

CHAPTER 100
PUBLIC PASSENGER VEHICLE REGULATIONS

SUBCHAPTER 1
GENERAL PROVISIONS

- 100-1 Authority; Title
- 100-2 Purpose
- 100-3 Definitions
- 100-4 Licensing Committee

SUBCHAPTER 2
VEHICLE REGULATIONS

- 100-49 Purpose
- 100-50 Public Passenger Vehicle Permits
- 100-51 Vehicle Inspection
- 100-51.5 Vehicle Standards and Equipment Requirements
- 100-52 Rates Established
- 100-53 Financial Responsibility

SUBCHAPTER 3
DRIVER'S LICENSE

- 100-54 Public Passenger Vehicle Driver's License

SUBCHAPTER 4
OPERATING REGULATIONS

- 100-58 Purpose
- 100-59 Operating Regulations for all Public Passenger Vehicles
- 100-60 Additional Operating Regulations
- 100-61 Driver Operating Activity
- 100-62 Penalty

SUBCHAPTER 1
GENERAL PROVISIONS

100-1. Authority; Title. This chapter is adopted under ss. 62.11(5) and 349.24, Wis. Stats., and shall be cited as "The City of Milwaukee Public Passenger Vehicle Regulations".

100-2. Purpose. The purpose of this chapter is to:
1. Provide for safe, convenient and efficient transportation for the general public.

2. Enhance the image of the city and to more effectively serve visitors.

3. Enhance the role of the private sector in public transportation.

4. Protect consumers from hazardous conditions or overcharging for service.

5. Encourage innovation in the provision of taxicab and paratransit services.

6. Eliminate conflict and confusion among users between different types of services.

100-3. Definitions. In this chapter:

1. **COLOR** means any hue named in the Inter-Society Color Council as it has been developed at the National Bureau of Standards (ISCC-NBS circular 553).

2. **CONTRACT FOR HIRE** means acceptance of a passenger for transportation.

3. **CRUISING** means driving along public ways soliciting passengers for hire, and includes stopping wherever parking is permitted and at any cabstand or private property where permitted by the owner.

4. **DOUBLE LOADING** means accepting additional fares after being hired by one fare paying passenger.

5. **DRIVER'S LICENSE** means a license issued under this chapter by the common council to drivers of public passenger vehicles.

6. **EXCLUSIVE** means the persons hiring a vehicle have its exclusive use, with no ride sharing.

6.5. **FIXED ROUTE** means authorized scheduled trips from predetermined passenger pickup points to predetermined destinations.

6.7. **HAIL** means the vehicle may be hired by signaling the driver.

7. **HANDICAPPED-ELDERLY VEHICLE** means a vehicle for hire, other than a taxicab or public mass transportation vehicle, which is especially suited for the transportation of handicapped or elderly persons who by reason of physical or mental infirmity or age cannot be transported on public mass transportation vehicles.

100-3-8 Public Passenger Vehicle Regulations

8. HORSE AND SURREY LIVERY means a horse-drawn surrey for hire.

9. LESSEE means any person leasing a vehicle, licensed by this city, from a permittee.

9.5 LICENSE CLASSIFICATION means the category or categories of public passenger vehicles for which a person holding a valid driver's license issued under s. 100-54 is qualified to operate under s. 100-54-2. License classifications include the following:

a. "Class H" means the holder of the license has met the qualifications to operate the following public passenger vehicles: handicapped-elderly liveries.

b. "Class L" means the holder of the license has met the qualifications to operate the following public passenger vehicles: luxury limousines and shuttle vehicles.

c. "Class M" means the holder of the license has met the qualifications to operate the following public passenger vehicles: motorcycles used for tours.

d. "Class P" means the holder of the license has met the qualifications to operate the following public passenger vehicles: pedicabs and horse and surrey liveries.

e. "Class T" means the holder of the license has met the qualifications to operate the following public passenger vehicles: zone and meter fare taxicabs.

10. LICENSING COMMITTEE means the committee of the common council responsible for licensing vehicles under this chapter.

11. LUXURY LIMOUSINE means a category of for-hire, unmetered, unmarked ground transportation vehicles solely engaged in the business of carrying passengers on a prereserved basis only and which meets the definition of one of the following classifications:

a. Stretched limousine, which is a luxury custom motor vehicle whose chassis and wheelbase have been altered, whether at the time of manufacture or after, beyond the length of the manufacturer's original specifications for the vehicle and which has safety features that comply with all applicable federal motor vehicle safety standards.

b. Executive sedan, which is a luxury production 4-door sedan, van or sports utility vehicle that may have custom nonproduction features and which is of a make and model approved for use by the common council.

b-1. A list of all makes and models of vehicles approved for use shall be maintained by the city clerk and shall be accessible to the public.

b-2. Specific vehicles not meeting this definition may be permitted if approved by the common council pursuant to s. 100-50-9.5.

11.5. MOTORCYCLE means a vehicle as defined in s. 340.01(32), Wis. Stats., and which is used on a for-hire or contractual basis.

12. MOTOR VEHICLE means a self-propelled vehicle and also includes trailers and semitrailers designed for use with such vehicles.

13. PEDICAB means a multiwheeled hooded or unhooded passenger vehicle that is moved by human power, or rickshaw-type vehicle pulled or propelled by any person which is used in the movement of passengers for hire on the public highways.

14. PERMIT means a permit issued by the common council under this chapter to operate a public passenger vehicle.

15. PERMITTEE means a person who has been issued a permit under this chapter.

16. PERMITTEE, FLEET means a person who has been issued 5 or more vehicle permits.

17. PERMITTEE, INDIVIDUAL means a person who has been issued 4 or fewer vehicle permits.

18. PERSON means any individual, partnership, corporation or association.

19. PLYING means solicitation of potential taxicab customers, including the use of flashing lights mounted anywhere on the vehicle, soliciting or taking orders by telephone, cruising, stopping, whether in taxicab stands or not, or in any other manner holding out to the public that such taxicab is available for hire.

20. PRERESERVED GROUP means any affiliated group of 5 or more passengers hiring a public passenger vehicle for transport from a point of origin to fixed destinations.

21. PUBLIC PASSENGER VEHICLE means a vehicle which is used for the transportation of passengers for hire, including handicapped-elderly livery, horse and surrey livery, luxury limousine, pedicab, motorcycle used for tours, shuttle vehicle, and meter or zone fare taxicab. Public passenger vehicle does not include:

Public Passenger Vehicle Regulations 100-4

a. A vehicle operated on fixed routes pursuant to authority granted by the county, state or federal government.

b. A vehicle which is rented to be driven by the renter or an agent.

c. A vehicle operated solely as a funeral car.

d. A vehicle used in a carpool operated by private individuals.

e. A vehicle licensed or otherwise regulated as a human service vehicle by the state of Wisconsin used for the transportation of elderly or handicapped persons. Vehicles operated by nonprofit organizations which are used for the transportation of elderly or handicapped persons and not licensed or otherwise regulated by the state of Wisconsin shall be considered public passenger vehicles and shall be subject to the provisions of this chapter.

f. A commercial motor vehicle as defined under s. 340.01(8), Wis. Stats., as amended.

22. RIDE SHARING means a method of operating a vehicle in which passengers sharing a common portion of a trip may enter the vehicle at one or more points of origin and disembark at one or more destinations, each passenger paying an individual fare for the trip.

23. SHUTTLE VEHICLE means a privately owned vehicle which is solely engaged in the business of carrying passengers in either a:

a. Shared ride service for hire on a fixed route and fixed schedule to and from predetermined locations; or

b. Group travel service for hire on a prereserved basis only, provided that the vehicle has a passenger-carrying capacity of 11 or more persons, excluding the driver. "Passenger-carrying capacity" is the seating capacity of the vehicle which has been specified by the manufacturer, or established by the chief of police upon visual inspection of the vehicle.

23.5. STANDS means street curb locations which are designated for a particular type of permitted vehicles.

24. TAXICAB means public passenger vehicle with 3 or more doors which operates without a fixed route or schedule.

25. TAXICAB, HOODED METER means a meter fare taxicab which has its meter covered and is operating as a zone fare taxicab.

26. TAXICAB, METER FARE means a taxicab designated as a meter fare taxicab on its permit and equipped with a taximeter.

27. TAXICAB, ZONE FARE means a vehicle designated a zone fare taxicab on its

permit and which charges fares based on a series of geographically defined zones.

28. TAXIMETER means a device by which the charge for hire of a taxicab is calculated, either for distance traveled or for waiting time, or for both, and upon which such charge is indicated by means of numbers.

100-4. Licensing Committee. 1. AUTHORITY. The licensing committee, subject to the approval of the common council, shall supervise and regulate public passenger vehicles and keep the rates within the limits established by the common council, and determine the adequacy of the service furnished.

3. REGULATIONS; ORDERS. The committee may prescribe regulations and issue orders, in conformity with this chapter, applicable to operators of public passenger vehicles. The committee may require the filing of reports, schedules and other data by the operators of public passenger vehicles so that the provisions of this chapter may be carried out. Any permittee, lessee or driver who does not comply with the regulations or orders of the committee shall be subject to the penalty provisions of this chapter.

4. ADMINISTRATIVE OFFICIAL. The city clerk shall administer all regulations and orders adopted or issued by the committee and shall keep a register of the names of each permittee, together with the permit number and record of financial responsibility as provided in this chapter and the description, make and year of such vehicle, with the date and the complete record of inspection made of the vehicle. These records shall be open to public inspection at all reasonable times and shall be public records, extracts of which may be certified for use as evidence by the chief of police.

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**SUBCHAPTER 2
VEHICLE REGULATIONS**

100-49. Purpose. The purpose of this subchapter is to provide uniform regulations to require every permittee and driver to furnish reasonably safe and adequate service at just and reasonable rates to assure adequate accommodations to the public.

100-50. Public Passenger Vehicle Permits.

1. PERMIT REQUIRED. a. No vehicle owner or lessee shall operate his or her vehicle, or allow his or her vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee first obtaining for the vehicle a permit and current inspection sticker as provided in this section.

b. No person shall operate a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee first obtaining for the vehicle a permit and current inspection sticker as provided in this section.

c. Any person violating this section shall be subject to the penalty provided in s. 100-62-2.

2. EXEMPTIONS. The following vehicles shall be exempt from the regulations of this subchapter:

a. Vehicles licensed by the Wisconsin department of transportation as human service vehicles as described in ch. Trans 301, Wis. Adm. Code.

b. Shuttle vehicles authorized by Milwaukee county to provide in-county shuttle service for General Mitchell International Airport under s. 4.05(4), Milwaukee county code.

3. ELIGIBILITY. a. Effective January 1, 1992, no new public passenger vehicle permits for taxicabs may be issued, except under either of the following conditions:

a-1. When a permittee applies to change his or her form of business such as by incorporating or forming a partnership.

a-2. When a permittee applies to transfer a permit to another person.

b. Prior to issuance of a new permit under par. a, the holder of an existing permit shall surrender the permit to the city clerk.

c. No new or renewal public passenger permits for taxicabs shall be issued for any motor vehicles of model years greater than 10 years old at the time of application.

4. APPLICATION. a. Application for a public passenger vehicle permit shall be filed with the city clerk on forms provided therefore. The application shall be signed and sworn to by the applicant, if an individual; each partner, if a partnership; a duly authorized agent, corporate president and secretary, if a corporation; or a duly authorized agent and 2 members, if a limited liability company.

b. The application shall require:

b-1. The name, date of birth and home address and telephone number of the applicant.

b-2. If the applicant is a corporation or limited liability company, the name of the corporation shall be set forth exactly as it is set forth in its articles of incorporation, together with the names, dates of birth and home addresses and telephone numbers of its designated agent and each of its officers or members, if any. If any of the members is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate officers.

b-3. If the applicant is a partnership, the application shall set forth the name, date of birth and home address and telephone number of each of the partners, including limited partners. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate partners.

b-4. The type of public passenger vehicle the applicant intends to employ.

b-5. The current state registration of each motor vehicle, naming the applicant as sole title holder and not as lien holder.

b-6. Evidence of financial responsibility as required by s. 100-53, issued to and covering the applicants.

b-7. All convictions of each person named on the application, including ordinance violations and traffic violations, with a brief statement of the nature of the convictions and the jurisdiction in which the conviction occurred.

b-8. The identity of any dispatch services with which affiliated, if any.

b-9. Such other reasonable and pertinent information the common council or the licensing committee may from time to time require.

c. If the applicant cannot satisfy the provisions of pars. b-5 and b-6 at the time of filing, the applicant shall file, with the

100-50-5 Public Passenger Vehicle Regulations

application, a letter addressed to the licensing committee outlining his or her intentions of satisfying all the requirements of this subchapter prior to issuance of the applicable permit.

d. Each corporate applicant applying shall file with its application for a permit a statement by its officers or members showing the names and addresses of all persons who individually hold 10% or more of the corporation's total or voting stock, or proxies for that amount of stock, together with the amount of stock or proxies held by each person.

e. Each applicant shall file with the application for a permit a sworn statement by the applicant stating that the permit may be subject to suspension, nonrenewal or revocation if the permittee violates any rule or regulation provided in this chapter. The contents of the application shall be true, correct and complete, and show that the applicant has sworn to the truth of the same before a notary public authorized to give oaths in the state of Wisconsin.

f. In addition to the requirements of par. b, applications for horse and surrey livery permits shall require:

f-1. The name and address of a licensed veterinarian whom the applicant attests will be kept on call to administer veterinary services to the applicant's horses at any time when the horse and surrey livery service is operating.

f-2. The telephone number or numbers at which the licensed veterinarian can be reached 24 hours a day.

f-3. The manufacturer's specified seating capacity of the surrey. If the manufacturer has not specified the seating capacity of the surrey, the chief of police shall establish the seating capacity.

5. CHANGES TO BE REPORTED.

a. A permittee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The permittee shall make this notification in writing within 10 calendar days after the change occurs.

b. Whenever a corporation or limited liability company holding a public passenger vehicle permit changes any of its corporate officers, members or agents, the corporation agent shall file, within 10 calendar days after the change occurs, the appropriate application

with the city clerk and pay the fee required by s. 81-101.5. This application shall in all respects be treated as a new application subject to all the requirements of this section.

c. It shall be the duty of the corporate officers to file with the city clerk a statement of the sale or transfer of any stock or proxies, where the effect of such stock would constitute a change in the stockholders' list previously filed with the city clerk. The notice to the city clerk shall be given in writing within 10 calendar days after the sale or transfer occurs.

6. FEE. Each application shall be accompanied by the fee specified in ch. 81.

7. FINGERPRINTING.

a. All applicants for a public passenger vehicle permit shall be fingerprinted. If the applicant is a corporation or limited liability company, the agent and each officer or member, as well as each stockholder owning 20% or more of the stock of the corporation, shall be fingerprinted. If the applicant is a partnership, each partner shall be fingerprinted.

b. Exemptions. The requirement that an applicant be fingerprinted shall not apply to a person already licensed by the city when that person is renewing the permit. The fingerprinting requirement shall also not apply to the officers and directors of nonprofit corporations which apply for a permit, except that the fingerprinting requirement shall apply to the agents of such corporations.

c. Duplicate Sets Not Required. If a set of fingerprints is on file with the police department, an additional set shall not be required unless expressly requested by the police department for purposes of verification.

8. INVESTIGATION. Each application shall be referred to the chief of police who shall cause an investigation to be made and report the findings to the licensing committee.

9. COMMITTEE ACTION. a. Except as provided in sub. 9.5, if the chief of police files no written report summarizing the arrest and convictions of the applicant which could form a basis for denial, the application shall be forwarded to the common council for approval.

a-2. If the chief of police files a written report summarizing the arrest and convictions of the applicant which could form a basis for denial, the application shall be forwarded to the licensing committee for its

Public Passenger Vehicle Regulations 100-50-9.5

recommendation as to whether or not each permit should be issued.

b. If there is a possibility of denial, no hearing shall be heard unless the city clerk's office has provided written notice to the applicant. The notice shall be served upon the applicant so that the applicant has at least 3 days' notice of the hearing. The notice shall contain:

b-1. The date, time and place of the hearing.

b-2. A statement to the effect that the possibility of denial of the permit application exists and the reasons for possible denial.

b-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for denial and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

b-4. A statement that the applicant may be represented by an attorney of the applicant's choice at the applicant's expense, if the applicant so wishes.

c. If there is a possibility of denial, at the hearing the committee chair shall open the meeting by stating that a notice was sent and read the notice into the record unless the applicant admits notice. The chair shall advise the applicant that the applicant has an option to proceed with a due process hearing, represented by counsel, with all testimony both direct and cross-examination under oath, or that the applicant may simply make a statement to the committee.

d. A due process hearing shall be conducted in the following manner:

d-1. All witnesses will be sworn in.

d-2. The chair shall ask those opposed to the granting of the permit to proceed first.

d-3. The applicant shall be permitted an opportunity to cross-examine.

d-4. After the conclusion of the opponent's testimony, the applicant shall be permitted to present the applicant's own witnesses, subject to cross-examination.

d-5. Committee members may ask questions of witnesses.

d-6. Both proponents and opponents shall be permitted brief summary statements.

e. The recommendations of the committee regarding the applicant must be based on evidence presented at the hearing. Probative evidence concerning whether or not the permit should be granted may be presented on the following subjects:

e-1. Whether or not the applicant meets the municipal requirements.

e-2. Whether or not the applicant has been charged with or convicted of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the licensed activity.

e-3. Any other factors which reasonably relate to the public health, safety and welfare.

f. The committee may make a recommendation immediately following the hearing or at a later date. Written notice of the committee's decision will be provided if the decision is made at a later date or if the applicant was not present or represented. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

9.5. APPEAL OF ADMINISTRATIVE DENIAL, LIMOUSINES. a. In the event a determination is made by the city clerk that an application for a public passenger vehicle permit for a luxury limousine does not meet the definition under s. 100-3-11-b, no permit shall be issued unless the applicant requests, in writing on forms provided by the city clerk therefor, an appeal before the licensing committee, no more than 10 working days after the date on which the applicant was notified of the city clerk's determination. A hearing of an appeal shall be conducted as set forth in s. 100-54-4-d.

b. The recommendation of the committee regarding the permit must be based on evidence presented at the hearing. Probative evidence concerning whether the permit should be granted may be presented on the following subjects:

b-1. The characterization of the vehicle by the manufacturer in sales or promotional materials regularly distributed to the public.

b-2. The original manufacturer's suggested retail price or present fair market value of the vehicle.

b-3. The body style, number of doors, interior volume and rear passenger-carrying capacity of the vehicle.

b-4. The type and number of any standard and optional equipment, custom nonproduction features and alterations from the manufacturer's original specifications.

100-50-10 Public Passenger Vehicle Regulations

b-5. Any other factors which reasonable relate to the public health, safety and welfare.

c. The committee may make a recommendation immediately following the hearing or on a later date. Written notice of the committee's recommendation will be provided if the decision is made at a later date or if the applicant was not present. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

10. DISQUALIFICATION. a. Whenever an applicant for a new or renewal public passenger vehicle permit has had his or her application denied, not renewed or revoked, no other application by the same applicant for any new public passenger vehicle permit shall be recommended for approval by the licensing committee for a period of 12 months following the date of the denial, nonrenewal or revocation.

11. ISSUANCE. a. It shall be the duty of the city clerk, whenever a public passenger vehicle permit has been granted by the common council, to prepare and deliver to the applicant a permit in accordance with this chapter.

b. No permit shall be issued by the city clerk unless the applicant has first provided the city clerk with all of the following items:

b-1. A current state vehicle registration naming the applicant as sole titleholder and not as lien holder.

b-2. If the vehicle is leased, an approved lease consistent with this chapter as a handicapped-elderly vehicle, luxury limousine or shuttle vehicle.

b-3. A valid inspection sticker for the vehicle issued in accordance with s. 100-51.

b-4. Proof of financial responsibility in accordance with s. 100-53.

b-5. A city treasurer's receipt for payment of the permit fee.

c. All permits shall bear the corporate seal of the city and the signature of the city clerk. The permit shall contain the engine number of each motor vehicle, together with the date of inspection of the vehicle, and blank spaces upon which an entry shall be made of the date of each inspection of the vehicle.

d. A permit shall be issued only to a vehicle owner, excepting that a permit may be issued to an individual lessee of a handicapped-elderly vehicle, luxury limousine or shuttle vehicle if the vehicle is leased pursuant to this chapter.

e. The permit shall be conspicuously and prominently displayed in each vehicle by the owner and shall be kept there at all times. An exception is made to the permit display for any taxicab or shuttle vehicle marked as provided in s. 100-51.5-1-c.

f. A permit shall be mailed only to the vehicle owner. If a vehicle owner wishes to have the permit mailed to an address other than his or her home address, the vehicle owner shall fill out a form prepared by the city clerk, indicating the vehicle owner's mailing address. The address listed on the required form shall be a street address, not a post office box. In case of a corporation, limited liability company or limited liability partnership, the address listed on the form shall be the home address of the agent or the mailing address of the corporation, limited liability company or limited liability partnership. The individual owner, all partners of a partnership, the agent and all members of a limited liability company or limited liability partnership, and the agent, president and secretary of a corporation shall sign the form.

g. Authorized Representative.

g-1. If a permittee first files a statement with the city clerk signed in the presence of a notary public designating an individual who is authorized to represent the permittee, the authorized representative may pick up from the city clerk a permit issued to the permittee after the permittee:

g-1-a. Has filed an affidavit with the city clerk for a duplicate permit.

g-1-b. Has successfully completed an inspection for the replacement of a vehicle.

g-2. No permit shall be released to any individual who is authorized under this subsection to represent the permittee without the city clerk first securing 2 adequate items of identification from the authorized representative.

h. Whenever a permit has been defaced, lost, stolen or destroyed, the permittee shall immediately apply to the city clerk for a duplicate permit. All requests for a duplicate permit shall be accompanied by the fee specified in s. 81-1-4.

12. REGULATIONS. a. All Permittees. Every permittee shall be responsible for the operation of the vehicle for which the permit has been granted without regard to the legal relationship between the permittee and the driver.

b. Vehicle Leasing. b-1. A permittee may lease his or her vehicle to a person holding a public passenger vehicle driver's license issued under this chapter. No person leasing a vehicle from a permittee may sublease that vehicle. Subleasing shall subject such person to suspension or revocation of his or her driver's license as provided in this chapter.

b-2. A permittee shall own the vehicle for which a permit has been granted as sole titleholder and not as lien holder. However, the licensing committee may recommend the granting of a handicapped-elderly vehicle, luxury limousine, motorcycle or shuttle vehicle permit for a vehicle leased or to be leased by the applicant if:

b-2-a. The vehicle is leased from an automobile dealer, motorcycle or vehicle leasing company and not from an individual or other type of corporation.

b-2-b. The lease provides that the city clerk be notified by the lessor within 10 calendar days of the cancellation of the lease.

b-2-c. The lease states the type of passenger service for which the vehicle is leased.

b-2-d. The lease includes permission for the placement of stickers and other identification required by this chapter.

b-2-e. The applicant has complied with any additional requirements established by the licensing committee.

c. Nonuse of Permits. Permits may be suspended or revoked by the licensing committee any time the permittee fails to make a reasonable effort to operate any vehicle licensed by the city. A permittee may remove a vehicle from service between May 1 and November 1 by notifying the city clerk of the action. A vehicle removed from service shall not be operated on the streets for hire or shall have its decals or designation as a public passenger vehicle removed or have the words "not in service" placed on each side of the vehicle in letters at least 5 inches high.

d. Replacement of Vehicle.

d-1. No permit may be transferred to any other vehicle unless the owner or lessee of the vehicle is also the permittee, demonstrates

financial responsibility for the vehicle, the vehicle has a current inspection sticker and the owner has paid the required vehicle replacement fee. The city clerk shall be notified of all vehicle replacements.

d-2. No public passenger permits for taxicabs shall be transferred to any motor vehicles of model years greater than 10 years old at the time of replacement.

e. Retirement of Vehicles. Any permittee who retires a vehicle from service and does not replace it shall immediately notify the city clerk of the action, indicating which retired vehicle will not be replaced. The licensing committee shall determine whether the permit for the retired vehicle shall be suspended until the vehicle is replaced, or revoked. Vehicles retired from service shall have all decals permanently removed or obliterated.

f. Fleet Parking. Fleet permittees shall be responsible for providing and using suitable off-street parking for their vehicles.

g. Affiliation. Vehicle owners shall maintain records ensuring that drivers serving their affiliations are properly licensed by the state of Wisconsin and the city. These records shall be made available to random inspection by the city.

13. TRANSFER OF PERMITS. a. If a permittee dies or becomes disabled, the permit may be transferred, upon notification of the city clerk by the claimant, to the surviving spouse, and if there is no surviving spouse, to the legal representative of the permittee or the estate, who shall be eligible for the operation or lease of the vehicle for the remainder of the permit period. A permit may also be transferred with the permittee's consent to a spouse for good cause and upon approval of the licensing committee.

b. Upon expiration of the permit, the surviving spouse or legal representative may apply for the permit in his or her own name. The application shall not result in an increase in the number of permits in existence.

14. RENEWAL. a. Procedure for Renewal. a-1. Except as provided in subd. 2, the licensing committee shall, without a hearing, recommend to the common council the granting of an application for renewal of a public passenger vehicle permit to a permittee, provided the city clerk has received a timely-filed application for renewal and the applicant has complied with the requirements of subs. 7-a and 11-b.

100-50-15 Public Passenger Vehicle Regulations

a-2. If the chief of police files a written report summarizing the arrest and convictions of the applicant which could form a basis for nonrenewal, or there is a written objection to the renewal of the permit by any interested person, the application shall be forwarded to the licensing committee for its recommendation as to whether or not each permit should be renewed.

a-3. Any application filed after the expiration date of the license period following the license period for which the permit was issued shall be considered as a new permit application and be subject to the requirements for an original permit provided in this subchapter.

b. Procedure for Nonrenewal. b-1. If there is a possibility that the committee will not renew a permit, a motion should be entertained to hold the application in committee and instruct the city clerk to forward proper notice to the applicant, unless the notice has already been sent, in which case the hearing shall proceed.

b-2. Prior to the date set for the hearing, the city clerk's office shall forward notice to the applicant which shall contain:

b-2-a. The date, time and place of the hearing.

b-2-b. A statement of the common council's intention not to renew the permit in the event any objections to renewal are found to be true.

b-2-c. A statement of the reasons for possible nonrenewal.

b-2-d. A statement that an opportunity will be given to respond to and challenge such reasons for nonrenewal and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

b-2-e. A statement that the applicant may be represented by counsel at the applicant's expense, if the applicant so wishes.

c. Hearings. All hearings held and committee recommendations prepared pursuant to this subsection shall be conducted as set forth in sub. 16.

15. REVOCATION OR SUSPENSION OF PERMITS. a. Any permit issued under this section may be suspended or revoked for cause by the common council after notice to the permittee and a hearing.

b. Suspension or revocation proceedings may be instituted by the licensing committee upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police, or upon a sworn written complaint filed with the city clerk by any interested person.

c. Whenever either sworn written charges or a sworn written complaint are filed with the city clerk setting forth specific charges against a permittee involving conduct which would violate ordinances that are grounds for suspension or revocation of a permit, the city clerk shall issue notice to the permittee. The notice shall be served upon the permittee so that the permittee has at least 3 days' notice of the hearing. The notice shall contain:

c-1. The date, time and place of the hearing.

c-2. A statement to the effect that the possibility of suspension or revocation of the permit exists and the reasons for possible suspension or revocation.

c-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for suspension or revocation and to present witnesses under oath and to cross-examine opposing witnesses under oath.

c-4. A statement that the permittee may be represented by counsel at the permittee's expense, if the permittee so wishes.

d. The licensing committee shall convene at the date and time designated in the notice for the purpose of taking evidence and making findings of fact and conclusions of law and a recommendation to the common council in connection with the proposed suspension or revocation.

e. If the permittee appears before the committee at the time designated in the notice and denies the charges contained in the complaint, the committee shall conduct an evidentiary hearing in connection with the suspension or revocation at that time. If the permittee does not appear, or appears but does not deny the charges contained in the complaint, the complaint shall be taken as true and the committee shall hear the arguments of the complaints and the permittee in connection with the suspension or revocation.

f. All hearings held and committee recommendations prepared pursuant to this subsection shall be conducted as set forth in sub. 16.

16. PROCEDURE FOR NON-RENEWAL, REVOCATION OR SUSPENSION.

a. Applicable Procedures. If there is a possibility that the licensing committee will not recommend renewal of the permit, or if revocation or suspension proceedings are initiated, the procedures for notice and committee hearing and for the committee report, recommendations and common council consideration provided in ss. 85-3 to 85-5 shall apply.

b. Grounds for Non-renewal, Suspension or Revocation. The recommendation of the committee regarding the permittee shall be based upon evidence presented at the hearing. Probative evidence concerning non-renewal, suspension or revocation may include evidence of:

b-1. Failure of the permittee to meet the municipal qualifications or any of the licensing requirements of this chapter.

b-2. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed activity, by the permittee, or by any employe, driver or lessee of the permittee.

b-3. The permittee, or any employe, driver or lessee of the permittee, having violated any of the operating regulations and prohibited practices set forth in this chapter.

b-4. Any other factor or factors which reasonably relate to the public health, safety and welfare.

17. REQUEST TO SURRENDER A PERMIT.

a. If a permittee wishes to surrender his or her permit after receiving a notice for a hearing on nonrenewal, suspension or revocation, the permittee must request, in writing, permission from the licensing committee to do so prior to the commencement of the hearing. The committee may approve the request, or deny the request and proceed with the hearing.

b. If a permittee who has surrendered his or her permit wishes to have the surrendered permit returned, regardless of whether the permit was surrendered pursuant to par. a, the permittee must request, in

writing, permission from the licensing committee to do so and appear before the committee at the date, time and place specified in written notice provided to the permittee by the city clerk. The committee may approve the request and return the permit without further action by the common council, or make a recommendation to the common council to deny the request based on the same grounds set forth in this section for nonrenewal, suspension or revocation. If the committee makes a recommendation to deny the request for the return of the permit, all committee recommendations shall be prepared and common council actions conducted in the same manner set forth in this section for nonrenewal, suspension or revocation.

c. Whenever any permit is surrendered in lieu of a pending nonrenewal, suspension or revocation proceeding, no new public passenger vehicle permit shall be granted to the same person for a period of 12 months following the date of surrender.

100-51. Vehicle Inspection. 1. INSPECTION REQUIRED. No vehicle owner or lessee shall operate his or her vehicle, or allow his or her vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee successfully completing each vehicle inspection required under this section.

2. WHEN REQUIRED. A vehicle inspection conducted by the police department or its designee shall be required for each vehicle in all of the following circumstances:

a. Prior to the issuance by the city clerk of any new or renewal permit under this subchapter.

b. Except as provided in sub. 3, during a designated renewal inspection period under sub. 5.

c. When replacing any vehicle under s. 100-50-12-e.

d. When transferring any permit to another person under s. 100-50-3-a, if the application for permit transfer involves the replacement of a vehicle.

e. When directed by the police department for any additional inspection on a random selection basis or when identified by complaint.

100-51-3 Public Passenger Vehicle Regulations

3. EXEMPTION. No vehicle inspection shall be required under sub. 2-b for any vehicle that meets all of the following criteria:

a. The same vehicle was inspected under sub. 2-c and was found to meet the vehicle standards and equipment requirements established in this subchapter.

b. The vehicle inspection under sub. 2-c was conducted within 30 days of the first day of a designated renewal inspection period under sub. 5.

c. An application for renewal of a permit issued under this subchapter has been filed on or before the application filing deadline established by the city clerk.

4. ELIGIBILITY. a. No vehicle shall be inspected under sub. 2-b unless an application for renewal of a permit issued under this subchapter has been filed on or before the application filing deadline established the city clerk.

b. No vehicle shall be inspected unless, prior to inspection, the permit, certificate of vehicle registration, trip sheets for the preceding 90-day period, and, if a meter fare taxicab, meter permit and meter inspection slip are presented to the inspecting officer.

c. Applicants for transfer under s. 100-50-3-a and permittees replacing a vehicle under s. 100-50-12-e who cannot obtain a certificate of vehicle registration, because of a waiting period imposed by the Wisconsin department of transportation, may present an application showing proof of receipt of the application by the Wisconsin department of transportation and payment of the registration fee. Permittees providing proof of application shall present the certificate of vehicle registration to the city clerk as soon as it is issued.

d. No meter fare taxicab shall be inspected by the police department until the city sealer has examined the taximeter attached to the vehicle and found it to meet the requirements under s. 100-51.5-3-b.

5. RENEWAL INSPECTION DATES.

a. Luxury limousines, shuttle vehicles, horse and surrey livery, motorcycles used for tours, and handicapped-elderly vehicles shall be inspected in the first 2 full working weeks of April.

b. Inspection of taxicabs shall be held in the first 2 full working weeks of October.

6. NOTICE OF INSPECTION.

a. Annual Inspections. Permittees for vehicles required to be inspected under subsection 2-b shall be notified by United States first class mail, postage prepaid of the inspection date and time at least 2 weeks prior to inspection.

b. Random Inspections. Permittees of vehicles directed by the police department for any additional inspection under sub. 2-e shall be notified by United States first class mail, postage prepaid of the inspection date and time at least 2 days prior to inspection.

7. POLICE REPORT. The police department shall report to the licensing committee, in writing, at the end of each inspection period. The report shall include, but not be limited to, vehicles appearing for inspection, vehicles passing inspection, vehicles removed from public service, and vehicles failing to appear for inspection.

8. INSPECTION ACTIONS.

a. Inspection Sticker. The police department shall place in a conspicuous location a nonremovable sticker on the exterior of each public passenger vehicle thoroughly inspected by the police department and found to meet the vehicle standards and equipment requirements established in this subchapter. The city clerk may provide for an inconspicuous inspection sticker for luxury limousines.

b. Require Reinspection. The police department shall not issue an inspection sticker for, and shall require reinspection of, any vehicle that is found in violation of any of the vehicle standards and equipment requirements established in this subchapter. Violations found during any inspection shall be corrected and the vehicle shall be presented at the designated inspection station for reinspection on the next regularly scheduled inspection date, or on or before the last day of the annual inspection period, if applicable.

c. Remove Vehicle from Service. In addition to any action taken under par. b, the police department shall immediately suspend the permit of and remove from public service any vehicle that is found to be in a hazardous condition and unsafe for public patronage.

c-1. A red sticker shall be placed on the vehicle that shall read: THIS VEHICLE UNSAFE FOR PUBLIC PATRONAGE.

c-2. The sticker may only be removed by the police department upon a successful reinspection at the designated inspection station.

Public Passenger Vehicle Regulations 100-51.5

c-3. Removal, alteration, defacement or obscuration of the sticker by anyone other than the police department shall be subject to the penalty provisions of this chapter.

d. Suspend Permit. d-1. Without any further action, the police department shall immediately suspend the permit and notify the permittee by United States first class mail, postage prepaid mail of the suspension whenever any of the following occur:

d-1-a. The permittee fails to submit the vehicle on the designated date and time for any inspection or reinspection required under this section.

d-1-b. All violations found during any inspection are not corrected when the vehicle is presented at the designated inspection station for reinspection.

e. Any permit suspended under this section shall be immediately reinstated upon successful inspection or reinspection and payment of any special inspection fee required under s. 81-101.3.

100-51.5. Vehicle Standards and Equipment Requirements. 1. GENERAL REQUIREMENTS.

a. Responsibility. No vehicle owner, lessee or other person shall operate his or her vehicle, or allow his or her vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle first meeting the vehicle standards and equipment requirements established in this section.

b. Vehicle Standards. Vehicles shall meet all safety standards required by law and, as adjudged by the police department or its designee, be kept in good operating condition and appearance.

b-1. Vehicle interior and exterior shall be free of dirt, mud, oil, rips, tears, exposed springs, foodstuff, trash, waste material or any other substance or object capable of harm, damage or injury to, or interference with the person, clothing, personal property, comfort or convenience of any passenger, whether upon ingress or egress of such vehicle, or while riding therein.

b-2. Vehicle shall have an exterior which is free of any misshapen or deformed condition arising from collision, crash or other impact, excepting minor dents. Vehicles shall be free of holes in floorboards, and trunk shall be empty except for emergency equipment.

Vehicle shall be free of exterior rust and exterior must be painted a uniform color so as not to have patches of unmatching paint on the vehicle.

b-3. All vehicles shall be washed a minimum of once per week.

c. Vehicle Markings. c-1. Each taxicab and shuttle vehicle, excepting a shuttle vehicle meeting the definition in s. 100-3-23-b, shall have the following clearly and permanently marked:

c-1-a. The word "Milwaukee" on the right and left sides of the vehicle.

c-1-b. The permit number, the type of permit and the name of the owner of the vehicle or the trade name under which the vehicle is operated, placed on the right and left sides of the vehicle on either the front or rear doors with the permit number at least 5 inches high in a color to contrast with the auto body color.

c-1-c. The permit number at least 5 inches high in a color to contrast with the auto body color marked on the trunk or rear door of the vehicle.

c-1-d. The permit number clearly displayed on the back of the driver's seat.

c-2. Vehicles with shuttle permits, excepting a shuttle vehicle meeting the definition in s. 100-3-23-b, shall have the word "shuttle" in a color to contrast with the auto body color permanently marked on the left and right side of the vehicle.

c-3. The licensing committee may require vehicle marking other than as required by this paragraph for specified types of vehicles.

d. Complaint Forms. Except as provided in par. e-1, each public passenger vehicle shall have available, in the passenger compartment in a conspicuous place plainly visible to all occupants of the vehicle, complaint forms provided by vehicle owners, in a format approved by the city clerk.

e. Complaint Placard. Except as provided in par. f, each public passenger vehicle shall have posted, in the passenger compartment in a conspicuous place plainly visible to all occupants of the vehicle, a rate and service complaint placard provided by the city, in substantially the following form:

100-51.5-2 Public Passenger Vehicle Regulations

Milwaukee Taxicab Permit Number _____

NOTICE TO PASSENGERS

The Rates of Fare are:

Fill in with approved rates and zone map
if required.

Complaints regarding rates or service may be
addressed to:

License Division Manager, City Clerk's
Office

Room 105, City Hall, 200 E. Wells St.

Milwaukee, WI 53202

license@milwaukee.gov

Complainant: Please provide the name of the
driver, vehicle number, company name, trip date
and time, and details of the complaint.

f. Information provided to passengers.
Luxury limousines and shuttle vehicles meeting the
definition under s. 100-3-23-b shall provide to
passengers, at the time the service is contracted
for hire, the information provided on the complaint
form and rate and service complaint placard
required under this subsection.

g. Complaints. Complaints shall be in
writing and contain the name of the driver, vehicle
number, company name, trip date and time, and
the details of the complaint.

2. EQUIPMENT REQUIREMENTS. In
addition to any other vehicle standards and
equipment requirements established in this
section, each public passenger vehicle shall be
equipped with a Milwaukee area street map or
street guide and the following mechanical devices,
in sound working condition:

a. All headlamps, tail lights, emergency
blinkers and turn signals shall be operable and in
good working condition.

b. Each taxicab shall be equipped with
a dome light mounted above the top line of the
windshield.

c. Each motor vehicle shall have a
heater and defroster that is in good working
condition and shall be equipped with a
permanently installed air conditioning system
capable of reducing the interior temperature of the
passenger section to 68 degrees Fahrenheit. A
motor vehicle is exempt from the air conditioning
requirement contained in this

paragraph if the vehicle has been continually
licensed as a public passenger vehicle by the
vehicle owner prior to July 23, 2005.

d. The spare tire, if standard
equipment, shall be securely attached and
properly inflated.

e. All hood, trunk and door latches
shall be in proper working order.

f. All windows shall be in proper
working order and free of unsafe chips and cracks.
No vehicle shall operate with curtains, shades or
other means which hide its occupants from outside
view. There shall be no obstructions to normal
vision by the driver.

g. Operable and easily accessible
safety belts for use by each person in the motor
vehicle.

h. The windshield wipers shall be in
proper working order and the blades shall be free
of defects.

i. The horn shall be in sound working
condition and be of the standard type for each
motor vehicle.

j. Door handles, arm rests and
window handles must be clean and intact.

k. The muffler, tailpipe and crossover
pipe shall be securely connected and free of holes
and punctures.

L. The condition of the steering
apparatus, suspension and brakes shall be
determined by a road test of whatever length to
verify the safe operating condition of the devices.

m. The tire-tread depth shall not be
less than 2/32 of an inch and each tire shall be
free of cuts or breaks in the sidewall. Each tire
shall be of the type approved for use as original
equipment. No tire shall extend beyond the outer
fender wall.

3. TAXICAB REQUIREMENTS.

a. Body Colors. The body colors
designated for affiliated taxicabs shall be as
follows:

a-1. Blue - All City Veteran Taxi.

a-2. Yellow - Yellow Cab Co-op.

a-3. Orange - Brew City Cab
Cooperative.

a-4. White - Mitchell International
Taxicab Association.

a-5. Red - American United Cab
Company, Inc., a taxicab radio dispatch service.

a-6. The color black, brown, green and
gray shall be reserved for taxicab owners not
affiliated with the 5 taxicab entities specified in
pars. a-1 to 5.

Public Passenger Vehicle Regulations 100-52

b. Taximeter. b-1. The taximeter shall not be in error more than 1% in deficiency and more than 4% in excess of the interval under test.

b-2. After sundown a suitable light, so arranged as to throw a continuous steady light thereon, shall illuminate the face of the taximeter.

b-3. The taximeter case is sealed and its cover and gear intact.

b-4. Taximeters shall not be transferred between vehicles without permission of the city sealer.

b-5. Taximeters shall not be programmed to charge rates higher than permitted.

4. HANDICAPPED - ELDERLY VEHICLE REQUIREMENTS. Handicapped-elderly livery vehicles shall be suited for the transportation of handicapped or elderly persons who by reason of physical or mental infirmity or age cannot be transported on public mass transportation vehicles or in taxicabs. These vehicles shall have:

a. Doorways wide enough to accommodate a wheelchair.

b. Ramps or lifting devices for elevating wheelchairs from the curb or sidewalk into the vehicle.

c. Adequate means of securing wheelchairs to the inside of the vehicle and safety belts for all handicapped persons.

d. A door, in addition to those normally provided on the vehicle for ingress and egress from the vehicle, located at the rear of the vehicles to be used as a method of escape in case of an emergency.

5. HORSE AND SURREY LIVERY REQUIREMENTS. A horse and surrey livery shall:

a. Be in thoroughly safe and sanitary condition for the transportation of the public.

b. Comply with the equipment requirements of ch. 347, Wis. Stats., as amended, with respect to lamps and identification emblem for animal drawn, slow moving vehicles.

c. Be provided with facility to remove all fecal matter and flush all urine from public ways.

d. Fixed seating. Each horse and surrey livery shall provide passengers with fixed seating which has been installed by the manufacturer of the surrey.

e. Posting of Signs. Each horse and surrey livery shall securely post and maintain placards indicating the following:

e-1. The seating capacity of the surrey which has been specified by the manufacturer, or established by the chief of police, and declared on the application for a new or renewal permit pursuant to s. 100-50-4-f-3.

e-2. A placard posted in the passenger compartment in a conspicuous place visible to all occupants of the vehicle stating: "No standing while vehicle is in motion."

6. MOTORCYCLE USED FOR TOURS REQUIREMENTS. A motorcycle used for tours shall:

a. Be in a thoroughly safe condition for the transportation of the public.

b. Comply with the equipment requirements of ch. 347, Wis. Stats., as amended.

7. PEDICAB REQUIREMENTS. A pedicab shall be in a thoroughly safe condition for the transportation of the public.

100-52. Rates Established. **1. RATES.** No person owning, operating or controlling any public passenger vehicle shall charge to exceed the rates in this section.

2. RATE INCREASES.

a. Application for an increase in the fares may be made to the licensing committee by any fleet permittee, or by at least 10% of the individual classification of permittees. The committee upon request for a rate increase may recommend to the common council that any of the regulations controlling fares be revised.

b. On or before July of each even-numbered year, the legislative reference bureau shall provide to the common council information derived from the international taxicab and livery association or other sources with respect to taxicab meter rates and operating costs.

3. METER FARE TAXICAB. a. No person owning, operating or controlling any motor vehicle licensed as a meter fare taxicab and operating within the area bounded by Lake Michigan on the east and 22000 block west on the west, 12000 block north on the north and 11100 block south on the south shall charge an amount exceeding the following rates:

100-52-4 Public Passenger Vehicle Regulations

a-1. The first 1/10 mile or fraction of a mile, for one or more persons, \$2.25.

a-2. For each succeeding 1/10 mile or fraction of a mile, for one or more persons, \$0.25.

a-3. For each minute of waiting time, \$0.35. In this subdivision "waiting time" includes the time when the meter fare taxicab is not in motion beginning 5 minutes after the specified time designated by the passenger as the time of arrival at the place to which the meter fare taxicab has been called or the time consumed while standing at the direction of the passenger, but no charge shall be made for the time lost for inefficiency of the meter fare taxicab or its operator or time consumed by premature response to a call.

a-4. For each additional passenger over the age of 12 years, \$1, except that there shall be no additional charge for an identified personal care attendant who accompanies a passenger with disability

a-5. For more than 2 suitcases (21" overnighiter or larger) or larger packages handled by the taxicab driver, and for other grocery, laundry, and similar bags and items that exceed the storage capacity of the taxicab trunk, a single surcharge of \$1.

b. Rates are to be determined by the taximeter after the customer is seated in the cab or has placed one or more articles within the cab. The owner, operator, driver or person in control of the meter fare taxicab shall use the shortest practical route.

c. All fares computed from General Mitchell International Airport shall include any fees imposed by Milwaukee county for use of airport facilities and grounds. The minimum fare from the airport terminal to any part of this city shall be \$10.

4. ZONE FARE TAXICAB RATES.

a. Application. All persons applying for a zone fare taxicab permit shall provide the licensing committee with the information required by this chapter and the following:

a-1. A map, suitable for reproduction by the committee, which shows the area the applicant proposes to serve and the system of zones the applicant proposes to use in calculating fares.

a-2. A fare table showing the fares the applicant proposes to operate the service.

a-3. A written statement as to how the applicant proposes to operate the service, including a statement as to whether the applicant proposes to offer ride sharing and how the service is to be dispatched.

b. Adoption of Zone Map and Rates of Fare. If the common council determines that a zone fare taxicab permit is to be granted to the applicant, the common council shall adopt the map and fare table contained in the application as part of this section. This action shall not be required if the application is solely for additional permits to be used in a service already described in this section. Maps and fare tables adopted by the common council can be found in the common council proceedings and the official record on file in the city clerk's office.

c. Zone Fare Taxicab Regulations.

c-1. No person shall offer a zone fare taxicab for hire outside of the service area adopted by the common council for that taxicab. No driver of a zone fare taxicab may take any passenger from a place within the zone fare taxicab's service area as adopted by the common council to a place outside the service area.

c-2. Every person operating a zone fare taxicab shall conspicuously place in the taxicab interior a zone map which correctly reproduces the zone map adopted by the common council for the zone fare taxicab and on which each zone is delineated in sufficient size and clarity as to be visible from the passenger's seat, and a fare table which correctly shows the rates of fare adopted by the common council for the zone fare taxicab, which is of sufficient size and clarity as to be easily read by the passenger, and from which the passenger may calculate the trip fare.

d. Taximeter Prohibited. Vehicles issued a zone fare taxicab permit under this section shall not operate under the zone fare taxicab permit any taxicab equipped with a taximeter unless the taximeter is used as an instrument upon which the charge for hire is indicated by zones.

5. OTHER PUBLIC PASSENGER VEHICLE RATES. Maximum rates for other vehicles including those permitted for handicapped and elderly, as horse and surrey, luxury limousine, pedicab, motorcycle used for tours, or shuttle vehicle may be established by adoption of such rates by the common council.

100-53. Financial Responsibility.

1. REQUIRED. a. No person may operate, or shall be issued a permit to operate a public passenger vehicle unless the person has given to the city, and there is in full force and effect at all times while the person is driving or operating a public passenger vehicle, on file with the city clerk, one of the following:

a-1. Surety Bond. A bond of the owner of a vehicle with a responsible surety company or association authorized to do business under the laws of the state of Wisconsin in the sum of \$100,000 conditioned that the owner of the vehicle for which a license has been applied will pay any final judgment rendered against the owner of the vehicle within the limits provided, irrespective of the financial responsibility or any act or omission of the vehicle owner for loss or damages that may result to any person or property from the negligent operation or defective condition or construction of the vehicle or which may arise or result from any violations of this chapter or the laws of the state of Wisconsin. The recovery upon the bond shall be limited to \$50,000 for the injury or death of one person, and to the extent of \$100,000 for the death or injury of 2 or more persons injured or killed in the same accident and to the extent of \$10,000 for the injury or destruction of property. Such bond shall be given to the city and shall inure to the benefit of any persons suffering loss or damage either to person or property as provided, and suit may be brought in any court of competent jurisdiction upon the bond by any person suffering any loss or damage. Such bond shall be approved by the city attorney as to form and execution and shall be a continual liability notwithstanding any recovery thereon.

a-2. Insurance Policy. A policy of insurance in a company authorized to do business in the state of Wisconsin insuring the owner of the vehicle against loss or damage that may result to any person or property from the operation or defective condition of the vehicle. The policy limits shall be \$50,000 for any one person injured or killed, and subject to such limit for each person, and a total liability of \$100,000 in case of one accident resulting in bodily injury or death to more than one person. Uninsured motorist coverage with limits comparable to the respective liability limits for the vehicle shall be provided. The

policy of insurance must also provide insurance to the extent of \$10,000 for the injury or destruction of any property of either parties. The policy shall guarantee payment of any final judgment rendered against the owner, operator or driver within the limits provided irrespective of the financial responsibility or any act or omission of the owner. If at any time the policy is canceled by the issuing company, or the authority of the issuing company to do business in the state of Wisconsin is revoked, the city clerk shall require the party to whom the permit is issued to replace the policy with another satisfactory to the city attorney and, in default thereof, the permit may be revoked. Each and any of such bonds or policies shall, however, cover loss or damage by any vehicle operated by any such person to the same extent as in this section set forth. Such bonds shall be continuing liabilities notwithstanding recovery thereon and such policies of insurance shall always remain in force. Provided, further, in lieu of the \$10,000 insurance policy covering property damage, any permittee person may file bond in the sum of \$10,000. The filing of a certificate of insurance, in lieu of a policy, shall be deemed to be in compliance with this section. Affidavits of no interest shall not be required for taxicab insurance policies obtained through the Wisconsin automobile insurance plan.

a-3. Deposit in Escrow. In lieu of the liability and property damage bonds or insurance policies in par. a or b, any person owning a public passenger vehicle may deposit the sum of \$100,000 or its equivalent in negotiable direct obligations of the United States government, the county of Milwaukee, or the city of Milwaukee to cover liability to others for each. Such cash sum or its equivalent in direct obligations shall be deposited in escrow with the city clerk under an escrow agreement to be approved of by the city attorney. The terms of the agreement shall be that the money or direct obligations of the United States government, the county of Milwaukee, or the city of Milwaukee deposited shall be applied in payment of any final judgment rendered against such person arising out of injury to person or property due to the operation of such vehicles. Such cash sum or its equivalent shall at all times be maintained at the amounts required, and in case such fund is

100-53-2 Public Passenger Vehicle Regulations

not maintained, or it is depleted for any purpose whatsoever, or the money or its equivalent in such direct obligations withdrawn, the license to operate such vehicle shall be revoked.

a-4. Self-insured. A certificate of self-insurance evidencing the ability to pay judgments to the limits stated in this subsection issued by the Wisconsin secretary of transportation.

b. The permit will be automatically suspended on the day after the bond or policy ceases to be in effect. The permit will be reinstated after first presenting documentation evidencing insurance coverage required in this section by operation of law and making payment of the reinstatement fee required under s. 81-1-6.

2. BOND APPROVAL. a. This section does not prevent any person operating a public passenger vehicle from providing any combination of cash, surety bonds, direct obligations and insurance policies which will provide financial responsibilities to carry out the intents and purposes of this section. However, any combination of cash, surety bonds, direct obligations and insurance policies must be approved as to form, execution, contents and amounts of security by the city attorney and city clerk, and no combination of cash, surety bonds, direct obligations and insurance policies shall be approved unless the total limit of security equals the limits of security specifically provided in this section.

b. All surety bonds and insurance policies, as nearly as practicable, shall be written for a term of at least one year.

3. EXCESS LIABILITY. Insofar as the requirements for excess liability insurance coverage are concerned, if any person owning a public passenger vehicle is unable to obtain a policy of excess liability insurance in a company licensed to do business in the state of Wisconsin, then such person may procure a policy of excess liability insurance in an insurance company not licensed to do business in the state of Wisconsin. Such company, however, shall be approved as to financial responsibility by the city clerk and the city attorney.

4. DRIVER TO BE COVERED. All surety bonds or policies of insurance in compliance with this section shall contain an omnibus coverage clause by which all

Public Passenger Vehicle Regulations 100-53

provisions of the surety bond or insurance policy shall inure to the benefit of and cover all drivers of the named assured's public passenger vehicle regardless of the type of operation and regardless of any arrangement for the operation of the vehicle existing between the owner and the driver, whether such arrangement is that of principal agent, employer-employee, bailor-bailee, renter-rentee, or any other type of relationship.

5. HANDICAPPED-ELDERLY DRIVER. All surety bonds, deposits or insurance for persons transporting handicapped or elderly persons shall cover such persons transported from the time the driver or other employee of the permittee assumes control over the persons. Such liability shall continue until the driver or other employee of the permittee or owner relinquishes control over the handicapped or elderly person.

6. NO OBLIGATION ON PART OF CITY. The city in requiring surety bonds, insurance policies or escrow deposits makes no representations or commitments whatsoever as to the sufficiency or adequacy with respect thereto and assumes no obligations to the public by virtue of having required the forgoing to be submitted and filed with the city.

SUBCHAPTER 3
DRIVER'S LICENSE

100-54. Public Passenger Vehicle Driver's License.

1. LICENSE REQUIRED. a. No person shall operate a public passenger vehicle in the city unless the person first holds a valid license issued under this section. No person shall operate any vehicle used for the transportation of elderly or handicapped persons in the city, regardless of whether the vehicle is licensed or otherwise regulated by the state of Wisconsin as a human service vehicle for the transportation of elderly or handicapped persons, unless the person first holds a valid license issued under this section.

b. No permittee may allow his or her vehicle to be operated by any person not holding a valid license issued under this section.

2. QUALIFICATIONS. Each applicant for a driver's license shall:

a. Be at least 18 years of age.

b. Possess a valid motor vehicle driver's license, excluding occupational licenses, issued by the state of Wisconsin.

c. If desiring to operate a motorcycle for tours, possess a valid motor vehicle driver's license issued by the state of Wisconsin for the operation of "Class M" vehicles under ch. 343, Wis. Stats., as amended.

d. If a driver of motorized vehicles, have successfully completed within 3 years prior to the date of any original application a defensive driving and safety course approved by the police department, or have retaken the course if convicted of more than 4 moving violations within one licensing period. The defensive driving course requirement is waived for drivers of non-motorized vehicles.

e. If a driver of handicapped-elderly vehicles, have successfully completed within 3 years prior to the date of any original application a passenger assistance techniques training program approved by the commissioner of health.

f. Be able to read, write and speak the English language to the extent necessary to operate a public service vehicle licensed by the city.

f-1. To satisfy this requirement, applicants for licenses to operate taxicabs must, within 3 years prior to the date of any original application, pass a test established by the city clerk and administered by the police department regarding knowledge of city streets, major buildings, facilities and city regulations regarding public passenger vehicles.

f-2. Alternate tests shall be available for those applicants who possess limited ability to read the English language.

f-3. Any applicant taking any test under this paragraph shall, for identification, present a valid motor vehicle driver's license issued by the state of Wisconsin.

g. Be of sound physique, with good eyesight, and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render a person unfit for the safe operation of a public passenger vehicle.

h. Be clean in dress and person.

3. APPLICATION. a. Application for a driver's license shall be filed with the city clerk on forms provided therefore. The application shall be signed and sworn to or affirmed by the applicant. The application shall require the following information:

a-1. Name, home address and telephone number of the applicant.

a-2. Date of birth, height, weight, color of eyes and hair of the applicant.

a-3. Valid motor vehicle driver's license number issued by the state of Wisconsin.

a-4. License classification for which the applicant is applying.

a-5. Name, business address and telephone number of the person, firm, association or corporation for whom the applicant is or will be employed as a public passenger vehicle driver, if known.

a-6. Whether the applicant has been convicted of any crime or ordinance violation within the last 5 years, the circumstances of which substantially relate to the activity for which a license is sought, nature of the convictions, and the jurisdiction in which the conviction occurred.

a-7. Whether the applicant has prior to the date of application been licensed to operate a public passenger vehicle in this city.

a-8. Whether the applicant has within the last 5 years had any motor vehicle driver's license issued by the state of Wisconsin suspended or revoked, and the nature of the suspension or revocation.

a-9. Sworn statement by the applicant stating that the applicant is aware that the license may be subject to suspension, nonrenewal or revocation if the licensee violates any rule or regulation provided in this section.

b. Each applicant for a driver's license shall file with the application 2 recent photographs suitable in size and form, as determined by the city clerk, for inclusion on the applicant's official license. One photograph shall be attached to the

100-54-4 Public Passenger Vehicle Regulations

license when issued, and the other photograph shall be filed with the application with the city clerk.

c. Post office box numbers shall not be acceptable for addresses required on applications for driver's licenses.

4. FEE. All applications shall be accompanied by the fee established in s. 81-44.7.

5. CHANGES TO BE REPORTED. A licensee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The licensee shall make this notification in writing within 10 calendar days after the change occurs.

6. FINGERPRINTING. All applicants shall be fingerprinted. This requirement shall not apply to a person already licensed by the city when that person is renewing the license. If a set of fingerprints is on file with the police department, an additional set shall not be required unless expressly requested by the police department for verification.

7. INVESTIGATION. Each application shall be referred to the chief of police who shall cause an investigation to be made and report the findings to the city clerk.

8. COMMITTEE ACTION. a. If the police chief files no objection to an application, the city clerk shall issue the license in accordance with sub. 9. If the police chief files an objection to an application, the application shall be forwarded to the licensing committee for its recommendation as to whether the license should be issued.

b. If there is a possibility of denial, no hearing shall be heard unless the city clerk's office has provided written notice to the applicant. The notice shall be served upon the applicant so that the applicant has at least 3 days' notice of the hearing. The notice shall contain:

b-1. The date, time and place of the hearing.

b-2. A statement that there is a possibility of denial of the license application and the reasons for possible denial.

b-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for denial and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

b-4. A statement that the applicant may be represented by an attorney of the applicant's choice at the applicant's expense, if the applicant so wishes.

c. If there is a possibility of denial at the meeting of the committee, the chair shall open the hearing by stating that a notice was sent and shall read the notice into the record unless the applicant admits notice. The chair shall advise the applicant

that the applicant has an option to proceed with a due process hearing, represented by counsel, with all testimony both direct and cross-examination under oath, or that the applicant may simply make a statement to the committee.

d. A due process hearing shall be conducted in the following manner:

d-1. All witnesses shall be sworn in.

d-2. The chair shall ask those opposed to the granting of the license to proceed first.

d-3. The applicant shall be permitted an opportunity to cross-examine.

d-4. After the conclusion of the opponent's testimony, the applicant shall be permitted to present the applicant's own witnesses, subject to cross-examination.

d-5. Committee members may ask questions of witnesses.

d-6. Both proponents and opponents shall be permitted a brief summary statement.

e. The recommendations of the committee regarding the applicant shall be based on evidence presented at the hearing. Probative evidence concerning whether or not the license should be granted may be presented on the following subjects:

e-1. Whether the applicant meets the municipal requirements.

e-2. Whether the applicant has been charged with or convicted of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the permitted activity.

e-3. Any other factors which reasonably relate to public health, safety and welfare.

f. The committee may make a recommendation immediately following the hearing or at a later date. Written notice of the committee's decision shall be provided if the decision is made at a later date or if the applicant was not present or represented. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

9. ISSUANCE OF LICENSE. Any license issued by the city clerk under this section shall contain the following information:

a. Name and recent photograph of the license holder

b. License classification indicating the category or categories of public passenger vehicles the licensee is qualified to operate.

c. The period of time for which the license is valid.

10. CHANGE OF LICENSE CLASSIFICATION. a. During the license period.

100-54-13 Public Passenger Vehicle Regulations

Any holder of a license issued under this section is permitted to change the license classification during the license period. Requests for changes of classification shall be made by filing an amendment with the city clerk, and by providing documentation of meeting the qualifications for the license classification under s. 100-54-2 and payment of the fee as provided in s. 81-44.7-7.

a-1. If the police chief had not previously filed an objection to the application for the license for which the change in license classification is sought, the city clerk shall issue the license with a change in license classification in accordance with sub. 9.

a-2. If the police chief had previously filed an objection to the application for the license for which the change in license classification is sought, the city clerk shall refer the application for change of license classification to the chief of police for review.

a-2-a. If the police chief files no objection to an application for change of license classification, the city clerk shall issue the license with a change in license classification in accordance with sub. 9.

a-2-b. If the police chief files an objection to an application for change of license classification, the application shall be forwarded to the licensing committee for its recommendation as to whether a license with a change in license classification should be issued.

b. At the time of renewal.

b-1. Any holder of a license issued under this section is permitted to change the license classification at the time application for renewal is filed. Requests for change of license classification shall be made by filing an application for renewal with the city clerk pursuant to sub. 11, and by providing documentation of meeting the qualifications for the license classification under s. 100-54-2 and payment of the fee as provided in s. 81-44.7-4.

b-2. If the licensee fails to submit documentation of meeting the qualifications for the change of license classification at the same time the application for renewal is filed with the city clerk, no change in license classification shall occur, except as provided in par. a.

11. RENEWAL AND NON-RENEWAL.

a. Procedure for Renewal. Applications for renewal shall be made to the city clerk. The clerk shall refer the application to the chief of police for review. If the chief of police indicates that the applicant still meets the licensing qualifications, the city clerk shall issue the license unless a written objection has been filed with the city clerk at least 45 days prior to the date on which the

license expires. This objection may be filed by any interested person. If a written objection is filed, or if a determination by the city clerk or a designee of the city clerk is made that the applicant no longer meets the licensing qualifications, the application shall be forwarded to the licensing committee for its recommendation to the common council.

b. If there is a possibility that the committee will not recommend renewal of a permit, the procedures for notice, hearing and review by the common council provided in sub. 12 shall apply.

c. Any application filed after the expiration date of the license period following the license period for which the license was issued shall be considered a new license application and is subject to the requirements for an original license provided in sub. 2.

12. PROCEDURES FOR NON-RENEWAL, SUSPENSION OR REVOCATION.

a. Any license issued under this section may be subject to non-renewal, suspension or revocation for cause by the common council after notice to the licensee and a hearing.

b. Non-renewal, suspension or revocation proceedings may be instituted by the licensing committee upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police or upon a sworn written complaint filed with the city clerk by any interested party.

c. Due Process Hearing and Review by the Common Council. If there is a possibility that the licensing committee will not recommend renewal of the license, or when revocation or suspension proceedings are initiated, the procedures for notice and committee hearing and for the committee report, recommendations and common council consideration provided in ss. 85-3 to 85-5 shall apply.

d. Grounds for Non-renewal, Suspension or Revocation. The recommendation of the committee regarding the licensee shall be based on evidence presented at the hearing. Probative evidence concerning non-renewal or revocation may include evidence of:

d-1. Failure of the licensee to meet the municipal qualifications.

d-2. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense by the licensee, the circumstances of which substantially relate to the circumstances of the licensed activity.

d-3. Violations of any rules or regulations of this chapter.

100-54-13 Public Passenger Vehicle Regulations

d-4. Any other factor or factors which reasonably relate to public health, safety and welfare.

13. DISQUALIFICATION. Whenever any application is denied, or license not renewed, revoked or surrendered, the procedures for disqualification for license provided in s. 85-13 shall apply.

14 REQUEST TO SURRENDER A LICENSE. a. If a licensee wishes to surrender his or her license after receiving a notice for a hearing on non-renewal, suspension or revocation, the licensee must request, in writing, permission from the licensing committee to do so prior to the commencement of the hearing. The committee may approve the request, or deny the request and proceed with the hearing.

b. In the event a licensee who has surrendered his or her license wishes to have the surrendered license returned, regardless of whether the license was surrendered pursuant to par. a, the licensee must request, in writing, permission from the licensing committee to do so and appear before the committee at the

date, time and place specified in written notice provided to the licensee by the city clerk. The committee may approve the request and return the license without further action by the common council, or make a recommendation to the common council to deny the request based on the same grounds set forth in this section for non-renewal or revocation. If the committee makes a recommendation to deny the request for the return of the license, all committee recommendations shall be prepared and common council actions conducted in the same manner set forth in this section for non-renewal or revocation.

**SUBCHAPTER 4
OPERATING REGULATIONS**

100-58. Purpose. The purpose of this subchapter is to regulate the operation of the various kinds of public passenger vehicles permitted by the city.

100-59. Operating Regulations for all Public Passenger Vehicles.

1. LICENSE TO BE EXHIBITED. a. Any driver while operating a vehicle shall display in a location clearly visible to the passengers and, in a motor vehicle illuminated at night, a valid license granted under this chapter, which license shall display the photograph of the driver. In lieu of displaying the license in a conspicuous place in the vehicle, the license may be carried on the person of a driver engaged in the operation of the following public passenger vehicles: horse and surrey livery, luxury limousine, pedicab, motorcycle, and shuttle vehicle meeting the definition under s. 100-3-23-b.

b. Whenever a licensee's state of Wisconsin motor vehicle driver's license is revoked or suspended, the public passenger vehicle driver's license issued under this chapter to the licensee shall be automatically suspended and returned to the city clerk within 10 working days following the date on which the motor vehicle driver's license was revoked or suspended. The public passenger vehicle driver's license will be reinstated upon presentation of documentation evidencing the possession of a valid state of Wisconsin motor vehicle driver's license excluding occupational licenses.

2. DRIVER NAME AND RECEIPT.

a. No driver of a public passenger vehicle may refuse to give to a person requesting the information his or her name or license number, the vehicle owner's name, or the address of the vehicle owner's place of business.

b. If requested by the passenger, the driver in charge of a vehicle shall deliver to the person paying for the hiring a receipt in legible writing containing, at a minimum, the name of the service, the city permit number, the driver's city license number, the total amount paid and the date of payment.

3. FAILURE TO PAY FARE. a. No person shall neglect or refuse to pay for the service of any licensed vehicle with the intention of defrauding the driver of the vehicle, provided the rates charged by the vehicle are in conformity with this chapter.

b. Every driver of a vehicle shall have the right to demand payment of the legal fare in advance and may refuse employment unless so prepaid, but no driver shall otherwise refuse or neglect to convey any orderly person upon request within the area bounded by Lake Michigan on the east and 22000 block west on the west, 12000 block north on the north and the 11100 block south on the south unless previously engaged or unable to do so.

4. HOURS OF DRIVERS. No person may require any other person driving a public passenger vehicle upon the public streets to work more than 12 hours in every 24 hours. Such 12 hours shall be split by an intermission of one to 4 hours off duty. Every driver shall have at least 24 consecutive hours off each week.

5. LOST ARTICLES LEFT IN VEHICLES. Whenever an article is left in or on a public passenger vehicle, the driver shall deliver the article to the property bureau at police headquarters or to the office of the vehicle dispatcher, unless the driver shall have returned the article to its owner or disposed of the article in a manner directed by its owner within 48 hours of the discovery of the article. Property not reclaimed by the owner from the dispatcher's office within 48 hours shall be delivered to the property bureau of police headquarters.

6. MAP OR STREET GUIDE. Every public passenger vehicle driver shall cause to be maintained in the vehicle he or she is driving for public hire, or upon his or her person, a Milwaukee area map or street guide.

7. MISINFORMING, MISLEADING PERSONS PROHIBITED. No owner or driver of a public passenger vehicle, or agent of an owner or driver of a public passenger vehicle, shall induce a person to ride in or hire the vehicle by misinforming or misleading the person as to the time or place of the arrival or departure of a bus, airline flight, passenger train

100-59-8 Public Passenger Vehicle Regulations

or other public transportation, or as to the location of a transportation terminal, business, public place or private residence.

8. MISREPRESENTATION AND FALSE VOUCHERS PROHIBITED. a. No owner or driver of a public passenger vehicle or agent of an owner or driver of a public passenger vehicle shall induce a person to ride in or hire the vehicle by falsely representing the vehicle as being in the employment of another person. No owner or driver of a public passenger vehicle shall deceive a person as to the value of a ticket or voucher or make a false statement concerning a voucher or ticket which may be shown to him or her.

b. No driver or owner of a public passenger vehicle or agent of a driver or owner of a public passenger vehicle shall submit for payment a fare voucher for an amount in excess of the rates of fare established in this chapter as applicable to the trip for which the voucher was written.

9. PROHIBITED ACTIVITIES. The following activities are prohibited:

a. Permitting a nonpaying passenger or driver's pet in a vehicle when transporting a fare-paying passenger, except for the purpose of driver training. The potential passenger shall be informed of this training and offered an alternative vehicle.

b. The directing, taking or transportation, or offering to direct, take, or transport any person for immoral purposes, or assisting by any means whatsoever any person for such purposes, to seek or to find any prostitute or other person engaged in immoral practices, or any brothel, or bawdy house, or any other place of ill fame whatsoever, with knowledge or reasonable cause to know of the character of the person, house or place is prohibited.

c. Knowingly receiving any person for purposes of lewdness, assignation or prostitution, into or upon any vehicle, conveyance, or other means of transportation, or permitting any person to remain for purposes of lewdness, assignation or prostitution, in or upon any vehicle, conveyance, or other means of transportation.

d. Knowingly receiving and transporting any goods or substances which are contraband or illegal or otherwise restricted as to delivery or use.

e. Carrying or permitting any person to carry a lighted cigar, cigarette, pipe or any other lighted smoking equipment in any vehicle, regardless of whether the vehicle is transporting a passenger or a passenger has granted the driver permission to do so.

f. Using while on duty alcohol, a controlled substance, a controlled substance analog or a combination thereof, or driving or operating a vehicle while intoxicated or under the influence of alcohol, a controlled substance, a controlled substance analog or a combination thereof, or under the influence of any drug which renders the person incapable of safely driving.

10. SEATING CAPACITY OF VEHICLES. No driver shall carry more adult passengers than the designed capacity of the vehicle, and no more children, except children under 5 years of age carried in the arms of an adult, than can be seated comfortably on the seats. In no event shall more than 2 persons in addition to the driver be permitted in the front seat of the vehicle.

11. SOLICITATION; DRIVER TO REMAIN WITH VEHICLE. No person shall solicit passengers at a designated vehicle stand unless the driver is sitting in the driver's seat of the vehicle. Drivers of vehicles shall remain on driver's seat or inside of the vehicle except to use a restroom, receive telephone calls or to assist passengers, in and out of the vehicle, and they are not to be absent more than 15 minutes at a time.

12. STOPPING OF VEHICLES IN VARIOUS RESTRICTED PARKING ZONES. Permittees may stop in the following restricted parking zones to engage and disengage passengers and their baggage: in a loading zone; in an alley in a business district; within 10 feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign; within 4 feet of the entrance to an alley of a private road or driveway; closer than 15 feet to the near limits of a crosswalk upon any portion of a highway where, and at the time when parking is prohibited, limited or restricted by official traffic signs. All such business shall be performed without any unnecessary delay.

Public Passenger Vehicle Regulations 100-60

13. TRIP RECORDS. Prior to starting any shift, every driver shall fill in on the trip record his or her name, the shift date and start time, and the vehicle permit number. Every driver shall complete in real time on a daily basis trip records, approved by the police department as to format, which shall show the date, time and place each passenger was picked up and the date, time and place each passenger was discharged. The permittee shall retain trip records for at least 90 days, and the original records shall be readily available for inspection upon request by the police department.

14. DAILY SAFETY CHECKLIST.

a. Every public passenger vehicle driver prior to the beginning of each shift shall inspect the vehicle to make sure that all equipment on the vehicle is operable and in good working condition and that the vehicle is maintained in a reasonably clean condition on the inside and outside.

b. Every public passenger vehicle driver shall keep in the vehicle a daily safety checklist ensuring that the items listed in par. c have been inspected and are in good working order and by the public passenger vehicle permit holder properly placed in or on the vehicle. The checklist shall be kept for at least 14 days by the public passenger vehicle permit holder and be readily available for inspection upon request by the police department.

c. The daily safety checklist shall include the following items:

- c-1. Meter seal.
- c-2. Rate/complaint placard.
- c-3. Clean interior/exterior.
- c-4. Seat belts.
- c-5. Horn.
- c-6. Spare tire (inflated).
- c-7. Heater/defroster/air conditioner.
- c-8. Windshield (in compliance with s. Trans 305.34, Wis. Adm. Code, as amended).
- c-9. Windshield wipers/blades.
- c-10. Head lamps/tail, turn, brake, hazard lights.
- c-11. Tires.
- c-12. Wheels/rims.
- c-13. Body of vehicle.
- c-14. Upholstery.

15. SERVICE TO DISABLED PASSENGERS. No owner or driver of a public passenger vehicle or agent of an owner or

driver of a public passenger vehicle shall decline service to those passengers who are disabled or those with service animals or wheelchairs.

100-60. Additional Operating Regulations.

1. METER FARE TAXICABS. a. Taxi Stand Use. a-1. No taxicab standing at the head of a taxi stand line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent any person from selecting any taxicab he or she may desire on the stand whether it be at the head of the line or not.

a-2. As the taxicabs leave the line with passengers, those behind shall move up, and any taxicab seeking a place on the stand shall approach the same only from the rear of the stand and shall stop as near as possible to the last taxicab already on the line. No taxicab shall stand within 5 feet of any crosswalk.

b. Radio Service Prohibited. b-1. No person may provide radio service to any unlicensed taxicab or taxicab whose license has been suspended or revoked.

b-2. Penalty. Any person violating subd. 1 shall be subject to the penalty provided in s. 100-62-2.

c. Double Loading. Double loading is prohibited unless expressly authorized by the first passenger. No driver may plant, or permit to be planted, any person for the purpose of assuming the role of a first passenger to attempt to evade the provisions of this paragraph. Any person consenting to act as a plant for the purpose of falsely assuming the role of a first passenger shall be considered with the driver to be violating this paragraph.

d. Maximum Period. A driver of a taxicab shall respond to a service request within 30 minutes upon receiving the request.

2. HORSE AND SURREY LIVERY.

a. Hours of Operation. Unless otherwise authorized by the chief of police, no horse and surrey livery service shall be conducted between 7 a.m. and 9 a.m. and 3 p.m. and 6 p.m. on weekdays, except during the months of November, December, January and February, when no horse and surrey livery service shall be conducted between 7 a.m. and 9 a.m. and 3 p.m. and 6:30 p.m. on weekdays.

b. Sanitation. No driver of a horse and surrey livery may permit urine or fecal matter of such animal to remain on any street,

101-61 Public Passenger Vehicle Regulations

alley, gutter, sidewalk, lawn, field or any public or private property as set forth in ss. 79-11 and 79-12, and it shall be solely the responsibility of the driver of the animal to immediately remove all fecal matter by shovel or like instrument, and dilute and flush the urine.

c. **Maximum Number of Passengers.** No horse and surrey shall carry more passengers than can be seated comfortably on the seats without exceeding the seating capacity of the surrey as posted pursuant to s.100-51.5-5-e-1, except up to 2 children under 5 years of age who each shall be carried in the arms of separate persons 18 years of age or older.

d. **Riding with Driver Prohibited.** The driver of any horse and surrey livery shall not permit any passenger to sit alongside the driver while the driver is engaged in the operation of the horse and surrey livery.

e. **Operation on Certain Streets Restricted.** No horse and surrey livery shall be operated on East State Street, West State Street, East Wells Street or West Wells Street for more than one block length at a time. Whenever a horse and surrey livery operates for one block on one of the specified streets, it shall then turn onto an intersecting street.

f. **Horse and Surrey Stands.** Livery services shall stop, stand or park only at stands approved for that purpose pursuant to s.101-23-9.

g. **Serious Injury.** g-1. Whenever a horse and surrey animal is injured in an accident so severely that the police department believes euthanasia may be necessary, the police department shall immediately contact the horse and surrey livery permittee, inform the permittee of the situation and, in consultation with the permittee, determine whether euthanasia is required.

g-2. If the police department and the permittee agree that euthanasia is required and determine that the licensed veterinarian on call is able to come to the accident site in a period of time that will not prolong excessive suffering by the animal, the permittee shall immediately summon the veterinarian to the accident site. Euthanasia shall then be permitted only when both of the following conditions are met:

g-2-a. The euthanasia is performed by a veterinarian licensed by the state of Wisconsin

who concurs with the determination of the police department and the permittee that euthanasia is necessary.

g-2-b. The euthanasia is administered by painless lethal injection.

g-3. The police department may euthanize a horse and surrey animal with close range gunfire directed at the animal's brain under any of the following circumstances:

g-3-a. The police department and the permittee agree that euthanasia is required but determine that the veterinarian cannot come to the accident site in a period of time that will not prolong excessive suffering by the animal.

g-3-b. The police department is unable to make contact with the permittee, and the police department determines that, in order to prevent excessive suffering by the animal, the animal must be euthanized immediately.

g-3-c. The police department determines that the animal poses an immediate and serious threat to public safety.

3. SHUTTLE VEHICLES. a. Each person holding a permit for a shuttle vehicle operating on a fixed route and schedule shall post a current route schedule in the vehicle and submit a copy to the city clerk.

b. No shuttle vehicle operating on a fixed route and schedule may deviate from the route filed with the city clerk, without the person holding a permit for the shuttle vehicle having first filed an amended route and schedule form with the city clerk's office at least 48 hours prior to the change in route and schedule.

100-61. Driver Operating Activity. Table 100-61 indicates the driver operating activity classifications relating to means of hiring vehicles, types of passenger occupancy, and routes and schedules requirements for all public passenger vehicles permitted under this chapter, excepting shuttle vehicles meeting the definition under s. 100-3-23-b. The following are the activity classifications indicated in Table 100-61:

a. "Y" indicates a permitted activity.
b. "R" indicates an activity authorized on a restricted basis.

c. "N" indicates a prohibited activity.

Table 100-61 DRIVER OPERATING ACTIVITY TABLE								
Y - Permitted Activity R - Restricted Activity N - Prohibited Activity	Means of Hiring Vehicles			Passenger Occupancy			Routes and Schedules	
Public Passenger Vehicle Type	Stands	Hail	Prereserved	Exclusive Ride	Ride Sharing	Reserved Group	Fixed Route	Variable Schedule
Handicapped-Elderly Vehicle	Y	N	Y	N	Y	Y	N	Y
Horse and Surrey Livery	Y	Y	Y	Y	R	Y	N	Y
Luxury Limousine	N	N	Y	Y	N	Y	N	Y
Motorcycle Used for Tours	Y	N	Y	Y	N	N	N	Y
Pedicab	Y	Y	Y	Y	N	N	N	Y
Shuttle Vehicle	Y	N	Y	N	Y	Y	Y	N
Taxicab Meter Fare	Y	Y	Y	Y	R	Y	N	Y
Taxicab Zone Fare	Y	Y	Y	N	Y	N	N	Y

100-62. Penalty. 1. Any person who violates any provision of this chapter shall, where no other provisions are expressly made for the enforcement of any forfeitures or penalties under this chapter, upon conviction forfeit not less than \$25 nor more than \$500 together with the costs of prosecution, or in default of payment may be imprisoned in the county house of correction for a period not to exceed 20 days.

2. Any person who violates s. 100-50-1 or 100-60-1-b-1 shall upon conviction be subject to the following forfeitures together with the costs of prosecution, and, in default of payment be confined in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 40 days:

a. A forfeiture not less than \$250 nor more than \$500 if the person has not committed a previous violation within 24 months of the violation.

b. A forfeiture not less than \$500 nor more than \$750 if the person has committed a previous violation within 24 months of the violation.

c. A forfeiture not less than \$750 nor more than \$1000 if the person has committed 2 or more previous violations within 24 months of the violation.

3. Any person who violates s. 100-51.5-1 or 2, s. 100-59-1, 6, 13 or 14, or s. 100-60-2-b shall upon conviction forfeit not less than \$25 nor more than \$200 together with the costs of prosecution, or in default of payment may be imprisoned in the county house of correction for a period not to exceed 8 days.

“For legislative history of chapter 100, contact the Legislative Reference Bureau.”

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