

# METROPOLITAN ST. LOUIS TAXICAB COMMISSION STATE OF MISSOURI

## VEHICLE FOR HIRE CODE

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**VEHICLE FOR HIRE CODE****CHAPTER 1 – DEFINITIONS****101 Definitions.**

- A. Unless it is apparent from context that a different meaning is intended, the following words shall have the meaning given them in this code:
1. Airport: shall mean Lambert-St. Louis International Airport and any other airport located within the city or county of St. Louis and designated by the Mayor of the City St. Louis or the St. Louis County Executive.
  2. Airport Shuttle: shall mean any motor vehicle operated by or under written contractual agreement with Lambert St. Louis International Airport under federal Department of Transportation guidelines, Missouri Department of Transportation guidelines, or the equivalent guidelines of another state which provides chartered or non-chartered passenger transportation for a fee to or from Lambert International Airport to or from another location within the district and which is permitted by the MTC,
  3. Airport Shuttle Permit: shall mean a permit issued by the MTC to an airport shuttle company for the operation of a specific airport shuttle.
  4. Airport Taxicab: shall mean a taxicab which picks up or drops off passengers for hire exclusively at the Airport, transports them to places they designate by no regular or specific route, and the charge therefore is made on the basis of distance traveled as indicated by the Taximeter. Airport Taxicabs shall seat a minimum of three passengers in the rear seat.
  5. Airport Taxicab Permit: shall mean a permit issued by the MTC to an airport taxicab company for the operation of a specific airport taxicab.
  6. Alternative Transportation Vehicle: shall mean pedicabs, rickshaws or golf carts operated and powered by persons or by electric or combustion motors for hire and permitted under this class.
  7. Alternative Transportation Vehicle Permit: shall mean a permit issued by the MTC to a company operating alternative transportation vehicles for the operation of a specific alternative transportation vehicle.
  8. Carriages and Horse-drawn vehicles: shall mean the provision of services, or the offering of the services, of a horse-drawn vehicle for payment. "Horse-drawn vehicle" shall mean a wagon, coach, carriage or other vehicle which is powered in whole or in part by one or more horses, mules, or other animals.
  9. Carriages and Horse-drawn vehicles permit: shall mean a permit issued by the MTC to a company operating carriages or horse drawn vehicles for the operation of a specific carriage or horse drawn vehicle.

10. Certificate of Convenience and Necessity: shall mean that certificate issued by the MTC authorizing a person to hold permits from the MTC and operate vehicles in a class designated by the MTC.
11. Certificate of Convenience and Necessity (CCN) Holder or Certificate Holder: shall mean any person, as defined under this chapter, holding one or more Certificates of Convenience and Necessity (CCN).
12. Certified Taximeter Inspector: shall mean a person certified by the MTC to inspect, seal, adjust and otherwise calibrate taximeters.
13. Charter Basis: shall mean exclusive use of a motor vehicle to a single chartering party for a specific period of time during which the chartering party shall have exclusive right to the use of the service.
14. City: shall mean the City of St. Louis.
15. City Court Summons: shall mean a uniform citation for enforcing City ordinances as they pertain to the VHC.
16. Commercial Shuttle: A commercial shuttle is defined as a motor vehicle licensed under MTC guidelines, under federal Department of Transportation guidelines, Missouri Department of Transportation guidelines, or the equivalent guidelines of another state which provides non-chartered passenger transportation for a fee from one location within the district to another location within the district.
17. Commercial Shuttle Permit: shall mean a permit issued by the MTC to a commercial shuttle company for the operation of a specific commercial shuttle.
18. Commission: shall mean the Metropolitan Taxicab Commission (MTC).
19. County: shall mean St. Louis County including the municipalities therein and all unincorporated areas.
20. County Court Summons: shall mean a uniform citation for enforcing County ordinances as they pertain to the VHC.
21. Courtesy Vehicle: shall mean any motor vehicle used by a hotel or commercial business for transportation of its customers or patrons on the streets of the city or county for no charge including, but not limited to, hotel shuttle vehicles.
22. Courtesy Vehicle Permit: shall mean a permit issued by the MTC to a company which operates courtesy vehicles for the operation of a specific courtesy vehicle.
23. Director: shall mean the person holding the title of Chief Operating Officer of the MTC as designated by the MTC or the Director's authorized agents.
24. Driver: shall mean any person holding a MTC driver's license.

25. Garage Extra Vehicle: shall mean a vehicle for hire not in service but kept only to serve as a temporary replacement for a vehicle under repair or otherwise temporarily out of service. Garage extras must be clearly designated as such by a capital “GX” appearing before the vehicle number.
26. Handicap Accessible Vehicle: Shall be a vehicle for hire specifically designed and certified to transport passengers suffering from physical handicaps including those who are wheelchair bound as well as being capable of accommodating non-handicap passengers.  
(added 3/28/11)
27. Hearing Officer: shall mean one or more persons appointed by the MTC to hear and decide appeals in accordance with 67.1818 RSMo and pursuant to Chapter 12 of this code.
28. Hotel/Motel Representative: shall mean any employee, subcontractor, person, persons engaged in loading, unloading, calling for, or securing of the services of any MTC licensed vehicle or driver.
29. Indicia: shall mean any indicator or marking that would indicate to the general public that a vehicle was a taxicab of any class or other vehicle for hire. This term includes, but is not limited to, a top light, signage or other markings or a taximeter.
30. Lessee: shall mean a person who has permission to operate a vehicle for hire pursuant to a written lease agreement with the CCN holder under whose permit the lease will be held for an airport shuttle, airport taxicab, alternative transportation vehicle, carriage, commercial shuttle, courtesy vehicle, limousine, premium sedan, non-emergency medical transport vehicle, or on-call taxicab whether the lease includes a vehicle or is for the right to operate a vehicle for hire under the CCN holder’s CCN. (amended 11/17/10)
31. Limousine: shall mean any motor vehicle designed by the original manufacturer to be modified in length by a coach builder who shall be a qualified vehicle manufacturer for use as a limousine to transport not more than eight passengers including a driver, on a prearranged basis and conforming to the same requirements under this code as vehicles licensed under the premium sedan class of service.
32. Limousine permit: shall mean a permit issued by the MTC to a company which operates limousines for the operation of a specific limousine.
33. Luxury Vehicle: shall mean a full size, four-door, model of vehicle, including a vintage vehicle as set out in the rules promulgated by the Director that has not been altered from the manufacturer’s original specifications.
34. MTC: shall mean the Metropolitan Taxicab Commission.
35. MTC Driver’s License: shall mean a license issued by the MTC which shall authorize the holder to operate a particular type of vehicle for hire, which shall be as indicated on his or her MTC driver’s license.

36. MTC Summons: A citation issued by Agents of the MTC for violations of the taxi code that will be adjudicated at the MTC Level.
37. Major Credit Cards: American Express, Discover, Visa and MasterCard and further cards set out in the Director's Rules from time to time..
38. Managing Officer: shall mean the chief executive officer of a CCN holder who is so designated in the application for a CCN on file with the MTC.
39. Municipality: shall mean a city, town or village that has been duly incorporated in accordance with the laws of the state of Missouri.
40. Non-emergency Medical Transport Vehicle: shall mean any motor vehicle or stretcher van designed or used to transport not more than eight passengers including the driver, on a prearranged basis for visits to medical care providers or other destinations related to health and welfare that require "protective oversight" of passengers with special needs; but shall not mean an ambulance.
41. On-Call Taxicab: shall mean any motor vehicle engaged in the business of carrying persons for hire on the streets of the city and/or county, whether the same is hailed on the streets by a passenger or is operated from a street stand, from a garage on a regular route, or between fixed termini on a schedule, and where no regular or specific route is traveled; passengers are taken to and from such places as they designate; the charge for motor vehicles is made on the basis of distance traveled as indicated by a taximeter. On-call taxicabs shall seat a minimum of three passengers in the rear seats.
42. On-Call Taxicab Permit: shall mean a license issued by the MTC to a CCN holder for the operation of a specific on-call taxicab.
43. Owner: shall mean the person indicated on the state motor vehicle registration as the owner of a vehicle for hire.
44. Permit: shall mean a decal or other indicia approved by the Director and issued by the MTC to a CCN holder for the operation of a specific vehicle for hire within the class of vehicles permitted as an airport shuttle, airport taxi cabs, alternative transportation vehicle, carriage or horse drawn vehicle, commercial shuttle, courtesy vehicle, limousine, non-emergency medical transport vehicle, on-call taxicab or premium sedan.
45. Person: shall mean any individual, partnership, limited liability company, company, corporation, association, joint venture, club, and any trustee or receiver appointed by any court of competent jurisdiction.
46. Prearranged: shall mean that the transportation has been arranged, contracted or booked in advance of the service via telephone, facsimile or computer before the vehicle for hire is dispatched to render the transportation service or any service ancillary to the transportation such as loading baggage.
47. Premium Sedan: shall mean a full size luxury motor vehicle which has been approved by the Director to engage in the business of carrying persons for hire on the streets of the city

or county which seats a total of eight or fewer passengers including a driver and which is required by this code to carry in the vehicle a manifest or trip ticket containing the date, time of pickup, the trip number, and the name and pickup address of the passenger or passengers who have prearranged for the use of the vehicle, and the charge is a prearranged fixed contract price quoted for transportation between termini selected by the passenger. Premium sedans must be luxury vehicles and shall only be operated on a prearranged charter basis.

48. Premium Sedan Permit: shall mean a permit issued by the MTC to a premium sedan company for the operation of a specific premium sedan or vintage premium sedan.
49. Service Animal: shall mean an animal trained to guide or assist a person with a disability.
50. Service Category: shall mean a specified service comprised entirely of airport shuttles, airport taxicabs, alternative transportation vehicles, carriages, commercial shuttles, courtesy vehicles, limousine, non-emergency medical transport vehicles, on call taxicabs or premium sedans.
51. Street: shall mean any street, alley, avenue, boulevard, court, lane or public thoroughfare or public place.
52. Taximeter: shall mean a meter instrument or device attached to an on-call taxicab or airport taxicab which measures mechanically or electronically the distance driven and the waiting time upon which the fare is based.
53. VHC: Vehicle for Hire Code.
54. Vehicle for Hire: shall refer collectively to airport shuttles, airport taxicabs, alternative transportation vehicles, commercial shuttles, courtesy vehicles, limousine, non-emergency medical transport vehicles, on-call taxicabs, premium sedans, or vintage premium sedans and any motor vehicle engaged in the business of carrying persons for hire on the streets of the city or county where the compensation for said transportation is made either directly or indirectly.
55. Vintage Premium Sedan: shall mean any motor vehicle that complies with the definition of a premium sedan, has a model year greater than twenty (20) years old, is an authentic model and not a “kit car” or replica, has a minimum seating capacity of three (3) passengers including the driver, and is exceptionally maintained in both appearance and physical condition.
56. Violation: shall mean a violation of the Vehicle for Hire Code; for purposes of disposition under the Vehicle for Hire Code the date of a violation shall be the date that a citation for a violation was initially rendered and shall become effective only after an administrative penalty is paid voluntarily or a suspension is served voluntarily or after a hearing officer has upheld a citation and the decision of that hearing officer has not been appealed or has not been overturned on appeal.

## CHAPTER 2 – CERTIFICATE OF CONVENIENCE AND NECESSITY

### 201 Certificate of Convenience and Necessity Required - Application.

- A. All Certificates of Convenience and Necessity (hereinafter CCN) are and upon issuance remain the exclusive property of the MTC and may not be sold, transferred or otherwise alienated without written authorization from the MTC. Upon revocation of a CCN the permits allocated to it under this code cease to exist unless reauthorized by the MTC. Under no circumstances are CCN's ever the property of the holder of the CCN. All contact information provided with a CCN application must be kept current after the issuance of a CCN. Any change of address, telephone or electronic mail must be provided to the MTC within seven (7) days of becoming effective.
1. No Person shall own, operate or lease a vehicle for hire service or a vehicle for hire service or purchase any assets from a vehicle for hire service to be used in the conduct of a similar service without first obtaining a CCN or appropriate permit, permission or license for the operation of such service from the MTC. When the MTC finds such operations without the necessary authorization in each case the operator will be served with a MTC citation for administrative penalty not to exceed \$200 per violation or a city or county citation and injunctive relief will be sought. No vehicle for hire may be operated pursuant to a lease other than with a valid CCN holder. The CCN holder under whose CCN the vehicle for hire is being operated shall receive a Class II violation for the first offense and revocation for any subsequent violations of the same type. *(amended 10/22/10)*
  2. An application for a CCN or any modification shall be addressed to the MTC on forms provided by the MTC.
  3. This application shall be in writing, verified by the affidavit of the applicant, or if the applicant be a corporation, a limited liability company or an association of persons of any kind, by its duly authorized officer or agent, and shall state the following facts:
    - a. The full name and business address, telephone numbers and email addresses of the applicant, and if a partnership, the same information for all partners; if a corporation, limited liability company or association of persons, the same information for all principals or stakeholders and all officers and directors thereof and a fictitious name registration if any.
    - b. The full name, address and full contact information of the managing officer who shall be designated as the person to whom all correspondence from the MTC shall be addressed and who shall be the official representative in dealing with the MTC.
    - c. The service category under which the applicant is proposing to provide service or is providing service.
    - d. What, if any, previous experience the applicant has had, or if the applicant is a partnership, the partners therein have had, or if the applicant is a corporation or other association of persons, the officers and directors have had, in the service category for which application is made.

- e. The number of vehicles the applicant desires to operate.
- f. The color scheme proposed to be used or currently being used.
- g. The passenger capacity of each vehicle according to manufacturer's rating.
- h. The type, model and description of vehicle for hire to be used or being used, engine horsepower or identification and description of other means of motivation, and name of the manufacturer as well as the age of each vehicle.
- i. Agreement by the applicant that the applicant will provide operational oversight for its services to include the training of company drivers, the monitoring of driver compliance with this code and the general fitness and continuing maintenance of vehicles in operation under each CCN.
- j. A detailed description of what the applicant is proposing to undertake including any merger or acquisition of any assets to be used in the operation of a new or existing CCN and they way in which those assets will be used or deployed and whether it is anticipated that such merger or acquisition will give rise to a need for further permits either immediately or in the reasonably foreseeable future.

## **202 Certificate of Convenience and Necessity - Hearing.**

- A. Upon the filing of an original application for a CCN, the MTC shall conduct a hearing thereon to determine the public convenience and necessity. Notice of this hearing shall be given to all persons interested, including the owner of the vehicle for hire, at least ten days before the date set for the hearing. The kind of notice, the place of hearing and all facts connected with or relating to the hearing, shall be determined by the MTC.
- B. All costs pertaining to the application for issuance of a new CCN, the sale or acquisition of a company currently operating CCN's or the merger of company's currently operating CCN's shall be born by the applicant and be payable at the time of the application. A schedule or estimate of this cost shall be set out in the Director's Rules.

## **203 Certificate of Convenience and Necessity - Issuance - Factors.**

- A. The MTC shall have power to issue or refuse to issue any CCN as the public welfare, convenience or necessity may require. In determining whether public convenience and necessity require the certification of vehicles for hire for which application may be made, the MTC shall take into consideration whether the demands of the public require the proposed or additional vehicle for hire service within the jurisdiction of the MTC; whether existing vehicle for hire service is sufficient to properly meet the needs of the public; the financial responsibility of the applicant; the number, kind, type of equipment and the color scheme proposed to be used; the increased traffic congestion and demand for increased parking space upon the streets within the jurisdiction of the MTC which may result, and whether the safe use of the streets by the public, both vehicular and pedestrian, will be preserved by the granting of the additional certificate; and other relevant facts as the MTC may deem advisable or necessary. These and

other factors to be considered in such a determination shall be set out under the Director's Rules.

- B. If the MTC shall find that the public convenience and necessity requires the operation of additional vehicles for hire, the MTC shall issue its certificate to such effect. If the MTC denies the application, a notice of denial shall be mailed by certified mail to the applicant and shall state the procedure for appeal pursuant to Chapter 12 of this code.

#### **204 Certificate of Convenience and Necessity - Not Transferable.**

- A. No holder of a CCN may sell, assign, lease or otherwise transfer the rights and privileges granted there under to any other person without first having been granted permission to do so by the MTC. In the event that the CCN holder is a natural person then upon the death of that person the CCN shall be considered to have passed per the decedent's will or by statute if the decedent died intestate. Within 90 days of the closure of the decedent's estate, the heir must apply to the MTC for approval as holder of the CCN. Violations of this section shall result in the revocation of the CCN involved.

#### **205 Discontinuing Service.**

- A. No person who has been granted a CCN to operate vehicles for hire may discontinue operating for more than five (5) continuous days without first filing with the MTC and obtaining permission from the MTC to discontinue operation. Failing to obtain such permission shall result in the suspension or revocation of the CCN. Vehicles taken out of service with the permission of the MTC will not lose their permits as long as the fees for those permits are paid.
- B. Any person wishing to discontinue service voluntarily must give at least ten (10) days notice to the MTC. Failure to give such notice by the CCN holder shall be a Class I violation and shall prohibit the issuance of any CCN in the future to such CCN holder.

#### **206 Permits Assigned to Certificates of Convenience and Necessity.**

- A. Permits may only be assigned to the holder of a valid CCN. Every permit that is not renewed annually will be forfeited and further permits may be acquired only through the MTC approved acquisition of a company which has additional valid permits. (*amended 10/22/10*)

#### **207 Suspension - Revocation - Hearing.**

- A. If a CCN holder fails to follow any of the provisions of this Code or is thirty (30) days or more in arrears on any financial obligation to the MTC, then administrative penalties up to \$200 and suspension or revocation may be brought by the Director. If revocation or suspension is sought then notice of revocation or suspension shall be sent by certified mail to the certificate holder, which notice shall provide ten (10) days from the date on the notice for the certificate holder to file an appeal pursuant to Chapter 12 of this code. The notice shall state the reasons for

revocation and the procedures for appeal pursuant to Chapter 12 of this Code. Actions for suspension or revocation shall be stayed during the pendency of an appeal as provided in Chapter 12. In the event that the Director revokes a CCN then the Director shall give notice to the chiefs of police of the City and the County and appropriate municipalities that the certificate and vehicle licenses have been revoked. No certificate or vehicle permit shall thereafter be reinstated or renewed by the MTC until the owner or lessee has obtained a new CCN and vehicle permits.

## **208 Garage Extra Vehicles.**

- A. Permit fees for garage extra vehicles shall be paid by the CCN Holder during the regular renewal process. When a garage extra is deployed the driver of the extra will report to the MTC and obtain an additional temporary permit for that period of time the extra is used. The CCN holder may have garage extras in a number not to exceed 5% of its fleet rounded to the nearest whole number. All such vehicles must be of the same color scheme as the rest of the fleet with which they operate and when such a vehicle is put into service it must first pass inspection, the CCN holder must designate a fleet number of the vehicle preceded by the letters GX. The Missouri State License plate will also indicate the GX preface. The vehicle may then be operated until the vehicle it has temporarily replaced, as designated to the MTC is placed back into service. The CCN holder must notify the MTC whenever a Garage Extra is deployed. This notification may be faxed or emailed to the MTC office and will also indicate the location of the vehicle it is replacing. A Garage Extra will not be used as a permanent replacement vehicle. Failure to notify the MTC could result in the loss of the garage extra privilege. Repeated failures to notify the MTC shall result in the loss of the privilege.

## **209 Insurance Required.**

- A. For the safety of the traveling public, insurance shall be required for all vehicles regulated by the MTC:
1. Every vehicle for hire shall be insured and carry minimum motor vehicle liability insurance in the sum of two hundred thousand (\$200,000.00) dollars combined single limit for any one (1) accident unless otherwise provided in this code or the Director's Rules.
  2. If the minimum insurance requirements of the Missouri Motor Vehicle Financial Responsibility Law exceed the amounts in this section such Missouri minimum requirements shall automatically become the minimum requirements of this section.
- B. A non-emergency medical transport vehicle must meet the coverage requirements for commercial automobile liability insurance set by the MTC or the applicable federal, state, and local laws and regulations, whichever is greater. The minimum auto liability insurance coverage required for any Non-Emergency Medical Transport Vehicle is three hundred thousand (\$300,000.00) combined single limit (CSL) unless otherwise provided in this code or the Director's Rules.
- C. Insurance required for carriages shall be one million dollars (\$1,000,000.00) combined single limit unless otherwise provided in this code or the Director's Rules.

- D. The insurance shall be carried with a firm or corporation which has been duly licensed or permitted to carry on such business in the State of Missouri, and shall be kept and maintained continuously in force and effect. Each policy shall be endorsed to state that coverage will not be suspended, cancelled, or the limits reduced, except after receipt by the Director of thirty (30) days prior written notice. A verified copy of the insurance policy shall be filed with the Director, with the certificate of the insurer that the policy is in full force and effect.
- E. It shall be a violation of this code to lease or operate a vehicle for hire that is not insured to the extent required herein.
1. The burden of proving that adequate insurance is in force shall be upon owner of the vehicle for hire.
  2. Failure to provide proof of adequate insurance upon request by the Director or his agents shall be grounds for immediate suspension of the vehicle permit which shall remain in effect until such time as the owner is able to prove that adequate insurance is in place.
- F. In addition to any other remedies, in the event any insurance required by this section lapses and is not immediately renewed, the CCN and the vehicle licenses issued there under shall be immediately suspended. Upon compliance with all provisions of this code, the CCN and vehicle licenses issued there under may be reinstated by the Director with or without a hearing.
1. Due to the potential adverse impact that a lack of adequate insurance might have on the traveling public no stay of a suspension under this section by virtue of an appeal under Chapter 12 shall be available. Only the presentation by the CCN holder to the Director of a valid and adequate certificate of insurance or the Order of a Hearing Officer will act to lift such a suspension.
- G. All CCN holders of vehicles for hire permits shall maintain in the vehicle a valid insurance identification card as required by the State of Missouri and defined by the Revised Statutes of the State of Missouri §303.024 and failure to do so shall be a violation of this code.
1. The operator of the vehicle for hire shall exhibit the insurance identification card on the demand of any peace officer, commercial vehicle inspector, MTC enforcement agent, or taxi starter during any inspection, investigation, or accident or upon request while that officer, inspector, agent, or starter is engaged in the performance of their duties. Failure of any driver to comply with any request to exhibit the insurance card to these persons shall be a violation under this code.
  2. Violations of this section not otherwise specified shall result in a Class III violation.

## **210 Addresses and Directories.**

- A. Each certificate holder is required to have and maintain a non-residential office address and business telephone number and electronic mail (email) address on file with the Director to which can be directed any reports of lost articles, complaints, inquiries, and related matters, and shall maintain a listing in at least one business directory commonly available to the public. Telephones must be answered during all hours of operation and must have some means of taking messages.

Messages, either telephonic or electronic left by the MTC during business hours must be returned before close of business that same day. Messages left after hours must be returned before noon of the next business day. The Director may implement this section by further detail as set out in the Director's Rules.

**B.** Violations of this section shall result in a Class II violation.

**211 Drivers Training.**

A. Subject to the Director's approval, CCN holders must develop and implement a training program and procedure manual for licensed cab drivers that are affiliated with that CCN Holder. At a minimum, the program and manual should deal with general street knowledge, basic customer service skills, and safety. Violation of this section 211 shall be a Class II violation.

**212 Violations.**

A. Violations of this Chapter not otherwise specified shall result in a Class III violations. When a violation involves a CCN holder as opposed to a driver only the administrative penalty portion of the class of violation shall apply and not the points.

**213 Code Compliance and Financial Obligations.**

A. A current CCN holder seeking to renew a CCN or to merge or acquire another CCN must not have any outstanding code violations nor any outstanding financial obligations to the MTC, nor any outstanding unsatisfied judgments as a result of operating as a CCN holder unless payment arrangements have been agreed and are current or the judgment is being appealed or renewal, merger or acquisition will be denied. *(amended 11/17/10)*

**214 Validation of CCN.**

A. During the calendar year 2010 and every other year thereafter in January all holders of CCN's must reapply to the Director for a revalidation of the CCN. Any CCN holder failing to so reapply shall have its CCN revoked at year's end. *(amended 11/17/10)*

## CHAPTER 3 – VEHICLE LICENSE REQUIREMENTS

### 301 Vehicle Permit Requirements.

- A. No person shall operate or lease a vehicle for hire without first obtaining a permit for such vehicle for hire from the MTC. The applicant may apply for and the MTC may issue a permit for an airport shuttle, airport taxicab, an alternative transportation vehicle, a carriage or horse drawn vehicle, a commercial shuttle, a courtesy vehicle, a handicap accessible vehicle, a non-emergency medical transport vehicle, a premium sedan or an on-call taxi but not more than one kind of permit may be issued for any specific vehicle. Each permit shall be issued for a specific vehicle, provided however, that the Director may authorize the transfer of a permit to a substitute vehicle if the Director determines that such a substitute vehicle complies with all requirements of this code.
- B. Notwithstanding the provisions of section A above, no vehicle permit shall be required if said vehicle for hire is permitted by a county or municipality outside the city and county, but only as long as:
1. Such vehicle for hire does not operate point-to-point within the city or county, and
  2. Said licensing authority allows vehicles licensed by the MTC to operate within its boundaries without further licensing or permitting requirements or fees, and
  3. The aforementioned county or municipal license is valid for the current year, and
  4. The owner, lessee and each person who operates said vehicles complies with all ordinance requirements of the said county or municipality as well as all applicable provisions of this code, including MTC authority and sanctions.
- C. Any person violating this section shall be subject to a Class IV violation. Sale or other disposition of any vehicle shall not release a violator from the obligation to satisfy any administrative penalty imposed by the MTC through its agents.

### 302 Application for Vehicle Permit.

- A. An application for a permit for a vehicle for hire shall be filed with the Director.
- B. An applicant for a permit for a vehicle for hire shall provide the following information and proof for each application:
1. For all vehicles for hire, proof that the applicant is the CCN holder for each vehicle for which a permit is requested.
  2. The seating capacity of each vehicle proposed to be used as a vehicle for hire. Such capacity shall not exceed the manufacturer's rating.
  3. The year, make and model of vehicle, horsepower if applicable, vehicle identification number (VIN), and the length of time such vehicle has been in use.

4. A copy of the State of Missouri inspection or the inspection of the state in which the vehicle is registered if one is required by that state, MTC inspection, and Missouri or other state vehicle registration for the vehicle.
  5. For airport taxicabs and on-call taxicabs, adequate proof that the MTC has tested the taximeter and sealed it within the last sixty (60) days.
  6. Certification that the applicant will comply with all current and future rules and regulations promulgated by the MTC.
  7. Whether applicant is applying for an airport taxicab permit, on-call taxicab permit, courtesy vehicle permit, limousine permit, premium sedan permit, carriage permit, alternative transportation vehicle permit or non-emergency medical transport vehicle permit.
  8. Proof of insurance as required by this code.
  9. A CCN from the MTC. *(section amended 11/17/10)*
- C. After compliance with the foregoing, the MTC may issue a vehicle permit under the appropriate CCN to the applicant which shall be valid from the date of the application upon payment of a fee as described herein. *(amended 11/17/10)*
- D. When an applicant has applied for a vehicle permit, the Director may issue, at the time of acceptance of the application, a temporary vehicle permit to the applicant, which shall expire upon rejection of the application or issuance of a permanent permit. *(amended 11/17/10)*
- E. A vehicle permit may be in the form of what is commonly known as a “hang tag” which shall be placed upon the rear-view mirror of the permitted vehicle. A vehicle permit may also take the form a decal which shall be placed as designated by the Director.
- F. Only MTC personnel are permitted to remove a permit from a vehicle for hire. Unauthorized removal may result in the denial of a new permit.

### **303 Denial of Vehicle Permit.**

- A. If the Director denies a vehicle permit, the denial shall:
1. Be in writing.
  2. State the reason(s) for the denial.
  3. Refer to the procedure for appeal pursuant to chapter 12 of this code.
  4. Be sent by first class mail to the applicant.

### **304 Inspection of Vehicle for Hire .**

- A. Each permitted vehicle shall be subject to inspection by the MTC as follows:
1. Initial licensing inspection – upon initial application for a permit to add, replace or otherwise put a vehicle into service under a CCN.
  2. Annual renewal inspection – upon the renewal of a permit under a CCN.
  3. Prior to re-entering service after being removed from service by action of the MTC for code violations in regard to appearance or operation.
  4. At the discretion of the Director, inspections may be scheduled and performed at the same time as certification of the taximeter, if any.
- B. Upon receipt of a completed application and payment of the current authorized inspection fee as determined annually by the MTC and published annually in the Director's Rules. The Director shall cause an initial inspection of each vehicle for hire for cleanliness and general operational fitness pursuant to this section. Inspection fees must be paid prior to each inspection or re-inspection.
1. The applicant shall correct all deficiencies until such vehicle passes the Director's inspection.
  2. Vehicles with deficiencies shall be tagged at the place of inspection and removed from service for correction of any defects.
  3. During such period the vehicle shall not be operated as a vehicle for hire.
  4. Inspections for cleanliness and general operational fitness shall be performed annually thereafter before license renewal. Violations of subsections A and B shall be Class III violations.
- C. The Director shall maintain constant vigilance over all vehicles for hire, and shall cause an inspection annually of all such vehicles for cleanliness and general operational fitness before the renewal of any license therefore as set out above, and at the complaint of any person, as often as may be necessary to ascertain that such vehicles are kept in continued fitness for public use. Upon reasonable belief that a vehicle is not fit for public use, the Director may require that such vehicle be inspected and fees paid in accordance with the procedures set out herein.
- D. The Director shall set and publish inspection fees and standards as a part of the rules promulgated by the Director.
- E. It shall be unlawful and a violation of this code to lease or drive or otherwise return to service a vehicle for hire that has failed any inspection until such vehicle has passed a re-inspection. Violations of this subsection E shall be a Class III violation.
- F. Airport taxicab, handicap accessible vehicle and on-call taxicab fare registers or taximeters shall be tested and sealed to the vehicle at least annually, but more often if required under the Director's Rules, and then only by MTC personnel. A copy of the "placed in service receipt" will be filed with the Director. Such inspection shall be made before the issuance of any

license therefore, and shall be made thereafter upon renewal, or at the complaint of any person at such fee as annually determined by the MTC.

1. When a complaint concerning the accuracy of a taximeter is received, the Director will initiate an investigation. If the fare register or taximeter is inaccurate, the owner or lessee shall pay the passenger for any overpayment by the passenger due to any inaccuracy.
- G. The Director's Rules shall set out the conditions under which vehicles meters may be operated, such as tire size. Operating a vehicle contrary to this section shall be a Class II violation of this code.
- H. It shall be a Class I violation of this code to tamper with or alter any meter or device used to calculate, display or present any rates or charges to passengers without the written authorization of the Director.

### **305 Vehicle for Hire Permit Fees - Term.**

- A. The annual per vehicle license fee for an owner or lessee of an airport shuttle, airport taxicab, alternative transportation vehicle, carriage or horse drawn vehicle, commercial shuttle, courtesy vehicle, handicap accessible vehicle, limousine, non-emergency medical transport vehicle, on-call taxi or premium sedan shall be as follows:
1. As determined annually by the MTC and published in a schedule by the Director.
- B. The MTC shall distribute the appropriate permit to the CCN holder.
- C. No fees shall be required for vehicles for hire duly licensed by another county or a municipality operating for limited purposes and subject to the conditions set forth herein.

### **306 Vehicle Permits - Term, Expiration and Renewal.**

- A. Vehicle permits shall expire as follows:
1. All airport taxicab permits shall expire on the thirtieth day of April of each year, and shall be renewed annually prior to such expiration date.
  2. All on-call taxicab and handicap accessible permits shall expire on the thirtieth day of June of each year and shall be renewed annually prior to such expiration date.
  3. All courtesy vehicle permits shall expire on the thirty-first day of August of each year and shall be renewed annually prior to such expiration date.
  4. All premium sedan permits shall expire on the thirty-first day of October of each year and shall be renewed annually prior to such expiration date.
  5. All non-emergency medical transport vehicle permits shall expire on the thirtieth day of September of each year and shall be renewed annually prior to such expiration date.

6. All carriage and alternative transportation vehicle permits shall expire on the thirty-first (31st) day of October of each year and shall be renewed annually prior to such expiration date. *(amended 1/10/11)*
  
- B. A CCN holder shall file an application for all vehicle permits with the Director along with the appropriate renewal fee. If the application is approved, the fee paid, and the vehicle passes all appropriate inspections, the Director shall issue the renewal. If the vehicle fails the Director's inspection, the CCN holder may repair the vehicle and re-present it until the vehicle passes inspection and is issued the renewal permit, but may not allow any person to operate such vehicle during the period of ongoing failure. Vehicles presented for re-inspection for a second or subsequent re-inspection shall be subject to the appropriate inspection fee. *(amended 11/17/10)*
  
- C. Violations of this Chapter not otherwise specified shall be a Class IV violation. *(Amended 11/17/10)*

**CHAPTER 4 – DRIVER’S LICENSE REQUIREMENTS****401 Driver Licensing – Qualifications - Hearing on Denial of License.**

- A. No person shall operate a vehicle for hire in the county or the city without first obtaining a MTC driver’s license authorizing the operation of that particular class of vehicle for hire.
1. The applicant may apply for, and the Director may issue, a driver’s license to an individual to be used for a specific CCN holder for the operation of an airport shuttle, an airport taxicab, an alternative transportation vehicle, a carriage, a commercial shuttle, a courtesy vehicle, a handicap accessible vehicle, a limousine, a non-emergency medical transport vehicle, an on-call taxicab or premium sedan, each license shall be issued for a specific driver.
  2. No transfer of a license for employment with another CCN holder shall be permitted under this code while the applicant has a pending charge before the MTC.
  3. No transfer of any license shall be permitted under this code without the authorization of the Director.
  4. The Director may issue a temporary MTC driver’s license pending issuance of a permanent license.
  5. Violations of this section shall be a Class II violation.
- B. Application for a driver’s license shall be made to the Director. The applicant for the driver’s license shall comply with the following requirements:
1. Be at least eighteen (18) years of age.
  2. Be able to speak and understand directions, oral and written, in the English language.
  3. Be able to read and understand maps of the St. Louis metropolitan area.
  4. Be in possession of a valid class E chauffeur's license or higher as prescribed by the laws of the state of his/her residency and immediately report any administrative action or change in status of this license to the Director.
  5. Be in possession of current criminal background checks performed by the county police department, the city police department, and the Missouri Highway Patrol, or such other entity as the MTC may direct, and shall submit to fingerprint identification and any other criminal record check as required by the MTC showing the applicant has not been convicted of a felony and has no drug or alcohol related convictions involving the operation of a motor vehicle.
  6. Provide a statement from a physician licensed to practice in the area that applicant has taken a physical examination the results of which show that the applicant is physically capable of safely operating a vehicle for hire and providing reasonable assistance to disabled, elderly, or frail passengers. Specifically, the applicant must be satisfactorily

ambulatory that he is able to assist carrying typical packages and luggage passengers may have with them in additions to any requirements pursuant to Rules Promulgated by the Director.

7. Provide with the application an intent to hire or engage letter from a CCN Holder.
  8. Provide with the application a current (no older than 10 days) Missouri Department of Revenue Driver Record Report or if an Illinois resident, an abstract of driving record from the Illinois Secretary of State. The MTC will endeavor to provide these records at a fee to be published by the Director.
  9. Pass an annual drug test the specifics of which shall be set out in the Director's Rules.
  10. Furnish the full name and residential address of the applicant (post office box addresses will not meet this requirement), telephone land line and cell phone numbers as well as email addresses if available; the date and place of birth of the applicant; and proof of citizenship of the United States of America or, if not a citizen of the United States of America then a valid visa and work permit.
  11. Furnish proof that the applicant is the lessee, subject only to obtaining a driver's license, of the type of vehicle for which a license is requested.
  12. Furnish certification that the applicant will comply with all current and future rules and regulations promulgated by the MTC.
  13. Specify the particular class of vehicle for hire to be indicated on the driver's license.
  14. Furnish evidence that the applicant has completed a comprehensive driver training program that has been approved by the MTC. The curriculum shall include, at a minimum applicable government rules and regulations; geography and map reading of the licensing jurisdiction and surrounding jurisdictions; major points of interest in the jurisdiction; general familiarity with the jurisdiction and its surrounding area; driver safety and defensive driving; passenger safety; vehicle safety and maintenance/inspection checks; and customer service and relations, including guidelines for assisting disabled, frail, and elderly passengers.
  15. Upon initial application only, furnish evidence that applicant has completed fingerprinting through the Missouri Highway Patrol's finger printing process as required by Section 67.1819 RSMo. Failure to complete fingerprinting through the Highway Patrol process shall result in the denial of a driver's license.
  16. Acknowledge by signature at the time of original licensing and at any renewal the receipt of a copy of the current VHC and Director's Rules which shall include an acknowledgement that by accepting an MTC license the driver assumes the responsibility of becoming familiar with and adhering to each applicable section of the VHC and Director's Rules.
- C. The Director will deny (or revoke if appropriate) an application for a driver's license if the Director determines that:

1. The applicant has made any material intentional misstatement or misleading statement, or omission of fact in the application.
  2. The applicant has been convicted of, pled guilty to or been proven guilty and received a suspended imposition of sentence for any one of the following:
    - 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 conviction.
    - b. Felony violation of any state statute or law involving theft, stealing by any means or fraud within ten (10) years of the application or within ten (10) years of release from prison for said felony conviction.
    - c. Driving while his or her Missouri's driver's license was suspended or revoked within five (5) years of the date of the application.
    - d. Driving while intoxicated or some other drug or alcohol-related traffic offense within five (5) years of the application.
    - e. Criminal or driving activity which the Director determines may pose a risk of danger to the traveling public.
  3. The applicant has violated any provision of this code, including non-payment of administrative penalties. Violation of minor provisions of this code or non-payment of administrative penalties may be waived by the Director if he determines that a satisfactory plan of compliance is in place.
  4. If the Director determines that charges in the nature of the above-listed crimes or violations of this code are pending against the applicant in any forum, the Director may hold the application until the charges have been resolved to the Director's satisfaction and then may take whatever action deemed appropriate under this code. *Section amended 6/28/11)*
- D. Upon approval of the application for a MTC driver's license and payment of the appropriate fee, the Director shall issue a MTC driver's license to the applicant. The driver shall display the MTC driver's license issued as instructed by the Director during all times that such vehicle for hire is being operated a copy of such license shall also be clearly discernible to and can be read by the passengers in the rear seat. Violations of this subsection shall be a Class IV violation.
- E. The fee for a MTC driver's license shall be determined annually by the MTC and published by the Director. The MTC license shall be valid for one (1) year from date of issuance.
- F. The fee for any replacement license shall be determined annually by the MTC and published by the Director.
- G. A fee of twenty-five dollars (\$25.00) per license will be assessed for failure to renew a MTC license prior to expiration. A fee of fifty dollars (\$50.00) per license will be assessed for failure to renew a MTC license more than then (10) days after expiration. The Director will

determine the penalty under his rules promulgated, for the renewal of a license more than thirty (30) days after expiration. Licenses may be renewed up to sixty (60) days in advance of expiration. Licenses allowed to expire will require the licensee to begin the process as though applying for the first time including all tests, documentation and fees. (*amended 1/10/11*)

- H. If the Director denies a driver's license to an applicant or places the application on hold because of pending charges, the decision shall be in writing stating the reason for said action and the procedure for appeal pursuant to chapter 12 of this code and sent by certified or registered mail to the applicant.
- I. Altering or forging a MTC driver's license is prohibited and shall result in revocation of such license.

**402. Violations**

A. Unless otherwise specified, violations of this Chapter shall be Class IV violations. When a violation involves a CCN holder as opposed to a driver only the administrative penalty portion of the class of violation shall apply and not the points.

**CHAPTER 5 - GENERAL OPERATING REQUIREMENTS****501 Lettering and Signs Required - Taximeters - Correct Fares Charged.**

- A. Every airport taxicab, handicap accessible vehicle and on-call taxicab shall have printed, in colors contrasting that of the vehicle surface to which affixed, on the outside of one (1) door on each side of such vehicle in letters at least two and one-half (2 ½) inches high, permanently affixed to the door, the name of the vehicle license holder, the initial fare rate; in letters at least one (1) inch high, the rate graduations in 1/10th of a mile and the additional charge for extra passengers, if any, and the rate, if any, for return mileage from points beyond the geographical boundaries of the City and County.
- B. Every airport taxicab, handicap accessible vehicle and on-call taxicab shall have printed, in colors contrasting that of the vehicle surface to which affixed, on the outside of the front fender on each side of such vehicle and on the trunk lid visible in plain view from the rear of the vehicle, in numbers at least two and one-half (2 ½) inches high, permanently affixed, the Taxicab fleet number assigned to that vehicle by the MTC.
- C. All fleet vehicle markings shall be approved by the Director and shall be consistent among a given fleet.
- D. Every airport taxicab, handicap accessible vehicle and on-call taxicab shall have a rate card posted in a conspicuous manner on the inside of the vehicle prominently setting out the same information relative to fares and additional charges as required herein to be printed on the doors of the vehicle. All vehicles for hire shall display a notice which contains information that any complaint should be directed to the "Director of the Metropolitan Taxicab," with the applicable phone number clearly indicated, and posted in a conspicuous manner.
- E. Every airport taxicab, handicap accessible vehicle and on-call taxicab licensed by the MTC shall be equipped with a fare register or taximeter which shall indicate the fare charged per trip, in a manner which shall be made visible to the passenger and capable of generating a receipt, available upon request, handwritten or mechanically printed, containing such information.
- F. The display of a taximeter shall be programmed to the increment in uniform whole cent values, at one-tenth (1/10) of a mile intervals for distance, and at time intervals. The uniform intervals for distance and time apply to both the initial and subsequent intervals. All taximeters will be certified by the MTC at least once a year as set out in this code and pursuant to Rules Promulgated by the Director at a fee as authorized in section 304.
- G. Drivers of airport taxicabs, handicap accessible vehicles and on-call taxicabs shall not use time meters except when waiting on a fare or where time is the non-moving or subordinate portion of the total fare calculated by the authorized and sealed taximeter.
- H. A top light shall be permanently affixed to the roof of all airport taxicabs, handicap accessible vehicles and on-call taxicabs facing the front of the vehicle, which may display either the name of the certificate holder or the word "taxi" or "cab". For on-call cabs a placard signifying availability and supplied by the MTC shall be displayed on the passenger side visor of the vehicle so as to be visible from the street when the vehicle is available for passengers.

- I. It shall be unlawful and a violation of this code to lease or drive an airport taxicab, handicap accessible vehicle or on-call taxicab which does not comply with the provisions of this code. Violation of subsections A through I of this section shall be a Class III violation.
- J. Unless otherwise provided in this code, it shall be a violation of this code to charge any greater amount than that indicated by the taximeter or fare register, plus additional charges for extra passengers, as indicated by the printing on the doors of the airport taxicab, handicap accessible vehicle or on-call taxicab as herein provided and any applicable airport fees. Any vehicle for hire containing a taximeter must run the meter on every trip without exception and if a flat fare is charged it must be less than the metered fare for any trip. In addition to any other penalties, fares charged in excess of the meter except for those mentioned herein shall require the entire fare including the metered fare to be refunded by the driver to the passenger.
- K. No taximeter rates shall exceed those indicated as follows:
- |                        |                  |
|------------------------|------------------|
| Initial Fare:          | \$ 2.50          |
| Per Mile:              | \$ 2.00          |
| Additional Passengers: | \$ 1.00 each     |
| Waiting Time:          | \$24.00 per hour |
1. Every vehicle for hire picking up passengers at Lambert St. Louis Airport shall pay a fee of \$1.00 per trip to the MTC upon exiting the airport parking area. Violation of this section will be a Class III violation.
  2. All vehicles for hire picking up passengers at the airport must use a proximity card or similar device supplied by the MTC to exit the airport parking area and may not use a cash exit point unless the proximity card is not working. Using the cash line instead of the proximity card shall result in a ten dollar (\$10.00) administrative penalty per occurrence. *(Subsections added 2/11/11)*
- L. Rates for transportation services exceeding those published above or set by contractual agreements entered into by and between a certificate holder and any person, based on utilization of any or all of said certificate holder's vehicles for hire having vehicle licenses issued by the MTC, must be in writing and signed by the certificate holder or his authorized agent and the person with which the certificate holder proposes to contract. Violation of subsections J through L of this section 501 shall be a Class II violation.
- M. Drivers of vehicles for hire shall accept major credit cards for payment of fare. Failure or refusal to accept valid major credit card shall be a violation of this code. Certificate holders shall require all drivers operating under the authority of their certificates to accept major credit cards as payment of fares. The requirements of this section are limited to valid cards presented at the time of engagement of the service. Drivers, other than airport taxicab drivers shall not be required to accept payment from a third party. Credit card companies are not third parties for purposes of this section. Violation of subsection M of this section 501 shall be a Class IV violation.
- N. At a date to be determined by the Director, all processing of credit card charges shall be administered by the CCN holder or by a service with which the CCN holder shares a written contract for such administration, the records of which shall be maintained by the CCN holder

for one year, in a form permitted by federal law, after the transaction is processed. These records must be made available for review by the Director upon request. Violation of subsection N of this section shall be a Class V violation.

- O. Drivers of Taxicabs shall use the most direct route to the passenger's destination or at the passenger's option, a route of their choosing. Failure to take a passenger by the most reasonably direct route or route of the passengers choosing shall be a Class III violation of this code. Any drivers found to have violated this section shall, in addition to any other penalty be required to refund the fare charged.

#### **502 Vehicle for Hire Stands and Parking Spaces - Soliciting.**

- A. The Director, after consultation with the controlling municipal or county authority may designate appropriate stands or stopping places for vehicles for hire. No vehicle for hire except while boarding or discharging passengers, or waiting for time to depart, shall stop, stand or park on any street or place except as shall be designated by the Director.
- B. While a vehicle for hire is on a public street or place, passengers shall be solicited by no other means than by having permanently affixed printed signs on the vehicle stating that the same is for hire and the rate of fare and by displaying the placard as required by Section 501.H.
- C. The driver of any vehicle for hire shall not solicit passengers by repeatedly and persistently driving such vehicle for hire in and about a short space.
- D. Violation of this section 502 shall be a Class IV violation.

#### **503 Vehicle Appearance.**

- A. All vehicles for hire shall be clean and well maintained in appearance inside and out.
- B. All vehicles for hire shall be comfortable for the passengers and free of debris.
- C. If the vehicle for hire has a trunk, it shall be kept clear of articles to allow for luggage storage.
- D. Vehicles for hire should have no offensive odors.
- E. All vehicle licenses and driver's licenses shall be displayed as well as the approved or required signage of the MTC.
- F. The Director may promulgate rules further specifying the standards which shall be required to meet the requirements of this section.
- G. Violation of this section 503 shall be a Class IV violation.

#### **504 Driver Appearance and Conduct.**

- A. Drivers shall present a neat and orderly appearance and shall be clean in dress and in person.
- B. Upon application by a certificate holder, the Director may approve, which approval shall not be unreasonably withheld, an alternative attire for airport taxicab, handicap accessible vehicle and on call taxicab drivers as long as such approved alternative is used company wide by the CCN holder. Otherwise, such drivers shall wear the following:
  - 1. Black slacks, no jeans.
  - 2. Solid white, button up the front, collared, long or short-sleeved shirt.
  - 3. Solid black, closed toe shoes and socks.
  - 4. Baseball-style hat meeting the following requirements:
    - a. No writing or text shall appear on the hat except for the name and logo or insignia of the taxicab certificate holder employing the driver.
    - b. All hats worn by drivers of the same certificate holder shall have the same color scheme, except that, upon approval by the Director, special classes of drivers designated by the certificate holder may wear a hat of a different color.
    - c. All hats shall be worn with the visor forward.
  - 5. Solid black jacket or windbreaker. The only printing allowed is the name and logo of the certificate holder that employs the driver.
  - 6. Solid black or white sweater may also be worn.
  - 7. During the period of May 1<sup>st</sup> through October 1<sup>st</sup> drivers may wear clean solid white short-sleeved collared polo type golf shirts. The only printing allowed is the name and logo of the taxicab certificate holder that employs the driver.
  - 8. Courtesy vehicle drivers shall wear such uniforms as are approved by the Director after application by the certificate holder.
  - 9. Premium sedan drivers shall wear a dark suit (or dark sport coat and slacks) with a white long-sleeved shirt and tie with plain, shined, closed-toe shoes and socks.
- C. Drivers shall not sleep in vehicles for hire.
- D. Drivers shall not use cellular or other portable telephones, or blue tooth headsets or devices, or hands free headsets or devices, or ear plugs of any kind while in the presence of passengers, whether loading, in the vehicle, or unloading, or while passengers are present and the vehicle is moving or otherwise upon a public thoroughfare. Drivers whose vehicles have broken down while on a public thoroughfare may use cell phones only to summon assistance. Cell phones may also be used to summon assistance in the event of illness or accident. Texting while operating the vehicle will result in a Class I violation.

- E. No driver may withdraw to a greater distance than ten (10) feet of his/her vehicle while on duty and parked at a taxicab stand or other authorized public place, the only exceptions being that a driver may withdraw to a greater distance than ten (10) feet during an emergency wherein the life or property of any individual is threatened; or only for a period not to exceed fifteen (15) minutes for a physical necessity.
- F. 1. Drivers shall display a professional demeanor, as defined in the Director's Rules or as set out below, at all times while on duty or in the presence of passengers or members of the public; failure to display a professional demeanor shall be a violation of this code as set out below.
- a. Stealing or theft of any sort or physical assault of any sort whether upon a passenger or other person shall be a Class I violation and shall result in license revocation.
- b. Verbal abuse, lewd, vulgar or obscene suggestions, threats or intimidation of any kind directed at a passenger shall be a Class II violation of this code and may result in suspension or revocation of license. (*adopted 7/28/11*)
2. Public confrontations, as defined in the Director's Rules are prohibited and are a Class II violation of these rules and may result in suspension or loss of license
- G. No driver of a vehicle for hire while on duty may possess on his person or in any vehicle for hire any scanner, radar detector, or other device designed or altered to permit interception of transmissions not specifically initiated by the vehicle license holder or certificate holder of the receiving vehicle and intended for its driver. Any scanner discovered in violation of this subsection shall be seized by the MTC and held through adjudication and it will be destroyed upon the citation being upheld or admitted. This shall be a Class I violation and result in immediate revocation.
- H. Smoking shall not be permitted in vehicles for hire or within five (5) feet of the vehicle at any time.
- I. Drivers shall report immediately any known vehicular deficiencies to the CCN holder. The CCN holder shall keep a record of such reports for one calendar year from the date of the report and shall produce such on the request of the Director. The CCN holder shall repair such deficiencies as soon as reasonably possible.
- J. Drivers shall be required to comply with all Federal, State and local traffic laws and ordinances and shall operate any vehicle permitted under the authority of the MTC safely at all times. Drivers must carry their MTC license, appropriate State operator's license and proof of insurance for the vehicle and must surrender same on request to a MTC agent or law enforcement agent.
- K. Drivers shall be required to comply with the Lambert St. Louis International Ground Transportation Rules and Regulations Ordinance 64406 at all times while on Airport Property. Airport Property shall mean Lambert-St. Louis International Airport, which is owned and operated by the City of St. Louis, including, but not limited to its roads, ramps, curbs, parking facilities, terminals, concourses, buildings and other Airport facilities.
- L. A driver shall not dismiss, discharge, or otherwise require any passenger to leave the vehicle other than at the passenger's requested destination without cause. For this purpose, "cause" means the vehicle has become disabled, or the passenger has become disorderly or has refused

to pay the authorized fare. A driver who requires a passenger to leave the vehicle other than at the passenger's requested destination shall do so only at a well-lighted public place, or (if the vehicle has become disabled) into another vehicle for hire, and shall immediately notify his or her affiliated company of all the details of the incident.

- M. A driver may not refuse a fare due to the gender, race, religion, sexual orientation or any protected status of a prospective passenger.
- N. Each vehicle driver shall, upon the request of the passenger making payment, and upon receipt of full payment for the authorized fare, give a receipt to the passenger making the payment.
- O. While on duty, only bonafide passengers shall be permitted to enter any MTC permitted vehicle. Drivers shall not allow non-passengers or un-authorized persons to enter the vehicle without the express written authorization of the CCN Holder as approved by the Director. Such authorization shall be presented to any enforcement personnel upon request.
- P. Any property left by a passenger in the vehicle shall be reported by the driver to his or her affiliated company within 30 minutes after its discovery. The CCN holder will make every effort to return to the passenger the property in question within 24 hours.
- Q. Drivers are responsible for keeping his or her current address and telephone number on file with the MTC. Changes in physical address, telephonic and electronic contact information must be furnished to the MTC, in writing, within seven (7) days of the change becoming effective.
- R. Drivers and their vehicles will be subject to random inspection by the Director and his agents at any time with or without prior notice.
- S. All Drivers shall display on their person at all times while on duty the MTC issued drivers license. Failure to wear the license shall be a violation of this section 504.
- T. Any driver failing a periodic drug test whether required by the CCN holder or the MTC shall be subject to immediate license revocation.
- U. The Director may promulgate rules further specifying the standards to meet the requirements of this section.
- V. Unless otherwise specified, violation of this section 504 shall be a Class III violation.

#### **505 Animals in Vehicles for Hire.**

- A. Drivers of vehicles for hire shall allow passengers to be accompanied by service animals. Drivers shall also allow passengers to carry with them small animals, when such animals are securely enclosed in a box or cage designed for holding such animal and capable of being held on the lap of the passenger.
- B. Violation of this section 505 shall be a Class IV violation.

## 506 - Leases and advertising

- A. Only a CCN holder may obtain a permit for and lease a vehicle to be operated as a vehicle for hire. Owners of vehicles operating on a permit with a CCN holder may not sublease the vehicle without first obtaining a CCN. Any vehicle for hire owner operating a sublease without a CCN will be operating in violation of the VHC as will any sub lessee. Any violation shall result in the revocation of the MTC license of said violator. CCN holders are responsible for keeping the MTC apprised of the names and addresses of their lessees and any changes must be updated within 24 hours. CCN holders which violate this subsection will be cited with a Class II violation of the VHC on the first violation. Subsequent violation of the same type will result in revocation of the CCN.
- B. An owner of a vehicle for hire who wishes to have the owner's vehicle operated during hours that the owner will not be driving the vehicle may arrange for the lease of the vehicle to another MTC licensed driver through the CCN holder under whose permit the vehicle is operated at a price agreed upon between the parties. The MTC must be apprised of all such leases as in section 506 A with the same penalties.
- C. An owner of a vehicle for hire may advertise that owner's service, however, in so doing the name of the CCN holder under whose permit the owner is operating must appear prominently in the advertising in 16 point type so that it is clear to the public that the CCN holder is the party responsible to the MTC for the supervision of the vehicle and its operator.
- D. Violations of this section shall be Class II violations. (*section added 11/17/10*)

## 507 – Electronic Payments

- A. This section applies to all types of taxicabs. In those categories each Vehicle For Hire shall be equipped to accept and process electronic payments to satisfy any fare, whether by ACH transaction, prepaid card, debit card and/or credit card. Such payment systems shall meet the following minimum standards:
  - 1. The processing system must be owned or leased by the CCN Holder, and no Driver shall operate a separate payment processing device within the Vehicle For Hire.
  - 2. The processing system must comply with Payment Card Industry ("PCI") data security standards, as in effect from time to time.
  - 3. The maximum fee, charge, tax or levy charged to the public by the CCN Holder or third party processor for receipt of electronic payment shall not exceed Two Dollars (\$2.00) per transaction; provided that such fee may be charged if, and only if, the following conditions are satisfied:
    - a. Clearly visible notice of such fee is posted both inside in the passenger area and outside of the Vehicle For Hire.
    - b. The payment system is located in the rear seat of the Vehicle For Hire and accessible to the passenger.
    - c. The third-party payment processor has been approved by the MTC.
  - 4. The Driver shall promptly provide the passenger with a printed or electronic receipt. The option to pay for a fare via mechanical imprinted credit card processors shall continue to be permissible only as a secondary solution in the event of an unforeseeable equipment malfunction or defect. Such imprinted transactions must be processed by a Driver only through a merchant authorized by the MTC.

5. Any third party payment processing service must be approved by the Director.
  6. The MTC shall have authority to inspect and approve the installation process and placement of any new electronic payment systems installed in a Vehicle For Hire.
  7. The MTC shall have the authority to approve the placement and content of all signage related to any electronic payments technology installed in a Vehicle For Hire.
  8. Violations of this section shall be Class II violations.
- B. Each CCN holder must comply with the provisions of Section 507 by the time of the next annual renewal of it's vehicle for hire permit from the date of the adoption of this section by the MTC.

*(adopted 8/22/11)*

## CHAPTER 6 – SPECIAL REQUIREMENTS

### 601 Director’s Authority with Regard to Special Requirements

- A. The Director may enact specific rules for the enforcement of all the requirements of this chapter.

### 602 Special Requirements for Airport Taxicabs.

- A. Airport Taxicabs shall be no older than nine (9) model years while in service.
- B. No Airport Taxicab shall be entered into service older than six (6) model years.
- C. No taxicab shall be entered into service without first registering the vehicle as a taxicab within the jurisdiction of the MTC through the Missouri Department of Revenue as assigned and directed by the MTC. Such registration shall be properly maintained, a copy of which shall be retained with the vehicle and the license plate properly displayed at all times while the vehicle is in service. Registration shall be the responsibility of the owner of record of the vehicle.
- D. No applicant shall be eligible to receive a CCN or a MTC driver’s license or a permit for an airport taxicab unless such applicant has first been approved by the Lambert St. Louis Airport Authority in accordance with all of its rules and procedures which approval must be provided to the MTC; and has successfully completed a training class designated by the Director.
- E. No person who has been issued an airport taxicab permit by the Director may sublease or otherwise transfer such permit to any other person.
- F. Each person who holds a CCN for an airport taxicab shall be responsible that at least one airport taxicab permitted under that certificate is providing service to persons using the airport at all times. If the Director, after investigation, determines that any person has failed to comply with the provisions of this paragraph, the Director may take appropriate action, including initiation of CCN and vehicle permit revocation proceedings, against such person.
- G. No airport taxicab shall transport any passenger except those originating from or terminating at the airport. No airport taxicab shall stage at any hotel queue, cab stand, or any location other than the airport, provided, however, an airport taxicab may take a return fare to the airport if there is no other cab available at the drop off location or if specifically summoned by a passenger.
- H. Drivers of airport taxicabs shall accept airline transportation vouchers from inconvenienced airline passengers as payment for airport taxicab fares as outlined in Lambert - St. Louis Airport Ground Transportation Rules and Regulations.
- I. It shall be a Class II violation of this code for an airport taxicab holding the first position in the queue at the airport to refuse a fare.

- J. Drivers of airport taxicabs shall be required to utilize the MTC issued proximity card and system when picking up passengers or delivering passengers to Lambert St. Louis International Airport and at all times when entering or exiting airport terminals. Failure to use the proximity card access system by any airport taxicab driver when accessing the airport will result in penalties hereunder as well as additional administrative fees.
- K. Violation of this section 602 shall be a Class III violation unless otherwise specified.

### **603 Special Requirements for On-Call Taxicabs.**

- A. On-call taxicabs shall be no older than nine (9) model years while in service.
  - 1. No on-call taxicab shall be entered into service older than six (6) model years.
- B. No on-call taxicab shall be entered into service without first registering the vehicle as a taxicab within the jurisdiction of the MTC through the Missouri Department of Revenue as assigned and directed by the MTC. Such registration shall be properly maintained, a copy of which must be retained with the vehicle and the license plate properly displayed at all times while the vehicle is in service. Registration shall be the responsibility of the owner of record of the vehicle.
- C. Each person who holds a CCN for an on-call taxicab shall be responsible that at least one on-call taxicab licensed under that certificate is providing twenty-four (24) hour service.
- D. Each on-call taxicab certificate holder is required to have and maintain a separate non-residential business office at which can be found at all times a responsible representative of that certificate holder and to which can be directed any reports of lost articles, complaints, inquiries, and related matters, and shall maintain a listing in at least one business directory as is commonly available to the public. A CCN holder must also have a telephone attended twenty four (24) hours a day, seven (7) days a week.
- E. It shall be a Class II violation of this code for an on-call taxicab holding the first position on a taxicab stand to refuse a fare.
- F. It shall be a Class II violation of this code for an on-call taxicab to station at the airport without first having been called for by a specific passenger, nor shall any on-call taxicab pick up any passenger other than the specific passenger, and guest of said passenger, for whom the on-call taxicab was dispatched.
- G. When waiting for a passenger at the airport as permitted under this code, an on-call taxicab driver shall display the surname of such passenger prominently in the rear, side window of the vehicle, or held by hand or otherwise as determined by the Director.
- H. Any on-call taxicab certificate holder that provides service between two points based on a flat rate or consistent rate must display such rates permanently affixed to, either the right rear quarter-panel of or prominently posted in the interior of, all on-call taxicabs authorized by that certificate holder's CCN. In no event may such a flat rate exceed the meter rate to any destination.

- I. If the Director, after investigation, determines that any person has failed to comply with the provisions of this section, and such failure is either repetitive or particularly egregious the Director may take appropriate action against such person, including revocation of the appropriate CCN and subject vehicle licenses.
- L. Drivers of airport taxicabs shall be required to utilize the MTC issued proximity card and system when picking up passengers or delivering passengers to Lambert St. Louis International Airport and at all times when entering or exiting airport terminals. Failure to use the proximity card access system by any airport taxicab driver when accessing the airport will result in penalties hereunder as well as additional administrative fees.
- J. Violation of this section 603 not falling under I, above, shall be a Class III violation unless otherwise specified.

#### **604 Special Requirements for Premium Sedans.**

- A. Premium sedans shall be no older than five (5) model years while in service.
  - 1. No premium sedan shall be entered into service older than two (2) model years.
- B. Premium sedans shall bear a permit of the size, color, and other specification as determined by the Director, permanently affixed as specified by the Director. The car shall bear no other markings.
- C. The fact that a premium sedan driver is stationed on, or within twenty-five hundred (2,500) feet of, a hotel or business property, whether or not on private property, without a written trip ticket in the vehicle shall constitute prima-facie evidence that the driver is operating an illegal taxicab service.
- D. Premium sedan drivers must be summoned to hotels or businesses solely at the request of the passenger.
- E. Premium sedans are required to operate strictly by prearranged contract with the specific passenger being transported and his guests. Contracts must be arranged at least sixty (60) minutes prior to pick up.
- F. Any premium sedan parked on hotel, or business property - or across the street from a hotel, or business property with or without consent of the property owner - must maintain written evidence in the vehicle (in the form of a trip ticket or written contract) of having been summoned to provide service for this specific date, time, and trip.
- G. Written evidence of having been summoned by the passenger, by MTC-authorized hotel personnel or by a representative of the business, must be available for inspection by the Director or his designees. Lack of such written evidence shall constitute prima facie evidence that the driver is operating an illegal taxicab service.

- H. When waiting for a passenger at any designation, a premium sedan driver shall display the surname of the passenger prominently in the rear side window of the vehicle or held by hand or otherwise as determined by the Director.
- I. Violation of sub-sections B through H of this section 604 shall be Class II violations of this code.
- J. It shall be a Class II violation of this code for a premium sedan to station at the airport without first having been called for by a specific passenger.
  - 1. Nor shall any premium sedan pick up any passenger other than the specific passenger, and guest(s) of said passenger, for whom the premium sedan was called.
- K. Drivers, their vehicles as well as company offices and trip records will be subject to random inspection by the Director and his Agents at any time with or without prior notice.
- L. Vintage premium sedans shall meet the qualifications set forth in the definition. An application for vintage status must be made on an individual vehicle basis to the Director and granting of vintage status shall be at the sole discretion of the Director. Vintage premium sedans are exempt from the in-service and aging requirements of this section.
- M. In order to qualify for a CCN for premium sedans, the proposed CCN holder must have a minimum of three (3) premium sedans ready for operation at the time the CCN goes into effect.
- N. Unless otherwise specified, violation of this section 604 shall be a Class III violation.

#### **605 Special Requirements for Commercial Shuttles**

- A. Commercial shuttles are limited to designated locations as pre-filed with the Director.
- B. Commercial shuttles may not “stage” or stand in the area for more than ten (10) minutes for the purposes of boarding or disembarking passengers unless otherwise approved by the Director.
- C. It shall be a Class II violation of this code for a commercial shuttle to enter a taxicab stand.
- D. The fact that a commercial shuttle driver is stationed in front of or across the street from a hotel or motel, or within twenty-five hundred (2,500) feet of a recognized taxicab stand shall constitute prima-facie evidence that the driver is operating an illegal taxicab service which shall be a Class II violation of this code.
- E. Unless otherwise specified violation of this section 605 shall be a Class IV violation.

#### **606 Special Requirements for Non-Emergency Medical Transport Vehicles.**

- A. As of September 30, 2010, any non-emergency medical transport vehicle that is not wheelchair accessible shall not be entered into service older than nine (9) model years. All vehicles presently in service shall be phased out as follows:

1. As of September 30, 2010, no vehicle shall be older than nine (9) years.
- B. Non-emergency medical transport vehicles shall bear identifying marking(s) of content, size, color, and other specification as determined by the Director, permanently affixed as specified by the Director. The car shall bear no other markings except for precautionary signage.
- C. Drivers shall wear such uniforms as determined by the Director.
- D. It is the non-delegable responsibility of each non-emergency medical transport vehicle driver to ensure and make certain that passengers properly utilize safety restraints (seat belts).
- E. All wheelchair accessible vehicles shall be no older than twelve (12) model years while in service.
- F. A stretcher van shall not transport a passenger that, in the opinion of a licensed medical professional, would require medical care or monitoring during such transport. Violation of this subsection shall be a Class II violation.
- G. Unless otherwise specified, violation of this section 606 shall be a Class IV violation.

**607 Special Requirements for Airport Shuttles.**

- A. Airport shuttles are limited to designated locations outside the airport grounds as pre-filed with and approved by the Director. These shuttles may not “stage” or stand in the area for more than ten (10) minutes for the purposes of boarding or disembarking passengers unless approved by the Director.
- B. It shall be a violation of this code for an Airport shuttle to enter a taxicab stand. The fact that an Airport shuttle driver is stationed in front of or across the street from a hotel or motel, or within five hundred (500) feet of a recognized taxicab stand shall constitute prima-facie evidence that the driver is operating an illegal taxicab service.
- C. Violation of this section 607 shall be a Class II violation.

**608 Special Requirements for Horse-Drawn Carriages.**

- A. All restrictions and requirements for motorized vehicles contained in the Revised Statutes of Missouri shall apply to carriages except those which by nature could have no application.
- B. All restrictions and requirements for animal-driven vehicles and slow-moving vehicles contained in the Revised Statutes of Missouri or the Code of State Regulations shall apply to carriages except those which by nature could have no application.
- C. Carriages shall abide by any ordinance pertaining to slow-moving or animal-driven vehicles within the respective political subdivision of which they are specifically operating and concurrently within the boundaries of the MTC’s jurisdiction.

D. Safety and Health:

1. All horse or other animals used to draw vehicles for hire in the MTC's jurisdiction must have been examined by an appropriately licensed doctor of veterinary medicine within seven (7) days of application for a license or renewal and be certified by the examining veterinarian to be able to perform the tasks it will called upon to perform.
2. Such animals shall also be made available for examination by a veterinarian upon forty-eight (48) hours' notice.
3. The MTC may inspect the stabling facilities, feed supply and health records of such animals at its discretion.
4. Permit holders must also provide to the MTC the address where its animals are to be stabled. This information must be kept current and any changes of address must be supplied to the MTC within seven (7) days of becoming effective.
5. Failure to allow such examination or inspection or the failure of such an examination or inspection by an operator shall be grounds for suspension of the operating permit issued hereunder.
6. Each harness shall be equipped with a leather diaper. Each operator of a horse-drawn vehicle shall ensure that any feces deposited on the public right-of-way or any private property within the City is cleaned up immediately after such deposit or as soon thereafter as is reasonable.
7. Each CCN holder is required to maintain stopping areas which will be free of feces and which must be regularly sprayed with disinfectant to prevent stench from urine.
8. A horse may not be used for work if it has any open or unhealed cuts or wounds.
9. Horses or other animals will not be allowed to work in dangerous or extreme weather conditions.
10. The driver shall at all times be responsible for the proper and humane care and treatment of the horse under his or her direct supervision and control.

E. Operation:

1. All carriage drivers shall obey all traffic laws while operating on public streets.
2. The carriage shall not operate during the weekday rush hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on public streets.
3. Any person who operates any such animal-driven vehicle during the hours between sunset and one-half hour before sunrise, and at all other times as conditions of poor visibility exist, shall cause the front and rear lights of the carriage to be in operation.

4. Carriages are hereby prohibited from use of limited access highways.
5. For the purpose of taking on and discharging passengers, a horse-drawn vehicle shall stop at the far corner of all intersections, and while so stopped shall keep as close to the right-hand curb as practicable, and shall take on and discharge passengers as quickly as possible, so as not to unreasonably interfere with traffic.
6. The carriage drivers shall not permit the speed at which any horse drawn carriage is driven to exceed a walk.
7. Drivers must display their MTC license at all times on the rear of the driver's seat between the center and the right side of seat, in clear view from the rear seating area.
8. Drivers must have his or her valid, state-issued driver's license in his or her possession at all times while operating a carriage.
9. No one shall unbridle a horse while the horse is connected to any horse-drawn vehicle.
10. No driver shall abandon his carriage, permit another to drive for him or her, except an apprentice, or permit any passenger to ride in the driver's seat.
11. No driver shall permit more passengers in a carriage than it has been designed to carry.
12. No person shall be permitted to stand or ride on any part of the carriage while in motion, except seated inside the carriage.
13. Drivers shall take all necessary precautions to prohibit such activity, including safely bringing the carriage to a stop until the situation has been corrected.
14. All passengers must remain seated except when loading or unloading.
15. No carriage operation will be conducted within twenty-five hundred (2,500) feet of or from one hour before until one hour after any major sporting or public event which requires police assistance to monitor traffic congestion or traffic flow.
16. No carriage operation will be conducted when ordered by any emergency services or public safety official.

F. Training:

1. New drivers must successfully complete a driver training program to be developed and implemented by the respective company and approved by the Director. The driver training program must include, but is not limited to, the following topics: grooming the horse; cleaning the harness and padding; fitting the bridle, bit, and harness to the horse; hitching the horse to the carriage; applicable laws and rules for carriage operation; and the safe and humane operation of the carriage on public streets.

2. The driver training program must include a practical examination demonstrating proficiency in the curriculum.
3. After completion of the training program, each new driver must then serve as an apprentice with an experienced driver for a minimum of thirty-two (32) hours. During the apprenticeship, the new driver shall observe the proper handling and driving of a carriage as well as the methods of handling emergency situations for unexpected animal behavior.
4. The new driver will operate the carriage under the direct supervision of the experienced driver for a minimum of 16 hours of the apprenticeship.
5. The certificate holder must maintain records of the completion of the driving training program, examinations, and apprenticeships for all new drivers for a minimum of one year after the employee separates from the company.
6. Violation of this section 608 subsections D through G shall be Class II violations. Violation of all other subsections shall be Class IV violations.

**609 Special Requirements for Courtesy Vehicles.**

- A. Courtesy vehicles shall be a no-charge service operating solely on scheduled trips between fixed termini and shall be no older than allowed by the rules promulgated by the Director for this class of vehicle.
- B. Courtesy vehicles shall be permanently marked on each side of the vehicle with the name of the CCN holder for which the transportation is being made and shall display a fleet number on each front fender and the rear of the vehicle and shall display all other signage or markings as required by the Director.
- C. Violation of this section 609 shall be a Class IV violation.

**610 Special requirements for Limousines.**

- A. Limousines shall be no older than ten (10) model years while in service.
- B. No limousine shall be entered into service older than four (4) model years.
- C. Unless otherwise specified, violation of this section 610 shall be a Class III violation

**611 Special Requirements for Alternative Transportation Vehicles. *(added 3/28/11)***

- A. All restrictions and requirements for motorized vehicles contained in the Revised Statutes of Missouri shall apply to Alternative Transportation Vehicles except those which by nature could have no application.

- B. All restrictions and requirements for slow-moving vehicles contained in the Revised Statutes of Missouri or the Code of State Regulations shall apply to Alternative Transportation Vehicles except those which by nature could have no application.
- C. Alternative Transportation Vehicles shall abide by any ordinance pertaining to slow-moving vehicles within the respective political subdivision of which they are specifically operating and concurrently within the boundaries of the MTC's jurisdiction.
- D. Operation:
1. All Alternative Transportation Vehicles drivers shall obey all traffic laws while operating on public streets.
  2. The Alternative Transportation Vehicles shall not operate during the weekday rush hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on public streets except by approval of the Director in advance or as specified by Director rules.
  3. Any person who operates any such vehicle shall at all times while the vehicle is in motion or conveying passengers display at least one amber or yellow flashing light visible under normal atmospheric conditions from a distance of five hundred feet in all directions.
  4. Any person who operates any such vehicle during the hours between sunset and one-half hour before sunrise, and at all other times as conditions of poor visibility exist, shall cause the front and rear lights of the vehicle to be in operation.
  5. Alternative Transportation Vehicles are hereby prohibited from use of limited access highways.
  6. For the purpose of taking on and discharging passengers, Alternative Transportation Vehicles shall stop at the far corner of all intersections by safely passing through the intersection as directed by traffic control device, and while so stopped shall keep as close to the right-hand curb as practicable, and shall take on and discharge passengers as quickly as possible, so as not to unreasonably interfere with traffic.
  7. Drivers must display their MTC driver license at all times on the rear of the driver's seat between the center and the right side of seat, in clear view from the rear seating area.
  8. Drivers must have his or her valid, state-issued driver's license in his or her possession at all times while operating an Alternative Transportation Vehicle.
  9. No driver shall permit more passengers in an Alternative Transportation Vehicle than it has been designed to carry. Design capacity shall be posted in the vehicle.
  10. No person shall be permitted to stand or ride on any part of an Alternative Transportation Vehicle while in motion, except seated inside the vehicle.
  11. Drivers shall take all necessary precautions to prohibit such activity, including safely bringing the vehicle to a stop until the situation has been corrected.

12. All passengers must remain seated except when loading or unloading.
  13. No Alternative Transportation Vehicle operations will be conducted when so ordered by any emergency services or public safety official.
  14. Violations of this section 611 subsection D shall be Class II violations. Violations of all other subsections shall be Class IV violations.
- E. The Director may set specific rules and enact special orders which establish geographic boundaries and hours of operations for Alternative Transportation Vehicles and may modify those limits at his discretion in the interest of the safety, welfare and convenience of the public.

**CHAPTER 7 – HOTEL RULES****701 Hotel Rules.**

- A. No doorman, bellman or hotel employee shall solicit or accept payment from any driver of a vehicle for hire for securing passengers for that driver or any other driver. Violation of this sub-section shall be a Class I violation for all participants individually.
- B. Drivers regulated by this code shall not offer nor give payment for securing or the prospect of securing any fare or trip. Violation of this subsection shall be a Class I violation.
- C. Every doorman, bellman, hotel employee and driver regulated by this code shall display a professional demeanor in the presence of passengers; public confrontations will be considered a Class II violation of this code and may also result in suspension or loss of license.
- D. Hotel employees shall direct customers to the lead on-call taxicab as long as that taxicab conforms to these rules. Any cab not meeting these standards shall be waived on by the hotel employee and reported to the Director.
- E. Vehicles for hire other than on-call taxicabs, picking up passengers at hotels, must have been summoned by the passenger or the concierge at the request of the passenger and may not pick up anyone other than the passenger or the passenger's guests.
- F. The driver of the vehicle for hire, other than the driver of an on-call taxicab, shall place a card in the rear side window of the vehicle prominently displaying the surname of the passenger until the passenger boards the vehicle or use such other name display as the Director may require.
- G. Drivers of on-call taxicabs waiting in hotel queues that are next up must be alert and ready for the fare when called.
- H. Taxicabs must use the hotel queue and not pull in front of the hotel searching for fares. No other vehicle for hire may use the hotel queue.
- I. All on-call taxicabs should arrive at the hotel entrance with the heat or air conditioning running. The lead on-call taxicab in the hotel queue should idle the taxicab at the proper temperature of air-conditioning at 75 degrees and heat at 65 degrees. Drivers should follow the instructions of the passenger as to their personal comfort level.
- J. Unless otherwise specified violation of this section 701 shall be a Class III violation.

## **CHAPTER 8 – SOLICITATION PROHIBITED - ABUSE AND FORCE PROHIBITED**

### **801 Solicitation Prohibited – Abuse and Force Prohibited.**

- A. No gift shall be accepted by, or solicited by the Director, any member of the MTC, or any agent, appointee, employee or any other person acting under the employ or direction of the MTC, from any person directly affected by this code or any person acting on the behalf of or for the benefit of such person.
- B. No person shall bribe, attempt to bribe, or proffer any gratuity whatsoever to the Director, any member of the MTC, or any employee or other person acting on behalf of or at the direction of the MTC, in return for favorable or preferential treatment.
- C. No person shall physically or verbally assault, threaten, harass, intimidate or attempt to intimidate, or otherwise abuse the Director, any member of the MTC, any employee, agent or other individual acting on behalf of or at the direction of the MTC, any passenger, public official or any other individual publicly or privately whether in person, electronically, by written correspondence or by any other means.
- D. Violation of this section 801 shall be a Class I violation.

**CHAPTER 9 – AMENDMENTS – RULES PROMULGATED BY THE DIRECTOR - SURCHARGES****901 Amendments – Rules Promulgated by the Director – Surcharges.**

- A. The MTC shall have the power to amend this code as provided by section 67.1812 RSMo.
- B. The Director shall impose reasonable measures in the form of Director's Rules intended to ensure compliance with the VHC as approved by the MTC. Notices of such measures shall be posted on the MTC website and clearly labeled as Director's Rules. Violations of such Rules shall be treated as any other violation of this code. The Director may modify the Director's Rules on his own initiative without MTC approval. The MTC may modify or revoke any Director's Rules upon a finding that the measure is generally excessive or excessive in light of all of the facts of a particular case. The Director shall file a copy of all such rules and any amendments thereto with the MTC. Unless disapproved by the MTC a Director's Rule will become effective 10 days after it is filed with the MTC.
- C. The Director, with the approval of the MTC, may approve surcharges as necessary.
- D. The Director may destroy records, reports, and other related documents at any time if such records, reports, and other related documents have been photographed, micro photographed, electronically generated, electronically recorded, photocopied, reproduced on film or other process capable of producing a clear, accurate and permanent copy of the original. Such film or reproducing material shall be of durable material and the device used to reproduce the records, reports, returns, and other related documents on film or material shall be such as to accurately reproduce and perpetuate the original records, reports, returns and other documents in all details. Such reproduction shall be valid and admissible as though it was in the original paper format for all purposes of the MTC.
- E. In the event that a state of emergency is declared by national, state or local government officials, the Director may issue emergency directives to all CCN holders which must be followed or the CCN will be revoked.
- F. All vehicles operating under this code must comply with the rules promulgated by the Director, as approved by the MTC, but not limited to, compliance with all local, state and federal laws, vehicle design and markings, vehicle inspection standards, driver training, uniforms and record keeping.
- G. It shall be a violation of this code as set out in the Director's Rules for any person to fail to obey such rules promulgated by the Director.

**CHAPTER 10 – ENFORCEMENT****1001 Enforcement.**

- A. The Director shall maintain constant vigilance over all vehicles for hire regarding quality, cleanliness, appearance, and general operational fitness, as well as over all drivers of vehicles for hire to insure compliance with this code.
- B. The MTC, through the Director and its agents, shall have full authority to enforce this code. Failure to comply with any lawful instruction of the MTC, its Director, or MTC enforcement agents shall be a Class III violation here under and may also be the subject of suspension or revocation depending on the seriousness of the violation. If a driver or CCN holder feels that the actions or instructions of an MTC agent are unauthorized or unlawful they should report the actions to the Director who will initiate an investigation and report to the MTC. Direct confrontations or arguments by drivers with MTC agents are never appropriate.
- C. The MTC through the Director and his agents shall have full authority to inspect all classes of vehicles for compliance with all rules, regulations, laws and ordinances including inspection of MTC driver's licenses, appropriate State driver's licenses and vehicle evidence of insurance to ensure that all operators are adhering to same. Any compartments, trunks, and interior or exterior spaces will be subject to this inspection.
- D. Points and penalties in this code are meant to be a deterrent and are, therefore, cumulative despite the class of violation within any contiguous twenty-four (24) month period. For example, if a driver received a Class II violation, a Class III violation and a Class IV violation, the Class IV violation would be considered the third violation within a contiguous twenty-four (24) month period and would result in two (2) points and a \$50 administrative penalty. However, the MTC is concerned that efforts to comply with the code be rewarded so any contiguous twelve (12) month period without a violation of any class will result in a reduction of accumulated points by fifty percent (50%). Twenty-four (24) contiguous months without a violation will result in all points accumulated to that time being reduced to zero.
- E. The Missouri legislature has authorized the MTC at Section 67.1818 to impose "...administrative penalties not to exceed two hundred dollars..." (\$200.00) and to "...develop a schedule of penalties which shall be available to the public and provided to all owners and operators of taxicabs." The MTC is a fee based agency supported by the vehicle for hire industry. The costs of enforcing this code constitute a significant element in the overall fees levied on the vehicle for hire industry. In order that the costs of enforcement be borne in larger proportion by those who violate this code rather than be borne by the greater part of the industry that strives to operate within the code, the MTC has adopted a schedule of administrative penalties to be borne by violators of the code which is set out in subsection P of this chapter.
- F. The Director shall memorialize the schedule of violations and penalties in this Chapter for each appropriate section of the code and distribute them to the enforcement officers, the hearing officers, general counsel and post them on the MTC's website. These shall additionally be distributed to all owners and operators of taxicabs and vehicles for hire, and shall also be available from the MTC upon request.

- G. As soon as is practical the Director shall create a citation book or form, which may be electronic, for enforcement officers which shall act as a method for issuing violations of the code and advising of the subsequent court dates with respect to the violation issued.
- H. A citation shall be issued when an enforcement officer has witnessed an action or actions which he believes reasonably constitutes one or more violations of the code; or after interviewing witnesses based upon whose observations and testimony, the officer believes that a violation of the code has occurred; or if an outside law enforcement agency has cited a MTC licensed owner or operator with alleged ordinance violations of any jurisdiction, which if true, the officer believes would warrant a citation under the VHC code.
- I. Citations shall be reviewed by the Director for compliance with rules and the VHC and general conformity with standards of law and equity and may be dismissed by the Director for failure in any area. Otherwise, the Director will sign the citation as having been reviewed and notify the person cited of the nature and class of the violation. Such notification shall contain the appropriate information concerning the appeal procedure pursuant to Chapter 12 of this code.
- J. Upon appeal, a representative of the MTC's office of General Counsel will present evidence supporting all citations written by the MTC's enforcement agents. General Counsel may dismiss any citation or charge if counsel believes the citation does not state a violation of the code or if there is otherwise insufficient evidence upon which to proceed or the citation violates basic standards of equity.
- K. A person receiving a citation may choose to pay the administrative penalty. Upon payment of the penalty the appropriate number of points according to the published schedule will be assessed against the MTC driver's license of the person cited of which a permanent record will be kept. The points will be reduced by one-half if no other citations are received in the ensuing contiguous twelve (12) month period and will be reduced to zero if no further points are received in the next contiguous twelve (12) month period
- L. All violations of the VHC will carry a point penalty in addition to any administrative penalty unless issued to a CCN holder in which case the violation will be confined to an administrative penalty and an additional suspension or revocation if appropriate.
- M. CCN holders will be regularly informed of citations issued to their personnel and the disposition of same. It shall be a violation of this code for a CCN holder to allow the operation of a vehicle for hire under the CCN holder's control by a person not holding a valid MTC driver's license which would be a license that has expired or is suspended or revoked. A violation of this section will result in an administrative penalty of \$100 for the first offense, \$200 for the second offense, suspension for the third offense and revocation for any subsequent offense within a contiguous forty-eight (48) month period.
- N. Citations directed toward CCN holders will be presented to the CCN holder by the enforcement officer if appropriate and then will be reviewed by the Director and the General Counsel. If the Director believes that a violation of the VHC exists, he will so inform the CCN holder in writing within 30 days of the issuance date of the citation addressed to the office address on file with the MTC by first class mail. The Director will, at that same time, inform the company of its right to appeal pursuant to Chapter 12. The Director may also cite a CCN holder for

violation of the VHC and shall notify the certificate holder of the particulars of the violation as above and of the right to appeal pursuant to Chapter 12 of this code.

O. POINT PENALTIES:

1. Class I Violation:

- a. The 1<sup>st</sup> violation shall result in twelve (12) points against the drivers' license, an administrative penalty of two hundred dollars (\$200) and a twelve (12) month suspension.
- b. The 2<sup>nd</sup> violation within a twenty four (24) month period will result in license revocation.

2. Class II Violation:

- a. All Class II violations shall result in five (5) points charged against the driver's license for each violation and, in addition in any contiguous twenty-four (24) month period:
  - i. The 1<sup>st</sup> violation shall result in a one hundred dollar (\$100) administrative penalty.
  - ii. The 2<sup>nd</sup> violation shall result in a one hundred fifty dollar (\$150) administrative penalty.
  - iii. The 3<sup>rd</sup> violation shall result in a two hundred dollar (\$200) administrative penalty.
  - iv. The 4<sup>th</sup> violation shall result in revocation, notwithstanding the schedule set out in subsection 6.

3. Class III Violation:

- a. All Class III violations shall result in three (3) points charged against the driver's license for each violation and, in addition within any contiguous twenty-four (24) month period:
  - i. The 1<sup>st</sup> violation shall result in a fifty dollar (\$50.00) administrative penalty.
  - ii. The 2<sup>nd</sup> violation shall result in a one hundred dollar (\$100) administrative penalty.
  - iii. The 3<sup>rd</sup> violation shall result in a one hundred fifty dollar (\$150) administrative penalty.

- iv. The 4<sup>th</sup> and subsequent violations shall result in a two hundred dollars (\$200) administrative penalty and a five (5) day suspension in addition to any suspension that may occur otherwise due to point accumulation.

4. Class IV Violation:

- a. All Class IV violations shall result in two (2) points charged against the driver's license for each violation and, in addition, within any contiguous twenty-four (24) month period:
  - i. The 1<sup>st</sup> & 2<sup>nd</sup> violations shall result in a twenty-five dollar (\$25) administrative penalty.
  - ii. The 3<sup>rd</sup> violation shall result in a fifty dollar (\$50) administrative penalty.
  - iii. The 4<sup>th</sup> violation shall result in a seventy-five dollar (\$75) administrative penalty.
  - iv. The 5<sup>th</sup> violation shall result in a one hundred dollar (\$100) administrative penalty.
  - v. The 6<sup>th</sup> and subsequent violations shall result in a two hundred dollar (\$200) administrative penalty and a five (5) day suspension in addition to any suspension that may occur otherwise due to point accumulation.

5. Class V Violation - Default:

- a. Any violation of the Directors Rules or the VHC not specifically set out therein shall result in one (1) point charged against the driver's license for each violation and, in addition, within any contiguous twenty-four (24) month period:
  - i. The 1<sup>st</sup> & 2<sup>nd</sup> violation shall result in a twenty-five dollar (\$25) administrative penalty.
  - ii. The 3<sup>rd</sup> violation shall result in a fifty dollar (\$50) administrative penalty.
  - iii. The 4<sup>th</sup> violation shall result in a seventy-five dollar (\$75) administrative penalty.
  - iv. The 5<sup>th</sup> violation shall result in a one hundred dollar (\$100) administrative penalty.
  - v. The 6<sup>th</sup> and subsequent violations shall result in a two hundred dollar (\$200) administrative penalty and a five (5) day suspension in addition to any suspension that may occur otherwise due to point accumulation.

- 6. Sufficient accumulation of point penalties against the driver's license shall result in a suspension.

- a. The accumulation of twelve (12) points within a contiguous twelve (12) month period shall result in a thirty (30) day suspension.
- b. The accumulation of eighteen (18) points within a contiguous twenty-four (24) month period shall result in a ninety (90) day suspension.
- c. Any further suspensions in a contiguous forty-eight month (48) period shall result in a license revocation.

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

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

- A. For any CCN holder – the 1<sup>st</sup> through 6<sup>th</sup> violation in any twelve (12) month period shall result in an administrative penalty and upon a 7<sup>th</sup> violation in the period the company's certificate of convenience and necessity shall stand suspended. Notice of such suspension shall be given by the Director as soon as is practical after the occurrence of the 7<sup>th</sup> violation. CCN holders shall have the same rights of appeal pursuant to Chapter 12 as any other person subject to this code.
1. Any CCN holder who permits or causes any person acting under the authority of a CCN, including any person acting as an independent contractor under a CCN to violate or fail to comply with any of the provisions of this code, may in addition to any administrative penalty, be subject to suspension or revocation of such person's CCN.
  2. Any CCN holder who allows persons acting under the authority of a CCN to incur excessive violations of the VHC shall violate this code by failing to supervise.
  3. More specific rules concerning the requirements and enforcement of this section may be enacted by the Director.
- B. No driver shall be permitted to hold a MTC drivers license who has by any class of violation suffered three (3) license suspensions within a contiguous forty-eight (48) month period. Any driver having suffered three (3) license suspensions within any contiguous forty-eight (48) month period shall have their license revoked.
- C. Any person operating a vehicle for hire without a Missouri or Illinois driver's license or while such driver's license is suspended commits a Class I violation of this code and may also be subject to revocation.
- D. The Director may suspend for a period up to one hundred eighty (180) days or revoke the MTC vehicle permit of any vehicle for hire or may suspend or revoke a MTC driver's license if the Director finds one (1) or more of the following:
1. That the driver has an overall recent driving history that indicates that he could be a danger to the safety of traveling public.
  2. 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.
  3. That any owner, lessee or driver has been convicted of or pled guilty to one (1) or more of the following:
    - a. A felony violation of any state statute or law involving any crime against persons, including, but not limited to all forms of assault within ten (10) years of the application or within ten (10) years of release from prison for said felony convictions.

- b. 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.
  - c. A violation of any federal or state statute involving terrorism or terrorist activity.
  - d. Any failure of periodic random drug tests administered by the Director.
- E. In the event that the Director suspends or revokes a CCN or a MTC vehicle permit or MTC driver's license the Director shall notify the appropriate party and the CCN holder in each case by certified, registered or priority 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. Suspension shall take effect after ten (10) days' notice to the driver, except as otherwise provided herein.
- F. If the Director determines that there appears to be an immediate threat to the health, safety or welfare of the public, any suspension shall take effect immediately. In the event of an immediate suspension the driver may request a hearing pursuant to Chapter 12 which will be scheduled as soon as practicable. The suspended driver shall bear the burden of going forward with evidence to refute the Director's determination of the appearance of an immediate threat to the health, safety or welfare to the public.
- G. If charges are pending against a driver in another forum involving substantially the same facts as the incident upon which the Director made his suspension decision, then the Director may continue to suspend the MTC driver's license until the charges have been resolved to the Director's satisfaction in that other forum. Otherwise, the Director may suspend a MTC driver's license because of pending felony charges or Class A misdemeanor charges involving assault. The suspension or revocation shall be in writing stating the reason for said suspension and the procedure for appeal pursuant to chapter 12 of this code and sent by registered or certified mail to the driver. Whenever charges are pending in another forum which, if a conviction were obtained, would render the driver ineligible to possess a MTC driver's license under the provisions of this code, the Director may suspend any pending action under this code pending the outcome of the charges in that other forum.
- H. Conviction of or a plea of guilty to an alcohol related offense while operating a vehicle including, but not limited to Driving While Intoxicated shall result in immediate revocation of a MTC driver's license.
- I. Complaints concerning breaches of conduct of the VHC may be filed with the Director by any person. The complaint must be in writing and information as to the address and telephone number of the complainant sufficient to allow the Director to contact the complainant so that evidence to support the complaint may be obtained must be supplied with the filing of the complaint. Complaints not in writing or not containing contact information will not be pursued.
1. All complaints shall allege the nature of the code violation.
  2. If the allegation is of a serious nature, the Director will take immediate steps to obtain and preserve the testimony of the complainant.

3. If the complainant's statement is preserved under oath, every effort will be made to pursue the complaint without requiring a personal appearance by the complainant if the complainant is not a resident of the State of Missouri or does not live within fifty (50) miles of the jurisdiction of the MTC.
  4. If a complaint is filed in person, complainants may be accompanied by counsel.
  5. If a complaint is filed in person and it appears that the complainant is under the influence of an intoxicant or drugs, suffering from a mental disorder, or exhibits any other behavior or condition bearing on the complaint's credibility, these conditions shall be noted with the complaint at the time the complaint is filed with the signature of the observer.
  6. If the complainant filing in person alleges any manner of physical abuse or injury to their person, the person receiving the complaint should encourage them to contact law enforcement authorities immediately.
  7. Citizen complaints may be dismissed by the Director if the Director believes that the statements made in the complaint do not constitute a violation of the VHC.
  8. Citizen complaints may be dismissed by General Counsel if General Counsel believes that there is insufficient evidence available to successfully pursue the complaint or that the allegations of the complaint do not constitute a violation of the VHC.
- J. A citation that is not appealed or a citation that is appealed but is upheld without further appeal must be paid within thirty (30) days of the failure to appeal date or the date of the decision upholding the citation or the MTC license of the driver who has received the citation shall be suspended. If such citation remains unpaid for an additional 30 days the MTC license shall be revoked. Administrative penalties unpaid after sixty (60) days resulting in revocation shall be doubled not to exceed \$200.

**CHAPTER 12 – ADMINISTRATIVE PENALTIES AND APPEAL PROCESS****1201 Hearing Date.**

- A. The Director will set up a docket as needed for appeals. The docket will establish a court date for all citations written prior to that docket cut-off date or for a longer period if volume dictates. At the docket cut-off date, enforcement officers will switch to the next pre-set docket date if one has been established. In no event will an appeal be delayed for longer than one hundred fifty (150) days. *[adopted 8/18/10]* Failure to appear at a scheduled hearing officer date will be an automatic Class V violation.

**1202 Continuance.**

- A. Anyone charged with a code violation may obtain one continuance from the Director for good cause shown. Any further continuances must be obtained from the hearing officer before whom the person is scheduled to appear prior to the date of appearance. Since the MTC believes that continuances put an undesirable strain on the enforcement system and are unfair to the charged party, continuances are to be discouraged and additional court costs of \$100.00 *[adopted 8/18/10]* will be imposed for the continuance unless the hearing officer determines otherwise.

**1203 Setting Docket Dates.**

- A. The Director will work with the hearing officers in rotation where possible to establish docket dates if the volume of appeals so justify which will be assigned to each hearing officer over the calendar year. The docket will indicate whether it will be heard electronically or physically. The docket dates will be posted on the MTC website and at the MTC offices. Whether a docket will be heard physically with the hearing officer, counsel, all parties and witnesses physically present will be determined by the hearing officer and submitted to the Director for posting. Any electronic hearing must allow all parties to view and communicate with one another and the hearing officer and must allow counsel, or the parties to question and cross examine all witnesses.

**1204 Procedure for Appeal to a Hearing Officer.**

- A. Any person regulated by this code receiving a citation alleging a violation thereof has the right to appeal that citation to an independent hearing officer provided by the MTC. In addition, a CCN holder will also have standing to appeal a citation given to one of the CCN holder's drivers. When that person is notified by the Director of the alleged violation, the Director will also send notification of this right to appeal. The right to appeal must be exercised by notice to the Director only on a form provided by the Director. Such notice must be served on the Director within ten (10) days of receipt.
1. A person receiving a citation may choose to present his case to a hearing officer at which time he is free to be represented by counsel or to appear pro-se. In order to present his case

to a hearing officer, it is only necessary for the person to appear at the hearing date assigned on the citation or by the Director.

2. If there is sufficient time the person will be heard at the time and date so assigned. If there is not sufficient time, then the person will be heard at the next available date set by the Director or as designated by the hearing officer.
  3. If the person presenting his case to the hearing officer prevails, then all charges and any attendant costs will be dismissed, including any record thereof.
  4. If the person presenting his case is found by the hearing officer to have committed all or any of the cited violations of the VHC then, in addition to any other appropriate penalty and points that person will be responsible for court cost in the amount of one hundred dollars (\$100.00).*[adopted 8/18/10]* This amount may be adjusted from time to time by the MTC through the Director and any such adjustments will be communicated to all owners and drivers and posted on the MTC's website and at the MTC's offices.
- B. All hearings may be conducted electronically at the election of the hearing officer. Notice of electronic hearings, if not otherwise noticed, will be given at least one (1) week in advance of the hearing but, if at all possible, at the time the docket date is originally established. Arrangements will be made by the MTC for participants unable to attend electronically.
- C. At an electronically conducted hearing the attorneys and witnesses, the court reporter and the hearing officer may all appear remotely by camera with sound and the hearing may be conducted in that manner.
- D. Any electronic hearing must allow all parties to view and communicate with one another and the hearing officer and must allow counsel or the parties to question and cross examine all witnesses.

## **1205 Hearing and Decision on Appeal.**

- A. The hearing shall be conducted in the manner set forth in Chapter 536 RSMo. A record of the hearing shall be made. The hearing officer may issue a decision immediately or, as soon as practicable after the hearing, he may issue a decision and order, including findings of fact and conclusions of law. Subpoenas may be issued as provided in Chapter 536 RSMo.

## **1206 Appeal from Hearing Officer Decision.**

- A. Appeals from a decision of the hearing officer are to the MTC's appellate hearing officer. Only one hearing officer will act as appellate hearing officer and will work with the Director to establish dates for appellate hearings. In order to be timely, notice of appeal must be delivered to the Director in writing within ten (10) working days of the original hearing officer's decision.
- B. When a hearing officer's decision is appealed the court costs set out in section 1204.A.4 shall be stayed pending the outcome of the appeal. An appeal bond in the amount of two hundred dollars (\$200.00) must be filed with the notice of appeal for the notice of appeal to be valid. If

the appellant prevails on appeal then no court costs will be imposed and the appeal bond will be refunded. If the hearing officer's decision is upheld on appeal then the actual costs of the appeal will be taxed to appellant as well as the costs of the underlying hearing. The appeal bond will be applied against these costs. *[adopted 8/18/10]*

### **1207 Appeal to the Circuit Court.**

- A. Under no circumstances will there be an appeal to the MTC. Upon completion of the MTC's administrative hearing process, appeals are to the Circuit Court of the City of St. Louis. The time limitations for court review shall run from the date of mailing of the order of the appellate hearing officer's decision or from the date of the hearing if the appellate hearing officer's decision is rendered from the bench or from the date of the mailing of the appellate hearing officer's decision if no ruling is made from the bench and shall be the same as those set out in Chapter 536 RSMo for appeals to the circuit court.

### **1208 Stay of Proceedings.**

- A. The Director, when notified, may stay proceeding in any case which also involves an alleged breach of the law in the jurisdiction of another law enforcement agency until such time as the charges so pending have been resolved. In some circumstances a suspension of driving privileges could result in the interim if it appears that a genuine threat to the public health, safety or welfare exists. Appeals from such a decision of suspension are under this Chapter.

### **1209 Appeal of Citation for CCN Holders.**

- A. The CCN holder may pay the administrative penalty and receive any other penalties involved with a citation or may appeal to the hearing officer by filing a notice of appeal as required by this Chapter. The certificate holder may be represented by counsel or appear pro-se. The appeal process set out herein shall also apply to all alleged CCN holder code violations.

### **1210 Hearing Officers.**

- A. Hearing officers appointed by the MTC shall be familiar with this code and possess the ability to conduct a fair and impartial hearing in accordance with the hearing procedures set forth in chapter 536 RSMo., and to render a fair and impartial decision including findings of fact and conclusions of law where appropriate.
- B. A hearing officer shall not be a member or employee of the MTC, or employed by or own a substantial interest in any hotel or restaurant located in the city or county or any business entity engaged in the business of carrying persons for hire on the streets of the city or county. Substantial interest means ownership by any member of the hearing officer's immediate family, directly or indirectly, of ten (10) percent or more of any business entity. Immediate family means the hearing officer and his or her spouse and their parents, children, brothers, sisters and

spouses thereof. To the extent possible the MTC will endeavor to use retired or former judges as its hearing officers.

- C. The compensation of hearing officers shall be established by the MTC and implemented by the Director.
- D. The hearing officer shall be the judge of his or her own qualification to hear a case, but for good cause shown, may order a change of hearing officer in which event the Director may assign a new hearing officer as soon as is reasonably practical.
- E. Anyone charged with a code violation shall be entitled to one change of hearing officer for good cause shown. The request for change of hearing officer should be presented to the Director at least ten (10) days prior to any hearing.

#### **1211 Court Reporters.**

- A. The Director will work with the office of General Counsel to establish a procedure for procuring and compensating court reporters used for hearings and appeals. Court reporters may bill the MTC directly for their services.

#### **1212 Hearing Premises.**

- A. Normal venue for all hearings and appeals will be the offices of the MTC unless otherwise notified. If the offices of the MTC are for any reason unavailable, the Director will work with the office of General Counsel to procure adequate facilities in which to hold hearings and appeals. The location of these premises will be posted at the MTC's offices and on the MTC's website and will be made known to anyone affected.

### **Chapter 13 - COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT**

#### **1301 Certificate of Convenience and Necessity for Specially Designed Handicap Accessible Vehicles** *(Added 3/28/11 amended 4/8/11)*

- A. There is hereby created a special CCN category to operate handicap accessible vehicles only.
- B. Vehicles permitted under this category must be handicap accessible vehicles by design and fully compliant with all qualifications of the ADA including driver training at a training course designated by the Director.
- C. No permit granted under this category of CCN may ever be used for any other type vehicle than a handicap vehicle.
- D. Vehicles permitted under this type of CCN must be dispatched and otherwise comply with all requirements of the Code for on call taxicabs.
- E. A CCN holder operating under this type of CCN will be subject to all of the provisions relevant to on call taxicabs.
- F. Vehicles permitted under this type of CCN may not enter service when they are more than 6 years old and must be taken out of service when they are 9 years old.
- G. CCN holders operating under this type of CCN may make arrangements with other CCN holders to provide handicap vehicle access service for them on a contract basis. They may also

provide handicap access service under contract for other agencies or companies but all contracts must be on file with the MTC within ten (10) days of being signed.

- H. Any CCN holder operating under this type of certificate may pick up non-handicap as well as handicap passengers but the primary duty of this type of CCN will be to serve the handicap market.
- I. In order that the MTC may determine the extent of the demand for handicap vehicles in its market area, all vehicles operating under this type of CCN shall keep a written log in each permitted vehicle in which every trip shall be recorded indicating clearly whether or not it was a handicap trip. Such reports are to be submitted to the MTC weekly for a period of 18 months from the inception period of the CCN or for such longer period as the Director may provide in his Rules. Failure to accurately document a trip shall be a Class II violation. Operations pursuant to a CCN under this chapter of the Code will be considered a pilot program for the first 18 months and permits initially issued may be increased or reduced as a result of the data collected under this program.
- J. Any CCN holder choosing to replace an exiting taxicab or premium sedan with a handicap accessible vehicle must follow all rules for handicap accessible vehicles including reporting weekly the number of handicap trips taken for each vehicle, however, such a handicap vehicle may be replaced by a regular fleet vehicle if it is not being operated under a handicap CCN.
- K. Refusal to provide transport for a handicap passenger by a handicap accessible vehicle shall be a Class I violation and in addition to other penalties under this code may result in suspension or revocation of the driver's license and permit involved as well as the handicap CCN.

## **DIRECTOR'S RULES PROMULGATED**

### **Director Rules revised 2/18/2011**

#### **Director Rules Chapter 2,**

##### **Section 201 A:**

Every CCN holder must supply the MTC with the form in which it does business, for example, a corporation, a limited liability company, a partnership, sole proprietorship, etc. Every CCN holder must supply the MTC with its filing with the Secretary of State of Missouri. Every CCN holder must supply the MTC with a resolution of its corporation, Limited Liability Company or partnership showing the officers of the company and stating that these persons have the authority to speak for the company and to bind the company. Each CCN holder must supply the MTC with a copy of its by-laws if a corporation or limited liability company which by-laws must indicate clearly which officers have the authority to bind the company. The by-laws of each corporation or limited liability company each company's by-laws must clearly state the foregoing or they will be rejected and if not amended to clearly state the foregoing, the CCN will be revoked.

##### **Section 201.A.1**

Any person seeking to purchase any assets from a vehicle for hire service to be used in the conduct of a similar service under the same CCN must first obtain approval from the MTC. When such a minority interest in a CCN holder is being acquired the transfer will be considered after an application of transfer, approved by the managing agent of the CCN holder is submitted to the MTC. A fee for such application for approval shall be two hundred fifty dollars (\$250.00) and the information that must be

provided to the MTC when seeking such approval shall be a fully executed contract of sale as well as the same information that must be provided under section 202.B.3.b, d, e, f, g, I, j, m, p and q as well as section 202.B.4. Upon approval of the application by the MTC the CCN holder must submit a revised ownership list in a form required by the Director within five (5) working days of such approval. *[amended 9/28/10]*

Only CCN holders shall lease vehicles for hire. The MTC must be able to determine who is driving any vehicle for hire so that it can make sure those persons are properly licensed, have clean criminal records and are not security risks among other considerations. Concealed sub leases make this impossible to accomplish and so are prohibited. *(added 11/17/10)*

### **Chapter 2, section 202 B:**

Application for a new CCN shall be accompanied by a non-refundable application fee of \$150.00; a merger, acquisition, transfer of ownership or sale involving a CCN must be accompanied by a non-refundable application fee of \$2,500.00; upon approval of the application an additional fee of \$100 for each permit proposed to be transferred will be due.

1. An application for a CCN or any modification thereof shall be addressed to the MTC on forms provided by the MTC. Any material required in the application process may be submitted as an appendix to the application form.
2. This application shall be in writing, verified by the affidavit of the applicant, or if the applicant be a corporation, a limited liability company or an association of persons of any kind, by its duly authorized officer or agent.
3. The application must contain:
  - a. If for a new CCN: The full name and business address, telephone numbers and email addresses of the applicant, and if a partnership, the same information for all partners; if a corporation, limited liability company or association of persons, the same information for all principals or stakeholders and all officers and directors thereof and a fictitious name registration if any.
  - b. If for a merger or acquisition or transfer or sale of ownership then: the full names and business addresses, telephone numbers and email addresses of the current owners of record and the proposed new owners or if a partnership or partnerships the same information for all partners in all entities involved and if a corporation, limited liability company or association of persons the same information for all principals, or stakeholders and all officers and directors thereof and a fictitious name registration if any on both sides of the proposed transaction.
  - c. If for a new CCN: The full name, address and full contact information of the managing officer who shall be designated as the person to whom all correspondence from the MTC shall be addressed and who shall be the official representative in dealing with the MTC.
  - d. If for a merger or acquisition or transfer or sale of ownership then: the same information as in "c" above for the proposed surviving entity.
  - e. The service category under which the applicant is proposing to provide service or is providing service.
  - f. What, if any, previous experience the applicant has had, or if the applicant is a partnership, the partners therein have had, or if the

applicant is a corporation or other association of persons, the officers and directors have had, in the service category for which application is made.

- g. The number of vehicles the applicant desires to operate.
  - h. The color scheme proposed to be used or currently being used.
  - i. The passenger capacity of each vehicle according to manufacturer's rating.
  - j. The type, model and description of vehicle for hire to be used or being used, engine horsepower or identification and description of other means of motivation, and name of the manufacturer as well as the age of each vehicle.
  - k. The applicant must agree that the applicant will provide operational oversight for its services to include the training of company drivers, the monitoring of driver compliance with this code and the general fitness and continuing maintenance of vehicles in operation under each certificate and must submit a plan for how this will be accomplished.
  - l. A detailed description of what the applicant is proposing to undertake including any merger or acquisition of any assets to be used in the operation of a new or existing CCN and the way in which those assets will be used or deployed, whether it is anticipated that such merger or acquisition will give rise to a need for further permits either immediately or in the reasonably foreseeable future.
  - m. The applicant must give permission for an FBI background check on all principals involved in the proposed CCN holder.
  - n. In the event of an acquisition, the applicant must provide a plan for continuing to serve the community which the acquired or merged company has historically served.
  - o. The applicant must provide a plan and a timetable for upgrading the acquired fleet so that the vehicles will provide electronic credit card capability.
  - p. All units must have their meters re-certified prior to operation if a merger or sale is approved.
  - q. Applicant must provide a list of all drivers proposed to be working for the applicant after the merger or acquisition to the extent available.
4. The Director shall have a public hearing on any proposed new CCN for public comment prior to submitting his recommendations to the MTC and applicant will, in addition to other fees, be responsible for the cost of the hearing and for any legal fees incurred by the MTC in performing its due diligence in connection with the application. An applicant may request a good faith estimate of these costs from the Director but the estimate notwithstanding the applicant will be responsible for the actual costs.
5. The Director will not conduct a public hearings on applications for merger, acquisition or transfer of ownership prior to submitting his recommendations to the MTC and applicant will, in addition to other fees, be responsible for the all costs of the of processing the application and for any legal fees incurred by the MTC in performing its due diligence in connection with the application. An applicant may request a good faith estimate of these costs from the Director but the estimate notwithstanding the applicant will be responsible for the actual costs.

**Chapter 2, section 209:** the level of insurance required by each class of CCN holder shall be as follows:

Taxicabs: \$ 200,000.00 Combined single limit for any one (1) accident.

Premium Sedans: \$ 200,000.00 Combined single limit for any one (1) accident.

Vintage Premium Sedans: \$ 200,000.00 Combined single limit for any one (1) accident.

Limousines: \$ 200,000.00 Combined single limit for any one (1) accident.

Airport Shuttles: \$ 200,000.00 Combined single limit for any one (1) accident.

Courtesy Vehicles: \$ 200,000.00 Combined single limit for any one (1) accident.

Carriages & Horse drawn vehicles: \$ 1,000,000.00 Combined single limit for any one (1) accident.

Non-Emergency Medical Transport Vehicles: \$ 300,000.00 Combined single limit for any one (1) accident.

Alternative transportation vehicles: \$ 1,000,000.00 Combined single limit for any one (1) accident.

**Chapter 2, section 209** the method for filing a proof of insurance with the MTC:

Proof of insurance must come to the MTC from the insurer not from a broker or agent. It must have a telephone contact number and an email contact address. If insurance is frequently allowed to lapse by a CCN holder, pre-payment of premiums will be required.

**Chapter 2, section 209** the method of achieving reinstatement for lapsed insurance with the MTC: If insurance coverage is found to have lapsed for any reason, the CCN holder must produce proof of insurance as required under these rules immediately. CCN holders will not be allowed to operate without valid insurance so operations may be suspended until valid insurance is obtained by the CCN holder. If insurance is frequently allowed to lapse by a CCN holder, pre-payment of premiums will be required.

**Chapter 2, section 210**, the form in which CCN holders are to provide the Director with their office address, business telephone number and electronic mail address Page 2 of the MTC Application for CCN.

**Chapter 2, section 210A**, the types of telephone equipment that will comply with this section shall include any telephone equipment being capable of accepting and recording live voice messages.

**Chapter 2, section 211A**, the requirements of a training program to be offered to employees by the CCN holder:

Driver Training — Each CCN holder must provide to drivers or certify that drivers have attended and passed a comprehensive driver training program, whose curriculum and delivery shall be approved by the MTC. The curriculum shall include, at a minimum, applicable government rules and regulations; geography and map reading of the licensing jurisdiction and surrounding jurisdictions; major points of interest in the jurisdiction, general familiarity with the jurisdiction and its surrounding area; driver safety and defensive driving; passenger safety; vehicle safety and maintenance/inspection checks; and customer service and relations, including guidelines for assisting disabled, frail, and elderly passengers and familiarity with the Vehicles for Hire Code and the Director's Rules.

From time to time the Director may obtain access to training programs offered by private

or public entities such as the Convention and Visitors Commission (CVC). When these programs are offered at no cost and designated by the Director, attendance for drivers will be mandatory . Failure to attend a designated mandatory training session without an excuse approved by the Director will result in a Class II violation of the Code. Driver's will not be allowed to renew their licenses until all administrative penalties are discharged and the training program has been attended. CCN holders who are notified of the unexcused failure of one of their drivers to attend mandatory training for the second time will themselves be guilty of a Class II violation if the driver fails to attend a third and subsequent mandatory training session. *(amended 12/8/10)*

**Chapter 2, section 211A**, the method for gaining approval of its training program from the MTC: Details of the program curriculum must be submitted to the Director for approval or the name, address and curriculum of the course to which the drivers of any CCN holder are being sent.

**Chapter 2, section 211 A**. the requirements for a training manual for drivers: A training manual should contain a written version of the material which is covered in the company's driver training program.

**Chapter 2, section 211A**, the procedure for having a training manual approved by the MTC: Training manuals should be submitted to MTC at the time that the driver program is submitted for approval and will dealt with along with the driver training program. Training manuals from any outside driver's training program may also be submitted at the same time that the MTC's approval of that outside program is sought.

**Chapter 2, section 214**, the contents of the application of re-certification by the CCN holder, the time limits for same and method of submission to the MTC: The application for re-certification shall contain the same information as an application for a new CCN and must be completed and returned to the MTC within 60 days from the date received. If additional time is needed a written request from the CCN holder will be submitted to the Director. The Director may extend the filing period by one (1) 30 day period.

### **Director's Rules Chapter 3**

#### **Chapter 3, section 301.A:**

Each CCN Holder shall be responsible for the completion and submission of the proper MTC removal from service forms ( form 205) and "new in service" letters to the MTC bearing the signature of Managing Officer when requesting to remove a vehicle from service and enter into service a substitute or replacement vehicle. The Managing Officer must deliver to the MTC either by FAX or by hand the form 205 on the same date that the form 205 is signed if it deals with a vehicle of an Owner Operator. All form 205s for company owned vehicles must be delivered within five (5) business days of being signed by the Managing Officer. All required documentation must be received and approved by the MTC prior to the issuance of any authorization for license plates or permits.

The owner of the replacement vehicle shall be required to submit to the Commission all additional forms necessary to complete the replacement within five (5) business day of the company's submission of form 205 or "new in service" letters. Failure to file all required documentation within the proper time periods will result in a One hundred dollar (\$100.00) late fee for each occurrence which will increase to Two Hundred dollars (\$200.00) after ten (10) days. No replacement vehicle will be permitted to operate until the foregoing has been completed. *(amended 9/29/10)*

**Chapter 3, section 301.B** non-operator owners must be CCN holders in order to obtain a permit.

**Chapter 3, section 302.B.1** for the purposes of this section to be a valid lease such lease must be *with* the holder of a valid CCN. A valid lease cannot be with any other person. (*amended 11/17/10*)

**Chapter 3, section 302.E:** for the purposes of this section a vehicle permit shall be a decal posted on the exterior of vehicle's lower left rear glass or if the vehicle has no rear window in a suitable similar location as determined by the MTC's Inspector. Temporary permits shall be similarly posted, but may also be in the form of a rear view mirror hang tag or other posting as determined by the Director on a case by case basis.

**Chapter 3, section 304** for purposes of this section any inspections required on a particular vehicle may be scheduled at the same time by making an appointment for such with the MTC.

**Chapter 3, section 304 D** inspection fees shall be as follows for each class of vehicle for hire:

Taxi cabs of all classes: \$55.00

Premium Sedans: \$240.00

Vintage Premium Sedans: \$240.00

Limousines: \$240.00

Airport Shuttles: \$240.00

Courtesy Vehicles: \$240.00

Carriages & Horse drawn vehicles: \$55.00

Alternative transportation vehicles: \$55.00

#### **Chapter 4 Director's Rules**

**Chapter 4, section 401.A.3** transfer of an MTC license by a driver may only be from one CCN holder to another. The driver seeking such a transfer should contact the MTC's offices and request a form for transfer. If the transfer is within the same type of service, e.g., taxicab to taxicab no new examinations will be required. If the transfer is between different classes of service, e.g., from a taxicab to a horse drawn carriage or to a premium sedan, the driver seeking such transfer must be able to demonstrate a minimum level of competency in handling the new vehicle and a familiarity with the requirements for such vehicle type both by the State of Missouri and the VHC.

**Chapter 4, section 401.A.4** a temporary MTC license may be obtained after regular application for an MTC license is completed and approved by requesting a temporary license from the director until such time as a permanent license may be issued.

**Chapter 4, section 401.B.4** any holder of a MTC driver's license the status of whose state driver's license changes, for example the state license is suspended, must report this status change to the director immediately. An in person verbal report or an email report will suffice and a written memorial of the status change will be provided to the driver by the director. A status change like a suspension may result in a similar suspension of the driver's MTC license pending the reinstatement of the driver's state license but failure to report a status change will result in revocation of the driver's MTC license.

**Chapter 4, section 401.B.6** the physician supplying the statement of physical condition must be a D.O. or M.D. holding a valid, current license to practice medicine and the statement must state that the physician has personally examined the driver.

**Chapter 4, section 401.B.8** fees for obtaining a Department of Revenue Driver Record Report for the 1/1/10 to 1/1/11 shall be \$ 5.00.

**Chapter 4, section 401.B.14** currently all drivers training is provided by the CCN holder. As soon as other training courses are available and approved, they will be listed here.  
1. Courses offered by the Convention and Visitors' Commission designated by the Director are approved courses.

**Chapter 4, section 401.B.15** failure comply with the fingerprinting requirements of this section will result in suspension of a driver's MTC license which suspension will last until compliance is had.

Chapter 4, section 401.B.16 copies of the current VHC and Directors Rules will be posted on the MTC website at <http://www.stl-taxi.com/> and MTC driver's license holders and CCN holders may obtain printed copies from the director. All others seeking copies from the director may obtain them by paying a fee of \$5.00 for the VHC and \$5.00 for the Director's Rules.

**Chapter 4, section 401.C.2.e** under this section criminal activity involving any crime to the person of another or any crime that could have posed a risk of injury to another or which indicates dishonesty as an element shall be a disqualifying factor. A driving record that shows tickets for careless and reckless or imprudent driving, multiple speeding tickets or tickets issued in connection with accidents can be disqualifying factors.

**Chapter 4, Section 401.D** all drivers shall display their MTC license while on duty in the following manner: Drivers shall display their MTC licenses either worn around their necks or clipped to the breast pocket of a shirt.

**Chapter 4, section 401.E** the fee for and MTC drivers license for the period 1/1/10 to 1/1/11 shall be \$100.00.

**Chapter 4, section 401.F** the fee for a replacement for an MTC license for the period 1/1/10 to 1/1/11 shall be \$10.00 per piece.

**Chapter 4, section 401.G** any MTC driver's license holder applying for renewal of an MTC more than 30 days after the expiration of that license will be treated for all purposes as a new applicant including appropriate fees.

**Chapter 4, section 401.H** the chapter 12 appeal mentioned in this section is available only to current holders of a MTC license who are denied renewal and not to new applicants who have not previously been licensed or applicants who failed to renew their MTC license for a year or more. If the Director denies a driver's license to an applicant on a renewal application or places [the] said application on hold because of pending charges, the decision shall be in writing copied to the CCN holder stating the reason for said action and the procedure for appeal pursuant to chapter 12 of this code and sent by certified or registered mail to the applicant. If the Director denies a new application the

denial shall be in writing with a copy to the CCN holder. **No appeal shall be provided.**

## **Chapter 5, Director's Rules**

### **Chapter 5, section 501. K.2**

The airport parking authority will report to the MTC any vehicle for hire exiting any airport parking facility through the cash exit lanes. Exiting through the cash exit lanes shall result in a ten dollar (\$10.00) administrative penalty per occurrence. If a proximity card is not working it must be reported to the MTC immediately and turned in the same day. *(added 2/11/11)*

### **Chapter 5, section 501.F**

Taxi meters shall be certified pursuant to the following procedure:

The Director shall assign an MTC inspector who will manage the vehicle and taxi meter inspection process by the creation of a schedule for all taxicab company vehicles. For all permit or fleet renewal inspections, the inspector will notify each taxicab company of said appointments no later than seven business days in advance of the inspection time. The inspector will create the schedule and have full control of all inspection appointments including all re-inspections conducted due to mechanical malfunctions, repairs or code violations.

### **Chapter 5, section 501.M**

For the purpose of this section major credit cards shall be as follows:

American Express, Discover, Master Card and VISA

**Chapter 5, section 502** approved and authorized taxicab stands in St. Louis City are located:

As designated by the City of Saint Louis Department of Streets.

St. Louis County: As designated by St. Louis County Government.

Municipalities: As designated by each municipality's authorized department.

**Chapter 5, section 503.A** the vehicle may not have mud, oil other stains or visible dirt or tears in the interior. Windows must be clean and free of smears at the beginning of the work day. The vehicle must be washed unless there has been rain within the last 24 hour period. No body damage will be tolerated on vehicles for hire.

**Chapter 5, section 503 B** the interior of the vehicle must be free of food or other litter, only a reasonable amount of personal reading material such as a book or newspaper or both will be permitted. A notebook computer, personal digital assistants (PDA), or mobile global positioning system may be permitted in the passenger compartment provided that all associated wiring, cradles and/or accessories do not create a hazard for or interfere with the driver's safe operation of the vehicle and those devices do not interfere with passenger safety or comfort. No litter or debris of any kind may be left in the passenger compartment. Seats must have all springs intact and the seat covering must be clean with no tears or visible dirt.

**Chapter 5, section 503.C** if the vehicle has a trunk it may contain only a spare tire and a jack and tire tool stored as specified by the manufacturer in the vehicle handbook.

**Chapter 5, section 504.B** a CCN holder may submit to the director a scheme of dress for those drivers operating vehicles of the CCN holder which is unique for that CCN holder's drivers. The director will not unreasonably withhold approval of such alternate attire but it should be remembered that the purpose of uniform dress for operators of vehicles for hire is so that the public can readily identify the driver as the operator of a vehicle for hire and all alternate attire schemes must also accomplish this.

**Chapter 5, section 504.B.4.b** CCN holders may submit to the director color photos of a prototype cap for their drivers and the director will review it the same manner as alternate attire.

**Chapter 5, section 504.F .1** requires that a driver display a professional demeanor in the presence of passengers and members of the public. A professional demeanor means that a driver may not argue loudly with a passenger or another driver in public; may not curse a passenger or use foul or abusive language directed at a passenger under any circumstances; may not curse or use foul language directed at another driver in public; may not use obscene gestures directed toward a passenger; may not use obscene gestures directed toward another driver in a public place. Professional demeanor also requires that a driver may not refuse to follow the directions of an airport taxi starter, a MTC enforcement officer or police officer nor may a driver argue with those aforesaid concerning any directions given or citations issued in public. Professional demeanor requires airport taxi starters, MTC personnel and police officers to be treated as passengers for the purposes of this section.

a. Stealing or theft of any sort or physical assault of any sort will be considered as violations of professional demeanor.

2. Public confrontation means heated or loud argument in a public place, obscene or combative gestures in a public place, loud vulgar or obscene language in a public place, fighting, shoving and threats in a public place directed at anyone.

*(adopted 7/28/11)*

**Chapter 5, section 504.H** prohibits cigarettes of any kind, cigars or pipes.

**Chapter 5, section 504.I** no CCN holder shall require a driver to operate a vehicle that has safety deficiencies or physical damage. If a CCN holder allows or requires such a vehicle to be operator it will be viewed as a violation of the VHC by the CCN holder.

**Chapter 5, section 504.K** shall apply to all MTC licensed drivers in all categories.

**Chapter 5, section 504.O** drivers can get authorization to carry a non-passenger by contacting the MTC office and obtaining MTC Agent approval on a form provided by the CCN holder bearing the signature of the CCN holder's authorized agent, describing the full name of the non-passenger, the purpose for which authorization is requested and the dates the non-passenger will occupy the vehicle.

**Chapter 5, section 504.Q** for the purposes of this section email notification will also be acceptable.

**Chapter 5, section 504.S** for the purposes of this section MTC driver's licenses may be displayed by the driver wearing such license around his neck or clipped to shirt breast pocket.

**Chapter 5, section 504.U** further rules governing driver conduct are as follows: This Section is reserved for future use by the Director as needed.

**Chapter 5, section 507** In addition to the minimum standard for electronic payment processing systems contained in the VHC, the following standards shall be observed:

1. Any and all newly installed electronic payment processing systems shall be in an area easily accessible to the rear seat of a Vehicle For Hire or easily accessible to passenger if there is no rear seat, except in a premium sedan or limosine if payment is made in advance.
2. The payment system, or associated hardware and/or software provider, shall be equipped to produce all data required by the Director including without limitation, the number of trips processed and the location of pickup and drop off for such trips. Such data shall be provided, without redaction, to the MTC upon written request.
3. The CCN holder shall be responsible for reporting any defective or non-operational payment systems promptly (within 24 hours at the latest) upon learning of the same.
4. Ensuring compliance with the provisions of this Section 507 shall be the responsibility of the applicable CCN holder.
5. Each CCN holder shall provide the MTC with written notice of any proposed changes to its payment processing equipment, third-party payment processing provider, and/or charges to be imposed for use of its electronic payment system prior to implementation.
6. Each CCN holder shall ensure that its MTC Driver's License holders shall be fully informed of all directions, if any, necessary to operate the electronic payment system.
7. The amount of suggested tip to be placed on the electronic payment device shall be determined in the approval process of the vendors and shall be standard for all vendors.

*(adopted 8/22/11)*

## **Chapter 6 Director's Rules**

**Chapter 6, section 602 D** the Director will from time to time designate certain training courses offered by different organizations which will be mandatory to attend for all drivers.

**Chapter 6, section 602.J** airport taxis failing to use proximity cards on entering or exiting any airport parking will receive a ten dollar (\$10) administrative penalty per occurrence. *(added 2/21/11)*

**Chapter 6, section 603 G** the name of the passenger for which the on-call taxi is waiting must be displayed in the curb side rear window of the taxi or held in the hand of the driver facing the curb.

**Chapter 6, section 603 H** the meter must be operated even if the taxi is charging a flat fee and such flat fee may not exceed the meter rate. Any violation of this section in addition to any other penalty shall result in a full refund of the fare charged the passenger.

**Chapter 6, section 603.J** on-call taxis failing to use proximity cards on entering or exiting any airport parking will receive a ten dollar (\$10) administrative penalty per occurrence. *(added 2/21/11)*

**Chapter 6, section 604 B** premium sedans shall bear a permit supplied by the MTC which shall be affixed to the lower left rear glass of the vehicle.

**Chapter 6, section 604 D** hotel concierge services may summon a premium sedan for a passenger but such summons must be at the specific direction of the passenger.

**Chapter 6, section 604 H** the name of the passenger for which the on-call taxi is waiting must be displayed in the curb side rear window of the taxi or held in the hand of the driver facing the curb.

**Chapter 6, section 604 L** a “premium vintage sedan” shall be any of the listed premium sedans which are 25 years old or older. This list may be augmented by the addition of other exotic autos as they may be presented to the MTC for consideration. To have a vehicle considered for placement on the “vintage” list the CCN holder must submit photos and details on the vehicle to the Director and present same for inspection when required.

**Chapter 6, section 605 A** shuttle stops shall be submitted annually to the Director for approval. New stops may be submitted from time to time to the Director.

**Chapter 6, section 606 B** NEMT vehicles shall bear a permit supplied by the MTC which shall be affixed to the lower left rear glass of the vehicle

**Chapter 6, section 606 C** NEMT drivers shall wear uniforms as approved by the Director after application by the certificate holder.

**Chapter 6, section 606 G** NEMT drivers and vehicles must be covered by commercial insurance in order to be licensed by the MTC. A driver’s personal, private insurance card will not be considered proof of commercial insurance. Personal vehicle policies do not cover the commercial, for-hire operation of a vehicle for hire.

**Chapter 6, section 607 A** shuttle stops shall be submitted annually to the Director for approval. New stops may be submitted from time to time to the Director.

**Chapter 6, section 608 D.3** animals determined to be insufficiently fed to perform the services routinely required of it may be ordered removed from service until such time as the animal regains sufficient health to perform those duties.

**Chapter 6, section 608 D.10** in the event a driver reports a violation of this code or a safety or health problem with an animal which report is determined to be factually accurate and a CCN holder takes any adverse action against such a driver, such action may be considered as grounds for revocation of the CCN.

**Chapter 6, section 608 E.8** MTC drivers licenses must be displayed either worn around the neck or clipped to a breast pocket and plainly visible.

**Chapter 6, section 609 A** courtesy vehicles may not be entered into service older than 3

model years and may not remain in service older than 10 model years.

**Chapter 6, section 609 B** courtesy vehicles shall bear the following markings: The Name of the CCN holder shall be prominently and permanently displayed on both sides of the vehicle, and a CCN holder issued, non-repeated fleet number shall be displayed on both sides of the vehicle in numbers at least 3 inches in height.

### **Chapter 7 Director's Rules**

**Chapter 7, section 701 F** the name of the passenger for which the on-call taxi is waiting must be displayed in the curb side rear window of the taxi or held in the hand of the driver facing the curb.

**Chapter 7, section 701 G** sleeping in the cab or absence from the cab will, in addition to any other section violation of the VHC will be considered a violation of this section.

### **Chapter 8 Director's Rules**

None

### **Chapter 9 Director's Rules**

**Chapter 9, section 901. B.** The Director shall impose reasonable measures in the form of Director's Rules intended to ensure compliance with the VHC as approved by the MTC. Notices of such measures shall be posted on the MTC website and clearly labeled as Director's Rules. Violations of such Rules shall be treated as any other violation of this code. The Director may modify the Director's Rules on his own initiative without MTC approval. The MTC may modify or revoke any Director's Rules upon a finding that the measure is generally excessive or excessive in light of all of the facts of a particular case. The Director shall file a copy of all such rules and any amendments thereto with the MTC. Unless disapproved by the MTC a Director's Rule will become effective 10 days after it is filed with the MTC.

**Chapter 9, section 901 E** in the event of a state of emergency the Director will notify all CCN holders who will be responsible for notifying all of their drivers promptly of whatever requirements that the Director may have in regard to the emergency. Whatever directions the Director issues drivers are still subject to the directions of police, fire or other emergency personnel working at the scene of any emergency

### **Chapter 10 Director's Rules**

**Chapter 10, section 1001 A** there will be ongoing unannounced inspections of vehicles and drivers to insure compliance with this section.

**Chapter 10, section 1001 B** direct confrontations between drivers or CCN holders and agents of the MTC are never appropriate and will be considered serious violations of the VHC code. If a driver or CCN holder has a disagreement concerning an agent's attitude or authority it should be dealt with by filing a complaint in writing with the Director.

**Chapter 10, section 1001 C** insurance cards which reflect a driver's personal auto insurance for any class of vehicle for hire under this code will never be considered adequate proof of insurance to operate a vehicle for hire. Only proof of valid commercial vehicle insurance will be considered adequate.

## **Chapter 11 Director's Rules**

**Chapter 11, section 1101.A.1** pursuant to the authority under section 1101.A.3 examples of actions that will be considered violations of section 1101.A.1, which section applies to all classes of CCN holder, are as follows:

Where the CCN holder or its management allows a vehicle that is damaged or unsafe to be operated;

Where the CCN holder allows or tolerates a subcontractor or independent contractor to operate a damaged or unsafe vehicle;

Where a CCN holder allows an animal drawn vehicle to be operated by a sick, undernourished or injured animal;

Where any type of vehicle is permitted to be operated without adequate or valid insurance;

Where a driver or independent contractor is allowed to operate a vehicle with a suspended or otherwise invalid MTC license or no MTC license;

Where a driver or independent contractor is allowed to operate a vehicle which is not properly and currently permitted or licensed;

Where a driver or independent contractor is allowed to operate a vehicle within the jurisdiction of the MTC which, while exempt from MTC licensure is not properly licensed with any agency which does have jurisdiction over it.

These examples are meant to be illustrative and the foregoing does NOT comprise a full list of violations of this section.

**Chapter 11, section 1101.A.2** for the purposes of the "failure to supervise" provisions of this section "excessive violations" of the VHC shall mean once 5% (5 percent) of the drivers of any CCN holder have been suspended for violations of the VHC which have either not been appealed or have been upheld on appeal.

**Chapter 11, section 1101.C** a valid state operator's license for the appropriate class of vehicle is essential for operating a MTC licensed vehicle. If the driver's state operating license is suspended then the MTC license will be suspended for the same period. If a driver is operating a vehicle for hire with a suspended state license then his MTC license will be revoked.

**Chapter 11, section 1101.D.1** an example of a dangerous driving record would be state convictions for careless driving, D.U.I, D.W.I or an at fault accident involving any of the foregoing.

**Chapter 11, section 1101.D.3.b** for purposes of this section **moral turpitude** mean a violation of standards of moral conduct, vileness, such that an act involving moral turpitude is intentionally evil, making the act a crime in the jurisdiction where committed such as rape, sodomy, child molestation, murder and similar offenses.

**Chapter 11, section 1101.E** notices shall be sent to the last known address on file with the MTC.

**Chapter 11, section 1101.F** hearings under this section will go to the merits of suspension itself not just to the question of immediate danger to the public.

**Chapter 11, section 1101.I** anonymous complaints will never be considered.

## **Chapter 12 Director's Rules**

**Chapter 12, section 1201.**A failure to appear will also result in the assessment of court costs for the hearing date in question. The substance of the appeal will be disposed of at the hearing officer's discretion.

### **Chapter 12, section 1202 Continuance.**

A. Anyone charged with a code violation may obtain one continuance from the Director for good cause shown. Any further continuances must be obtained from the hearing officer before whom the person is scheduled to appear prior to the date of appearance. Since the MTC believes that continuances put an undesirable strain on the enforcement system and are unfair to the charged party, continuances are to be discouraged and additional court costs of \$100.00 will be imposed for the continuance unless the hearing officer determines otherwise.

### **Chapter 12, section 1204 A.4 Procedure for Appeal to a Hearing Officer.**

If the person presenting his case is found by the hearing officer to have committed all or any of the cited violations of the VHC then, in addition to any other appropriate penalty and points that person will be responsible for court cost in the amount of one hundred dollars and 0/100 (\$100.00). This amount may be adjusted from time to time by the MTC through the Director and any such adjustments will be communicated to all owners and drivers and posted on the MTC's website and at the MTC's offices.

### **Chapter 12, section 1206.A Appeal from Hearing Officer Decision.**

Appeals from a decision of the hearing officer are to the MTC's appellate hearing officer. Only one hearing officer will act as appellate hearing officer and will work with the Director to establish dates for appellate hearings. In order to be timely, notice of appeal must be delivered to the Director in writing within ten (10) working days of the original hearing officer's decision.

**Chapter 12, section 1206.B** When a hearing officer's decision is appealed the court costs set out in section 1204.A.4 shall be stayed pending the outcome of the appeal. An appeal bond in the amount of two hundred dollars and 0/100 (\$200.00) must be filed with the notice of appeal for the notice of appeal to be valid. If the appellant prevails on appeal then no court costs will be imposed and the appeal bond will be refunded. If the hearing officer's decision is upheld on appeal then the actual costs of the appeal will be taxed to appellant as well as the costs for the underlying hearing. The appeal bond will be applied against these costs.

## **Chapter 13 Director's Rules**

**Chapter 13, section 1301.I.** Keeping a log of trips for handicap vehicles is an essential part of holding a CCN under this Chapter since the MTC has implemented the pilot program under this Chapter in an attempt to discover the depth of need for handicap accessible vehicles in its area so the

public can be properly served. Without the data on handicap use being made available to the Director in a timely fashion, the goal of this pilot program will never be achieved. The MTC has made failure to timely file trip reports under this chapter a Class II violation of the Code.

1. Timely filing of reports – reports on MTC designated forms will be due in the Director’s hands by Friday of the week following the week the report is dated. For example, a report for the week of June 1 to June 7 where June 1 is a Monday, will be due on Friday, June 12 and will be late at close of business that day.
2. Each late report will be a separate violation of the Code.
3. As a Class II violation the first violation shall result in a \$100 administrative penalty; the second violation shall result in a \$150 administrative penalty; the third violation shall result in a \$200 administrative penalty and the fourth violation shall result in revocation of the Chapter 13 CCN.

Persons holding a CCN have sixty (60) days from the issuance of the CCN to put all permitted vehicles into operation. After sixty days any permits which are not assigned to vehicles shall stand revoked unless the Director has granted an extension of this time for good cause shown. Upon a revocation the Director will follow up with a letter to the CCN holder informing him of the revocation of the permit.

*(adopted 7/27/11)*