

Cross References: Licenses generally, [Ch. 11](#); motor vehicles and traffic, [Ch. 14](#); fuel tax, [Ch. 54](#).

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§ 25-1. Purpose of chapter.

The purpose of this chapter is to regulate and control the operation of taxicabs for hire in the county in order to preserve the health and welfare of the citizens of the county and to protect their property.

§ 25-2. Definitions.

Unless it appears from the context that a different meaning is intended, the following words and phrases, when used in this chapter, shall have the meanings ascribed to them by this section:

Agents. "County board," "board" and "county manager" include any designee duly appointed by the county board or by the county manager.

Association means any group of two (2) or more certificate-holders operating taxicabs not under common ownership but under unified control and a common trade name and having a common uniform color scheme. It shall also include a group of owners operating under a common trade name and having a common uniform color scheme.

Certificate means the certificate of public convenience and necessity granted to persons in the business of operating taxicabs as provided in this chapter. The term certificate includes special certificates.

Certificate-holder means any individual, association, partnership, company, corporation or other organization that has been granted a certificate of public convenience and necessity as provided in this chapter.

Driver means the person actually driving the taxicab for-hire.

License means the public vehicle driver's license as provided in this chapter.

Prepaid purchase means the advance payment, for ten (10) or more taxicab trips. Payment for taxicab service which is prepaid may be made by coupons or vouchers bought before the time of the taxicab trip, or the prepayer may open an account with the taxicab company, pay for taxicab service in advance, and then draw down the prepaid account.

Special certificate means a certificate for public convenience and necessity granted to persons in the business of operating taxicabs as provided in this chapter, which certificate authorizes the certificate holder to operate only a wheelchair-accessible taxicab vehicle.

Taxicab or other motor vehicle performing taxicab service means any motor vehicle having a seating capacity of not more than six (6) passengers and not operating on a regular route or between fixed terminals used in the transportation of passengers for hire or for compensation.

Taxicab business means the business of transporting passengers for compensation by taxicab or other vehicle performing a taxicab service.

Taxicab service means and includes the operation of any motor vehicle upon any street or highway, on call or on demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along streets or highways as may be directed by the passenger or passengers so being transported.

Taximeter means a mechanical instrument or device by which the charge for hire of a taxicab is mechanically calculated either for distance traveled or for waiting time, or both, and upon which such charge shall be indicated by means of figures.

Vehicle owner means any person, association, partnership, corporation or other organization having title to any taxicab as herein defined.

§ 25-3. Purview of chapter.

(1) *Persons covered.* Any person who transports persons for hire in a taxicab or engages in the taxicab business shall be governed by the conditions and regulations prescribed in this chapter.

(2) *Grandfather clause; continuation in effect of certificates, certificate cards and licenses.* Every certificate, certificate card, and license in effect on the date of the amendment and reenactment of this section shall continue in full force and effect hereunder, provided, that at least seventy-five (75) percent of the number of taxicabs for which a certificate of public convenience and necessity has been granted are operated within three hundred sixty-five (365) days of the reenactment hereof; in the event that less than seventy-five (75) percent of the certificated number of taxicabs are so operated, the certificate shall be surrendered and the county manager shall issue a new certificate for a lesser number, which shall not be less than the number derived by dividing the maximum number operated during the three hundred sixty-five-day period by 0.75, with the result rounded to the nearest higher whole number. This grandfather clause shall not exempt any certificates, taxicab certificate cards or licenses so continued from any provisions of this chapter.

(Ord. No. 83-34, 12-10-83; Ord. No. 84-20, 7-7-84)

§ 25-4. Enforcement.

(1) This chapter shall be enforced by the county manager, or other agents of the county, under the direction of the county manager.

(2) The county manager and his agents shall act with reasonable promptness in all matters regarding certificates and licenses.

(3) All decisions regarding certificates or licenses, including decisions to issue, amend, revoke, or suspend certificates or licenses, shall be transmitted in writing by the county manager to the applicant by certified mail, directed to the address shown on the application, the certificate or license.

(4) Any owner or operator of a motor vehicle used as a vehicle for transportation of persons for a consideration on any highway, street, road, lane, or alley in the county, who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one hundred dollars (\$100.00) for the first offense and not more than five hundred dollars (\$500.00) for each subsequent offense.

(Ord. No. 83-34, 12-10-83; Ord. No. 84-20, 7-7-84; Ord. No. 93-24, 12-11-93)

§ 25-5. Appeal from decisions of the county manager.

(1) *Right of appeal.* Any decision of the county manager which is a refusal to amend a suspension or a revocation of any certificate or license shall not become final until fourteen (14) days after the date the certified letter is mailed as specified in section 25-4(3) of this chapter, during which period the party to the action may appeal the decision of the county manager in the manner provided below at any time before the expiration of that fourteen-day period. If no appeal is taken before the expiration of the fourteen-day period, the decision of the county manager shall be final.

(2) *Appeal procedure in case of certificate holders or applicants:*

(a) The appeal of any decision by the county manager involving a certificate shall be in writing, signed by the party to the action, stating an address at which he will receive notices and filed with the clerk of the county board within fourteen (14) days of the post office date of transmittal on the certified letter.

(b) The clerk to the county board shall notify the county manager of the filing of an appeal.

(c) Upon filing an appeal, the party to the action involving a certificate shall be entitled to a hearing by the county board which shall be heard at the next regular meeting of the county board held more than ten (10) days after the filing of the appeal. The hearing of such appeals may be continued by the county board in its sole discretion from time to time and from place to place by a vote of the majority of the members present at the regular meeting for which the hearing of the appeal is first scheduled, by motion of the party to the action, the county manager, or by any member of the county board.

(d) The party shall have the right to present his case in person or by counsel licensed to practice law in the State of Virginia.

(e) The county board shall consider the case record as well as statements offered by any interested party and shall consider the action de novo under the rules and standards set forth in this chapter. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence in civil actions.

(f) If the county board refuses to amend or restore a certificate, the party to the action, or his agent, shall not file a new application within three hundred sixty-five (365) days from the date of final action by the board.

(g) If the hearing examiner suspends a license, the hearing examiner shall determine a period of suspension of not more than thirty (30) days. The certificate shall be restored to the party to the action upon expiration of the suspension period.

(h) If the county board's action is to restore a certificate, the board shall direct the county manager to restore the certificate in accordance with the order of the board.

(i) Certificates of public convenience and necessity shall be suspended or revoked as of the date of the next succeeding regular meeting of the county board following the hearing of the appeal.

(3) *Appeal in case of license holders or applicants:*

(a) The appeal of any decision involving a license shall be in writing, signed by the party to the action, stating an address at which he will receive notices and filed with the clerk of the county board within fourteen (14) days of the post office date of transmittal on the certified letter.

(b) The clerk of the county board shall notify the county manager of the filing of an appeal.

(c) Upon filing an appeal, the party to the action shall be entitled to a hearing by a hearing examiner who shall be a lawyer admitted to practice in the Commonwealth of Virginia employed for the purpose of conducting such hearings by the county board. The time and place of the hearing shall be scheduled by the clerk of the county board at any time after the filing of appeal upon notice by the clerk of the county board mailed to the party to the action at the address stated at the time of the filing of the appeal. Such appeals may be continued by the hearing examiner from time to time and place to place at the time of any hearing by an order made sua sponte, on motion of the party to the action, or on motion of the county attorney.

(d) The party shall have the right to present his case in person or by counsel licensed to practice law in the State of Virginia.

(e) The hearing examiner shall consider the case record as well as statements offered by an interested party and shall consider the action de novo under the rules and standards set forth in this chapter. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence in civil actions.

(f) If the hearing examiner refuses to issue or restore a license, the party to the action shall not file a new application within three hundred sixty-five (365) days from the date of final action by the hearing examiner.

(g) If the hearing examiner suspends a license, the hearing examiner shall determine a period of suspension of not more than sixty (60) days. The license shall be restored to the party of the action upon expiration of the suspension period.

(h) If the hearing examiner's action is to grant or restore a license, the hearing examiner shall direct the county manager to issue or restore the license or certificate in accordance with the order of the hearing examiner.

(4) *Suspension or revocation on board's own motion.* The county board, on its own motion, may for cause suspend or revoke any certificate issued under this chapter.

(5) *Stays.* The timely filed appeal of a decision of the county manager suspending or revoking a public vehicle driver's license shall stay the effective date of the suspension or revocation until the time of the decision by the hearing examiner only in cases of suspension or revocation based on section 25-8(7)(a). The automatic revocation of such a license provided for in section 25-8(7)(b) is not an act of the county manager and therefore is not subject to appeal.

(5-5-74; Ord. No. 83-34, 12-10-83; Ord. No. 84-20, 7-7-84; Ord. No. 91-36, 10-12-91; Ord. No. 98-16, 4-18-98)

§ 25-6. Certificate of public convenience and necessity.

(1) *Required.* It shall be unlawful to engage in the taxicab business unless a certificate of public convenience and necessity shall have been issued by the county board.

(2) *Application for certificate:*

(a) Application for a certificate shall be made under oath by the prospective certificate holder or his authorized agent to the county manager upon forms provided by the county. Applications for certificates may be filed with the county manager only between May 1 and May 10 of each year.

(b) In addition to pertinent information that the county manager may require, the applicant shall provide the following:

1. The full name and the home and business address of the applicant. If the applicant is a corporation, a certified copy of the articles of incorporation.

2. The trade name and the telephone number under which the applicant does or proposes to do business.

3. The financial status and responsibility of the applicant, including evidence of his ability to acquire and maintain the vehicles for which authority is sought.

4. The number and ownership of vehicles to be operated, seating capacity, design and color scheme of each vehicle.

5. The character and location of the depots and terminals to be used, if any.

6. A description of the communications system to be used.

7. Description of service to be rendered, time of day or night.

8. Each conviction or plea of guilty or nolo contendere for the violation of any criminal law, whether such violation be of an ordinance, state law or federal law, of the applicant, or if the applicant be a corporation, of each of the officers of the corporation.

9. The specific experience of the applicant in the transportation of passengers for hire.

10. All facts or circumstances upon which the applicant bases his belief that public convenience and necessity requires the granting of his application.

(3) *Color scheme and insignia:*

(a) The applicant shall also submit a color scheme, insignia, and cruising light design which shall conform to regulations issued by the county manager and which shall be unique and readily distinguishable from previously approved color schemes and insignia.

(b) Every vehicle covered by a certificate shall have a uniform color scheme, insignia and cruising light of design approved by the county manager.

(c) Changes in color scheme, insignia, cruise light design, or the addition of advertising or advertising devices shall have prior approval of the county manager.

(4) *Determination of public welfare; issuance of certificates:*

(a) The applicant shall have the burden of establishing that the public welfare will be enhanced by the award of the certificate of public convenience and necessity requested in the application.

(b) The county board shall determine whether the public welfare will be enhanced by the award of any certificate after a public hearing in which testimony is heard concerning the economic consideration, the impact on private property rights, public need, and potential benefits. This hearing shall be held at the next regular meeting of the board held more than ten (10) days after the date of the county manager's recommendation. The hearing may be continued by the county board in its sole discretion from time to time and from place to place by a vote of the majority of the members present at the regular meeting for which the hearing is first scheduled. The board shall also consider the following relevant factors in making its determination.

1. The adequacy of existing taxicab service and other forms of transportation for passengers, already in existence.

2. The probable permanence and quality of the service offered by the applicant.

3. The character of taxicab service proposed by the applicant as demonstrated by: the proposed use if any of a radio communications system; the proposed use of terminals and private and public hack stands; the time of day and night when service is to be offered; the proposed number and character of vehicles.

4. The financial status, character and responsibility of the applicant as demonstrated by: the applicant's ability to provide, maintain and operate the number of vehicles proposed to be operated in accordance with the character of service proposed in the application; the applicant's criminal and traffic record; applicant's credit record, if any.

5. The experience of the applicant in taxicab operations as an owner or manager or as a taxicab driver.

6. The adequacy of existing transportation service for persons in wheelchairs.

(c) At the hearing before the county board, the applicant shall have the right to present his case in person or by counsel licensed to practice law in the State of Virginia.

(d) The county board shall consider the case record as well as statements offered by any interested party. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence in civil actions.

(e) After the public hearing, the county board may issue the certificate for the number of vehicles applied for, or for a lesser number than that requested, or the county board may refuse to issue the certificate. The applicant shall be notified of the board's decision by certified mail as provided for in section 25-4(3). The applicant or his agent may not reapply for a certificate for three hundred sixty-five (365) days from the date of refusal.

(f) The county manager shall, prior to the public hearing on the application before the board, make his recommendation to the board as to whether an award of the certificate applied for will enhance the public welfare. The county manager shall request a recommendation from the Arlington Transportation Commission prior to making his recommendation to the board. The county manager shall furnish to the commission all information available to him concerning the application for a certificate under consideration and the Arlington Transportation Commission shall make its recommendation to him within forty-five (45) days.

(g) To assist him in making his recommendation to the board, the county manager, upon receipt of an application for a certificate, shall provide each certificate holder with an opportunity to express an opinion about the application. He shall notify each certificate holder that an application for a certificate has been filed. The certificate holder may submit his opinion in writing within thirty (30) days of the date of request. Upon a showing of demand by certificate holders or the general public, the county manager may request the Arlington Transportation Commission to hold a public hearing on the application.

(h) After consideration of the factors prescribed in this chapter, the recommendation from the transportation commission, and the written opinion of each certificate holder, if any, the county manager shall make his recommendation to the board.

(5) *Certificate generally: form, term, transferability, transfer of control:*

(a) The certificate of public convenience and necessity shall state the following:

1. The name and address of the certificate holder.

2. The number of vehicles the operation of which is authorized by the certificate. The certificate may authorize a specific number of wheelchair-accessible vehicles to be operated as specified in this ordinance.

3. The date of issuance.

4. The fact that the certificate is being issued subject to the provisions of this chapter and all other laws and ordinances governing the operation of public vehicles, taxicabs and for-hire vehicles in the county.

(b) Every certificate of public convenience and necessity issued shall be valid from the date of issuance until surrendered, revoked or suspended as provided.

(c) Certificates of public convenience and necessity may be transferred upon approval by the county manager, subject to the following conditions and procedures:

1. A certificate holder desiring to transfer his certificate must first notify the county manager of his intention to transfer same, submitting all relevant information as to the assets to be transferred, and indicating in an exhibit the "fair market value" of the assets offered for transfer, including the terms which are acceptable to him.

2. Upon receipt of the certificate holder's notification, and after satisfying himself that all relevant information has been submitted, the county manager shall notify each certificate holder of the seller's intentions. The details submitted with the seller's notification shall be made available to interested parties, upon request.

3. Within thirty (30) days of the issuance of the county manager's notice to certificate holders, any interested party (including such parties whose interest may have been solicited by the seller) may notify the county manager that he wishes to seek the certificate being offered. Accompanying such notification shall be a statement as to the terms and consideration which are agreeable to the prospective purchaser. Noncertificate holders seeking the transfer will submit application for certificate of public convenience and necessity as prescribed in section 25-6.

4. In his review the county manager shall give consideration to the factors enumerated in section 25-6(4) which deal with the issuance of new certificates and in section 25-6(6) which deal with amendments to certificates. He shall also request a recommendation from the Arlington Transportation Commission, which recommendation shall be due within forty-five (45) days of the request. The county manager shall, prior to making his decision, determine that the consideration and terms offered by the purchaser are equivalent to those stated by the seller as acceptable in section 25-6(5)(c)1. The county manager shall notify the purchaser and seller, all applicants, and all other certificate holders of his decision, and shall issue a certificate of public convenience and necessity to the successful purchaser(s) as soon as satisfactory proof shall have been submitted that the transaction is bona fide.

(d) In cases of death, sickness or unusual circumstances, the county manager may authorize the continued operation of an existing certificate for a reasonable time.

(e) Transfer of control of a corporation, partnership, or individual holding a certificate, either de facto or de jure is prohibited without prior approval of the county manager. To effect transfer of such control, the prospective controlling party shall notify the county manager in writing of his intention to acquire control, submitting all relevant information as to the method by which control is to be achieved and indicating whether control will be de facto or de jure.

1. The person requesting the transfer of control shall have the burden of establishing the desirability in the public interest of the control sought, and shall promptly respond to any requests for additional information or proof by the county manager or his agent.

2. The county manager shall cause the financial status, character, and responsibility of the applicant to be investigated.

3. The experience of the applicant in the taxicab business shall be investigated by the county manager or his agent.

4. The county manager may approve or deny the request for transfer of control. Before granting a request or application for control, the county manager shall make an affirmative finding that the proposed control is in the public interest. Absent such a finding, the county manager shall notify the applicant that the request has been denied.

(6) *Amendment to certificate authorization.* The procedure for amending certificate authorizations shall be as follows:

(a) Between May 1 and 10 of each year, existing certificate holders shall have the opportunity to file applications for amendments to certificate authorizations. They shall also submit any recommendations they may have as to changes in the level of certificates between May 1 and May 10.

(b) The county manager shall forward the applications to the Arlington Transportation Commission no later than May 15.

(c) Not sooner than May 15, nor later than July 15 of each year, the Arlington Transportation Commission shall conduct a meeting to which all applicants, existing certificate holders, and the public shall be invited. The hack inspector or a police department representative shall be present. The purpose of the meeting shall be to solicit taxicab industry views, and those of the public, and to receive evidence as to the economic condition of the taxicab industry. Applicants for changes in authorization shall be required to submit justification for the changes they recommend.

(d) Giving consideration to the evidence received at the meeting, but not being limited to such evidence, the Arlington Transportation Commission shall forward its conclusions as to the status of the industry, and its recommendation as to an appropriate level of taxicab certificates for the county to the county manager. It shall also forward its recommendation as to an appropriate allocation of the recommended number of certificates, including the number of taxicabs authorized for each certificate. It shall also forward the findings of fact upon which its recommendations are based. In making its recommendations as to allocations, the commission shall give consideration to such factors as bear on public convenience and necessity, including, but not limited to:

1. The relative age of the certificate holders' fleets.
2. The extent and character of the service offered by the several applicants.
3. The maintenance and condition of the fleets.

4. The demonstrated or prospective responsibility of certificate holders in regard to taxicab regulations.

5. The utilization of existing fleets, particularly with reference to the existing and prospective ability of the applicants to utilize the applied-for, or authorized, numbers of taxicabs to the benefits of the taxicab-riding public.

The commission's conclusion and recommendations shall be transmitted to the county manager no later than July 31.

(e) Not later than August 15, the county manager shall issue his statement of the economic condition of the taxicab industry. The county manager's statement shall contain specific recommendations on each application for amendment as well as recommendations as to the appropriate number and allocation of certificates for the county, including the number of taxicabs authorized for each certificate. In addition, the number of wheelchair-accessible vehicles authorized under special certificates shall be specified. The county manager shall presume that the factual findings of the Arlington Transportation Commission are prima facie correct. If he disagrees with the recommendations of the commission, either as to the number of certificates or as to the allocation of certificates, including the number of taxicabs authorized for each certificate, he shall, with the issuance of his statement, enumerate his reasons for not accepting the commission's recommendations.

(f) The county manager shall transmit, as provided in section 25-4(3), written notice of his recommendation on the application to the applicant on the day the county manager's statement is issued.

(g) The recommendations in the statement of the county manager shall become effective fourteen (14) days after the date the certified letter is mailed if no appeal has been filed. If a timely appeal is made to the county board as provided in section 25-5, the effect of the recommendations shall be stayed until the county board has made its decision to affirm or modify the county manager's recommendations. The decision of the county board will become effective immediately.

Upon amendment as to the number of vehicles and, upon the surrender of the existing certificate, the county manager shall issue a new certificate to the certificate holder.

(7) *Revocation or suspension of certificates:*

(a) Certificates of public convenience and necessity may be suspended for a period of one (1) to thirty (30) days or revoked by the county manager for any of the following:

1. Failure to operate the authorized taxicabs in such a manner as to serve the public adequately.

2. Failure to maintain taxicabs in good order and repair.

3. Failure to maintain insurance as required by this chapter.

4. Repeated and persistent violations by the certificate holder or his drivers of the Arlington County Code or the motor vehicle laws of Virginia.

5. Failure to report any accident as required by this chapter.

6. Failure to pay any fees lawfully assessed upon the ownership or operation of any vehicle licensed under this chapter.

7. Failure to supply information required under section 25-10 of this Code.

(b) If the county manager revokes a certificate of public convenience and necessity, and notifies the holder as provided in section 25-4(3), the holder of the revoked certificate, or his agent, may not reapply for a certificate for three hundred sixty-five (365) days from date of revocation.

(8) *Revision of certificates of public convenience and necessity:*

(a) At the same time as he issues his statement of the economic condition of the taxicab industry (section 25-6(6)(c)4.), the county manager shall indicate his findings as to whether the for-hire vehicles authorized, or any portion of them, were not operated for the three hundred sixty-five (365) days next preceding his finding. In this event, the certificate shall be surrendered by the certificate holder and the county manager shall issue a new certificate for a lesser number, which shall not be less than the number derived by dividing the maximum number operated by 0.80 with the result rounded to the nearest higher whole number. This section shall not be construed as to increase the number of taxicabs certificated, nor shall it require the surrender of a certificate of public convenience and necessity when the maximum number of taxicabs operated during three hundred sixty-five-day period exceeds eighty (80) percent of the authorized number.

(b) The provisions of (a) above shall not be applicable to that portion of an increase in taxicab certificates granted under provisions of section 25-6(6) for a period of three hundred sixty-five (365) days after an increase in certificates is authorized.

(12-1-66; 4-8-68; 7-10-71; 5-26-81; 7-11-81; Ord. No. 83-34, 12-10-83; Ord. No. 84-20, 7-7-84; Ord. No. 91-36, 10-12-91; Ord. No. 97-2, 2-8-97)

§ 25-7. Individual taxicab certificate card; substitution of vehicles.

(1) *Required:*

(a) For each taxicab covered by a certificate, a taxicab card shall be issued in a form prescribed by the county manager. This certificate card is the property of the county, is not transferable, and must be returned to the county immediately upon final removal of the taxicab from service.

(b) It shall be unlawful to operate a taxicab without certificate card conspicuously displayed in a manner prescribed by the county manager.

Substitution of vehicles. Upon application by the owner to the county manager, a vehicle may be substituted for another vehicle for which a certificate and taxicab certificate card have been issued. When such substitution is permitted, the certificate holder and/or owner shall surrender the taxicab certificate card for the vehicle being replaced and the county manager shall issue a new taxicab certificate card for the replacement vehicle.

(Ord. No. 84-20, 7-7-84)

§ 25-8. Public vehicle driver's licenses.

(1) *Required.* It shall be unlawful for any person to drive a taxicab for hire from an origin within the county, which shall include Arlington National Cemetery, Washington National Airport and the Pentagon reservation, or any other federal or state enclave, reservation or area within the boundaries of Arlington County, to a destination within the county, which shall include Arlington National Cemetery, Washington National Airport and the Pentagon reservation, or any other federal or state enclave, reservation or area within the boundaries of Arlington County, or to any destination other than the jurisdiction in which he is a properly licensed taxicab driver, unless he shall have obtained an Arlington County Public Vehicle Driver's License in addition to those motor vehicle operator's permits required by the commonwealth; provided, however, this section shall not apply to taxi trips which originate on federal or state enclaves and terminate on such enclaves, and at no time during such trips travel on streets or highways which are not on such enclaves.

(2) *Application for license:*

(a) Application for the license shall be made in person to the agent or agents prescribed by the county manager.

(b) Application for a license shall be made under oath upon forms provided by the county. The applicant shall provide information regarding the following:

1. Pertinent personal data.
2. Physical condition.
3. Traffic record (excluding parking citations) for ten (10) years previous to the date of the application.
4. Criminal record.
5. Prior driving experience.

(c) The applicant shall permit the county to make a record of his/her fingerprints.

(d) Each applicant shall furnish four (4) recent photographs of himself, of size and manner prescribed by the county manager.

(e) The applicant shall successfully complete a written examination covering the laws, rules and regulations governing the operation of taxicabs, the county street system and the location of prominent buildings and landmarks.

(f) When an application has been denied, the applicant may not reapply for a public vehicle driver's license for three hundred sixty-five (365) days from the date of denial.

(3) *Investigation of applicant.* The county manager shall have an investigation made of the facts stated in an application for a public vehicle driver's license and other relevant data. The file shall be available to the applicant or his agent upon request.

(4) *Issuance of public vehicle driver's license:*

(a) If the county manager finds that the applicant is duly qualified, of good moral character, and of sound health, he shall issue a public vehicle driver's license to the applicant.

(b) The county manager may refuse to issue a public vehicle driver's license to an applicant for any of the following:

1. Repeated and persistent violations of the motor vehicle laws.

2. Conviction, plea of guilty, or plea of nolo contendere to the violation of any law involving commission of a felony; any sex offense; soliciting for prostitution; alcohol; marijuana; any drugs classified as controlled substances in Schedules I--V of the Drug Control Act (Section 54.1-3400 et seq., Code of Virginia); gambling; larceny; theft; assault; battery; burglary; disorderly conduct; drunk in public or related charge; impaired driving; driving while intoxicated or under the influence; or a crime involving moral turpitude.

3. If applicant is on parole or probation for a criminal or traffic offense.

(c) The public vehicle driver's license of any operator shall automatically become void and shall be immediately surrendered by the operator whenever the operator shall have an applicable permit or license to drive issued by the Commonwealth of Virginia or any other licensing jurisdiction revoked, suspended, or interrupted for any reason. If the public vehicle driver's license is not otherwise suspended or revoked, the operator shall have the public vehicle driver's license restored upon proof that the license or permit to drive issued by the Commonwealth of Virginia or other licensing jurisdiction has been restored.

(d) Public vehicle driver's licenses shall not be issued to any person:

1. Who is covered by diplomatic immunity.

2. Who has less than six (6) months' experience as a licensed automobile driver in the United States.

3. Who is less than twenty-one (21) years of age.

(5) *Licenses generally; form, term, renewal, transferability:*

(a) Form: The form of the license shall be prescribed by the county manager with the proviso that the license shall bear a recent photograph of the license holder.

(b) Term: Original nontemporary license shall be valid for one (1) year from date of issuance. Nontemporary licenses may be renewed for a two-year period, provided that the county manager's investigation of the driver's traffic and criminal record reveals no criminal or traffic violation during the period of his expiring license. If the investigation reveals such violations, the license may be renewed for one (1) year only. Temporary licenses shall not be valid for more than sixty (60) days.

(c) Transferability: The license is the property of the county and is not transferable to any other driver and it shall be surrendered to the county manager by the driver upon such driver's ceasing to drive an Arlington taxicab.

(d) It shall be unlawful to operate a taxicab without the driver's public vehicle driver's license being conspicuously displayed in a manner prescribed by the county manager.

(6) *Renewal of license.* An application for a renewal of a license shall conform to the procedures set forth in section 25-8(2).

(7) *Surrender, suspension and revocation of public vehicle driver's license:*

(a) The county manager may suspend for a period of one (1) to sixty (60) days or revoke the public vehicle driver's license of any person licensed under this chapter for any of the following:

1. Repeated and persistent violations of the motor vehicle laws.
2. Conviction of reckless driving.
3. Failure to report any accident in which the operator is involved, however slight.
4. Driving of any taxicab known to the driver not to be in good order and repair.
5. Two (2) or more violations of section 25-14 or section 25-15 of this Code in a calendar year.
6. For knowingly making a false statement of material and relevant facts on an application for a public vehicle driver's license.
7. Conviction, plea of guilty, or plea of nolo contendere to the violation of any law involving commission of a felony; any sex offense; soliciting for prostitution; alcohol; marijuana; any drugs classified as controlled substances in Schedules I--V of the Drug Control Act (Section 54.1-3400 et seq., Code of Virginia); gambling; larceny; theft; assault; battery; burglary; disorderly conduct; drunk in public or related charge; impaired driving; driving while intoxicated or under the influence; or a crime involving moral turpitude.
8. Failure to comply with the requirements of any applicable taxicab reciprocity agreement approved by the County Board of Arlington County.

(b) The public vehicle driver's license of any operator shall automatically become revoked and shall be immediately surrendered by him upon his conviction of or plea of guilty or nolo contendere to the violation of any law involving:

1. Commission of a felony.
2. Any sex offense.
3. Soliciting for prostitution.
4. Narcotics.
5. Revocation of permits to drive issued by the Commonwealth of Virginia.

(c) A driver whose license has been revoked by the county manager shall be notified in the manner provided for in section 25-4(3) and not reapply for a license for three hundred sixty-five (365) days from date of revocation.

(8) *Operation of wheelchair accessible vehicles:* An operator of a wheelchair accessible taxi vehicle must present documentation of training, meeting county manager standards, in the use of wheelchair lifts to the county hack inspector prior to revenue operation of such vehicle.

(12-1-66; 4-8-68; 7-10-71; 3-22-75; 8-22-81; Ord. No. 84-20, 7-7-84; Ord. No. 91-36, 10-12-91; Ord. No. 97-2, 2-8-97; Ord. No. 98-16, 4-18-98)

§ 25-9. Fees.

(1) *Generally; refunds.* The following fees shall be paid when applicable to the treasurer of the county for the use of the general fund and no part thereof shall be returned.

(2) *Applications:*

(a) For each application for certificate of public convenience and necessity the fee shall be twenty-five dollars (\$25.00).

(b) For an application for an addition of vehicles to an authorized certificate the fee shall be five dollars (\$5.00) per vehicle added.

(c) For each original application for a public vehicle driver's license the fee shall be thirty dollars (\$30.00).

(d) For each renewal application for a public vehicle driver's license the fee shall be twenty dollars (\$20.00).

(e) For each retest application for a public vehicle driver's license the fee shall be fifteen dollars (\$15.00).

(3) *Duplicate license.* For each duplicate license the fee shall be ten dollars (\$10.00).

(4) *Taxicab inspection.* For the required annual inspection of a new or in-service vehicle under section 25-17 the fee per vehicle shall be ten dollars (\$10.00).

(10-18-75; Ord. No. 83-15, 7-1-83; Ord. No. 84-20, 7-7-84; Ord. No. 92-11, 7-1-92)

§ 25-10. Records required.

(1) *Information to be kept on file by certificate holders with county.* Every certificate holder shall maintain on file with an agent designated by the county manager his name, his company's name, business address, garage address, all business telephone numbers listed in his and his company's name and names of all drivers, their license numbers and addresses, the names and addresses of all vehicle owners, the make and meter number of taximeters in each vehicle, and shall, within forty-eight (48) hours after any change in connection therewith, report such change.

(2) *Driver's daily manifest.* Each driver shall maintain a daily manifest upon which are recorded: the time the taxicab began operation and stopped operation on the street; the taxicab number and driver's name; all trips made each day, showing time and place of origin and destination of each trip; the number of passengers and amount of fare. This information shall be recorded at the end of each trip. In addition, the driver shall record on each manifest the meter register readings at the beginning and end of each tour of duty for total miles, paid miles, trips, units, extra passengers, as well as the speedometer readings. Drivers of wheelchair accessible vehicles, operating under special certificates, shall designate on the manifest the particular trips made by persons in wheelchairs. All such completed manifests shall be returned to the certificate holder by the driver at the conclusion of his tour of duty. If the driver changes taxicabs during his tour of duty he shall maintain a separate manifest for that portion of the tour of duty in which another vehicle is used. The forms for such records shall be furnished to the driver by the certificate holder and shall be subject to the approval of the county manager. It shall be unlawful to maintain an incomplete manifest.

Every certificate holder shall retain and preserve all driver's manifests in a safe place for at least one hundred eighty (180) days and the same shall be made available upon demand for inspection by an agent of the county manager.

(3) *Lost articles.* Any article found in a taxicab shall be immediately returned to the passenger owning it, if he be known; otherwise, it shall be deposited with the certificate holder at the conclusion of the driver's tour of duty. Appropriate notation shall be made on the driver's manifest. A written report on the form to be furnished by the county of the finding of such articles shall be made by the taxicab driver within twenty-four (24) hours to the county.

(4) *Accident reports.* Every accident in which any taxicab is involved shall be reported by the certificate holder, vehicle owner or by the driver involved within five (5) days to an agent designated by the county manager.

(5) *Financial information.* The county manager from time to time shall require every certificate holder and/or owner to provide information as to revenues, expenses, property owned and other financial and statistical information on forms which will be supplied by the county. This information shall be furnished at least once and not more than two (2) times each calendar year. Upon such a request by the county manager, each certificate holder and/or owner shall supply the information within thirty (30) days after the request.

(6) *Financial agreements.* The county manager shall require that all certificate holders report the terms of all agreements between certificate holders and owners and, between certificate holders or owners and other parties which provide for payment for any or all of the following: for use of taxicab, rental payment for use of colors, rental payment for use of radio equipment, payment for dispatching service, obligation of drivers to perform unpaid services for certificate holders or owners. The county manager shall be kept current on the terms of such agreements. All changes in the agreements shall be reported within thirty (30) days of their approval by the parties.

(Ord. No. 84-20, 7-7-84; Ord. No. 97-2, 2-8-97)

§ 25-11. False information.

(1) It shall be unlawful for any person knowingly to make or cause to be made, either directly or indirectly, any material false statement on any application as prescribed in this chapter. The application in question may be rejected by the county manager. Upon rejection, the applicant, or his agent, may not resubmit an application for a period of thirty (30) days.

(2) It shall be unlawful for any person knowingly to make or cause to be made, either directly or indirectly, any material false statement on any information required to be submitted by certificate holders, vehicle owners, or their agents, or by taxicab drivers.

(Ord. No. 84-20, 7-7-84)

§ 25-12. Insurance requirements.

(1) Every owner of any taxicab operating from any point within the county, which shall include Arlington National Cemetery, Washington National Airport and the Pentagon reservation, or any other federal or state enclave, reservation or area within the boundaries of Arlington County to any other point within the county, including Arlington National Cemetery, Washington National Airport and the Pentagon reservation or any other federal or state enclave, reservation or area within the boundaries of Arlington County, shall file with the county manager or designated agent and keep in effect at all times a policy of insurance with some reputable insurance company duly licensed or otherwise authorized to do business in the state in the amount specified in this section covering damages for any liability incurred on account of any injury to persons or damage to property resulting from the operation of such taxicab in the amounts prescribed in this section, or provide a combination of self-insurance and policy of insurance in the total amount herein specified covering such damages; such combination to be subject to the approval of the county manager or designated agent as provided in section 25-12.1; provided, however, this section shall not apply to taxis operating in the county which operate solely on federal or state enclaves.

The coverage shall be as follows:

(a) If an insurance policy is furnished, the minimum amount of coverage shall be:

For injury to one (1) person in any one (1) accident \$100,000.00

For injury to two (2) or more persons in any one (1) accident 300,000.00

For property damage in any one (1) accident 10,000.00

(b) If a combination of self-insurance and a policy of insurance is approved, such combination shall provide the coverage specified in section 25-12(1).

(2) Each insurance policy offered as fulfillment of the requirements of this section shall contain a clause to the effect that the insurance carrier may cancel the policy upon thirty (30) days' written notice to the county manager, as well as other notices as may be required by law to be given to the owner.

(3) If an insurance policy or a state issued self-insurance certificate or permit offered as fulfillment of the requirement of this section is cancelled, the owner shall not permit any taxicab to be operated that was covered by this policy, certificate or permit until other insurance is furnished as required by this section.

(4) If judgement is rendered against the owner or driver, or both, in any court of competent jurisdiction by reason of any accident for which self-insurance or an insurance policy is provided in this section, the owner shall, within twenty-four (24) hours after the rendition of such judgement, whether appealed from or not, maintain the total amount of insurance required by this section or any other provision of law, whichever is greater, so that no reduction in insurance coverage results from such judgement.

(3-22-75; Ord. No. 84-20, 7-7-84; Ord. No. 86-31, 12-6-86)

§ 25-12.1. Self-insurance.

Up to one hundred thousand dollars (\$100,000.00) of the insurance required under section 25-12 may be provided by self-insurance. An operator may self-insure only up to one hundred thousand dollars (\$100,000.00) and only if the operator has obtained a certificate of self-insurance pursuant to Section 46.2-368 of the Virginia Code, and has fulfilled the requirements and obtained a certificate or permit under Title 56, Chapter 12, Section 56-299 et seq., of the Virginia Code, provided that the certificates or permits for self-insurance shall be in full force and effect at all times and that evidence of the certificates or permits shall be filed with the county manager or designated agent before the issuance of any operator's certificate and shall require notice by the Commonwealth of Virginia to the county manager or designated agent before termination of the self-insurance certificates or permits. The remaining insurance must still be provided as required by section 25-12, and the following requirements must be met:

(1) Application for approval, partially to meet county insurance requirements through self-insurance up to one hundred thousand dollars (\$100,000.00), shall be made by the certificate holder or his duly authorized agent upon forms provided by the county manager, and upon such forms the applicant shall supply the following information:

(a) Proof that all requirements for self-insurance established by the Virginia Department of Motor Vehicles and the Virginia State Corporation Commission have been met, including copies of the state certificate documents and all documents filed with the state in order to obtain certification as a self-insurer.

(b) A written statement from the Virginia Department of Motor Vehicles and the Virginia State Corporation Commission that they will notify the county manager prior to the termination of the state issued self-insurance certificates or permits.

(c) Claims history for the applicant for the preceding four-year period.

(d) The most current financial statement of the applicant.

(2) The certificate holder has a continuing obligation to file with the county manager copies of all documents, statements, etc., filed with the Virginia Department of Motor Vehicles and the Virginia State Corporation Commission in order to obtain or maintain state self-insurance certification.

(3) The certificate holder must submit a report to the county manager or designated agent two (2) years to the day after receiving approval from the county manager to self-insure, and every other year thereafter, concerning the company's claims history and claims procedures. The report will be ordered and undertaken at the company's expense.

(4) If at any time it should appear that the certificate holder no longer meets the criteria required for approval as a self-insurer as set forth herein or fails to file any required documents, the certificate holder shall be given written notice identifying the particular criteria or filing default. The written notice shall stipulate a reasonable date and time by which the certificate holder must furnish evidence, satisfactory to the county manager or designated agent, that the approval criteria are again met or the default cured. Failure to respond in a timely manner to the notice, failure to meet approval criteria or failure to cure a default shall result in revocation of the right to self-insure.

(Ord. No. 86-31, 12-6-86; Ord. No. 91-18, 5-14-91)

§ 25-13. Taximeter requirements.

(1) It shall be unlawful for any person to operate a taxicab or to cause a taxicab to be operated for hire or to accept any passenger for hire, or to carry any paying passenger from any point within the county, including Arlington National Cemetery, Washington National Airport and the Pentagon reservation or any other federal or state enclave, reservation or area within the boundaries of Arlington County to any other point within the county including Arlington National Cemetery, Washington National Airport and the Pentagon reservation or any other federal or state enclave, reservation or area within the boundaries of Arlington County unless such vehicle shall be equipped with a taximeter which shall be in operation at all times while any such person other than the operator is riding therein. This subsection shall not apply to taxicabs which post a sign clearly marked and visible "Off-Duty" and which are bona-fide off-duty. This sign shall be displayed on the right side of the windshield so it can be seen by the public; provided, however, this section shall not apply to taxicabs operating in the county which operate solely on federal or state enclaves. This subsection shall not apply when taxicab is operated in accordance with section 14-11, "Shared-Ride Taxicab Service."

(2) The county manager shall approve the types of taximeters to be used on taxicabs; road test them for accuracy at least one (1) time each calendar year, seal them after testing, and promulgate such regulations concerning the use and maintenance of taximeters, not inconsistent with this section, as may be necessary to promote the purposes hereof.

(3) It shall be unlawful for any person:

(a) To use any taximeter until the same shall have been inspected and found to be accurate.

(b) To use any taximeter that does not conform to the specifications, tolerances, and regulations for taximeters as set out in the National Bureau of Standards Handbook 44-2d Edition 1955.

(c) To operate any vehicle with taximeter unsealed or not having its cover and gear intact.

(d) To make any change in the mechanical condition of wheels, tires or gears of any taxicab with intent to cause false registration by the meter of the fare to be charged any passenger.

(e) To make any charge for the transportation of a passenger or other than as provided by this section.

(f) To operate any taxicab in taxicab service while its taximeter is not working properly or is disconnected.

(4) Every taximeter shall be equipped with a fare recording device plainly visible to the passenger and with a signal device plainly visible from the outside of the taxicab which shall be exhibited at all times while the taxicab is in operation.

(12-1-66; 3-22-75; 8-22-81; Ord. No. 84-20, 7-7-84; Ord. No. 91-36, 10-12-91)

§ 25-14. Rates of fare.

(1) Schedule. Taximeter fares shall be defined as Class A fares; the Taxi shall be under the direction of the passenger and shall travel by the route designated by the passenger if the passenger has a preference. Any stopovers en route shall be at the direction of the passenger. For such service, it shall be unlawful to charge other than the following rates, with subsection (1) (c) to be determined by the taximeter:

- (a) For the first 1/6 mile (initial drop charge) \$2.75
- (b) For each succeeding 1/6 mile (mileage charge) \$0.30 (\$1.80/mile)
- (c) For each forty-eight (48) seconds of wait time \$0.30 (\$22.50/hour).
- (d) For each additional passenger over six (6) years of age when more than one (1) passenger is transported \$1.00
- (e) For each suitcase in excess of two (2), if handled by the driver 0.50
- (f) For each footlocker or similar size case handled by the driver 2.00
- (g) Notwithstanding subsections (1)(a) through (1)(f) above, a surcharge may be added to the fare for taxicab trips having as their origin the Washington National Airport, per trip, of up to one dollar and seventy-five cents (\$1.75).

The surcharge shall not be applied or charged unless the driver has paid the full amount of the "open cab" fee as set by the Metropolitan Washington Airports Authority.

(h) Shared ride taxicab service shall be defined as Class B fares. Class B fares shall be charged for on a per-passenger rate for service between points and places in Arlington County. The points served, the times and conditions of rendering the service shall be in accordance with a plan or plans adopted by the county board after public hearing. The date and times of the hearing shall be advertised at least once not less than two (2) weeks prior to the hearing. The plan or plans may provide for reasonable adjustments to be made by the county manager for the purpose of carrying out the intent of the plan or plans.

(i) Taxicab companies may offer discounts for prepaid or bulk purchases of Class A or Class B taxicab services, the amount of which discount may not exceed ten (10) percent. In addition, taxicab companies may offer discounts to senior citizens and persons with disabilities in an amount not to exceed twenty-five (25) percent, the amount of which and eligibility criteria therefor to be stated on the certificate card and display cards pursuant to sections 25-14(3) and 25-14(4) of this chapter. The county manager may promulgate and amend rules relating to the offering of such discounts. Contracts in effect as of the date of adoption of this amendment may continue until their dates of expiration, but may not be renewed.

(2) *Rate adjustments.* The county board may from time to time after public notice and upon hearing, upon determination that rates previously prescribed are not just and reasonable, prescribe just and reasonable changes in rates or regulations as to rates of charge or other approved surcharges. The rates so prescribed may be maximum rates or rates certain. It shall be unlawful to charge in excess of the maximum rates, if such be prescribed, or other than the rates certain, if they be prescribed.

(3) *Certificate cards with rate changes.* The rates charged as determined by the taximeter shall be entered on the taxicab certificate card provided for in section 25-7 of this Code at the time the card is issued by the county manager. When maximum rates have been prescribed, upon application by a certificate holder to change the rates charged to different rates not in excess of the prescribed maximum rates, the county manager will issue a new certificate card with the rates changed as determined by the taximeter entered thereon.

(4) *Rate display cards.* The county manager shall issue with the certificate card two (2) display cards with the rates charged as entered on the certificate card prominently printed thereon. The display card shall be designed to adhere to glass and shall be attached by the owner to the taxicab's right and left rear windows, in such a fashion as to be visible from outside the taxicab at all times.

(5) *Carrying several passengers to different destinations.* In cases where more than one (1) passenger enters a taxicab at the same time bound for different destinations, the fare shall be as follows: whenever a passenger gets out and pays the fare the meter shall be reset upon the passenger's departure, but when passengers getting out do not pay the fare, the fare shall be paid by the last passenger delivered.

(6) *Refusal to pay.* It shall be unlawful for a person who shall engage a taxicab for hire, under any agreement, expressed or implied, to refuse or fail to pay or attempt to avoid payment for the use of the taxicab the lawful charge or sum of money due the driver based on rates established in section 25-14 of this Code.

(7) *Violations.* Wilful violation of any provision of this section by the certificate holder shall be cause for revocation of his certificate. Such violation by the driver, without knowledge or consent of the certificate holder, shall be cause for suspension or revocation of the driver's public vehicle driver's license.

(10-15-77; 2-24-79; 8-18-79; 8-9-80; 8-22-81; Ord. No. 84-20, 7-7-84; Ord. No. 84-27, 9-8-84; Ord. No. 85-29, 10-1-85; Ord. No. 85-36, 10-1-85; Ord. No. 87-6, 2-28-87; Ord. No. 90-11, 6-24-90; Ord. No. 90-38, 11-22-90; Ord. No. 90-40, 12-8-90; Ord. No. 91-36, 10-12-91; Ord. No. 93-24, 12-11-93; Ord. No. 94-18, 6-18-94; Ord. No. 97-18, 7-19-97; Ord. No. 98-29, § 1, 12-12-98; Ord. No. 00-22, § 1, 9-9-00; Ord. No. 03-26, § 1, 11-19-03; Ord. No. 04-03, 3-13-04; Ord. No. 04-05, 3-13-04; Ord. No. 05-07, 6-18-05; Ord. No. 05-09, 7-9-05; Ord. No. 05-13, 10-15-05, Effective 11-1-05)

Editor's Note: Section 25-14, Subsection (1) (j) was repealed under the provisions in Ord. No. 05-13, adopted October 15, 2005, effective November 1, 2005.

§ 25-15. Operation of taxicabs for-hire.

It shall be unlawful to operate a taxicab for-hire in the county except under the following conditions:

(1) *Solicitation.* Taxicab drivers or taxi company agents shall not solicit patronage for any taxicab by word, signal or otherwise on any public street or public building or public property in the county other than at taxicab stands.

(2) *Cruising.* Each taxicab shall be operated between the point of delivery of a passenger and the nearest available taxicab stand. Cruising is permitted, but only when such movements do not unduly obstruct the normal flow of traffic. If it is determined by the county manager upon review of actual traffic data that cruising significantly obstructs the normal flow of traffic at certain locations or times, he may, by administrative order, prohibit cruising at such locations or times. This provision does not prohibit the picking up of passengers en route and does not apply when the taxicab driver is directed by his dispatcher to respond to a call elsewhere than the nearest available taxicab stand.

(3) *Acceptance of additional passengers.* Whenever any taxicab is occupied by a passenger, the driver shall not permit any other person to occupy or ride in such taxicab, unless, having been requested by the driver, the passenger gives his affirmative permission. This restriction on the acceptance of additional passengers shall apply only to Class A service as described in section 25-14(1), "Taximeter Fares."

(4) *Restriction on number of passengers.* Drivers shall not permit more persons to be carried in a taxicab in the county at any one (1) time than the seating capacity of the taxicab (as rated by the automobile manufacturer) including the driver, children in arms excepted.

(5) *Refusal to carry orderly passengers.* Drivers shall not refuse or neglect to convey any orderly person, upon request, unless previously engaged or forbidden by the provisions of this chapter to do so.

(6) *Restriction on passengers in driver's compartment.* At no time shall more than two (2) persons, in addition to the driver, ride on the front seat of any taxicab, a child in arms excepted.

(7) *Leaving public vehicle driver's license in unattended vehicle.* A driver shall not leave his public vehicle driver's license in an unattended taxicab at any time.

(8) *Deception of passengers.* A driver shall not deceive any passenger who may ride in his taxicab, or who may desire to ride in such taxicab, as to his destination or the rate of fare to be charged. Further, a driver shall not convey any passenger or cause him to be conveyed to a place other than as directed by him. In no event shall any driver take a longer route to the destination than necessary unless so requested by the passenger. Restriction as to the direction of route travelled shall apply only to Class A service as described in section 25-14(1), "Taximeter Fares."

(9) *Compliance with lawful requests of passengers.* All drivers shall comply with all reasonable and lawful requests of the passengers as to the speed of travel and the route to be taken.

(10) *Use of vehicle for unlawful purposes.* Any owner or driver of public vehicle shall not permit such vehicle to be used for unlawful purposes or knowingly to transport persons therein to places for such purposes.

(11) *Drivers to be clean and neat.* Every driver of a taxicab while on duty shall be clean and neat in dress and in person.

(12) *Smoking and offensive use of tobacco.* No driver of a taxicab shall have in his possession a lighted cigarette, cigar or pipe while any passenger is being carried in his taxicab. No driver shall engage in chewing tobacco or using snuff while any passenger is being carried in his taxicab.

(13) *Cabs to be attended by drivers.* Every taxicab while in operation for the solicitation or transportation of passengers shall be attended by the driver at all times except when such driver is actually engaged in loading or unloading, or in answering telephones in connection with the business.

(14) *Excessive noise.* Loud talk or calls to and from drivers of taxicabs is prohibited. The sounding of horns or other mechanical devices for purposes other than lawful traffic signals is also prohibited.

(15) *How passengers to enter or leave taxicab.* Drivers shall not permit passengers to enter or to leave an taxicab from the left side except at the left curb of one-way streets or while parked perpendicular to the curb in places where such parking is permitted.

(16) *Fare receipt.* It shall be the duty of the driver to give any passenger so requesting, a receipt in writing signed by the driver and showing his public vehicle driver's license number, the taxicab number, meter number, items for which charge is made, the amount paid, time and date.

(17) *Loading and unloading.* Drivers shall not stop to load or unload passengers or their belongings in the intersection of any streets or on any crosswalk. No taxicab shall load or unload in any such manner that will in any way impede or interfere with the orderly flow of traffic on the streets.

(18) *Nonpaying passengers.* No nonpaying passengers shall be transported with a paying passenger, except bona fide officers or employees of the owner or a police officer engaged in the performance of his duty and unable to obtain other adequate means of transportation.

(19) *Alcohol and narcotics.* At no time shall the driver of a taxicab use alcoholic beverages, narcotics or other habit-forming drugs while he is operating a taxicab. The transportation of alcoholic beverages, other than alcoholic beverages carried in possession of a paying passenger, is prohibited.

(20) *Length of driver's working day.* No driver of any taxicab shall operate, nor shall certificate holders or their agents require drivers to operate more than thirteen (13) hours in any consecutive twenty-four-hour period.

(21) *Taxicab stands.* No taxicab shall be placed upon or occupy a public vehicle taxicab stand except for the purpose of being held forth for hire. Vehicles shall be placed on public stands only at the rear (approach) end and shall be moved toward and to the front of stands immediately if space is available or when space becomes available by the departure or movement of preceding vehicles. When a taxicab stand is occupied by the full number of vehicles authorized for such stand, no taxicab shall loiter or wait nearby for the purpose of occupying space on such stand.

(22) *Compliance with laws and ordinances.* Every taxicab shall be operated in accordance with the laws of this state, the provisions of this Code and other ordinances of the county, with due regard to the safety, comfort and convenience of passengers and the general public.

(23) *Additional rules, etc.* The county manager may make and promulgate such additional rules and regulations as he may deem necessary to control the operation of taxicabs.

(12-1-66; 7-10-71; Ord. No. 84-20, 7-7-84)

§ 25-16. Equipment; appearance, construction and maintenance.

(1) *Required on all taxicabs.* In addition to equipment required of motor vehicles by the Code of Virginia, as amended, every taxicab certificated under this chapter:

(a) Shall be equipped with a frame or holder for the proper display of the certificate card and the public vehicle driver's license, which shall face the passengers and be so located as to be at all times in plain view of such passengers. The card frame or holder shall be subject to approval of the county manager.

(b) Shall be equipped with a heater sufficient to heat the interior of the taxicab adequately in cold weather and an air conditioner sufficient to cool the interior of the taxicab adequately in hot weather.

(c) Shall be equipped with a power plant adequate to enable it to operate effectively and efficiently.

(d) Shall not be equipped with shades or curtains which can be manipulated in such a way as to shield the occupants or the driver from observation or obstruct the rear-view window.

(e) Shall be of the built-for-the-purpose type. The county manager may, upon specific request, permit the use of other types of vehicles which, in his discretion and judgement, provide for adequate safety and comfort of at least four (4) passengers and having a seating capacity of not more than six (6).

(f) Shall be equipped with approved safety nonshatterable glass in the windshield and all windows. The center partition, if any, between the driver's compartment and the passenger compartment shall be of this type glass or plastic.

(g) Shall be equipped with a standard speedometer properly installed, maintained in good working order and exposed to view. No taxicab shall be operated in taxicab service while such speedometer is out of repair or disconnected.

(h) Shall not be equipped with any other lights or signal device except as followed by the Code of Virginia, as amended, or approved by the county manager.

(i) Shall be equipped with a taximeter as prescribed by this chapter.

(j) Shall be equipped with an "On Call" sign, to be used when the taxicab is en route to pick up a passenger or awaiting a passenger at a designated place in response to the request of the passenger. This sign shall be visible from the street and placed in the lower right-hand corner of the front windshield or upon the right-hand sun visor.

(k) Shall be kept in a clean and sanitary condition and shall be swept and dusted at least once each day. At least once every seven (7) days the interior shall be cleansed thoroughly with suitable antiseptic solution.

(l) With the exception of a "kick" strip not exceeding seven (7) inches in height at the bottom of doors, no upholstery covering or interior lining shall be permitted in any taxicab unless it shall be of leather or similar nonabsorbent, washable material. The rear cushion shall be removable. No floor mat shall be permitted in any licensed taxicab unless it shall be made of rubber, leather or metal chain, or a similar nonabsorbent, washable material and shall be easily removable. Variations of this provision will be permitted where strict compliance is impossible because of scarcity of materials.

(m) Every taxicab shall be of good substantial appearance and be so constructed and maintained as to provide for the safety of the public, continuous and satisfactory operation, and operation at minimum noise and vibration. Every taxicab shall be structurally sound as, to all its parts, shall not have broken or cracked fenders or glass, and shall be painted to give reasonable protection to all painted surfaces from structural deterioration. All marks of identification on taxicabs shall be permanent and clearly legible at all times.

(2) *Age of equipment:*

(a) Following the effective date of this section, it shall be unlawful to place in taxicab service in Arlington County any vehicle which has been previously used, except that a vehicle having a chronological age of less than two (2) years and an empty vehicle weight of three thousand four hundred ninety-nine (3,499) pounds or less with no more than sixty thousand (60,000) miles, or a vehicle having a chronological age of no more than six (6) years and an empty vehicle weight of three thousand five hundred (3,500) pounds or more with no more than two hundred thirty thousand (230,000) miles may be approved by the county manager after he is satisfied as to the condition of the taxicab.

(b) It shall be unlawful for any taxicab operating under the authority of an Arlington County certificate to have a chronological age of more than seven (7) years or a physical age of more than three hundred fifty thousand (350,000) miles.

(c) Notwithstanding anything in subsection (b) above to the contrary, from January 1, 2002 through June 30, 2002, 1994 model year taxicabs may remain in service only through June 30, 2002, provided that such taxicabs, before being permitted to remain in service after January 1, 2002, have first passed an inspection by an agent prescribed by the county manager, and further provided that the inspection is evidenced by an Arlington County Taxicab Inspection certificate. Inspections of 1994 model year vehicles will be performed by the county through February 28, 2002. Such vehicles which are inspected on or before February 28, 2002 and pass the inspection will be authorized to be in service from the inspection passage date through June 30, 2002. Such vehicles which are inspected on or before February 28, 2002 and do not pass the inspection will be permitted to be reinspected after repair and, upon passing the inspection, may be in service through June 30, 2002. Such vehicles which are not inspected on or before February 28, 2002 shall not be eligible to be in service through June 30, 2002.

(1-11-77; 2-26-77; 10-15-77; Ord. No. 84-20, 7-7-84; Ord. No. 85-29, 10-1-85; Ord. No. 91-36, 10-12-91; Ord. No. 91-40, 11-16-91; Ord. No. 93-24, 12-11-93; Ord. No. 97-2, 2-8-97; Ord. No. 98-29, § 1, 12-12-98; Ord. No. 01-18, 12-8-01; Ord. No. 02-1, § 1, 1-26-02)

§ 25-17. Inspection of taxicabs; procedure when taxicab is found in unsafe, unfit or unclean condition.

Each taxicab licensed within the county shall be inspected by an agent prescribed by the county manager at least once each calendar year. In addition to the annual inspections, the inspecting agent shall each calendar year inspect (with minimum prior notice) at least twenty (20) percent of the taxicabs licensed in Arlington County. If any such vehicle is found to be in unsafe condition, the certificate card shall be removed from the vehicle and the certificate holder shall be notified of the nature of the defect and that the vehicle shall not be operated until such condition has been remedied. An agent prescribed by the county manager shall re-inspect the vehicle and if such condition has been remedied, the certificate card shall be returned to the certificate holder. If the taxicab is found to be unclean or unfit, but otherwise in safe condition, the agent shall give the taxicab owner and driver a reasonable time to remedy the condition, after which the agent shall re-inspect the taxicab.

(2-24-79; Ord. No. 84-20, 7-7-84)

§ 25-18. Reciprocity.

(1) Any taxicab may, anything in this chapter notwithstanding, operate in Arlington County so long as it is licensed by another state, the District of Columbia, or a political subdivision with which Arlington County has a reciprocal agreement approved by the county board under the terms and conditions of the agreement, so long as it has a taximeter as required by section 25-13, so long as its rates are in compliance with those established by the Washington Metropolitan Area Transit Commission, and is insured in at least the amounts required by a licensing jurisdiction with which Arlington County has a reciprocal agreement and which actually licenses the vehicle operating under the reciprocal agreement.

(2) All certificate holders, their employees and all taxicab drivers duly licensed in Arlington County shall abide by all applicable taxicab reciprocity agreements approved by the County Board of Arlington County.

(2-24-79; Ord. No. 84-20, 7-7-84; Ord. No. 91-36, 10-12-91; Ord. No. 98-16, 4-18-98)