

TOWN OF MILTON MASSACHUSETTS



Taxicab Rules and Regulations

AUTHORITY: Town of Milton, Chapter 40, Section 22 General Laws as Amended

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GENERAL SCOPE

Taxicabs are permitted by the Town of Milton. Rules and Regulations contained herein are enforced by both the Police Department and the Board of Selectmen. A Taxicab, for the purpose of these Rules and Regulations, is a motor vehicle licensed and approved by the Town of Milton to carry passengers and articles for a fee. Such motor vehicles shall meet all physical and operational standards as established by these Rules and Regulations, to include charging a Fare approved by the Board of Selectmen (the Board).

No person, firm or corporation shall engage in the business of transporting persons for hire in a Taxicab from place to place within the limits of the Town of Milton without first having obtained a Taxi Vehicle License from the Board authorizing him or her to engage in such business and designating the number and identity of Taxicabs that may be used under such permit. Said Board may, within its discretion, withhold, grant or revoke any such permit, and in the event that such vehicle is to be used principally for the purpose of transporting children to or from school, may require a written report from the Superintendent of Schools before taking any action with respect to such license. For every Taxi Vehicle License so granted, a fee of \$100.00 shall be paid to the Town of Milton annually.

All operators of Taxicabs will report to the Milton Police Safety Officer to obtain a Hackney License as described in Section II. The fee for a Hackney License is \$25.00 and shall be valid for two (2) years unless suspended or revoked.

All Taxicabs must be submitted for inspection to the Milton Police Department annually.

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SECTION I.
Definitions

The following words when used in the foregoing sections, unless the context or subject matter otherwise requires, shall have the following meanings:

BOARD OF SELECTMEN – The governing body of the Town of Milton authorized to issue Taxi Vehicle Licenses based on these Rules and Regulations.

CERTIFICATE OF HACKNEY REGISTRATION-A certificate issued by the Town of Milton Police Department for the registration of each Taxicab.

FARE- A person who pays a fee for transportation.

HACKNEY LICENSE - A license issued by the Town of Milton Police Department for the operation of a Taxicab.

INSPECTOR OF WEIGHTS AND MEASURES - Person authorized by the Board to act on its behalf with regard to the inspection and sealing of Taxicab meters.

MASSACHUSETTS DRIVERS LICENSE - A license issued by the Massachusetts Registry of Motor Vehicles for the operation of a motor vehicle.

MILTON POLICE SAFETY OFFICER - Officer authorized by the Board to act in its behalf with regard to these Rules and Regulations.

TAXICAB - A motorized vehicle used for the conveyance of passengers for a fee.

TAXIMETER - A mechanical instrument or device affixed upon a Taxicab by which the charge is mechanically calculated whether for distance traveled, or for waiting time, or for both, and upon which such charge shall be indicated by means of figures.

TAXI VEHICLE LICENSE- A license issued by the Board authorizing said vehicle to transport Fares and goods in the Town.

TOWN - Town of Milton

SECTION II

Operator and/or General Operation of Taxicabs

a. License Requirement and Photo

No persons *including* owners shall drive a Taxicab for the purpose of transporting persons for hire within the limits of the Town without first obtaining a Hackney License from the Milton Police Department. For every such Hackney License so granted, there shall be paid the sum of \$25.00 to the Town of Milton. Such license shall be valid for two years unless suspended or revoked. The driver shall appear as in his or her photograph displayed on the Hackney License. Should the drivers' appearance change, a new photograph must be taken without delay. Application for such license must be filed on a form furnished by the Milton Police Department.

b. Massachusetts Driver's License Requirement and Disqualification/Criminal Record Check

A Hackney License applicant shall be the holder of a Massachusetts Driver's License for at least one (1) year prior to the issuance of a Hackney License. A Taxicab driver shall immediately report the suspension or revocation of his/her Massachusetts Driver's License to the Milton Police Safety Officer. The licensee shall also surrender his/her Hackney License forthwith to the Milton Police Department. Said Hackney License shall be reinstated at the discretion of The Milton Police upon removal of the suspension or revocation of their Massachusetts Driver's License.

The following additional standards must be met by the applicant:

1. Applicant has attained the age of twenty-one (21).
2. Applicant has an original birth certificate, alien card, asylum document, U.S passport or naturalization papers.
3. Applicant must NOT have a Hackney License that has been revoked or suspended in any other jurisdiction.
4. Applicant must NOT have been adjudged a habitual traffic offender as defined by Massachusetts General Law Chapter 90, Section 22F, or the equivalent in any jurisdiction, within the past five (5) years.
5. Applicant must NOT have any outstanding or unresolved driving infractions which could result in the applicants' Massachusetts Driver's License being revoked or suspended in any jurisdiction.
6. Applicant must NOT have had his/her Massachusetts Driver's License suspended for five (5) or more Surchargeable incidents as defined by Chapter 211 of the Code of Massachusetts regulation, Section 134, or the equivalent in any jurisdiction within the past five (5) years.
7. Applicant must NOT have been convicted of either Operating Under the Influence of Drugs and/or Alcohol or have any dispositions under Massachusetts General Law Chapter 90, Section 24D within the past five (5) years or the equivalent in any jurisdiction.

8. Applicant must NOT have any felony conviction(s) in the last five (5) years in any jurisdiction.
9. Applicant must NOT have any drug convictions in the last five (5) years in any jurisdictions.
10. Applicant must NOT be required to register as a sex offender in any jurisdiction.
11. Applicant must NOT have any outstanding or unresolved criminal court cases in any jurisdiction (which would result in the Hackney License being denied if the applicant was convicted of the alleged charge).
12. No person, firm or corporation shall be eligible to receive such a license unless the manager or principle representative in charge of the business is a citizen of the United States.

c. Application Requirement

Each Hackney License applicant shall complete a license application form and provide the following information:

1. Residential address.
2. Mailing address (If different than residential).
3. Physical attributes (i.e., height, weight, hair color, eye color, date of birth, social security number, citizenship status, etc.).
4. Any other information requested by the Milton Police Safety Officer to assist in the application procedure.
5. Applicant must demonstrate an ability to speak, understand, and write English prior to the issuance of a Hackney License.

d. Driver's Appeal Rights on Application Denial

Any applicant who has been denied the issuance of a Hackney License may appeal to the Board for reconsideration. Said appeal must take place within 30 days from the date of application denial.

e. Renewal Policy for Hackney Licenses

Hackney Licenses are valid for two (2) years from the date of issuance. All drivers must reapply through the application process for renewal.

f. Restrictions of Hours Consecutively Worked

Drivers who hold a Town of Milton Hackney License shall drive NO more than *sixteen (16) hours* within a twenty-four (24) hour work period.

g. Waybills

Driver shall keep a record of all trips made on a form approved by the Milton Police Safety Officer. Forms shall be kept by the owner for a period of ninety (90) days. Upon request by any law enforcement officer, a copy of a waybill must be produced forthwith.

h. Lost/Found Property

Licensed drivers shall immediately after delivering any Fare, search said Taxicab for any property which may have been left therein and any such property found therein shall, within a twenty-four (24) hour period, be delivered by the finder thereof to the Milton Police Department.

i. Conduct of Drivers/Clothing and Cleanliness

Every operator of a Taxicab so licensed shall be respectful to the Fare and shall operate with due regard to the safety of such Fares, the rights of pedestrians, the occupants of other vehicles and the public in general. Said drivers shall be neat, clean and suitably dressed. Taxicab drivers are not permitted to wear the following during the course of normal business:

1. Bathing trunks, swim-wear, jogging trucks, body shirts, cut-offs or similar attire.
2. Torn or ripped shorts.
3. Footwear that could obstruct operation of vehicle including flip-flops.

j. Duty of Law Enforcement

It shall be the duty of the Police Officers of the Town of Milton to observe the operation of Taxicabs licensed hereunder and to see that these Rules and Regulations are obeyed. Licensed drivers shall be respectful to and are required to answer fully and civilly any questions asked of them by police officers while in the performance of their duties.

k. Firearm Possession by Operator

No owner, driver, or person having charge of a Taxicab licensed hereunder shall, while operating such Taxicab for hire and notwithstanding a license issued according to M.G.L. chapter 140, section 131, carry a firearm, as defined in M.G.L chapter 140, section 121, on his or her person or under his or her control in such Taxicab.

l. Use of Alcohol/Control Substances/Prescription Drugs

Drivers while on duty shall not consume, purchase, sell, use or possess any alcoholic/controlled substances. No driver shall take a prescription drug which impairs the driver's ability to operate the Taxicab safely while on duty. A driver shall be

prohibited from Taxicab operation by his employer if, in the opinion of the employer, the driver has reported to work in an impaired state.

m. Safe Operation of Motor Vehicle

Owners and drivers of vehicles as provided in Section II shall be subject to all applicable laws, by-laws and traffic Rules and Regulations of Taxicabs in the Town. Violation of any of these regulations shall be grounds for license revocation.

n. Taxicab Parking while Engaging in Business

While awaiting a Fare, Taxicab operators shall park his or her Taxicab at a designated taxi stand. If the stand is full, the driver shall not park his or her Taxicab so as to create a traffic hazard or nuisance.

o. Electronic Communication Device/Cellphone Usage

All Taxicab drivers, while engaging in a Fare, shall NOT use any communication device including but not limited to, a cellular telephone (hands-free or otherwise), unless an emergency situation should exist.

p. Passengers Seating/Number of Passengers

No owner, driver or person having charge of a Taxicab licensed hereunder shall sit in the rear seat of the Taxicab, nor shall he or she permit anyone else to sit there except Fares. No owner, driver or person having charge of a Taxicab shall allow any person to sit in the front seat except when the rear seat of the Taxicab is fully occupied by persons, all of whom have engaged the Taxicab at the same time, or there exists a legitimate need for the use of the front seat such as physical or health reasons.

q. Hackney License Display/Certificate Display

Taxicab drivers will be required to display on his/her outer garment, the Hackney License issued to him/her. Each Hackney License shall contain a current photograph of the licensee along with other pertinent information such as a physical description and a number assigned by the Police Department. Any [official] complaint of a licensee not displaying a Hackney License while on duty may, after a hearing and determination that the Hackney License was not displayed, result in a three (3) day suspension of his/her Hackney License. In the event of a lost or stolen Hackney License, a fee of \$10.00 will be charged for a replacement license. Such Hackney License is the property of the Milton Police Department and must be surrendered on termination of employment, suspension or revocation of license.

In addition, every driver or person having charge of a Taxicab licensed as aforesaid, when driving or waiting for hire, shall display the Certificate of Hackney Registration in a permanent location that is plainly visible to all passengers riding in such Taxicab.

r. Smoking Prohibiting in Taxicabs

The use of all tobacco products is strictly prohibited by both the Taxicab driver and passenger(s).

s. Transportation of Handicapped Person(s)

A Taxicab driver shall NOT refuse to transport any Fare with a service animal. The ADA (Americans with Disabilities Act) defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If the animal meets this definition, then the animal is considered to be a service animal regardless of whether or not it has been licensed or certified by a state or local government.

No Taxicab driver shall refuse to transport a wheelchair-bound person if such wheelchair can be collapsed and placed in either the driver, Fare or trunk compartment of the vehicle. Said Fare must be able to get in and out of the Taxicab without assistance from the driver.

t. Transporting Passenger by Direct Route

All Taxicab drivers must utilize the most direct route available to get their Fare to the requested destination. This shall be a standing policy unless a different route is dictated by the Fare.

SECTION III.
Owner Responsibilities and Obligations

a. Insurance Coverage on Taxicabs/ RMV Taxicab Certificate of Registration

All Taxi Vehicle License applicants are required to submit a certificate of insurance that is deemed satisfactory to the Board. The policy must indicate the amount of insurance coverage and the maximum number of persons to be carried in each Taxicab. In addition, should there be any changes in the registration status of a Town of Milton Taxicab, or change of vehicle, the owner shall immediately present a copy of the new registration to the Board.

b. Transfer of Taxi Vehicle License

No Taxi Vehicle License shall be sold, assigned or transferred without prior approval from the Board. Any Taxi Vehicle License holder shall cease to engage in the business of transporting persons for hire and shall at once surrender his or her permit to the Board.

c. Taxicab, Physical Characteristics

The following standards apply to every Taxicab:

1. No Taxicab shall be painted so as to resemble the Taxicab of another Taxicab operator or so as to mislead the public as to its identity.
2. No Taxicab shall be painted in colors, designed, or equipped with special lighting or other accessories so as to resemble a vehicle owned by the Town.
3. Removable magnetic decals are explicitly forbidden.
4. No window tint, reflective film or nontransparent material shall be used on any of the Taxicab's windows. The only exception to this regulation would be any window darkening material that is applied to the glass during the manufacturing of said vehicle.
5. The owner of a Taxicab may apply to the Board for permission to display advertising. Such advertising, its form and contents and size of sign shall be subject to the approval of the Board.

d. Owner to Allow Only Licensed Operators to Operate

No person(s), firm or corporation to whom a Hackney License has been granted under Section II hereof shall allow any person other than a driver licensed by the Milton Police Department to drive such Taxicab.

e. Taxicab to be Safe and Clean

All Taxicabs licensed hereunder must be kept in good condition, suitable for occupancy and mechanically fit for the safety of the passengers. The interior and exterior shall be clean and sanitary at all times. Owners and drivers shall be held responsible for maintaining Taxicabs in a clean, sanitary and safe condition. Furthermore, a Taxicab owner shall NOT permit a Taxicab to be operated unless:

1. The vehicle is structurally sound and operates without unreasonable noise or vibration which would annoy an ordinary person.
2. The vehicle's heating; air-conditioning and defrosting systems are in good working order.
3. The doors can be opened easily from inside the cab by the passenger
4. Seatbelts are available for all passengers.
5. The trunk of the cab is clean and free of all debris and has adequate space for a Fare's luggage.

f. Services to Milton Residents

Taxicabs licensed by the Town shall render services to Milton residents and prospective passengers within the Town as a first priority. Calls for service shall be answered as soon as practicable and, if service cannot be rendered within a reasonable time, the prospective passenger shall be notified how long it will be before the call will be answered.

g. Wheelchair Accessible Vehicle/Radio Dispatch

All Taxi radio dispatch services operating in the Town are obligated to create procedures as may be necessary to provide for the timely and dependable dispatch of wheelchair accessible Taxicabs for patrons who use wheelchairs. This obligation to provide such services shall directly include and require all radio dispatchers to contact other firms, if necessary.

h. Taxicab Rate of Fare and Meters

- The Board may establish the rate of Fare for the conveyance of persons in Taxicabs for hire within the limits of the Town and may revise the same at its pleasure.

- No owner, driver or person having charge of a Taxicab licensed hereunder shall demand or receive a higher rate than that established by the Board.
- Every Taxicab shall have affixed thereto a Taximeter approved by the Board and/or the Chief of Police. No Taxi Vehicle License shall be issued for a Taxicab until its Taximeter has been approved and sealed by the Inspector of Weights and Measures.
- After sundown, the face of every Taximeter shall be made continuously and clearly visible to the passenger by suitable illumination. An unobstructed view of the Taximeter shall be provided to a passenger at all times. It is the responsibility of the owner and the operator of the Taxicab to keep the Taximeter clean at all times.
- No owner or driver shall operate any Taxicab until the Inspector of Weights and Measures has inspected and tested the meter therein, found it to be correct and affixed the seal of approval.
- The Inspector of Weights and Measures is hereby authorized to inspect any Taximeter in any Taxicab located or operated in the Town regardless of whether a complaint has been filed or not. If any inaccuracy should be discovered in the Taximeter, the inspector shall notify the person operating such Taxicab and the owner of the Taxicab must cease operation of said vehicle until the Taximeter has been repaired, re-inspected and resealed.
- No owner or driver shall operate any Taxicab with an unsealed meter or broken seal. The owner or driver will report this to the Inspector of Weights and Measures for retesting and sealing. Anyone failing to comply with this section shall be subject to penalty as provided by the General Laws Chapter 98, Section 45 and Section 55.

i. Annual Taxicab Inspection

No Taxi Vehicle License shall be issued until each Taxicab intended to be used thereunder shall have been thoroughly inspected by the Milton Police Safety Officer and the Inspector of Weights and Measures. If the Taxicabs so inspected are found to be safe and suitable for hire, the Board shall issue a Certificate of Hackney Registration which shall designate the Taxicab by registration number, make, model, vehicle identification number, seating capacity, name and address of licensee and certificate number. The Milton Police Safety Officer may conduct an inspection of Taxicabs in the following manner:

1. Random Spot Checks- Taxicabs shall be subject to random spot checks at any reasonable time or location.
2. Regular Inspections- Every Taxicab shall be inspected not less than annually by the Milton Police Department to ensure the continued maintenance of safe operating conditions of the Taxicab as defined in these Rules and Regulations.

SECTION IV.
Penalties

a. Violation of Rules/Regulations

Whoever violates any of these Rules and Regulations shall be punished by a fine not exceeding \$1000.00 for each offense, and/or suspension or revocation of their Hackney License provided by these Rules and Regulations. Owners of Taxicab companies are subject to the same consequences, including loss of Certificate of Hackney Registration.



Town of Milton
Police Department
Application for Hackney License

Please Print or Type all Information Below:

Date of Application: ____/____/____

Applicant's Name: _____

Residential Address: _____

Mailing Address (if different): _____

City: _____ State: _____ Zip Code: _____

Social Security Number: ____ - ____ - ____

Driver's License Number: _____

Date of Birth: ____/____/____ Age: _____

Place of Birth: _____ Are you a U.S. Citizen? Yes _____
No _____

Height: _____ Weight: _____ Hair: _____ Eye: _____

Contact Information:

Home Telephone Number: _____

Cell Phone Number: _____

Email Address: _____

Has your ability to operate with a Massachusetts Driver's License ever been revoked or suspended? If so when for what reason?

Have you previously applied for a Hackney License in any other jurisdiction and/or has your Hackney License ever been revoked or suspended? If so explain:

Have you ever been convicted of Operating Under the Influence of Alcohol and /or Drugs in the past five (5) years? If so explain:

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FOR OFFICIAL USE ONLY
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Application Processed on: _____ / _____ / _____ **Processed by:** _____

License Issued: _____ / _____ / _____ **Hackney Number:** _____

Reason for Denial: _____

Check or Money Order for \$25.00 must be made payable to the **Town of Milton** upon filing of this application. Please contact the Hackney Licensing Officer listed below to schedule an appointment.

Lieutenant William West
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