

Ordinance No. O-1819-4

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 13-108, FEE SCHEDULES FOR LICENSES AND PERMITS AND OCCUPATIONAL TAXES, IN ARTICLE I OF CHAPTER 13, AND AMENDING SECTIONS 13-2001 THROUGH 13-2009, ALL IN ARTICLE XX OF CHAPTER 13 TO ESTABLISH REGULATIONS FOR THE OPERATION OF NON-MOTORIZED TRANSPORTATION FOR HIRE OPERATIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That Section 13-108 of Chapter 13, Article I of the Code of the City of Norman shall be amended to read as follows:

**SEC. 13-108. – FEE SCHEDULES FOR LICENSES AND PERMITS AND OCCUPATIONAL TAXES.**

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(l) Pawnbroker, per year . . . . 50.00

(m) Public Transportation:

(1) Limousine, per car, per year . . . . 25.00

(2) Motorbus, per bus, per year . . . . 25.00

(3) Taxicab, per cab, per year . . . . 25.00

(4) Pedicab,

Per operator, per year . . . . 30.00

Decal fee, per cab . . . . 15.00

(n) Slaughterhouses, per year . . . . 50.00

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§ 2. That Section 13-2001 of Chapter 13, Article XX of the Code of the City of Norman shall be amended to read as follows:

**SEC. 13-2001. - LICENSE REQUIRED.**

(a) *Operator of service.*

(1) Motorized Vehicles for Hire. No person shall operate a taxicab, motorbus or limousine service without having previously obtained a license as provided in this chapter, unless such person holds a permit or license issued by the Oklahoma Corporation Commission for intercity travel, and, in that event, such person shall not fall within this article unless such person also transports intracity; that is, from points within the City of Norman to points also within the City of Norman, and, in that case, this article shall apply as to the intracity operation. No person who has been convicted of a felony within the prior ten-year period to application for a license shall be issued a license to operate a taxicab, motorbus, or limousine service. Applications of persons previously convicted of murder, manslaughter, kidnapping, robbery, rape, arson, burglary, and grand larceny, as defined by state and federal law, shall be reviewed by a review board to determine fitness to hold a license to operate a taxicab, motorbus, or limousine service. The Review Board shall consist of a representative of the Police Department, a representative of the City Attorney's Office, and the City Clerk.

(2) Non-Motorized Vehicles for Hire. No person shall operate or provide transportation services using non-motorized vehicles, including pedicabs, without having previously obtained a license as provided in this chapter, and has first complied with all applicable provisions of the Code of the City of Norman, and all applicable state and federal laws and regulations. No person who has been convicted of a felony within the prior ten-year period to application for a license shall be issued a license to operate a non-motorized vehicle for hire, including a pedicab. Applications of persons previously convicted of murder, manslaughter, kidnapping, robbery, rape, arson, burglary, and grand larceny, as defined by state and federal law, shall be reviewed by a review board to determine fitness to hold a license to operate a non-motorized vehicle for hire, including a pedicab. The Review Board shall consist of a representative of the Police Department, a representative of the City Attorney's Office, and the City Clerk.

(b) *Driver.* No person shall drive a motorized vehicle for hire, including a taxicab, motorbus or limousine, or any non-motorized vehicle for hire, including a pedicab, without having previously obtained a license as provided in this chapter, ~~unless~~ However, where such person holds a permit or license issued by the Oklahoma corporation Commission for intercity travel for the operation of a motorized vehicle, including a taxicab, motorbus or limousine, and, in that event, such person shall not fall within this article if the person transports from points outside the city of Norman to points within the City of Norman. If such person also transports intracity; that is, from points within the City of Norman to points also within the City of Norman, this article shall apply as to the intracity and, if such person transports from points

originating inside the City of Norman to points outside the City of Norman, this will fall within this article. No person shall be issued a license to drive a motorized vehicle for hire, including a taxicab, motorbus, or limousine, or to drive a non-motorized vehicle for hire, including a pedicab, if they have:

- (1) More than three (3) moving or hazardous traffic violations within the prior twelve-month period to application for a license;
- (2) A conviction for driving under the influence of intoxicating substances or a plea to reduced charges of driving under the influence within the prior five-year period to application for a license;
- (3) A misdemeanor conviction involving a violent crime where physical force is exerted so as to cause damage, abuse or injury to persons or property within the prior five-year period to application for license; or
- (4) A felony conviction within the prior five-year period to application for a license, unless it is a conviction for the crime of murder, manslaughter, kidnapping, robbery, rape, arson, burglary, or registered sex offenders, as defined by state and federal law. Applications of person previously convicted of murder, manslaughter, kidnapping, robbery, rape, arson, burglary, or registered sex offenders shall be ineligible to apply for a license under this section.

Any applicant that has, upon application and submission to a background check, been approved to hold a pedicab drivers' permit by another municipality located in the State of Oklahoma shall not be required to submit to duplicative background examination by the City of Norman in order to obtain a pedicab drivers' permit.

(c) Taxicabs- Services to be rendered. All persons engaged in the taxicab business in the City operating under the provisions of this chapter shall render an overall service to the public desiring to use taxicabs.

- (1) Licensees shall maintain a central place of business and keep the same open twenty-four (24) hours a day for the purpose of receiving calls and dispatching cabs.
- (2) They shall answer all calls received by them for service inside the corporate limits as soon as they can do so; and if the services cannot be rendered within a reasonable time, they shall immediately notify the prospective passengers how long it will be before the call can be answered and give the reason therefor.
- (3) Any holder who refuses to accept a call based on race, color, religion, ancestry, sex, national origin, age, place of birth, handicap, or familial status anywhere in the corporate limits at any time when such holder has available cabs, or who fails or refuses to give overall service, shall be deemed a violator of this section; and the license granted to the holder shall be revoked at the discretion of the City Clerk.
- (4) Any taxi receiving operating subsidies from the City or other State or Federal funds must have at least one (1) vehicle in their fleet which is accessible to all riders, regardless of any disability, including mobility disabilities. In addition to meeting the accessibility requirements, offices must provide assurances that staff have access to and are trained in

the use of a TDD/TTY or in the use of the Oklahoma Relay system. Furthermore, the drivers, owners of the cab companies, and their staff(s) must receive ADA training to provide the best service to their passengers. This training should include appropriate communication skills (such as "People First" language), how to handle and store passengers' mobility equipment, working with service animals and how to use a lift and/or ramp system on vehicles so equipped.

(d) *License application.* Each application for a license required by the provisions of this article shall contain the following information and shall be updated annually:

- (1) The name, address, business name, and any established place of business of the applicant;
- (2) The financial status of the applicant, including the amount of all unpaid judgments against the applicant, and the nature of the transactions or actions giving rise to the judgments;
- (3) The experience of the applicant in the transportation of passengers;
- (4) Any facts which the applicant believes tend to prove that public convenience and necessity require the granting of a license;
- (5) The number of vehicles, whether motorized or non-motorized, that the applicant desires to operate;
- (6) Evidence showing the ownership of all vehicles, whether motorized or non-motorized, to be operated;
- (7) Make, model, year, body type and physical condition, as applicable, of all vehicles, whether motorized or non-motorized, to be operated;
- (8) The color scheme or insignia to be used to designate the vehicle or vehicles, whether motorized or non-motorized, of the applicant; and
- (9) A schedule showing the passenger fares to be charged including the distance of the first charge and rate per mile (or, in the case of non-motorized vehicles for hire, any other applicable unit of measure) or fraction thereof.
- (10) attached cop(ies) of any documents establishing proof of insurance required by this Chapter.

§ 3. That Section 13-2002 of Chapter 13, Article XX shall be amended to read as follows:

**SEC. 13-2002. - DRIVERS.**

- (a) No person shall drive a taxicab, motorbus, or limousine without having a valid class A, B, or C commercial license or class D license issued by the State of Oklahoma.
- (b) No persons driving a motorized vehicle for hire, including a taxicab, motorbus, or limousine, or driving a non-motorized vehicle for hire, including a pedicab, shall while on duty:
  - (1) Consume any alcoholic beverage or other intoxicating substance;
  - (2) Smoke while transporting a passenger or in the vehicle at any time;
  - (3) Solicit prospective passengers from a location other than the driver's compartment of the taxicab/vehicle when it is parked immediately adjacent to the curb or the immediate

- vicinity of the vehicle for hire or in a way that annoys or obstructs the movement of a person;
  - (4) Interfere with the proper and orderly access to or egress from any public gathering;
  - (5) Admit another passenger without the consent of any existing passenger;
  - (6) Deliver any passenger to his designation except by the most direct route; and
  - (7) Charge and collect more fare than set by the license holder in the application for the license, on file in the City Clerk's Office, and posted on the exterior and interior of the vehicle.
- (c) A license identification card shall be required in a form issued by the Chief of Police or his designee. It shall contain the following:
- (1) A picture of the driver affixed in such a manner that another picture cannot be substituted therefor without detection;
  - (2) The driver's name, license number and card number; and
  - (3) The expiration date of the license.
- (d) Revocation and suspension authorized; grounds.
- (1) A driver's license issued under this division may be revoked or suspended by the Chief of Police or his designee for any of the following reasons:
    - (a). Conviction, excluding traffic violations, of any federal law, state law, or municipal ordinance;
    - (b). Operating a motorized vehicle for hire, including a taxicab, limousine, or motorbus, or operating a non-motorized vehicle for hire, including a pedicab, while under the influence of any intoxicating substance;
    - (c). Leaving the scene of an accident;
    - (d). Failure to make full report of an accident to the Police Department within twenty-four (24) hours of the time of occurrence;
    - (e). Permitting any other person to use his license;
    - (f). Obliterating or erasing any official entry on his license identification card;
    - (g). Conviction of a second traffic violation during any license year; and
    - (h). Misrepresentation of any material facts by a driver in his application for license.
  - (2) No person whose license has been revoked shall be eligible to receive a new license until one (1) year from the date of such revocation.
  - (3) The provisions of this section are supplementary to penalties otherwise provided

§4. That Section 13-2003 of Chapter 13, Article XX shall be amended to read as follows:

**SEC. 13-2003. - INSURANCE.**

- (a) Motorized Vehicles for Hire. No license to operate a motorized vehicle for hire, including a taxicab, motorbus, or limousine, shall be issued under this section until the owner or operator has filed with the City Clerk proof that a policy of insurance has been issued to the applicant by an insurance company authorized to do business in the State. That policy must provide liability insurance coverage for each and every motorized vehicle to be operated by the

applicant, with a liability coverage of not less than one hundred thousand dollars (\$100,000.00) for the injury or death of any one (1) person, three hundred thousand (\$300,000.00) for the injury or death of any number of persons in one (1) accident, and with coverage of at least fifty thousand dollars (\$50,000.00) for property damage in any one (1) accident. The insurance coverage shall be effective whether the vehicle was, at the time of the accident, being driven by the owner, his agent, employee, lessee or licensee.

(b) Non-motorized Vehicles for Hire. No license to operate a non-motorized vehicle for hire, including a pedicab, shall be issued under this section until the owner or operator has filed with the City Clerk proof that a policy of insurance has been issued to the applicant by an insurance company authorized to do business in the State. That policy must be a general liability policy providing liability coverage of not less than one million dollars (\$1,000,000) for each occurrence, one hundred thousand dollars (\$100,000.00) for fire damage; one million dollars (\$1,000,000.00) for personal and ADV injury, a two million dollar (\$2,000,000.00) of general aggregate, and one million dollars (\$1,000,000.00) products-comp/op agg.

(c) The policy for insurance relating to the operation of motorized or non-motorized vehicles for hire also shall provide that it cannot be canceled until ten (10) days' notice of such cancellation shall have been filed with the City Clerk by the insurance company or the licensee. If the policy is canceled and the applicant fails to provide, within ten (10) days, another policy of insurance complying with the provisions hereof, the license issued for the operation of the vehicle or vehicles covered thereby shall automatically become void and of no effect. No renewal of the policy of insurance shall be required by reason of the substitution of one (1) vehicle for another in service; provided such substitution does not invalidate the policy of insurance; and provided further that a statement in writing is filed with the City Clerk giving the name, serial number, engine number and body type, as applicable, of the vehicle being placed in service, and also of the vehicle being retired. The policy of insurance shall be for a period of not less than one (1) year, and a new policy shall be furnished at the expiration of any existing policy if the operation of the vehicle covered thereby is to be continued. If for any reason the policy of insurance shall terminate, lapse or become void or ineffective, the license on such vehicle insured thereunder shall automatically become void and of no effect unless a new policy is provided or the existing policy is reinstated in full within ten (10) days from the date the policy lapses, terminates or becomes ineffective.

§5. That Section 13-2004 of Chapter 13, Article XX shall be amended to read as follows:

**SECTION 13-2004. – DEFINITIONS.**

The following words and phrases shall, for the purposes of Article XX within this Chapter, have the meanings respectively ascribed to them as follows, except where the context otherwise requires:

(a) “For hire” refers to an arrangement whereby a motorized or non-motorized vehicle is employed by a person to transport any other persons upon City streets for any compensation, including tips only.

- (b) “Motorized vehicle” refers to any vehicle which is self-propelled or drawn upon City streets by means other than solely animal or human power and includes, but is not limited to, taxicabs, motorbuses, and limousines.
- (c) “Non-motorized vehicle” refers to any vehicle which is propelled or drawn upon City streets solely by animal or human power and includes, but is not limited to, pedicabs.
- (d) “Pedicab” refers to a bicycle or other opened or closed non-motorized vehicle with three (3) or more wheels operated and propelled by the physical effort of one (1) person for the purpose of, or capable of, transporting passengers in seats or a platform made a part of the pedicab.

§6. That Section 13-2006 of Chapter 13, Article XX shall be amended to read as follows:

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**SEC. 13-2006. - REPORTS.**

- (a) Every owner or operator of a motorized or non-motorized vehicle for hire ~~taxicab, motorbus or limousine~~ service shall submit an annual operating report to the City Clerk by February 1 of each year. In addition every holder of a license required by this chapter shall keep accurate records of receipts from operations, expenses, capital expenditures and such other operating information as may be required by the City Clerk. Each holder shall maintain the records containing such information and other data required by this section at a place readily accessible for examination by the Police Department. All such records shall be kept for at least two (2) years following the current calendar year.

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§7. That Section 13-2007 of Chapter 13, Article XX shall be amended to read as follows:

**SEC. 13-2007. – STANDS**

- (a) Each cabstand, motorbus and limousine, or any stand associated with the provision by anyone of non-motorized vehicle for hire services, stop designated by the City shall be appropriately marked by signs erected by the City.
- (b) No person shall park any vehicle at such stands or stops other than a pedicab, taxicab, motorbus or limousine which is in charge of its driver who is awaiting a fare.

§8. That Section 13-2008 of Chapter 13, Article XX shall be amended to read as follows:

**SEC. 13-2008. - RATES; POSTING; OVERCHARGING.**

- (a) No person shall maintain and operate any ~~taxicab~~ motorized or non-motorized vehicle engaged in the business or occupation of conveying passengers for hire within the City without posting on the outside on each side of the vehicle and also within the taxicab, in a

conspicuous place and in view of the passengers to be conveyed, the rates to be charged for service. The rates posted on the inside shall be printed on a card, the letters and figures to be not less than one (1) inch bold-faced, sans serif type, giving the rates and distances for which the rates apply. The rates shall be filed with the City Clerk prior to the effective date of the rates or change thereof.

- (b) No person shall receive, charge or collect any fares for transporting passengers within the City greater than the rate posted with the City Clerk.
- (c) It shall be unlawful for any owner or driver to operate any taxicab in the City unless and until such vehicle is equipped with a taximeter, and it shall be the duty of every owner operating a taxicab to maintain such taximeter in good serviceable condition so that it will at all times correctly indicate the correct charge for the distance traveled and waiting time. The City Clerk or her designee is hereby authorized at her instance, or upon complaint of any person, to investigate or cause any taximeter to be investigated, and upon discovery of any inaccuracy in such taximeter, to suspend the permit for operation of the taxicab in which it was installed, until proof has been provided that such taximeter has been correctly adjusted with the date of adjustment noted.
- (d) The driver of any taxicab shall, upon demand by the passenger, give to such passenger a receipt for the amount charged on which shall be the name of the owner and date of transaction.
- (e) No person shall maintain and operate any taxicab engaged in the business of occupation of conveying passengers under contract within the City without posting on the outside on each side of the vehicle and also within the taxicab, in a conspicuous place and in view of the passengers to be conveyed, that the taxicab in "Under Contract-Not for Hire." The letters to be not less than one (1) inch bold-faced, sans serif type. The City Clerk shall be advised of the effective date of the not for hire taxicab.

§9. That Section 13-2009 of Chapter 13, Article XX shall be amended to read as follows:

**SEC. 13-2009. - VEHICLES.**

- (a) Every taxicab or pedicab operated under the terms of this chapter may be painted in a color scheme as desired by the holder of the license and as described in the application. All taxicabs or pedicabs, whether painted in a particular color scheme or not, shall have the following information painted on them in lettering that shall be at least two (2) inches in height, and shall be of such color as will contrast distinctly with the color of the body of the taxicab:

The name of the owner or trade name and the word "taxicab," or "pedicab," as applicable, if not appearing in the trade name, ~~and~~ With respect to taxicabs only, the serial body number corresponding to the metal license identification plate shall be on each side and on the rear exterior of the taxicab and shall cover a space no less than ten (10) inches by twelve (12) inches. With respect to pedicabs only, the a City-issued decal assigning a unique identification number for each pedicab must be placed on the rear side of all pedicabs operating in the City, and must be renewed annually, along with all other licenses as provided for in this Chapter. In addition, any company operating a vehicle for hire whose primary



business is not in Norman must include an identifier that adds the primary City of business to the company name, i.e. Yellow Cab OKC.

- (b) Every vehicle operating under this chapter shall be kept in a clean and sanitary condition, including the frame, wheels, trunk, and the upholstery and headliner, as applicable, in good repair.
- (c) Vehicles are to meet standards before any license is issued. All vehicles to be licensed and used as motorized vehicles for hire, including taxicabs, limousines, or motorbuses, or non-motorized vehicles for hire, including pedicabs, shall be inspected annually by City of Norman Fleet Maintenance Division according to a checklist and at a fee to be set administratively.

(1) All such motorized vehicles for hire shall have as standard equipment and in good operating condition:

- ~~(1)~~(a). Four-wheel brakes;
- ~~(2)~~(b). Parking brake;
- ~~(3)~~(c). Front and rear bumpers, all trim and matching hubcaps;
- ~~(4)~~(d). Heater, defroster, and air conditioner;
- ~~(5)~~(e). Right and left side and interior rear view mirrors;
- ~~(6)~~(f). Speedometer, exposed to view, and maintained in accurate operating condition;
- ~~(7)~~(g). Windshield wipers;
- ~~(8)~~(h). Tires with a minimum of 2/32-inch tread;
- ~~(9)~~(i). Factory-recommended shock absorbers;
- ~~(10)~~(j). Turn signals;
- ~~(11)~~(k). Taximeter;
- ~~(12)~~(l). All door and window glass shall be safety glazed glass equal to manufacturer's standard specifications; and
- ~~(13)~~(m). Placards as required by ordinance.

(2) Inspection. All non-motorized vehicles for hire shall at all times be in good operating condition and may not be such condition or operate in any manner that poses a risk to the public. Upon inspection, the City of Norman Fleet Maintenance Division shall verify passenger capacity of each non-motorized vehicle for hire, including pedicabs. Where a non-motorized vehicle has submitted to and passed inspection with another municipality located within the state of Oklahoma, the result of that inspection as well as the

determination of passenger capacity shall be accepted by the City of Norman and applicant will not be charged a fee for inspection relative to that non-motorized vehicle for hire. Each pedicab must, however, pay for, obtain, and display an initial and annual renewal decal(s), as applicable, for each pedicab operated within Norman city limits, in addition to any similar decal or insignia issued by any other municipality within the state of Oklahoma.

(3) Illumination. All non-motorized vehicles for hire shall be illuminated at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the roadways are not clearly discernible at a distance of 1,000 feet or less. In accordance with State law, every pedicab shall be equipped with:

(a). a lighted lamp visible from both sides from a distance of at least 1,000 feet if operated on a street with a speed limit of more than 25 miles per hour;

(b). a red reflector which shall be visible for 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle;

(c). a lamp on the front emitting a white light visible from a distance of at least 1,000 feet to the front if operated on a street with a speed limit of more than 25 miles per hour; and

(d). with a lamp on the rear emitting a red light visible from a distance of at least 1,000 feet to the rear if operated on a street with a speed limit of more than 25 miles per hour.

§10. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2018.

NOT ADOPTED this \_\_\_\_\_ day  
of \_\_\_\_\_, 2018.

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Mayor)

ATTEST:

\_\_\_\_\_  
(City Clerk)