver of such taxicab has a valid driver permit issued by the Department. Drivers shall have their driver permit in their possession at all times while operating a taxicab and shall be displayed in

accordance with section 26-117. Any taxicab cruising the City shall be deemed to be operating as a vehicle for hire.

Sec. 26-112. Application for driver permit.

An applicant for a driver permit shall complete an application on forms provided by the Department. The application shall contain, at minimum, the following information:

- (1) Name and address of applicant.
- (2) Valid Tennessee Driver License with applicable endorsement.
- (3) Date of birth.
- (4) Place of birth.
- (5) Social Security number.

Sec. 26-113. Police investigation of applicant.

The Department shall conduct an investigation of each applicant for a driver permit. A report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for the consideration of the taxicab inspector.

(Code 1962, § 39-302)

Sec. 26-114. Approval or denial of application; appeal of denial.

(a) The taxicab inspector or his designee shall, upon the consideration of the application and the reports and certificate required to be attached thereto, approve or reject the application for a driver permit. Reasons for denial shall be attached in writing.

(b) Upon receipt of notice that an application has been denied and the reasons in writing for denial, the applicant, may file an appeal with the commissioners of the Knoxville Transportation Authority within ten (10) days of the date of such notice. Upon receipt of the appeal, the transportation authority shall convene to give the applicant an opportunity to be heard at the next regularly scheduled meeting of the KTA at which a quorum is present. The decision of the authority shall be final.

(c) The following standards for denial are to be applied by the taxicab inspector, or his designee and the transportation authority in reviewing an application for a driver permit:

- (1) Lack of a for-hire endorsement on a valid Tennessee Driver License.
- (2) Material falsity on application.
- (3) One (1) driving-while-intoxicated conviction within the past twelve (12) months or two (2) such convictions within the past three (3) years.
- (4) Three (3) moving violations within the past twelve (12) months or five (5) moving violations within the past two (2) years. A moving violation, for the purpose of this standard, shall not include violations caused by vehicle defects.
- (5) Felony convictions within the past five (5) years, or release, within the last three (3) years, from incarceration for a felony.
- (6) Resisting arrest conviction within the past twelve (12) months.

- (7) Misdemeanor conviction for offenses against persons as defined per T.C.A. § 39-13-101 within the past three (3) years.
- (8) Conviction of any offense involving moral turpitude within the past three (3) years.
- (9) Disorderly conduct or public intoxication conviction within the past twelve (12) months.
- (10) Misdemeanor conviction of any drug or drug related charge within the past three (3) years.
- (11) Convicted of violating section 26-111 (driving without a driver permit) within the past six (6) months.

It is not intended that the standards for denial, as stated in this section, be exclusive, and discretion is granted to the applicable authority to weigh mitigating or aggravating circumstances.

(Code 1962, § 39-303; Ord. No. O-29-08, § 1, 2-12-08)

Sec. 26-115. Temporary Driver Permit.

The taxi inspector may issue a temporary driver permit to an applicant who has submitted an application, submitted to a local background check, paid all applicable fees and supplied any additional information that the taxi inspector deems necessary. This temporary permit shall be valid for a period of no more than thirty (30) days unless extended by the taxi inspector, and it may be revoked by the taxi inspector at any time. Temporary permits are issued to new applicants who have not held a valid driver permit within the previous six (6) months. The taxi inspector may also issue a temporary driver permit at his or her discretion for circumstances that are not under the applicant's control. The grant of a temporary permit does not guarantee the applicant a final driver permit.

Sec. 26-116. Term; Fees; Renewal.

Each driver permit issued under this division shall be in effect for the ensuing twelve (12) months after it is issued. The application fee for the original permit shall be twenty dollars (\$20.00). Applicants may renew their driver permits, so long as the application is filed with the taxi inspector prior to the expiration of the applicant's current driver permit. Renewal application fees shall be ten dollars (\$10.00). Failure to file a renewal application within the specified time shall result in an application fee of twenty dollars (\$20.00). A replacement permit may be issued for a fee of five dollars (\$5.00).

Sec. 26-117. Display of driver permit.

Every driver to whom a permit is issued under this division shall post the driver permit in such a place as to be in full view of all passengers while such driver is operating a taxicab.

(Code 1962, § 39-306)

Sec. 26-118. Suspension or revocation.

The taxi inspector is hereby authorized to suspend or revoke any driver permit issued under this division for a driver failing or refusing to comply with the provisions of this article, pursuant to section 26-90. Reference is made to the standards outlined in subsection 26-114(c).

Sec. 26-119. Compliance with law.

Every driver granted a permit under this division shall comply with all city, state and federal laws. Failure to do so will justify the taxi inspector to suspend or revoke the driver permit.

(Code 1962, § 39-308)

Sec. 26-120. Drivers to Use Direct Routes.

Drivers shall deliver their passengers to their destinations by the most direct available route.

Secs. 26-121--26-139. Reserved.

DIVISION 4. VEHICLES AND EQUIPMENT

Sec. 26-140. Inspections.

(a) *Initial inspection.* Prior to the use and operation of any vehicle under the provisions of this article, such vehicle shall be thoroughly examined and inspected or caused to be inspected by the taxicab inspector, and found to comply with such reasonable rules and regulations as may be prescribed by the department. These rules and regulations shall be promulgated to provide safe transportation and shall specify such safety equipment and regulatory devices as the Department shall deem necessary. When the taxi inspector finds that a vehicle has met all the established standards and paid all applicable fees, the taxi inspector may issue a registration sticker to that effect. The registration sticker shall be affixed to the lower left-hand corner on the inside of the windshield.

(b) *Unlawful to operate without inspection and registration sticker.* It shall be unlawful to operate, or allow to be operated, any vehicle for hire upon the streets and roads of the City, if it has not been inspected and does not have a valid registration sticker affixed to the windshield.

(c) *Frequency of inspection; fee.* Every vehicle operating under this article shall be inspected initially and at least annually thereafter by the inspector to ensure the continued maintenance of safe operating conditions.

(d) *Inspections After Accident.* If a vehicle for hire is involved in an accident, it shall be the responsibility of the certificate holder to notify the taxi inspector within twenty-four (24) hours of the accident. If the vehicle is damaged in the accident, whether or not an accident report was filed by a law enforcement agency, the vehicle shall be taken out of service immediately and must be inspected by the taxi inspector before it is operated as a

vehicle for hire again.

Sec. 26-141. Condition of vehicle.

Every vehicle operating under this article shall be kept in a clean and satisfactory condition, and shall at all times meet the minimum standards set forth in this article and in the rules and regulations promulgated by the Department.

Sec. 26-142. Age of vehicle.

No vehicle may operate as a taxicab under the provisions of this article if such vehicle is over eight (8) years old unless the certificate holder has obtained a waiver from the taxi inspector. In order to obtain a waiver, the vehicle must meet the following requirements:

- (a) The vehicle must legally be in service as a taxicab within the City at the time the waiver is requested and approved.
- (b) The taxicab must receive and pass a mechanical inspection, completed by an ASE-certified mechanic, on forms provided by the Department.

A waiver will only last for one (1) year, and no vehicle may be granted more than two (2) waivers.

Sec. 26-143. Taximeters.

- (a) Taxicabs authorized to be operated under this article shall be equipped with taximeters fastened in front of the passengers, visible to them at all times, day and night. After sundown, the face of the taximeter shall be illuminated. Such taximeters shall be operated mechanically by a device of standard design and construction, driven either from the transmission or from one of the front wheels by a flexible and permanently attached driving mechanism. They shall be sealed at all points in connections. It shall be unlawful to manipulate the seal or tamper in any way with the taximeter so as to affect the correct reading and recording of the device. Taximeters that are moved from one vehicle to another must be re-inspected prior to the vehicle operating as a vehicle for hire. It shall be the duty of the driver to activate the taximeter at the beginning of each trip and to terminate it at the end.
- (b) Taximeters shall be subject to inspection from time to time by the taxicab inspector. The taxi inspector is hereby authorized, either on complaint of any person or without such complaint, to inspect any meter, and upon discovery of any inaccuracy therein, to notify the person operating such taxicab to cease operation. Thereupon, such taxicab shall not be operated as a vehicle for hire until the taximeter is repaired and re-inspected by the taxi inspector. It shall be the duty of every certificate holder to ensure the taximeter maintains its accuracy.

- (c) The certificate holder shall provide the taxi inspector, upon forms provided by the department, the company or person who calibrates and repairs taximeters used by the certificate holder. The taxi inspector is authorized to investigate to ensure that the company or person is qualified to calibrate the taximeters. The taxi inspector is authorized to deny a registration sticker and suspend taxicabs in operation until the certificate holder provides an approved company or person authorized to calibrate and repair the taximeters.
- (d) It shall be unlawful for any driver to fail to operate the taximeter as required by this section.

Sec. 26-144. Advertising.

Advertising on taxicabs shall be permitted, subject however, to the rules and regulations of the Department.

(Code 1962, § 39-402)

Sec. 26-145. Identification of vehicles; vehicle numbers.

(a) Unless an alternative location on the taxicab is approved by the taxi inspector in advance, a taxicab shall bear on the outside of each front door, in an adhesive decal or in painted letters not less than three (3) inches nor more than six (6) inches in height, the name of the company. The taxicab may bear an identifying design approved by the taxi inspector. No vehicle covered by the terms of this article shall be licensed with a color scheme, identifying design, monogram or insignia, when previously in use by a vehicle already operating under this article. After a registration sticker has been issued for a taxicab under this article, the color scheme, identifying design, monogram or insignia shall not be changed without prior approval by the taxi inspector. If a taxicab's color scheme, identifying design, monogram or insignia is changed without approval, the taxi inspector is authorized to suspend or revoke the certificate of public convenience and necessity. Removable signs, decals, designs or monograms are not permitted.

(b) All taxicabs covered by the terms of this article shall have an identification number assigned to the vehicle by the certificate holder. The identification number shall consist solely of numbers, ranging from 1 to 99, and shall not contain any letters. Every vehicle operating under the same certificate shall have a different number assigned to it. The number of the individual cab shall be displayed in permanent form on both sides of the vehicle as well as on the rear of the vehicle in a size in accordance with the terms of subsection (a) of this section.

Secs. 26-146--26-149. Reserved.

DIVISION 5. FARES

Sec. 26-150. Rates and charges.

(a) *Display of rates.* Each taxicab shall display a chart of meter rates published by the Department. The display of the chart shall be the responsibility of the driver as well as

the certificate holder and must be displayed in a location that is easily viewed by any passenger riding in the taxicab vehicle.

(b) *Private contracts.* Privately negotiated contracts for the allowable movement of goods shall be permitted, and not be subject to regulation of rates.

(c) *Hourly fares.* Charges by the hour for tours and other services are negotiable between the taxicab company and the driver and the passengers so long as any agreement is in writing and signed by both the driver and the passengers. These agreements may be subject to review by the taxi inspector.

(d) *Rates for trips to and from McGhee Tyson Airport.* Flat rate and meter rate charges for persons transported to and from McGhee Tyson Airport are to be determined by the Knoxville Transportation Authority; provided that the rates in effect on the effective date of this article will continue in effect until changed by the authority.

(e) *Special event rates.* KTA may establish special event rates to authorize charges other than meter rates. Application for a special event rate may be made to the authority through its secretary by any interested party or the authority may initiate the process whenever it deems such action advisable. The authority shall have the sole discretion to determine or define special event occasions and to establish the duration of the event and rates to be charged.

Sec. 26-151. Receipts.

The driver of any taxicab shall, upon request by the passenger, issue to such passenger a signed receipt for the amount charged, either by a mechanically printed receipt or by a specially prepared receipt. The receipt form shall be the responsibility of the certificate holder and supplied for use by the driver. The receipt shall contain the following:

- (a) Date;
- (b) Taxi Company name;
- (c) Name of Driver;
- (d) Point of origin and destination;
- (e) Total amount of fare;
- (f) Number of passengers; and
- (g) Taxi identification number listed on sides and rear of vehicle.

Sec. 26-152. Refusal of passenger to pay legal fare.

It shall be unlawful for any person to refuse to pay the legal fare of any of the vehicles mentioned in this article after having hired the vehicle, and it shall be unlawful for any person to hire any such vehicle with the intent to defraud the person from whom it is hired of the value of such service.

(Code 1962, § 39-502)

Sec. 26-153. Ride sharing.

It shall be the public policy to encourage and permit ride sharing to increase taxicab efficiency and to reduce the cost of taxicab operation in terms of cost per passenger. A passenger shall not be required to pay an additional fare resulting from the deviation of the taxicab from its intended destination for the purpose of picking up a subsequent passenger.

Secs. 26-154 – 26-160. Reserved.

DIVISION 6. DUTIES OF COMPANIES AND DRIVERS

Sec. 26-161. Duty to render service.

All persons engaged in the taxicab business in the City operating under the provisions of this article shall render an overall service to the public desiring to use taxicabs.

(Code 1962, § 39-707)

Sec. 26-162. Manifest of trips.

(a) Every taxicab company shall maintain a daily manifest of trips made by each taxicab vehicle. The manifest shall, at minimum, contain the following:

- (1) Date;
- (2) Point of origin and destination;
- (3) Taxicab identification number listed on sides and rear of vehicle;
- (4) Name of driver;
- (5) Total amount of fare; and
- (6) Number of passengers.

(b) Every certificate holder shall retain and preserve all manifest records for at least one (1) year, and such records shall be available for inspection by the taxicab inspector.

(Code 1962, § 39-709)

Sec. 26-163. Records of operations.

Every certificate holder shall keep accurate records of receipts from operations, operating and other expenses, capital expenditures and such other operating information as may be required by the department. Every such holder shall maintain the records containing such information and other data required by this article at a place readily accessible for examination by the taxicab inspector. Records shall be maintained for a minimum of three (3) years.

Sec. 26-164. Accident reports.

All accidents arising from or in connection with the operation of taxicabs shall be reported to the taxi inspector by the holder of the certificate and the driver within twenty-four (24) hours from the time of occurrence of the accident.

Sec. 26-165. Financial responsibility.

(a) In order to be financially responsible for injuries to its passengers and the public, or for property damage, every certificate holder shall be financially responsible to the minimum limits required by Tennessee law.

(b) In order to establish such a financial responsibility, each certificate holder shall file with the taxi inspector evidence of a liability insurance policy issued by an insurance

company authorized to do business in Tennessee. The insurance policy must be issued to the certificate holder and cover all drivers operating vehicles for the certificate holder. The insurance policy must also list each vehicle on the policy and the vehicle's identification number. The certificate holder shall assume complete liability for each and every vehicle operated under the certificate during the periods in which the vehicle is operated for hire, is available for hire, or is operated in furtherance of the certificate holder's business. It is the responsibility of the certificate holder to notify the taxi inspector of any change in its insurance coverage.

(c) It shall be unlawful for any person to operate or permit a vehicle owned or controlled by him or her to be operated as a taxicab within the City limits, unless such vehicle is covered by an insurance policy in accordance with this article.

(d) If said policy is cancelled, the certificate holder shall immediately take the vehicles out of service and shall not operate the vehicles again until an approved insurance policy is filed with the taxi inspector. The taxi inspector is authorized to suspend or revoke a certificate for failure to comply with this section.

(e) All insurance companies providing insurance to taxicabs operating within the City are required to notify the taxi inspector of any cancellation or termination of an insurance policy of a certificate holder.

Sec. 26-166. Solicitation of passengers by drivers.

No taxicab driver shall solicit passengers for a taxicab. While parked at a taxicab stand, the driver of any taxicab shall remain in the driver compartment or immediately adjacent to his vehicle. Nothing contained in this section shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.

Sec. 26-167. Receiving and discharging passengers.

Drivers of taxicabs shall not impede the flow of traffic in violation of Section 17-358, nor shall they receive or discharge passengers in the roadway. Drivers shall pull off to the extreme righthand side of the road or to the sidewalk and there receive or discharge passengers, except upon one-way streets, where passengers may be discharged at either side of the roadway in the absence of a sidewalk.

(Code 1962, § 39-702)

Sec. 26-168. Additional Passengers.

No taxicab driver shall permit any other person to occupy or ride in said taxicab unless the person first employing the taxicab shall consent to the acceptance of an additional passenger. When an additional passenger rides beyond the original passenger's destination he or she shall only be charged for the additional distance so traveled.

Sec. 26-169. Refusal to carry passenger.

No taxicab driver shall refuse or neglect to convey any orderly person, upon request, unless previously engaged or unable or forbidden by the provisions of this article to do so.

(Code 1962, § 39-704)

Sec. 26-170. Sale or delivery of intoxicating liquors or drugs; solicitations for immoral purposes.

No taxicab driver shall engage in selling, possessing or delivering any alcoholic beverages or selling, possessing or delivering any illegal drugs, or soliciting business from any house of ill repute, or using the taxicab for any purpose other than the transporting of fare-paying passengers or goods. However, the pickup and delivery of prescription drugs will be permitted. The taxi inspector is authorized to suspend or revoke a driver permit for any violation under this section.

Sec. 26-171. Use of taxicab stands.

(a) *Establishment.* Taxicab stands may be established and assigned by the department of engineering upon the streets of the City in such places as requested by the Department.

(b) *Open and sole-use stands.* Any taxicab stand established in accordance with subsection (a) of this section, shall be public or open, available to all taxicabs. Nothing contained in this section shall be construed as denying or intending to deny any passenger the right to take a taxicab of his choice or preference at any such stand.

(c) *Obstruction of use.* It shall be unlawful for any certificate holder or their agent to obstruct or interfere with the free use and enjoyment of any public or open taxicab stand by any other certificate holder. Each occurrence affecting such other holder shall be deemed a separate offense. Any certificate holder found guilty of three (3) offenses within any twelve-month period shall have their certificate suspended for not less than thirty (30) days.

Sec. 26-172. Notice of Address Changes and Phone Numbers.

A certificate holder shall notify the taxi inspector, in writing, prior to any change in either the certificate holder's business address or phone number.

Sec. 26-173. Monthly Driver Report Required.

Certificate holders shall submit a monthly report, in writing, to the taxi inspector listing all current drivers who operate a vehicle for hire for the certificate holder. The report shall contain each driver's full name, Tennessee Driver License number and the expiration date of the driver permit issued by the Department. The Department will provide a form for the monthly report. This report shall be submitted to the taxi inspector no later than the fifth (5th) of each month.

Secs. 26-174--26-180. Reserved.

DIVISION 7. SHUTTLE SERVICES

Sec. 26-181. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this division, except where the context clearly indicates a different meaning. Whenever any words and phrases used in this division are not defined in this section but are defined in the state laws regulating the operation of vehicles, any such definition in the state laws regulating the operation of vehicles shall be deemed to apply to such words and phrases used in this article, except when the context otherwise requires.

Shuttle means any motor vehicle designed or constructed to accommodate and transport passengers for hire, not more than fifteen (15) in number, exclusive of the driver, and the principal operation of which is confined to the area within the corporate limits of cities and suburban territory adjacent to the cities, and operated on a fixed route or schedule.

Shuttle service means the transport of passengers as a group, picking up groups of passengers at one (1) or more points of origin, with a common purpose and a common point of destination, and returning to the same points of origin, usually on contract whereby there is a fixed charge for the vehicle or service.

Sec. 26-182. Applicability of this Article to Shuttle Services.

The provisions of this article with respect to taxicabs shall apply to shuttle services, with the following exceptions:

- (a) All shuttles are required to have a mechanical inspection regardless of age, prior to operation, completed by an Automotive Service Excellence (ASE) certified mechanic, upon forms provided by the department.
- (b) The inspection fees shall be in accordance with Section 26-183 rather than Section 26-95;
- (c) Shuttles are not required to comply with Section 26-143, Taximeters. All fares for shuttles shall be privately negotiated and are not subject to regulation.
- (d) Shuttles are not required to maintain receipts as required in Section 26-151.
- (e) Shuttle services are not permitted to occupy the spaces on the streets that have been designated as taxicab stands as established in section 26-171.
- (f) Shuttles are not required to comply with the color scheme requirements contained in Section 26-145.
- (g) Shuttles may not operate after they reach eight (8) years of age and are not eligible for the waiver set forth in Section 26-142.

Sec. 26-183. Inspection Fee.

Before certificates of public convenience and necessity and shuttle vehicle stickers are issued the applicant shall:

- (1) Pay an inspection fee of two hundred dollars (\$200.00) per vehicle. For any vehicle inspected after June 30th, the fee shall be one hundred dollars (\$100.00). All registration stickers expire on December 31st.
- (2) Provide a copy of a current business license and any other license or permit required by law. The business license must be in compliance with Tennessee State law.

Sec. 26-184. Points of Origin and Destination Required.

Any person desiring to provide shuttle service within the City of Knoxville shall submit all points of origin and destinations to the taxi inspector for approval, upon forms provided by the department, prior to the shuttle operating the route. Applications to modify or change any authorized routes may be submitted at any time to the taxi inspector for approval, upon forms provided by the department.

DIVISION 8. LIMOUSINE AND SEDAN SERVICES

Sec. 26-191. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this division, except where the context clearly indicates a different meaning. Whenever any words and phrases used in this division are not defined in this section but are defined in the state laws regulating the operation of vehicles, any such definition in the state laws regulating the operation of vehicles shall be deemed to apply to such words and phrases used in this article, except when the context otherwise requires.

Limousine means any motor vehicle except a taxicab or sedan designed or constructed to accommodate and transport passengers for hire, with an extended wheel base and expanded seating capacity designed for the transport of persons. The vehicle will have additional rear seating capacity, area and comforts; and shall be designed to transport not more than fourteen (14) passengers in number, exclusive of the driver, and the principal operation of which is confined to the area within the corporate limits of the city and suburban territory adjacent to the city.

Limousine service means a limousine carrying not more than fourteen (14) passengers for hire, not operated on a fixed route, which provides specialized services, and is not specifically designed as a taxicab.

Sedan means any motor vehicle, except a limousine or taxicab, designed or constructed to accommodate and transport passengers for hire, that does not have an extended wheel base or an expanded seating capacity designed for the transport of persons. The vehicle will have no additional rear seating capacity, area or comforts; shall

be designed to transport not more than five (5) passengers, exclusive of the driver, and the principal operation of which is confined to the area within the corporate limits of the city and suburban territory to the city, and not operated on a fixed route or schedule.

Sedan service means a sedan carrying not more than five (5) passengers for hire, not operated on a fixed route, which provides specialized services, and is not specifically designed as a taxicab.

Sec. 26-193. Applicability of Article to Limousine and Sedan services.

The provisions of this article with respect to taxicabs shall apply to limousine and sedan services, with the following exceptions:

- (a) Limousines and sedans are not required to comply with Section 26-143, Taximeters. All fares shall be privately negotiated and are not subject to regulation.
- (b) Limousines and sedans are not required to maintain receipts as required in Section 26-151.
- (c) Limousines and sedans are not required to comply with Section 26-145.
- (d) Limousines and sedans are not required to comply with the age requirements contained in Section 26-142.
- (e) Limousines and sedans may not use taxicab stands as established in section 26-171.

Secs. 26-194--26-205. Reserved.

DIVISION 9. OTHER PUBLIC TRANSPORTATION FOR HIRE

Sec. 26-206. Compliance with article.

Any person proposing to own or operate transportation for the public for hire within the regulatory power of the city shall be required to comply with all applicable provisions of this article. For purposes of this section, the term "for-hire" shall be construed so as to include direct or indirect compensation for transportation service.

(Code 1962, § 39-900)

Secs. 26-207--26-225. Reserved.

ARTICLE III.

(Reserved).

SECTION 2: If any section or sections of this Ordinance are held invalid, such invalidity shall not affect other provisions or sections of this Ordinance.

SECTION 3: This ordinance takes effect from and after its passage, the welfare of the City requiring it.

Presiding Officer of the Council

City Recorder