

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	June 1, 2020
Action Required:	Ordinance Enactment
Presenter:	John C. Blair, II, City Attorney
Staff Contacts:	Dr. RaShall M. Brackney, Chief of Police John C. Blair, II, City Attorney
Title:	Taxicab Driver Ordinance Amendment (1st of 2 readings)

Background:

On March 12, 2020, Charlottesville City Manager, Dr. Tarron J. Richardson, issued a Declaration of Emergency due to the potential spread of COVID-19. During the course of the Declaration of Emergency, the Charlottesville Police Department received inquiries regarding Charlottesville City Code Section 32-3 and its deadlines.

Discussion:

As currently drafted, Charlottesville City Code Section 32-3 can be interpreted to prohibit anyone from receiving a taxicab driver registration card for the current calendar year unless they are registered by December 31 of the preceding calendar year or from renewing a taxicab driver registration card if they do not renew their taxicab driver registration card by March 1 of the current calendar year.

The proposed ordinance amendment clarifies that an individual may apply for and receive a taxicab driver registration card during the current calendar year. However, all taxicab registration cards expire December 31 of the current calendar year.

Additionally, the fee for a taxicab driver registration was established by ordinance on May 19, 1997. The proposed ordinance establishes a \$20.00 initial registration and renewal fee for taxicab driver registrations. These fees are consistent with the City of Richmond and better reflect the costs for administering the taxicab driver registration program.

Alternatives:

The Council could decline to adopt the Ordinance.

Attachments:

Proposed Ordinance

**AN ORDINANCE
AMENDING SECTION 32-3
OF CHAPTER 32 (VEHICLES FOR HIRE)**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that:

Section 32-3 of Chapter 32 of the Code of the City of Charlottesville (1990) is amended as follows:

Sec. 32-3. – Registration of Drivers.

(a) No person shall drive a motor vehicle for hire, including any taxicab, in the city until they ~~he~~ ~~has~~ have been registered by the chief of police, as follows:

(1) ~~On or before January 1st of each calendar year, or no later than March 1 of the calendar year if the driver was registered with the police during the preceding calendar year, a~~ Any person who drives, or intends to drive a passenger motor vehicle for hire, including a taxicab, within the city shall apply to the chief of police for a registration. The registration shall be effective for the calendar year in which it is granted and shall expire on December 31 of the calendar year in which it is submitted. Registrations may be renewed on an annual basis by submitting an application to the chief of police.

(2) Each applicant shall demonstrate to the satisfaction of the chief of police ~~his or her moral and their~~ business integrity, ability to safely and legally drive a passenger motor vehicle for hire, including a taxicab, and ~~his~~ their knowledge of city traffic laws and ordinances and of the provisions of this chapter. The chief of police shall conduct an investigation with respect to each applicant's application and qualifications.

a. Each applicant shall state on their ~~his~~ application whether ~~he~~ the applicant is self-employed or employed by a taxicab or other type of operator. A self-employed applicant shall present a copy of a current business license authorizing ~~him~~ them to do business in the city. An applicant employed by an operator shall present a signed statement by the taxicab or other type of operator's owner attesting to such employment.

b. If the chief of police is satisfied that an applicant meets the requirements of this section and of any regulations promulgated pursuant to section 32-5 of this chapter, and that the applicant is eighteen years of age or older, then registration shall be granted.

(b) A registration card shall be issued for each driver registered, and shall exhibit the name and a valid mailing address for the driver.

(c) For drivers' registrations, a fee of ~~ten~~ twenty dollars (\$~~24~~20.00) for the first registration granted to each driver, and twenty dollars (\$~~20~~20.00) for each driver's annual registration after the first, shall be paid by the driver to the city.

(d) No person shall permit any passenger motor vehicle for hire, including any taxicab, owned or controlled by ~~them~~ ~~him~~ to be driven in the performance of any transportation service in the city by a person who has not been registered by the chief of police as required by this chapter.

(e) A driver's registration shall be subject to suspension and/or revocation, as follows:

(1) If the chief of police receives information suggesting that a taxicab driver registered under this chapter may pose a threat to the health, safety, welfare or comfort of passengers or the general public, ~~he~~ the chief of police shall give such driver not less than ten (10) days' notice, by certified mail, to appear at a hearing to show cause why the driver's registration should not be denied, suspended or revoked. The required notice shall specify the nature of the information received by the police chief, a notice that the failure to respond may result in the denial, suspension or revocation of the driver's registration, and shall inform the driver that they ~~he~~ may present information at a hearing, by witnesses or otherwise. The required notice shall also specify a hearing date, not to be sooner than ten (10) days following the date of the notice.

(2) If, after providing the driver with notice and an opportunity to be heard, the police chief determines that the driver poses a threat to the health, safety, welfare or comfort of passengers or the general public, the police chief may revoke or suspend the registration in question, as may be appropriate under the circumstances.

(3) The chief of police may revoke any driver's registration for any cause which would have been grounds for refusal of such registration, whether such cause arose before or after the granting of such registration.

(4) A taxicab driver whose registration is revoked or suspended or an applicant who is denied registration by the chief of police shall have the right to appeal to the city manager, by following the procedure set forth in section 32-2(d)(2) of this article.

(5) The suspension or revocation of any registration shall be in addition to any other penalty imposed for any violation of this chapter.