

**TOWN OF STURBRIDGE
TAXICAB/LIVERY SERVICE REGULATIONS**

Section 1 Applicability

Vehicles for hire, including taxicabs and liveries (hereinafter referred to as "vehicles") operating or caused to be operated by non-governmental entities for the transportation of persons from place to place emanating within the Town, other than over regular routes or between fixed termini, shall be subject to the regulations hereunder to the extent provided below.

Section 2 Definitions of Livery

Livery shall mean a private vehicle licensed as such, including but not limited to, limousines, which are used for pre-arranged trips for particular occasions, such as weddings, funerals or school transportation.

Section 3 License Required

No vehicle shall be driven, operated or caused to be operated as a vehicle for hire without a license first having been obtained for that vehicle from the Board of Selectmen.

Section 4 License Application

Applications for a license shall be made in writing to the Board of Selectmen and shall provide the following information:

- A) The name and address of the applicant, if an individual; or if a corporation, the name, date of incorporation, address of its principal place of business and the name and address of its officers; or, if a partnership, association or incorporated company, the names and addresses of the partners or associates and the address of its principal place of business.
- B) The intended place of business within the Town of Sturbridge.
- C) The name of the manager or principal representative.
- D) The proposed hours of operation.
- E) Description of proposed vehicle including the make, model and age of the vehicle.

Section 5 Review by the Chief of Police

No license shall be granted by the Board of Selectmen until the application has been reviewed and approved by the Chief of Police.

Section 6 Grant or Denial of License

The Board of Selectmen may upon receipt of an application, issue a license under such terms and conditions as they deem appropriate and in the public interest. The Board, in determining whether to issue a license, may consider the public demand for the proposed service, the effect of the proposed service upon relevant traffic and safety conditions, the character and financial responsibility of the applicant, the condition of the proposed vehicle, and any and all other relevant facts and circumstances.

Section 7 Term and Fee

Any license issued hereunder shall expire on the last day of December next ensuing, unless sooner revoked or surrendered. Any licensee who permanently ceases to operate a vehicle for which a license was granted shall forthwith surrender the license to the Board of Selectmen.

The fee for each license shall be fifty (\$50.00) dollars per license. This fee shall not be prorated.

Section 8 Notification as to Vehicle

If issued a license, the licensee shall, prior to the operation of the vehicle as a vehicle for hire, provide the following information, in writing to the Board of Selectmen:

- A) The make, model and vehicle identification number and vehicle's age.
- B) A copy of the vehicle's certificate of registration with the Registry of Motor Vehicles.
- C) A copy of the certificate of insurance coverage page for the vehicle.

Section 9 Insurance

A vehicle issued a license hereunder shall be insured. Coverage for "Bodily injury to others" shall be no less than \$100,000 per person/\$300,000 per accident.

Section 10 Liability

The licensee is at all times responsible for his vehicles and shall be liable for all penalties and/or damages resulting from his operation of the vehicle or the operation of the vehicle by an employee or agent.

Section 11 Suspension or Revocation

The Board of Selectmen may suspend or revoke a license issued under the provisions of this regulation for good cause. Before suspension or revocation of a license, the licensee shall be entitled to a hearing thereon before the Board of Selectmen. Written notice of the hearing shall be forwarded to the holder of the license at least seven calendar days prior to the date of the hearing. Such notification shall state the grounds of complaint and the date, time and place of the hearing.

The Board of Selectmen, or Chief of Police, may temporarily suspend a license until a hearing can be held by the Board of Selectmen in accordance with the procedures set out above, if there is sufficient evidence to indicate that the public safety would be endangered by continued operation of the vehicle. In no event shall a temporary suspension be for a period of greater than ten (10) days.

Section 12 Assignment or Transfer Prohibited

No license shall be assigned or transferred.

Section 13 Permit Required

No person shall operate a vehicle with a paying passenger, and no licensee shall employ or allow a person to operate a vehicle with a paying passenger, unless the operator first obtains a permit to do so from the Board of Selectmen.

Section 14 Minors

No permit shall be issued to a person under eighteen years of age.

Section 15 Application

Applications for a permit shall be made in writing to the Board of Selectmen and shall provide the following information:

- A) Full name and address

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- B) Copy of a valid Massachusetts operator license issued by the Registrar of Motor Vehicles.
 - C) All previous experience operating a vehicle for hire.
 - D) Convictions or pleas of guilt to a criminal offense. If any, state the offense(s), court(s) in which convicted or guilty plea occurred and when the conviction(s) or plea(s) occurred.

The following criminal information is not and shall not be requested by the Board of Selectmen:

- 1) Arrest, detentions or dispositions in which no conviction or guilty plea resulted.
 - 2) Convictions which have been reversed or vacated, but not pardoned.
 - 3) Misdemeanor convictions or guilty pleas when the date of conviction or plea was greater than ten (10) years prior to the date of application for the license.
- E) Traffic violations for which there was a finding of responsibility for a period of two (2) years prior to the date of application for the license or for such a period of time as the Board of Selectmen shall request.

Section 16 Review by Chief of Police

No license shall be issued by the Board of Selectmen until the application has been reviewed and approved by the Chief of Police. Ten (10) working days shall be allowed for such review.

Section 17 Issuance or Denial

An applicant shall be granted a permit only if the Board of Selectmen determines that granting the permit is in the best interest of the public.

Criminal convictions or pleas of guilty shall not result in automatic denial of an application, but shall be given significant consideration and weight by the Board of Selectmen, taking into account all factors including the nature and gravity of the offense, the time that has passed since the conviction or plea and the sensitive nature of serving the public as a driver of a vehicle for hire.

Section 18 Term and Fee

Any permit granted hereunder shall expire on the last day of December next ensuing unless sooner revoked or suspended. A permit holder who ceases to operate vehicles shall forthwith surrender his permit to the Board of Selectmen.

The fee for a permit shall be twenty-five (\$25.00) dollars. This fee shall not be prorated.

Section 19 Picture Identification Card

A picture identification card shall be issued by the Board of Selectmen or its designee to each permit holder.

Section 20 Liability

A permit holder is at all times responsible for the vehicle he is operating and shall be liable for all penalties and for damage resulting from his operation of the vehicle to a hearing thereon before the Board of Selectmen. Notice of the hearing shall be in writing and forwarded to the permit holder at least seven (7) calendar days prior to the date of the hearing. Such notification shall state the grounds of complaint and the date, time and place of the hearing.

The Board of Selectmen or the Chief of Police may temporarily suspend a permit until a hearing can be held in accordance with the procedures set forth above) if there is sufficient evidence to indicate that the public safety would be endangered by continued operation by the permit holder. In no event shall a temporal' suspension be for a period of greater than ten (10) calendar days.

Section 21 Duty to Transport

A permit holder shall not unreasonably refuse to transport a passenger.

Section 22 Sharing a Ride

No permit holder shall accept a passenger when the vehicle is occupied or engaged without the consent of the passenger(s) already in the vehicle. No person shall be obliged to pay any extra fare or fee for refusing such consent. Separate fares shall not be charged to members of the same party.

Section 23 Taxi Stands - Parking/Standing

The Board of Selectmen may assign a taxi stand to each taxicab. The Board of Selectmen may also designate specific areas, streets or ways where vehicles may not stand or park.

Section 24 Maintenance of Vehicles

Every vehicle shall be kept in good condition, suitable for occupancy and mechanically fit for the safety of passengers. The interior and exterior of the vehicle shall be safe, clean and sanitary at all times.

Section 25 Inspection

The Board of Selectmen, Sturbridge Police Department or their designee, shall have the right to inspect any vehicle for purposes of these regulations or as public safety requires.

Section 26 Smoking

Smoking in a vehicle is prohibited.

Section 27 Display of License, Picture Identification Card and Rates of Fare

Every vehicle when in operation shall display the following cards in a suitable frame so that they are secure and immobile and plainly visible to passengers riding in the rear of the vehicle:

- A) License
- B) Picture Identification Card
- C) Fares (Taxicabs only)

Section 28 Lettering on Taxicabs

Every taxicab operating under the authority of this regulation shall have the name or trade name of the permit holder and the name "Town of Sturbridge" painted on both sides of the taxicab in letters not less than four (4) inches high and one-half inch wide.

If a license holder operates more than one (1) taxicab, each taxicab shall have a number, not less than four (4) inches high and one-half inch wide, painted in two (2) conspicuous places on the taxicab.

No other vehicle, other than those that are insured as a taxicab and permitted by the Board of Selectmen, shall operate in the Town.

Section 29 Copy of Regulations

Every vehicle shall, when in operation, contain a copy of these regulations which shall be exhibited to any passenger or police officer on request. The license holder and permit holder shall be responsible for the implementation of this requirement.

Section 30 Taxicabs

The Board of Selectmen shall establish the rates of fare for the conveyance of passengers and baggage and may revise such when they so determine.

Section 31 Separate Fares

Separate fares shall not be charged to members of the same party.

Section 32 Senior Citizen Discount

Fares for all persons sixty (60) years of age or older may be discounted up to twenty-five (25%) percent. When discounted rates are offered, they must be offered to all senior citizens traveling within the Town of Sturbridge, regardless of the point of origin or destination of the ride. Any company which offers such a discount shall display a sign informing the passengers of the discount.

Section 33 No Fares in excess of the Established Fares

No taxicab permitholder shall demand or receive as a fare more than the fare established by the Board of Selectmen under the authority granted by these regulations.

Section 34 Livery Rates

Charges of liveries shall be subject to mutual agreement between the livery operator and the passengers.

Section 35 Information Update

When any information provided in an application for a license and/or permit changes or is updated, the respective licensee or permit holder shall give notice thereof, in writing, to the Board of Selectmen.

Section 36 Penalties

The penalty for a violation of any of the regulations of this article shall be a fine not exceeding three hundred (\$300.00) for each day such violation occurs. Violation of any of the regulations herein shall be just cause for suspension or revocation of a license and/or permit.

Section 37 Effective Date

December 23, 1996

Section 38 Meters

Every taxicab operating under the authority of this regulation shall contain a meter calibrated to register distances in units of tenths of a mile. Said meters shall be operated whenever there is a passenger riding in the vehicle and shall be secure, immobile and plainly visible to all passengers.

Section 39 Separability

Should any provisions of these regulations is held as invalid or unenforceable, the remainder of these regulations shall remain in full force and effect.

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