

Chapter 78

VEHICLES FOR HIRE*

* **Cross References:** Businesses, ch. 18; commercial motor vehicle parking lots, § 50-113; streets, sidewalks and other public places, ch. 58; traffic and vehicles, ch. 66.

State Law References: Municipal permits for taxicabs and other vehicles for hire, Code of Virginia, § 15.2-2015; local licensing of drivers of taxicabs and similar for-hire vehicles, Code of Virginia, § 46.2-310; motor vehicle liability insurance policies, Code of Virginia, § 46.2-472 et seq.; registration fees for passenger vehicles, Code of Virginia, § 46.2-694; license plates for vehicles for hire, Code of Virginia, § 46.2-711; taxicabs generally, Code of Virginia, § 46.2-2057 et seq.; municipal regulation of taxicabs, Code of Virginia, § 46.2-2062 et seq.

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ARTICLE I.

IN GENERAL

Secs. 78-1--78-25. Reserved.

ARTICLE II.

DRIVER'S PERMIT

Sec. 78-26. Required.

No person shall operate a motor vehicle for hire or taxicab within the town unless such person, upon written application therefor, has been issued a permit by order of the town council, as provided in this article, and a certification thereof has been made to the chief of police.

(Code 1992, § 20-26)

Sec. 78-27. Application form, verification.

Every application for a permit to operate a motor vehicle for hire or taxicab shall be made upon a form approved and furnished by order of the town council and shall be verified by the

applicant before a person authorized to administer oaths.

(Code 1992, § 20-27)

Sec. 78-28. Information required on application; evidence of applicant's mentality, physical condition and character.

(a) Every applicant for a permit required under this article shall state under oath or affirmation the following:

(1) The name, age, sex and residence address of such applicant;

(2) Whether the applicant has been duly licensed as a driver or commercial driver, as the case may be, under the terms and provisions of Code of Virginia, § 46.2-300 et seq.;

(3) The number of years of experience as the operator of a motor vehicle and the number, if any, of convictions for traffic violations other than improper parking; and

(4) Such other information as may be considered essential to the granting of such permit.

(b) Every such applicant may be required to furnish evidence as to his mental and physical ability to operate a motor vehicle and to his moral character.

(Code 1992, § 20-28)

Sec. 78-29. Findings required for issuance.

Every application for a permit required under this article shall be examined by the chief of police or such other person as the town council may designate. If the applicant is found to be mentally and physically competent to operate such vehicle, is found to be of good moral character and has no or an acceptable police record, a permit to operate a motor vehicle for hire or taxicab may be issued by the town council.

(Code 1992, § 20-29)

Sec. 78-30. Duration; applications for renewal.

All permits pursuant to this article shall be issued for the period of the calendar year in which issued, upon the payment of the fee therefor as set forth in this article, and shall expire automatically on December 31 of the year in which issued, unless sooner revoked as provided in this article. Written applications for renewals of such permits may be waived.

(Code 1992, § 20-30)

Sec. 78-31. Fees.

The fee for the issuance of each permit to operate a motor vehicle for hire or taxicab pursuant to this article shall be the sum of \$2.00, which shall accompany the application. The fee for the annual reissuance of each permit shall be \$2.00, payable upon the issuance thereof.

(Code 1992, § 20-31)

Sec. 78-32. Signature required at time of issuance.

Every person to whom a permit to operate a motor vehicle for hire or taxicab is issued under this article shall write his usual signature with pen and ink in the space provided for that purpose on the permit issued to him immediately upon receipt of such permit, which permit shall not be valid until so signed.

(Code 1992, § 20-32)

Sec. 78-33. Possession and display.

Every person to whom a permit to operate a motor vehicle for hire or taxicab is issued under this article shall have such permit in his immediate possession at all times when operating a motor vehicle for hire or taxicab, and he shall display the permit upon demand of the mayor or of any person charged with the duty of enforcing the town traffic laws or regulations.

(Code 1992, § 20-33)

Sec. 78-34. Revocation, suspension.

(a) Any permit issued under this article shall be revoked or suspended forthwith by the town council or by such person as may be designated for the purpose by the town council, upon receiving a record of the conviction of the holder of such permit for any crime for which any driver's license or commercial driver's license may be revoked under any of the provisions of Code of Virginia, § 46.2-300 et seq.; for the conviction of any two traffic violations, other than overtime parking, within a period of 12 months within the town; or for the violation of any of the sections of this article. Notice of such revocation or suspension may be given by certified letter addressed to the applicant at the address given in the application.

(b) Any revocation under this section shall be for a period of one year, and any suspension shall be for such period as the town council may deem necessary, not to exceed one year.

(Code 1992, § 20-34)

Sec. 78-35. Willful falsification in application.

The town council shall not issue, for a period of one year, a permit under this article when the records of the town clearly show to the satisfaction of the mayor or chief of police that such person has made a willful material false statement on any application for such a permit.

(Code 1992, § 20-35)

Sec. 78-36. Violations and penalties.

(a) It shall be unlawful for any person to violate or fail to comply with any section of this article or with any provision of a permit issued pursuant to this article or to knowingly make a false statement of any material fact in an application for a permit under this article.

(b) Every owner or operator of a motor vehicle used as a vehicle for the transportation of persons for a consideration on any highway, street, road, lane or alley in the town who violates any of the sections of this article shall be guilty of a misdemeanor and upon conviction thereof be fined not more than \$100.00 for the first offense and not more than \$500.00 for each subsequent offense.

(c) In addition to any other penalty which may be imposed for a violation of this article, the permit of the violator shall be revoked ipso facto upon his conviction, and he shall return such permit to the chief of police without delay.

(Code 1992, § 20-36)

State Law References: Similar provisions, Code of Virginia, § 46.2-2066.