

CHAPTER 19.

TAXICABS

(Repealed in its Entirety by Ord. 17-43)

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Article I. In General.

Sec. 19-1. Definitions.

For the purposes of this Chapter, the following words or phrases shall have the meanings respectively ascribed to them by this Section:

Owner means every person having the use or control of one or more taxicabs as defined in this Section.

Taxicab means all public vehicles driven by mechanical power and used for the carriage of persons for hire; except, those vehicles commonly known as buses.

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 for both, and upon which such charge shall be indicated by means of figures. (Ord. 70-67; 17-43)

Sec. 19-2. Powers and Duties of Chief of Police--Licensing; Inspecting.

The licensing of taxicab business and licensing and inspecting of taxicabs, the examining of applicants for licenses to drive such taxicabs, the licensing of drivers and enforcing of the provisions of this Chapter shall be under the control of the Chief of Police. (Ord. 17-43)

Sec. 19-3. Same--Appointment of Inspectors.

The Chief of Police shall have power to appoint from the police department such taxicab inspectors as he may deem necessary for the enforcement of the provisions of this Chapter, who shall serve as such part of their duties. (Ord. 69-53; 70-67; 17-43)

Sec. 19-4. Inspections Generally.

No vehicle shall be licensed, whether upon new application or renewal, as a taxicab until it has been thoroughly and carefully inspected and examined and found to be in a thoroughly safe condition for the transportation of passengers, clean, fit, of good appearance and well painted.

Within not more than sixty (60) days before the original application for such license or renewal thereof, every such taxi vehicle shall first pass safety lane inspection. The expense of such inspection shall be paid by the licensee, and the inspection shall be made at any approved facility for the making of such inspections, or at such other facility as may be authorized by the Chief of Police.

The Chief of Police shall make or have made by his inspectors such examination and inspection before a license shall be issued. (Ord. 69-53; 70-67; 17-43)

Sec. 19-5. Uniformity of Application Forms, Licenses, etc., Required by Chapter.

All forms of application, license, license cards, etc., required or authorized to be completed or issued according to the terms of this Chapter shall be, as nearly as possible, in conformity with the standards created by the West Suburban Transportation Committee, to the end that all taxi businesses, vehicles and drivers shall be as uniformly regulated as may be practicable. (Ord. 70-67; 17-43)

Sec. 19-6. Duty of Owners to Furnish Service.

Every owner shall furnish such reasonably safe and adequate service at just and reasonable rates within the Village as may reasonably be required to assure adequate accommodations to the public in accordance with the provisions of this Chapter. (Ord. 69-53; 70-67; 17-43)

Sec. 19-7. Abandonment of Service.

Upon complete abandonment of taxicab service for the period of ten (10) consecutive days by an owner, the Chief of Police, upon hearing after five (5) days notice to the owner, shall recommend to the Village Board that the taxicab license of such owner shall be revoked. (Ord. 69-53; 70-67; 17-43)

Sec. 19-8. Colors and Business Names.

All taxicabs owned or operated by a taxicab business licensee shall be identically painted so that they are readily identifiable. However, no coloring scheme or name shall be similar to that used

by taxicabs operated under any other taxicab business license previously issued within the boundaries of the Village. (Ord. 69-53; 70-67; 17-43)

Sec. 19-9. Authority of Drivers to Demand Prepayment of Fare; Duty to Convey Orderly Persons Generally.

Every driver of a taxicab shall have the right to demand payment of the legal fare in advance and may refuse employment unless so prepaid, but no driver of a taxicab shall otherwise refuse or neglect to convey any orderly person upon request anywhere in the Village unless previously engaged or unable to do so. (Ord. 69-53; 70-67; 17-43)

Sec. 19-10. Receipts for Fares.

If demanded by the passenger, the driver in charge of a taxicab shall deliver to the person paying for the hiring of the same, at the time of such payment, a receipt therefor in legible type or writing, containing the name of the owner or operator, the Village license number or the driver's license number, or the taximeter number, any items for which a charge is made, the total amount paid and the date of payment. (Ord. 69-53; 70-67; 17-43)

Sec. 19-11. Rates--Generally.

No person owning, operating or controlling any taxicab within the Village limits shall charge to exceed the following rates to be determined by the taximeter:

For a flag pull and first mile	\$1.20
For each succeeding one-fifth mile or fraction thereof.....	.15
For additional passengers per original flag pull, each over twelve years of age20
For each hour of waiting	5.00

"Waiting time" shall include the time when the taxicab is not in motion, beginning within a reasonable time after arrival at the place to which it has been called, or the time consumed while standing at the direction of the passenger, or the time consumed while standing because of conditions beyond control of the operator, but no charge shall be made for time lost for inefficiency of the taxicab or its operator or time consumed by premature response to a call. (Ord. 69-53; 70-67; 74-23; 17-43)

Sec. 19-12. Same--Trips to O'Hare Airport.

No person owning, operating or controlling any taxicab within the Village shall charge more than the following rates for trips from various municipalities to O'Hare Airport:

Addison	\$6.00 plus \$1.00 for each additional person
Bensenville	\$4.00, plus tolls
Elmhurst	Rate shown on meter plus tolls
Lombard	Rate shown on meter
Oak Brook	\$7.50, plus tolls
Villa Park	Rate shown on meter, plus tolls or \$5.00 if tollway is used

(Ord. 69-53; 70-67; 17-43)

Sec. 19-13. Same--Overcharging.

No driver of any taxicab shall charge or attempt to charge any passenger a greater fare than that, to which such driver is entitled under the provisions of this Chapter. (Ord. 69-53; 70-67; 17-43)

Sec. 19-14. Same--Carrying Additional Passengers.

Additional passengers picked up subsequent to an original flag pull will be charged for the prorated meter reading as determined by the operator. (Ord. 69-53; 70-67; 17-43)

Sec. 19-15. Parking or Standing at Stands.

Only taxicabs in such numbers and of such kinds as are set forth on the required metal sign at taxicab stands may remain at the stand while waiting for employment, and only in single file and pointed in accordance with the traffic regulations. No taxicab standing at the head of any such line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent any person from selecting any taxicab he may desire on the stand, whether it is at the head of the line or not. As the taxicabs leave the line with passengers, those behind shall move up, and any taxicab seeking a space on the stand shall approach the same only from the rear of the stand and shall stop as near as possible to the last cab already on the line. No taxicab shall stand at the curb within fifteen feet (15') on each side of the point of the curb opposite the middle of the entrance to the adjacent building. No private vehicle shall be permitted to stand or use the space in a public stand, except to receive or to discharge passengers or merchandise. The Village Board, upon the recommendation of the Chief of Police, may suspend or revoke the license of any taxicab driver who shall stand in front of the entrance of any building within the prohibited space after his passengers desiring to leave have alighted, or who shall attempt to stand in the prohibited space waiting for passengers, or who shall violate any of the other provisions of this Section. (Ord. 69-53; 70-67; 17-43)

Sec. 19-16. Cruising; Interfering with Access to or Egress from Theaters, Hotels, etc.

It shall be unlawful for the driver of any taxicab to seek employment by repeatedly and persistently driving his taxicab about the streets of the Village or otherwise interfering with the proper and orderly access to or egress from any theater, hall, hotel, public resort, railway station or other place of public gathering. (Ord. 69-53; 70-67; 17-43)

Sec. 19-17. Insurance.

Every licensee under this Chapter shall file a policy of insurance, issued by a solvent company authorized to do business in the State and approved by the Village Director of Finance, insuring the licensee or owner of such licensed vehicle against liability for any damage or injury to, including death of, any person and for damage or injury to property resulting from the negligence of such licensee, owner or his agent in the operation of such vehicle. Such policy of insurance may cover one or more vehicles. The limits of liability shall, with respect to each vehicle covered by such policy, be not less than one hundred thousand dollars (\$100,000.00) for personal injuries in any one occurrence, and not less than twenty-five thousand dollars (\$25,000.00) for damage to property in any one occurrence. Such policy of insurance shall provide for the payment and satisfaction of any final judgment rendered against the licensee or owner of such vehicle for damage to property or

for personal injury, including death. The policy shall be further endorsed to provide for a thirty (30) day written notice of cancellation to the Village. (Ord. 92-91; 17-43)

In the event the Village receives a notice of cancellation pursuant to such endorsement, the taxicab business license and all taxicab vehicle licenses and taxicab drivers' licenses issued pursuant to the terms of this Chapter shall immediately terminate as of the effective date of such insurance termination, unless the taxicab business licensee provides a substitute policy of insurance complying with the provisions of this Section.

In case a final judgment or claim has been paid by any indemnitor or insurance policy, as a result of which the original amount of coverage required in this Section is proportionately reduced, all licenses issued pursuant to the authority granted by this Chapter shall be immediately terminated, subject to reinstatement within thirty (30) days by replacement of the coverage so demised. (Ord. 69-53; 70-67; 17-43)

Sec. 19-18. Effect of Chapter on Authority of Licensee to Enter into Private Contracts.

This Chapter shall not affect the right of a duly licensed taxicab business licensee operating duly licensed taxicabs to enter into private contracts, whether verbal or written, with any person for a regular carrying for hire of special persons or groups, as the parties may contract. However, nothing in this Section shall authorize any taxicab licensee to negotiate fares upon any pickup in the usual course of business. (Ord. 70-67; 17-43)

Sec. 19-19. Reciprocating Municipalities.

Taxicab businesses, taxicabs and taxicab drivers licensed by the following reciprocating communities are hereby exempted from the license and fee provisions of this Chapter to the same extent that the laws or ordinances of such municipalities grant similar exemptions:

<u>Municipality</u>	<u>Number of Taxicab Vehicle Licenses</u>
Addison	7
Bensenville	4
Elmhurst	14
Lombard	6
Oak Brook	5
Villa Park	8

Such list of municipalities may be amended from time to time by resolution of the Village Board. Notice of any such amendment shall be sent to all municipalities contained in such list.

Any violation by such foreign licensed taxicab business, taxicab or taxicab driver shall be immediately reported to the licensing municipality for such further action as may be deemed necessary by the corporate authorities of such other municipality, and pursuant to the terms of its own taxicab ordinance.

Terms of this Chapter shall immediately terminate as of the effective date of such insurance termination, unless the taxicab business licensee provides a substitute policy of insurance complying with the provisions of this Section.

Any licensee violating the laws or ordinances of a reciprocating municipality under this Section shall be subject to the same penalties provided by this Chapter, as if such violation had taken place within this Village. (Ord. 70-67; 17-43)

Article II. Vehicle Licenses.

Sec. 19-20. Required; Term.

No taxicab shall be operated upon the streets of the Village unless there shall first have been obtained therefor a taxicab license from the police department. Such taxicab license shall be issued for the term of the fiscal year, or such part thereof as remains at the time a license is applied for, and shall be effective for such period of time unless sooner suspended or revoked. (Ord. 69-53; 70-67; 17-43)

Sec. 19-21. Restrictions Generally as to Number to be Issued; Procedure for Issuance of Additional Licenses.

There shall be as many taxicabs licenses issued as may be determined by the Village Board, from time to time, by resolution. No additional taxicab licenses shall be issued unless a public hearing has been conducted by the Village Board. If the Village Board determines to issue such license, they shall by resolution authorize the issuance of the same. The Village Board may request a hearing and recommendation by the West Suburban Transportation Committee as to the issuance of additional licenses. (Ord. 69-53; 70-67; 17-43)

Sec. 19-22. Applications--Generally.

Applications for taxicab licenses shall be made to the Village Clerk by the owner of the vehicle to be licensed, upon forms to be furnished by such Clerk, and such application shall contain the full name and address of the owner or operator, the class of the vehicle for which the license is desired, the length of time the vehicle has been in use, the number of persons it is capable of carrying and the motor power thereof. Such application shall be referred by the clerk to the Chief of Police. Upon approval of the application by the Chief of Police, he shall so endorse such application and file the same with the Clerk, who shall, upon payment of the fee prescribed by Section 19-24, refer such application to the Village Board. (Ord. 69-53; 70-67; 17-43)

Sec. 19-23. Same--Findings of Village Board; Additional Information; Issuance or Denial.

If the Village Board finds, from the investigation and hearing, that the public convenience and necessity justify the operation of the taxicab for which a license is desired, it shall notify the applicant of its findings. Within sixty (60) days thereafter, the applicant shall furnish to the Village Board any additional information which may be required, and if the Village Board then find that the applicant is the owner and bona fide operator of the vehicle for which the license is desired, and that such vehicle complies with all of the provisions of this Chapter and other applicable Village laws and ordinances, the license shall be issued to the applicant upon the payment of the proper license fee.

If the Village Board finds, from such investigation and hearing, that the public convenience and necessity do not justify the operation of the vehicle for which the license is desired, they shall forthwith notify the applicant of such finding. (Ord. 69-53; 70-67; 17-43)

Sec. 19-24. Fee; Transfer.

The fee for a taxicab vehicle license issued pursuant to this Article shall be twenty-five dollars (\$25.00) annually. Such license shall be transferable between the reciprocating municipalities mentioned in Section 19-19 at no additional cost during the term of issuance. (Ord. 69-53; 70-67; 17-43)

Sec. 19-25. Form and Contents; Display.

The taxicab license to be issued by the Village Clerk, as provided in Section 19-22, shall be in the form of a card, which shall contain the official license number of the taxicab, together with the date of the inspection. Such card shall be signed by the clerk and shall contain a blank space upon which an entry shall be made of the date of inspection of the taxicab by the chief of police or an inspector appointed by him. License cards shall be of a distinctly different color each year, and in the case of taxicabs, the license number assigned thereto shall in each case be the same as that issued to the vehicle for the year pursuant to law. Such cards shall be affixed to a conspicuous and indispensable part of each taxicab. The design of such cards shall be changed annually.

Additionally, the taxicab shall exhibit, on the exterior of the driver's door, an identification symbol identifying such taxicab as being licensed under this Article by a community cooperating with and a member of the West Suburban Transportation Committee. (Ord. 17-43)

Sec. 19-26. Register of Licensed Taxicabs.

The Village Clerk and Chief of Police shall keep a register of the name and address of each person owning or operating a taxicab licensed under this Article, together with the license number and the description, make and model of such taxicab, with the date and complete record of inspections made of such vehicle. Such records shall be open to the inspection of the public at all reasonable times and shall be public records, extracts of which may be certified for use as evidence by the Village Clerk. (Ord. 69-53; 70-67; 17-43)

Sec. 19-27. Revocation or Suspension.

Any taxicab business or taxicab vehicle license shall be subject to suspension or revocation upon conviction of the holder thereof for any violation of this Chapter. Upon suspension or revocation of any taxicab business or taxicab vehicle license granted under this Article the holder thereof shall be immediately and automatically barred from taxicab operation within the Village or any other municipality regulating its taxicab business in conformity with this uniform ordinance, or under such other form as may be approved by the West Suburban Transportation Committee. (Ord. 69-53; 70-67; 17-43)

Article III. Drivers' Licenses.

Sec. 19-28. Required.

Every person driving a taxicab must be licensed as a taxicab driver by the State and the Village. (Ord. 69-53; 70-67; 17-43)

Sec. 19-29. Fee; Transfer between Municipalities.

The fee for a taxicab driver's license shall be five dollars (\$5.00) annually.

A taxicab driver's license shall be transferable between the municipalities participating in these reciprocal taxicab regulations at no additional cost. (Ord. 69-53; 70-67; 17-43)

Sec. 19-30. Application.

Any person desiring to secure a taxicab driver's license shall make application in writing therefor to the Village Clerk, upon a form to be provided by the clerk. Such application shall set forth the name of the applicant, his residence and occupation, shall be endorsed by the owner of the taxicab business such driver is to be employed by, who shall certify that the applicant is a fit person to drive and operate a taxicab, and shall be accompanied by the fee set forth in Section 19-29.

Along with such application, the applicant shall file an affidavit stating his full name, residence, places of residence during the previous five (5) years, age, color, height, color of eyes and hair, place of birth, whether married or single, whether he has previously been licensed as a driver or chauffeur and if so, whether his license has ever been revoked and for what cause, which affidavit shall be filed with the Village Clerk as a permanent record.

Such applicant shall also file with his application to the Village Clerk two (2) recent photographs of himself, of a size which may be easily attached to his license, one of which shall be attached to the license when issued and other filed with the application in the office of the Village Clerk. (Ord. 69-53; 70-67; 17-43)

Sec. 19-31. Qualifications of Applicant Generally.

Each applicant for a taxicab driver's license must:

- (A) Be of the age of eighteen (18) years or over.
- (B) Be of good health with good eyesight, and not subject to other infirmity of body or mind which might render him unfit for the safe operation of a taxicab.
- (C) Be able to read, write and speak the English language.
- (D) Be clean in dress and person and not addicted to the use of narcotics or intoxicating liquors.
- (E) Have successfully qualified as set forth in Section 19-32. (Ord. 69-53; 70-67; 17-43)

Sec. 19-32. Investigation and Examination of Applicant; Approval of Application; Issuance.

The application, affidavit and photographs submitted by any applicant for a license under this Article shall be referred to the Chief of Police, who shall investigate the qualifications and the physical and mental conditions of the applicant. Each applicant for a taxicab driver's license under the provisions of this Article shall be examined by the Chief of Police as to the applicant's knowledge of the provisions of this Article, the traffic regulations and the geography of the Village. The applicant shall be fingerprinted, and the Chief of Police shall consider the results of a fingerprint check in his examination of the applicant. If the results of the examinations are unsatisfactory, no license shall be issued. If the Chief of Police shall approve the application, he shall endorse thereon

such approval and return the same, together with the affidavit and photographs, to the Village Clerk, who shall forthwith issue such license. (Ord. 69-53; 70-67; 17-43)

Sec. 19-33. Term.

Taxicab driver's licenses shall be issued as of the first day of May in each year and shall be valid to and including the thirtieth (30th) day of April next succeeding. (Ord. 69-53, 70-67; 17-43)

Sec. 19-34. Form; Display.

Taxicab drivers' licenses shall be in such form as to contain the signature of the licensee and blank spaces upon which a record may be made of any arrest of or serious complaint against such licensee. All taxicabs drivers' licenses shall be numbered when issued. The license shall be prominently displayed in the taxicab at all times it is in operation. (Ord. 69-53; 70-67; 17-43)

Sec. 19-35. Renewal.

The Village Clerk may renew a taxicab driver's license from year to year by appropriate endorsement thereon. A taxicab driver in applying for a renewal of his taxicab driver's license shall make an application upon a form to be furnished by the Village Clerk, entitled "Application for Renewal of License," which shall be filled out with the full name and address of the applicant, together with a statement of the date upon which his original license was granted and the number thereof. No renewal of license shall be made without the approval of the Chief of Police. (Ord. 69-53; 70-67; 17-43)

Sec. 19-36. Suspension and Revocation Generally.

A taxicab driver's license may be suspended or revoked at any time by the Village Board. The Chief of Police may suspend such license for ten (10) days pending final action by the Village Board. Any such suspension shall be noted on the license, together with a statement of the reasons therefor, and the driver shall be deprived of status by the officer suspending or revoking such license. No driver whose license has been revoked shall again be licensed as a taxicab driver in the Village, unless upon presentation of reasons satisfactory to the Village Board. (Ord. 69-53; 70-67; 17-43)

Sec. 19-37. Revocation for Defacing, etc., License.

Any holder of a taxicab driver's license who defaces, removes or obliterates any official entry made upon his taxicab driver's license shall be punished by the revocation of his license. (Ord. 69-53; 70-67; 17-43)

Sec. 19-38. Drivers to Report Changes of Residence.

If any person licensed as a taxicab driver under this Article shall change his residence at any time while his license is in force, he shall forthwith notify the Chief of Police of such act. (Ord. 69-53; 70-67; 17-43)

Sec. 19-39. Records.

There shall be kept in the offices of the Village Clerk and the police department a complete record of each taxicab driver's license issued and of all renewals, suspensions or revocations thereof. The Village Clerk's record shall be kept on file with the original application of the driver for a license. (Ord. 69-53; 70-67; 17-43)

Article IV. Taximeters.

Sec. 19-40. Required.

Each taxicab must have affixed thereto and in good working order a taximeter. (Ord. 69-53; 70-67; 17-43)

Sec. 19-41. Prerequisite to Issuance of License.

No taxicab license shall be issued for any taxicab until the taximeter attached thereto shall have been inspected as provided by this Article and found to be accurate. (Ord. 69-53; 70-67; 17-43)

Sec. 19-42. Driving Taxicab with Uninspected and Unapproved Taximeter.

No person shall drive a taxicab to which is attached a taximeter that has not been duly inspected and approved. (Ord. 69-53; 70-67; 17-43)

Sec. 19-43. General Requirements and Specifications.

The dial of each taximeter with which a taxicab shall be equipped shall show only one tariff. Such taximeter shall also properly and accurately register, indicate and display the time consumed by the taxicab while in waiting the distance traveled and the amount of fare to be determined and charged therefor. Each taximeter shall be equipped with a flag at least three inches (3") by two inches (2") in size, either painted red or bearing thereon in letters at least one inch (1") in height the word "Vacant", or the words "For Hire." The flag post of such flag shall be kept up or toward a vertical position when the taxicab is for hire; when such taxicab is engaged in the service of a passenger, such flag post shall be kept down or in a horizontal position. (Ord. 69-53; 70-67; 17-43)

Sec. 19-44. Inspections by Chief of Police; Use of Taxicab with Noncomplying Taximeter.

Before any license shall be issued to a taxicab, it shall be the duty of the Chief of Police to have examined, at the operator's expense, the taximeter attached thereto and to report its condition to the Village Clerk. Such inspection shall be performed at least once annually and the meter sealed; provided, that in the event a complaint is made that any taximeter registers improperly or inaccurately, it shall be the duty of the police chief immediately to have examined and inspected such taximeter complained of. If such taximeter does not comply with the requirements of Section 19-43, it shall be unlawful for the owner or person in charge of such taxicab to permit its use until such taxicab is equipped with a taximeter approved by the Chief of Police. (Ord. 69-53; 70-67; 17-43)

Sec. 19-45. Procedure for Testing.

Every taximeter shall be tested by running the taxicab to which it is attached over a course of a standard mile in length or by a mechanical test to prove the accuracy of the register thereof. Either of the foregoing tests may be made at the discretion of the Chief of Police. In order to determine whether such taximeter correctly registers "waiting time," it shall be the duty of the Chief of Police to test such taximeter by comparing the time recorded, as shown by the fare computed on the dial thereof, with the standard time. (Ord. 69-53; 70-67; 17-43)

Sec. 19-46. Duty to Deliver for Testing upon Demand.

It shall be the duty of any person owning, controlling or operating a taxicab to deliver either the taxicab together with the taximeter or the taximeter detached therefrom to the Chief of Police, or any of his deputies, for the purpose of making the aforesaid test upon demand; provided, that such person may, if desired, be present at the time such test is made. (Ord. 69-53; 70-67; 17-43)

Sec. 19-47. Transferring to Vehicle of Different Wheel Size.

No person shall detach any certified or inspected taximeter from any taxicab and attach the same to any other taxicab, the front wheels of which are of different diameter from those with reference to which the taximeter was originally tested, unless a new inspection or certification is had on such taximeter. (Ord. 69-53; 70-67; 17-43)

Sec. 19-48. Chief of Police to Seal Taximeters and Keep Records of Inspection, etc.

It shall be the duty of the Chief of Police to assure that all taximeters found accurate and correct are sealed and to keep a record of the numbers of each taximeter and the date of the inspection thereof in the books of his office. (Ord. 69-53; 70-53; 17-43)

Sec. 19-49. Dial to be Illuminated and Located in Plain View of Passenger.

Each taxicab shall, during the period between sunset and sunrise, be equipped with a light, which shall be so reflected upon the dial of the taximeter as to enable the passenger engaging and using such taxicab to read the figures indicated thereon. Every taximeter placed on a taxicab shall be so arranged that the dial thereof is in plain view of the passenger while riding in such taxicab or upon alighting from the same. (Ord. 69-53; 70-53; 17-43)

Sec. 19-50. Display of Signal Denoting Different Rate of Fare than that Authorized by Chapter.

No driver of a taxicab equipped with a taximeter, while carrying passengers or under employment, shall display the signal affixed to such taximeter or other similar device in such a position as to denote that he is employed at a rate of fare different from that to which he is entitled under the provisions of this Chapter. (Ord. 69-53; 70-67; 17-43)