

**CHAPTER 765  
Taxicabs**

<p><b>765.01 Definitions.</b></p> <p><b>765.02 Taxicab company license required; prohibition.</b></p> <p><b>765.03 Exemption from regulation.</b></p> <p><b>765.04 Application for taxicab company license.</b></p> <p><b>765.05 Determination by Director of Public Works.</b></p> <p><b>765.06 Revocation of taxicab company license.</b></p> <p><b>765.07 Taxicab vehicle requirements.</b></p> <p><b>765.08 Liability insurance required.</b></p>	<p><b>765.09 Limitations on operation of taxicabs.</b></p> <p><b>765.10 Failure to pay.</b></p> <p><b>765.11 Taxicab driver's license.</b></p> <p><b>765.12 Taxicab driver's license card and driver's regulations.</b></p> <p><b>765.13 Revocation of taxicab driver's license.</b></p> <p><b>765.90 Provisions not retroactive.</b></p> <p><b>765.99 Penalty.</b></p>
---	---

**CROSS REFERENCES**

Power to regulate--see Ohio R.C. 715.22, 715.66  
 Power to establish stands and fix rates--see Ohio R.C. 715.25  
 Operation by minor prohibited--see Ohio R.C. 4507.321  
 Operation and equipment--see Part Three--Traffic Code  
 Taxicab stands--see TRAF. Ch. 355

**765.01 DEFINITIONS.**

Whenever used in this chapter:

- (a) "City" means the City of Springfield, Ohio, but whenever the word "City" is used in a territorial sense it shall be held to mean and include not only the present limits of the City of Springfield, Ohio, but also the corporate limits as they may be hereafter extended and such annexed territory as may for the purpose of this chapter come under the jurisdiction of the City.
- (b) "Chief of Police" means the Chief of the City's Police Division.
- (c) "Compensation" means any fare, charge, reward, reimbursement, tip, donation, or other thing of value which a driver or owner of a motor vehicle accepts or receives or offers to accept or receive from any person in return for the transportation of any person or persons.
- (d) "Service Director" means the director of the City's Service Department. (Ord. 00-456. Passed 12-19-00.)
- (e) "Disabled person" means any individual who, by reason of illness, injury, age,

congenital malfunction, or other permanent or temporary incapacity or disability, is unable without special facilities or special planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected; excepting therefrom any person whose incapacity or disability is solely due to the consumption of alcohol or the use of any "drug of abuse" as the same is defined in Ohio R.C. 3719.011.

- (f) "Owner or Operator" means any person, firm or corporation who or which has control, direction of operation, maintenance or the benefit of the collection of revenue derived from the operation of a taxicab as herein defined, on or over the streets of the City, whether as owner, licensee, bailee or otherwise, except a driver as hereinafter defined.
- (g) "Taxicab" shall mean all passenger motor vehicles carrying the public generally, upon hail or request made on a public street, or public or quasi-public place (or which also accepts any person or persons in response to an order for service previously given, in which case a "not for hire" sign shall be exhibited) as passengers for hire, reward, gift, donation or other consideration either direct or indirect on the streets of the City, where route traveled and trip destination are controlled by the passenger and at a charge or fare based upon time and/or mileage. In addition to such motor vehicles as are commonly known as taxicabs, the term "taxicab" includes all motor vehicles of every kind, character, and description which are used as taxicabs, cabs or for-hire cars, and engaged as such in the carriage of passengers for hire, reward, gift, donation or other consideration, either direct or indirect. The following vehicles are specifically excluded from the definition of a "taxicab":
  - (1) "Church bus," being a vehicle licensed and registered by the State of Ohio as a church bus;
  - (2) "Funeral vehicle," being a motor vehicle owned or leased by a funeral director and used exclusively for funeral services or motor vehicles for hire while being used for funeral services.
  - (3) "Motor bus," being a vehicle owned or leased by a registered common carrier and registered by the Public Utilities Commission of the State of Ohio (PUCO), and being operated for the purpose of intrastate or interstate commerce on regulated routes or schedules or a vehicle which, by virtue of a franchise granted by the City, is driven upon fixed routes and generally according to a fixed schedule.
  - (4) Vehicles operated by day care facilities and automobile dealers for its customers and patrons at no cost to said customers and patrons.
  - (5) "Hotel and motel courtesy vehicle," being a luxury limousine, specialized passenger motor vehicle, omnibus or similar vehicle operated by a hotel or motel as a courtesy for its patrons or its employees at no cost to its patrons or employees.
  - (6) "Ambulance," being any motor vehicle that is specifically designed, constructed, or modified and equipped and is intended to be used for the transportation of persons who are seriously ill, injured, wounded, or otherwise incapacitated or helpless; including any motor vehicle specifically designed and used solely for the transportation of nonstretcher-bound, hospitalized, or disabled persons confined to a wheelchair.

- (7) "Limousine," being a vehicle which is used exclusively for hire in connection with special or ceremonial events such as weddings, high school proms, transportation of dignitaries, anniversaries, or funerals or a vehicle belonging to the passenger which are driven by a chauffeur (the chauffeur being the employee of the passenger and therefore hired by the passenger or capable of being removed from employment by the passenger).

**765.02 TAXICAB COMPANY LICENSE REQUIRED; PROHIBITION.**

(a) Except as otherwise provided in Section 765.03, no person or taxicab company shall operate or permit the operation of any taxicab, owned or leased by them or under their control, on any street within the corporate limits of the City, except in accordance with the provisions of this Chapter.

(b) Except as otherwise provided in Section 765.03, no person shall engage in the business of operating one or more taxicabs within the City unless a taxicab company license has been duly issued by the City to such person in the manner specified in this Chapter, and unless such license is in full force and effect.

(c) Except as otherwise provided in Section 765.03, no person or taxicab company shall permit any taxicab, owned or leased by them or under their control, to be driven for hire by any person who is not a taxicab driver properly licensed under the provisions of this Chapter.

(d) Except as otherwise provided in Section 765.03, no person or taxicab company shall permit any taxicab, owned or leased by them or under their control, to be driven for hire on the streets of the City unless the taxicab is registered in accordance with Section 765.07.

(e) No licensed taxicab company shall fail to maintain their equipment in good mechanical condition at all times and shall not operate any vehicle with a defect that would tend to affect the safe operation of such vehicle, or the safety of others on the road.

**765.03 EXEMPTION FROM REGULATION.**

(a) The provisions of this Chapter shall not apply to taxicabs from other jurisdictions owned and operated by a person having no taxicab company license issued pursuant to this Chapter bringing passengers from a point of origin outside the City to a point of destination inside the City. But this Chapter shall apply and it shall be unlawful for the taxicab company or driver of any taxicab exempted hereunder to solicit or accept any passenger within the City for transportation to any destination, without first obtaining the necessary licenses required by this Chapter.

(b) The provisions of this Chapter shall not apply to vehicles owned, leased or operated by the Federal government, including any of its agencies, or by the State of Ohio or any of its political subdivisions or by the employees of such government entities when the employee is operating the vehicle for the benefit of the government entity and is compensated by the government entity; nor shall the provisions of this Chapter apply to the drivers of such vehicles.

**765.04 APPLICATION FOR TAXICAB COMPANY LICENSE.**

(a) Application for the taxicab company license specified in Section 765.02 shall be made by the taxicab company owner to the Service Director upon blanks furnished by the Service Director and shall set forth the following information:

- (1) The full name, age and residence of the applicant if it is a sole proprietorship. If the applicant is a partnership, or any other legal entity other than a natural individual or a body corporate, the full name, age and residence of each of the partners or principals. If the applicant is a corporation, the full name of the corporation and its principal place of business, together with the full name of its principal officers, and the applicant corporation's certificate of good standing issued by the state of incorporation;
- (2) The name under which the applicant will do business;
- (3) A schedule or list showing the type of each vehicle to be used in service, with information as to motor and serial numbers and state license number, age, mileage, carrying capacity and wheelbase of each such vehicle; the name, insignia, monogram, color scheme or style of painting or lettering to be used together with all other lettering or marks proposed to be used by the applicant on the vehicles;
- (4) A certificate of insurance executed by a duly licensed representative of an insurance company licensed and admitted to sell motor vehicle insurance in the State of Ohio verifying that all taxicabs to be employed in the taxicab company's business are insured in conformity with all requirements contained in this Chapter and containing a provision that the insurance will not be modified or canceled until thirty (30) calendar days written notice has been given to the City, along with a receipt from the insurance company verifying that one month of insurance premiums have been paid in advance; or a valid Certificate of Self Insurance issued to the applicant by the Ohio Department of Public Safety, Bureau of Motor Vehicles issued pursuant to Section 4509.72 of the Ohio Revised Code;
- (5) The Service Director shall make inquiry into whether the applicant is indebted to the City or in default upon an indebtedness or other obligation to the City; and
- (6) The application shall be accompanied by a nonrefundable application fee of One Hundred Twenty Five Dollars (\$125.00) to cover the expenses of the City in investigating the applicant and considering the grant or denial of the license sought by the applicant.

(b) Licensed taxicab companies shall inform the Service Director of a change in any of the information described in paragraph A of this section within ten (10) calendar days after the change occurs by filing and amended form reflecting such change.

(c) No person shall give any fictitious information or practice any fraud, misrepresentation or subterfuge in securing, attempting to secure or in maintaining in effect a taxicab company license provided for in this Chapter. Should fraud, misrepresentation or subterfuge be engaged in as a part of securing, attempting to secure or in maintaining in effect a taxicab company license, any license issued or continuing in effect based, in whole or in part, upon such activity shall be void. Failure to properly notify the Service Director of a change in information as required by this Section shall constitute misrepresentation.

(Ord. 00-456. Passed 12-19-00.)

**765.05 DETERMINATION BY THE SERVICE DIRECTOR.**

(a) Upon receiving an application as provided in Section 765.04, the Service Director shall forthwith investigate the applicant for such license concerning the applicant's compliance with the provisions of this Chapter, compliance with all other legal obligations to the City, the applicant's satisfaction of all indebtednesses or other obligations to the City and shall obtain from the Chief of Police a report concerning whether the applicant has been convicted of any violations of Sections 765.02, 765.07, 765.08 or 765.09 of this Chapter.

(b) No taxicab company license shall be issued to an applicant whose name, insignia, monogram, color scheme or style of painting or lettering to be used thereon, in the opinion of the Service Director, imitates a name, insignia, monogram, color scheme or style of painting or lettering used by any another taxicab company licensed under the provisions of this Chapter, or is such as to mislead or tend to deceive the public. In case of dispute as to the right to use any name, insignia, monogram, color scheme or style of painting or lettering, it shall be resolved in favor:

- (1) of the person having trademark protection for the name, insignia, monogram, color scheme or style of painting or lettering; or, if no applicant has such trademark protection;
- (2) of the person with the earlier priority of use of the name, insignia, monogram, color scheme or style of painting or lettering not having trademark protection, unless he has abandoned such use for one year or more.

After a taxicab company license has been issued to a taxicab company, the name, insignia, monogram, color scheme or style of painting or lettering of the taxicab company shall not be changed without the prior written approval of the Service Director. Prior to the issuance of a taxicab company license, the applicant shall present a color photograph of the name, insignia, monogram, color scheme or style of painting and lettering of the taxicab company to the Service Director.

(c) If the Service Director determines that the applicant has met all of the eligibility requirements imposed by this Chapter to receive a taxicab company license, that the applicant has satisfied all indebtednesses or other obligations to the City and the Service Director has determined that the vehicle(s) proposed to be used comply with the provisions of this Chapter, the Service Director shall issue a taxicab company license to the applicant.

(d) All taxicab company licenses shall expire at midnight on December 31 of the year of issuance.

(e) A taxicab company license issued under this Chapter is not transferable and may not be transferred in any way whatsoever including, but not limited to, by way of a transfer by sale, lease, assignment, sublease, barter, or gift of the taxicab company license itself, or by a sale, lease, assignment, sublease, barter, or gift of the assets or stock of a legal entity which holds a taxicab company license. Should a legal entity dissolve and cease doing business, a successor entity to the defunct legal entity must secure a new taxicab company license.  
(Ord. 00-456. Passed 12-19-00.)

**765.06 REVOCATION OF TAXICAB COMPANY LICENSE.**

(a) Any license to operate a taxicab may be revoked at any time by the Service

Director if the Service Director finds that:

- (1) the licensee fails to operate its taxicabs in accordance with the provisions of this Chapter and other ordinances of this City and the laws of Ohio; or
- (2) the licensed taxicab company has ceased to operate its taxicab service for a period of thirty consecutive calendar days; or
- (3) the licensed taxicab company fails to keep in force the policy of insurance required under this Chapter.

(b) Written notice of such revocation shall state the reason for the revocation, the date and time that the revocation is effective and shall inform the licensee that it may request a post revocation hearing before the Service Director within ten (10) calendar days of service of the notice of revocation upon the licensee. The Service Director shall serve the notice of revocation on the licensee by sending the notice of revocation to the licensee personally by certified mail return receipt requested or by leaving a copy of the notice of revocation at the taxicab company's place of business designated in the license.

(c) Upon receipt of a request for a post revocation hearing, the Service Director shall serve written notice of such hearing, stating the date, time and location of the hearing upon the licensee. The Service Director shall serve the notice of the post revocation hearing upon the licensee by sending the notice of the post revocation hearing to the licensee personally by certified mail return receipt requested or by leaving a copy of the notice of the post revocation hearing at the taxicab company's place of business designated in the license. The Service Director shall serve the written notice of the post revocation hearing at least five calendar days prior to the hearing date.

(d) No person whose license has been revoked shall fail, refuse or neglect to surrender their taxicab company license certificate to the Service Director on or before the effective date of revocation, nor shall any person conceal or destroy any taxicab company license certificate during the year for which such license was issued.

(Ord. 00-456. Passed 12-19-00.)

#### **765.07 TAXICAB VEHICLE REQUIREMENTS.**

(a) No licensed taxicab company shall permit a vehicle to be operated on the streets of the City as a taxicab unless the company has first complied with Section 765.08 of this Chapter.

(b) Each taxicab company shall adjust the taximeter on each of its taxicabs in such a manner that it will indicate the fare due on the schedule of maximum rates established in Section 765.12 of this Chapter.

#### **765.08 LIABILITY INSURANCE REQUIRED.**

(a) No person shall operate or cause or permit the operation of a taxicab unless the licensed taxicab company operating such taxicab deposits with the Service Director a certificate of insurance executed by a duly licensed representative of an insurance company licensed and admitted to sell motor vehicle insurance in the State of Ohio, as specified in Subsection 765.04(a)(4) of this Chapter, verifying the owner of the taxicab(s) to be covered by Automobile Liability Insurance with coverages for each taxicab of not less than Two Hundred Fifty Thousand Dollars (\$250,000) coverage per person for bodily injury, including death and

of not less than Twenty-Five Thousand Dollars (\$25,000) per occurrence for property damage. The taxicab company operating such taxicab shall also deposit with the Service Director a receipt from the insurance company verifying that insurance premiums have been paid in advance, not less than once each month, on or before the first business day of the month. (Ord. 00-456. Passed 12-19-00.)

(b) The required certificate of insurance shall contain a provision to the effect that, in addition to any notice required to be given to the insured under the terms of such policy, no cancellation of such policy shall become effective without at least thirty (30) calendar days advance written notice, addressed to the Service Director, of the intent to accomplish such cancellation. In case of the cancellation of any such policy of insurance, the license or licenses issued for any or all taxicabs affected by such cancellation shall be immediately revoked by the Service Director effective on the date such cancellation is intended to be accomplished and no such taxicab or taxicabs shall be operated on and after the effective date of such revocation until a new taxicab company license has been applied for and issued; provided, however, if one or more new policies of insurance conforming to the provisions of this section are filed with the Service Director prior to the date such cancellation is intended to be accomplished, the Service Director shall forthwith withdraw his notice of revocation without the payment of any further fee by the licensed taxicab company. (Ord. 00-456. Passed 12-19-00.)

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a valid Certificate of Self-Insurance issued company by the State of Ohio Department of Public Safety, Bureau of Motor Vehicles pursuant to Section 4509.72 of the Ohio Revised Code may be provided in lieu of acquiring an insurance contract and providing a certificate of insurance.

#### **765.09 LIMITATIONS ON OPERATION OF TAXICABS.**

(a) No licensed taxicab company or driver of any taxicab shall permit or cause the same to be operated over any regular route (i.e. to pass any specified points at regular intervals of time on a fixed time schedule for the purpose of picking up passengers), or, when hired, to accept other passengers in such taxicab unless the oral consent of all the then occupants of the taxicab is secured.

(b) No driver of any taxicab shall permit any person to occupy the seat adjacent to the driver's seat unless:

- (1) all other seats are occupied by passengers in the rear of a taxicab, or
- (2) a new driver is being trained, or
- (3) a passenger is disabled and the taxicab driver permits the disabled passenger or other person to ride in the front seat with him/her.

(c) No taxicab owner or driver shall solicit or permit the solicitation of patrons or passengers for taxicab in any other way than in an ordinary tone of voice or by the display of a sign attached to the taxicab, which sign shall be not more than eight inches square in size; nor shall such solicitation be made when the taxicab is more than three feet distance from the prospective passenger.

**765.10 FAILURE TO PAY.**

Whoever, with intent to defraud the owner or driver of any taxicab, engages carriage therein, shall be guilty of a misdemeanor of the fourth degree. Refusal to pay the lawful charge for such carriage or absconding without payment or offer to pay shall be prima-facie evidence of intent to defraud.

**765.11 TAXICAB DRIVER'S LICENSE.**

(a) No person shall drive a taxicab within the City unless he shall have first obtained from the Service Director a taxicab driver's license and unless the taxicab driver's license is in full force and effect; provided, however, that any person duly licensed to drive a taxicab by some other proper governmental authority, but having no taxicab driver's license issued under this Chapter may bring passengers into the City by means of such taxicab, but may not accept or offer to accept any passenger for compensation within the City.

(b) Any person intending to engage in the occupation of driving taxicabs for hire for the purpose of transporting persons on the streets of the City shall make application to the Service Director for a taxicab driver's license. The application shall be accompanied by a nonrefundable application fee of Twenty-Five Dollars (\$25.00) to cover the cost of a photograph and fingerprints to be taken by the City Police Division. If the taxicab driver's license is issued, it shall be for a period of two (2) years from the date of issue. Applicant must apply for a new license accompanied by a Twenty-Five Dollar (\$25.00) nonrefundable application fee prior to license expiration. The application for a taxicab driver's license shall be made in the applicant's own handwriting upon a form to be supplied by the Service Director, which forms, when filled in, shall contain the information required by this Chapter. The applicant shall designate the name of the licensed taxicab company for whom he will be providing services.

(c) Upon receiving the application for a driver's license, with the required accompanying material, the Service Director shall obtain from the Chief of Police a report concerning whether the applicant has any of the disqualifying characteristics, as described in Subsection 765.13(b), and shall determine whether the applicant meets the standards set forth in this Section. No person shall be licensed as a taxicab driver unless he shall:

- (1) Be of the age of eighteen years or over;
- (2) Be able to communicate in English;
- (3) Possess a working knowledge of the traffic laws of the City;
- (4) Be authorized or entitled to operate a motor vehicle upon the streets and highways pursuant to the driver's license law of Ohio (i.e. Chapter 4507 of the Ohio Revised Code); and

If all such standards are met and no disqualifying characteristics, as described in subdivision 765.13(b), are believed to be true of the applicant, the Service Director shall issue a taxicab driver's license to the applicant.

(d) The taxicab driver's license shall be in the form specified in Section 765.12 and all such taxicab driver's licenses shall expire twenty-four months from the date of issuance.

(e) The Service Director shall deny an application for a taxicab driver's license if the Chief of Police determines that:

- (1) The applicant has been convicted of a theft offense within one year;

- (2) The applicant has been convicted of a felony theft offense within three years;
- (3) The applicant has ever been convicted of a drug sale offense (no time limit);
- (4) The applicant has been convicted of a drug abuse offense within one year;
- (5) The applicant has been convicted of driving while intoxicated or being in physical control of a motor vehicle while under the influence of alcohol within the past two years;
- (6) The applicant has ever been convicted of a sexual assault offense (no time limit);
- (7) The applicant is a person who has a lengthy or diverse criminal record who, in the opinion of the Chief of Police, should not be issued a taxicab driver's license;
- (8) The applicant has within two years prior to filing the application for a license has been convicted of, pled guilty to or forfeited bond for four or more moving traffic offenses, whether charged under State law or under the ordinances of any jurisdiction;
- (9) The applicant has compiled an unsafe driving record based on a consideration of the applicant's driving prior to the previous three years or a has compiled a persistent record of arrests or convictions that exhibit a disregard for the law;
- (10) The applicant has had his or her driver's license suspended by a court within the three years preceding the application;
- (11) The applicant has had his or her driver's license suspended by administrative action within the three years preceding the application;
- (12) The applicant has been adjudged mentally incompetent and has not been legally restored to competency.

For any applicant whose convictions fall within the above limits, the date of conviction shall be deemed to be the later of the actual date of conviction or release from incarceration resulting from the conviction.

Notwithstanding the foregoing, the Service Director may issue a temporary taxicab drivers license to an applicant pending the Chief of Police completing his investigation of the applicant's record of convictions. The Service Director may revoke a temporary taxicab drivers license at any time and without invoking the procedure described in Section 765.13 of this Chapter. The provisions of Section 765.13 of this Chapter shall not apply to the revocation of temporary taxicab drivers licenses. Upon revocation, the licensed driver shall surrender his temporary taxicab drivers license to the Service Director. No license fee or portion thereof shall be refunded in the case of any revocation.

(f) No person shall give any fictitious information or practice any fraud, misrepresentation or subterfuge in securing or attempting to secure a taxicab driver's license. Should fraud, misrepresentation or subterfuge be engaged in as a part of securing any license issued based, in whole or in part, upon such false information such taxicab driver's license shall be void.

(Ord. 06-67. Passed 2-28-06.)

**765.12 TAXICAB DRIVER'S LICENSE CARD AND DRIVER'S REGULATIONS.**

(a) The taxicab driver's licenses issued by the Service Director shall be in the form of a five-inch by seven-inch identification card, containing the taxicab driver's license number in figures one-half inch in height, the driver's full name, his physical description, his photograph (1" x 2"), his residence address, and the expiration date of the license. The driver must insert and keep his card in the taxicab driver's license display holder located in the taxicab at all times while he is in charge of the taxicab.

(Ord. 00-456. Passed 12-19-00.)

(b) The Service Director is authorized to develop and implement a minimum standard for hygiene and dress appearance of taxicab drivers. Such minimum standards shall be required of all taxicab drivers fourteen (14) days after publication of the adopted standards.

(Ord. 00-456. Passed 12-19-00.)

(c) It shall be unlawful for any taxicab driver to charge any fare for taxicab service in excess of the following:

- (1) Effective July 15, 1999. For the first passenger for the first 1/10 mile, \$1.50. For the first passenger for each subsequent 1/10 mile, \$.20.
- (2) Additional passengers. For each passenger in addition to the first, for the trip, \$.20.
- (3) Children. For each child under two years of age when accompanied by a payment fare, no charge.
- (4) Hand luggage (two pieces or less). For the first two pieces of hand luggage per passenger, no charge.
- (5) Hand luggage (more than two pieces). For each piece of hand luggage over two per passenger, \$.30.
- (6) Waiting time. For each hour of waiting time, \$12.00, which amount may be prorated by the taxicab operator at a rate of \$1.00 per five (5) minute period.

(d) Minimum charge. Within the City of Springfield, a taxicab driver may charge a \$6.00 minimum for services in the event the aggregate of scheduled charges are less than \$6.00.

(Ord. 05-241. Passed 9-20-05.)

**765.13 REVOCATION OF TAXICAB DRIVER'S LICENSE.**

(a) The Service Director shall have jurisdiction to revoke taxicab driver's licenses granted herein. In the event a licensed taxicab driver ceases to meet all of the standards for a taxicab driver contained in Section 765.11 of this Chapter or in the event a licensed driver engages in any prohibited act as described in Subsection 765.13(b) or charges fares in violation of Subsections 765.12(c) or (d) of this Chapter, the Service Director, may issue an order revoking such taxicab driver's license. Upon revocation, the licensed driver shall surrender his license to the Service Director. No license fee or portion thereof shall be refunded in the case of any revocation.

(b) The following are prohibited acts for licensed taxicab drivers:

- (1) The licensee engaged in activity resulting in a conviction for violating any

- of the provisions of this Chapter;
- (2) The licensee has given false answers to any questions on his application for a taxicab driver's license;
  - (3) The licensee permits a taxicab to be operated for hire by a person not licensed as a taxicab driver by the City and/or permits another person to use his taxicab driver's license card;
  - (4) The licensee has compiled a record of two or more traffic law convictions (the term convictions includes bond forfeitures) within a period of six consecutive months;
  - (5) The licensee has engaged in activity resulting in being convicted of, pleading guilty to, or forfeiting bond for any of the following offenses while licensed to operate a taxicab:
    - (A) Driving while under the influence of alcohol or any drug of abuse, or the combined influence of alcohol and any drug of abuse;
    - (B) Violation of the Ohio driver's license laws;
    - (C) Vehicular homicide;
    - (D) Fleeing and eluding a police officer;
    - (E) Drag racing;
    - (F) Reckless operation;
    - (G) Leaving the scene of an accident;
    - (H) Any offense constituting a felony.
  - (6) Coerce or attempt to coerce any person for the purpose of securing or attempting to secure the person as a passenger in his taxicab;
  - (7) Use any fighting words or other language likely to provide a breach of the peace;
  - (8) No licensed taxicab driver shall operate any vehicle with a defect that would tend to affect the safe operation of such vehicle, or the safety of others on the road.
  - (9) The licensee fails to comply with the minimum standard for hygiene and dress appearance of taxicab drivers prescribed by the Service Director pursuant to Subsection 765.12(b) of this Chapter.

(c) Written notice of such revocation shall state the reason for the revocation, the date and time that the revocation is effective and shall inform the licensee that he may request a post revocation hearing before the Service Director within ten (10) calendar days of service of the notice of revocation upon the licensee. The Service Director shall serve the notice of revocation on the licensee by sending the notice of revocation to the licensee at the residence address of the licensee, as stated on the licensee's taxicab driver's license, by first class mail and by sending a copy of the notice of revocation to the licensee in care of his taxicab company's place of business designated in the licensee's application for a taxicab driver's license.

(d) Upon receipt of a request for a post revocation hearing, the Service Director shall serve written notice of such hearing, stating the date, time and location of the hearing upon the licensee. The Service Director shall serve the notice of the post revocation hearing upon the licensee by sending the notice of the post revocation hearing to the licensee at the residence address of the licensee, as stated on the licensee's taxicab driver's license, by first class mail and by sending a copy of the notice of revocation to the licensee in care of his

taxicab company's place of business designated in the licensee's application for a taxicab driver's license. The Service Director shall serve the written notice of the post revocation hearing at least five calendar days prior to the hearing date.  
(Ord. 00-456. Passed 12-19-00.)

(e) No licensee shall deface or alter any official entry made upon his taxicab drivers license. Any taxicab drivers license which has been defaced or altered is void.

**765.90 PROVISIONS NOT RETROACTIVE.**

The provisions of this chapter shall not affect any license heretofore issued to any owner or driver, but shall have full force and effect at the expiration thereof. The provisions of this chapter shall not be effective as to any other property rights hereinbefore acquired or granted under the provisions of prior ordinances regulating taxicabs and their operation.

**765.99 PENALTY.**

Any owner or driver of a taxicab who violates any of the provisions of this chapter shall be unless otherwise specified in this chapter, guilty of a minor misdemeanor. Any owner or driver of a taxicab who violates any of the provisions of this chapter, having been previously convicted of a violation of any of the provisions of this chapter, shall be unless otherwise specified in this chapter, guilty of a misdemeanor of the fourth degree. However, in the case of a corporate taxicab owner, the directors or managing officials of the corporation responsible for the violation shall be subject to the criminal penalties provided herein.