

Upon a motion being made by Commissioner Hamilton and seconded by Commissioner McNutt, the Metropolitan Taxicab Commission orders as follows:

**Exhibit A:**

**CHAPTER 11 - MEASURES TO ENSURE COMPLIANCE - SUSPENSIONS OR REVOCATION OF LICENSE**

**1101 Suspension or Revocation for Non-Compliance.**

1. Any Person who violates or who fails to comply with or who permits or causes any Person in his, her or its employ to violate or fail to comply with any of the provisions of this Code, unless otherwise specified in this Code, shall be subject to suspensions or revocation of such Person's certificate and/or licenses for each and every offense, as follows:
  - a. For any Class I offense:
    - i. For any driver—the first violation in any eighteen (18) month period results in a five (5) day suspension and the second violation within the eighteen (18) month period results in a revocation, and
    - ii. For any company—the first violation in any eighteen (18) month period results in a suspension and the second violation within any eighteen (18) month period results in a revocation.
  - b. For any Class II offense for any driver or any company or both:

Third violation – one (1) day suspension

Fourth violation – three (3) day suspension

Fifth violation – seven (7) day suspension

Sixth violation – fourteen (14) day suspension

Seventh violation – one hundred eighty (180) day suspension

Eighth violation – revocation
  - c. As to Class I and II violations, the completion of an eighteen (18) month period without violation of any class, the violator's past violations will not be considered in assessing measures to ensure compliance.
2. Any Person operating a Vehicle for Hire without a Driver's License or while a Driver's License is suspended will, in addition, be subject to revocation
3. The Director may suspend for a period up to one hundred eighty (180) days, or revoke, the license of any Vehicle for Hire and/or a Driver's License if the Director finds one (1) or more of the following:
  - a. That the Owner, Lessee or driver made an intentional misstatement or misleading statement of fact in the application not discovered until after the issuance of said license;

- b. That any Owner, Lessee or driver has been convicted or pled guilty to one or more of the following:
  - i. A felony violation of any state statute or law involving any crime against Persons, including but not limited to all forms of assaults within ten (10) years of the application or within ten (10) years of release from prison for said felony convictions; or
  - ii. A felony violation of any state statute or law of any crime involving moral turpitude within ten (10) years of the application or within ten (10) years of release from prison for said felony conviction; or
  - iii. A violation of any federal or state statute involving terrorism or terrorist activity; or
  - iv. Any failure of periodic random drug tests administered by the Director.
4. In the event that the Director suspends or revokes a Vehicle License or Driver's License the Director shall notify the license holder by certified mail of the suspension or revocation and state the reason for the action and the procedure for appeal pursuant to Chapter 12 of this Code. If the Director determines that there is an immediate threat to the health, safety and welfare of the public, the suspension shall take effect immediately. Otherwise, the suspension shall take effect after ten (10) days' notice to the driver, except as otherwise provided below.
5. The Director may suspend or revoke a Driver's License if the driver is charged with any felony involving drugs, alcohol or physical assault or abuse. If the Director determines that there is an immediate threat to the health, safety and welfare of the public, the suspension shall take effect immediately. Otherwise, the suspension shall take effect after five (5) days' notice to the driver. Within ten (10) days after notice of suspension or revocation, the driver shall have the right to request a hearing before the Director, which shall be held within three (3) business days, unless the driver agrees to a later time. The Director may continue to suspend the Driver's License until the charges have been resolved to the Director's satisfaction. Otherwise, the Director may suspend a Driver's License because of pending felony charges. The suspension or revocation shall be in writing stating the reason for said suspension and the procedure for requesting a hearing pursuant to this section and for appeal pursuant to Chapter 12 of this Code and sent by certified mail to the driver.

is hereby amended to read:

## **CHAPTER 11 - MEASURES TO ENSURE COMPLIANCE - SUSPENSIONS OR REVOCATION OF LICENSE**

### **1101 Suspension or Revocation for Non-Compliance.**

6. Any Person who violates or who fails to comply with or who permits or causes any Person in his, her or its employ to violate or fail to comply with any of the provisions of this Code, unless otherwise specified in this Code, shall be subject to suspensions or revocation of such Person's certificate and/or licenses for each and every offense, as follows:
  - a. For any Class I offense:

- i. For any driver—the first violation in any eighteen (18) month period results in a five (5) day suspension and the second violation within the eighteen (18) month period results in a revocation, and
    - ii. For any company—the first violation in any eighteen (18) month period results in a suspension and the second violation within any eighteen (18) month period results in a revocation.
  - b. For any Class II offense for any driver or any company or both:  
  
Third violation – one (1) day suspension  
Fourth violation – three (3) day suspension  
Fifth violation – seven (7) day suspension  
Sixth violation – fourteen (14) day suspension  
Seventh violation – one hundred eighty (180) day suspension  
Eighth violation – revocation
  - c. As to Class I and II violations, the completion of an eighteen (18) month period without violation of any class, the violator’s past violations will not be considered in assessing measures to ensure compliance.
7. Any Person operating a Vehicle for Hire without a Driver’s License or while a Driver’s License is suspended will, in addition, be subject to revocation
8. The Director may suspend for a period up to one hundred eighty (180) days, or revoke, the license of any Vehicle for Hire and/or a Driver’s License if the Director finds one (1) or more of the following:
  - a. That the Owner, Lessee or driver made an intentional misstatement or misleading statement of fact in the application not discovered until after the issuance of said license;
  - b. That the driver has been found by the Director to have an unsatisfactory driving history;
  - c. That any Owner, Lessee or driver has been convicted or pled guilty to one or more of the following:
    - i. A felony violation of any state statute or law involving any crime against Persons, including but not limited to all forms of assaults within ten (10) years of the application or within ten (10) years of release from prison for said felony convictions; or
    - ii. A felony violation of any state statute or law of any crime involving moral turpitude within ten (10) years of the application or within ten (10) years of release from prison for said felony conviction; or
    - iii. A violation of any federal or state statute involving terrorism or terrorist activity; or
    - iv. Any failure of periodic random drug tests administered by the Director.

9. In the event that the Director suspends or revokes a Vehicle License or Driver's License the Director shall notify the license holder by certified mail of the suspension or revocation and state the reason for the action and the procedure for appeal pursuant to Chapter 12 of this Code. If the Director determines that there is an immediate threat to the health, safety and welfare of the public, the suspension shall take effect immediately. Otherwise, the suspension shall take effect after ten (10) days' notice to the driver, except as otherwise provided below.
  
10. The Director may suspend or revoke a Driver's License if the driver is charged with any felony involving drugs, alcohol or physical assault or abuse. If the Director determines that there is an immediate threat to the health, safety and welfare of the public, the suspension shall take effect immediately. Otherwise, the suspension shall take effect after five (5) days' notice to the driver. Within ten (10) days after notice of suspension or revocation, the driver shall have the right to request a hearing before the Director, which shall be held within three (3) business days, unless the driver agrees to a later time. The Director may continue to suspend the Driver's License until the charges have been resolved to the Director's satisfaction. Otherwise, the Director may suspend a Driver's License because of pending felony charges. The suspension or revocation shall be in writing stating the reason for said suspension and the procedure for requesting a hearing pursuant to this section and for appeal pursuant to Chapter 12 of this Code and sent by certified mail to the driver.