

TOWN OF BILLERICA
RULES AND REGULATIONS

For the

LICENSING AND OPERATION OF TAXICABS

SECTION I. In accordance with the provisions of Chapter 40, Section 22 of M.G.L., these rules and regulations for the Licensing and Operation of Taxicabs in the Town of Billerica are hereby adopted by the Billerica Board of Selectmen (Licensing Authority) and may be amended from time to time by said Board of Selectmen.

SECTION II. A Taxicab is defined as any motor vehicle, and registered as such, with a taxi-meter, used or designated to be used, for the conveyance of passengers for hire from place to place, but not over a fixed route or between fixed and regular termini. Each owner of a Taxicab must have a Taxicab Owner License issued by the Board of Selectmen. A Taxicab Operator is defined as the driver of a Taxicab. Each Taxicab Operator must have a Taxicab Operator License issued by the Board of Selectmen.

SECTION III. The number of Taxicabs operating in the Town of Billerica shall be of sufficient number, as determined by the Board of Selectmen, to provide satisfactory service to all residents. Taxicab Owner and Taxicab Operator Licenses may be issued at the discretion of the Board of Selectmen, upon proper and complete application to the Board of Selectmen. The Board of Selectmen must license all Taxicabs operating within or from the Town of Billerica, prior to their operation.

SECTION IV. No person shall operate a Taxicab, in/from the Town of Billerica, as an Owner and/or Operator without first having obtained such License (s) from the Board of Selectmen. All Taxicab Operators, whether regular operators or substitute operators, must have, prior to the operation of any Taxicab, a valid Taxicab Operator License issued by the Board of Selectmen.

SECTION V. An application for a Taxicab Owner and/or Taxicab Operator License may be filed at any time with the Board of Selectmen. An application for the renewal of any License shall be filed, with the Board of Selectmen, before July 1st of each year. All Licenses shall expire on the June 30th following the granting of the License, unless sooner revoked or suspended. The Board of Selectmen shall establish the fee for each License.

SECTION VI. No person shall be eligible to receive a Taxicab Operator License who is not a citizen of the United States or has not filed his/her intentions to become a. citizen of the United States or who has been convicted of a felony within ten (10) years prior to the date of application or has been

convicted of more than three (3) motor vehicle violations, other than parking, in the five (5) years preceding the date of said application.

SECTION VII. Each applicant for a new or renewal Taxicab Owner License and/or new or renewal Taxicab Operator License must submit his/her application on forms provided by the Board of Selectmen and no License shall be issued unless approved by the Board of Selectmen.

SECTION VIII. All Taxicab trade names shall have prior approval by the Board of Selectmen and shall be recorded with the Billerica Police Department and the Office of the Town Clerk. Each Taxicab vehicle shall prominently display the word "TAXI" and the Taxicab's trade name on both sides and the rear of the vehicle. Lettering shall be permanent and not less than four (4) inches high and two (2) inches wide. An illuminated roof marker shall likewise be required. Each Taxicab vehicle must have the telephone number of the company prominently displayed on both sides and rear of the vehicle. This telephone number must be a local Billerica exchange telephone number.

SECTION IX. Each Taxicab vehicle must display the Taxi Operator License and Schedule of Rates so as to be visible for passengers in the rear seat. An official Medallion, issued by the Board of Selectmen for each Taxicab vehicle, shall be permanently and prominently attached to the front exterior of each licensed Taxicab vehicle.

SECTION X. No Taxicab Owner License(s) and/or Medallions shall be sold, transferred, pledged, or assigned without having first obtained the approval of the Board of Selectmen.

SECTION XI. Each applicant for a Taxicab Operator License must file an application with the Board of Selectmen. The application must be accompanied by two (2) current personal color photographs (passport photo style) to be of a size 2 1/4" X 2 1/2". One (1) photograph will be mounted on the Taxicab Operator License when issued and the Board of Selectmen will maintain one (1) photograph on file with the original application. Photographs will not be returned in the event a license application is denied, revoked, or not renewed.

SECTION XII. The Taxicab Operator License, issued by the Board of Selectmen, shall be posted, with the Schedule of Rates, in a conspicuous place in the Taxicab vehicle. The **Board** of Selectmen shall approve the Schedule of Rates prior to being placed in effect and no changes shall be made without the prior approval of the Board of Selectmen. Proposals for revised rates must be filed with the Board of Selectmen at least thirty (30) days before any effective date of proposed revisions. Revised rates are not effective until approved by the Board of Selectmen.

SECTION XIII. Any licensed Taxicab Owner who shall cease to operate a Taxicab shall at once surrender his/her License(s) and Medallion(s) to the Board of Selectmen. Any licensed Taxicab Operator who ceases to drive a Taxicab

shall so notify the Board of Selectmen, in writing, upon termination of his/her duties and shall immediately surrender his/her Taxicab Operator License to the Board of Selectmen.

SECTION XIV. Each licensed Taxicab Operator must maintain a log of all trips made, together with a list of all articles found in the Taxicab. These records shall be kept by the Taxicab Owner and available for inspection at any time.

SECTION XV. All Taxicabs must be kept in good condition, suitable for occupancy, and mechanically fit for the safety of the passengers. The interior and exterior shall be clean and sanitary at all times. The licensed Taxicab Owner must inspect each Taxicab at least once each day and immediately take any corrective action(s) that may be required and/or necessary. Taxicabs will be subject to periodic inspections. All Taxicab Owner records and Taxicab Operator records shall be available at any time, upon request, for inspection as required and/or necessary. Taximeters shall annually be inspected and certified for accuracy. No Taxicab shall operate without a certified taximeter.

SECTION XVI. No licensed Taxicab Owner or licensed Taxicab Operator shall knowingly convey, or permit to be conveyed or placed therein a Taxicab, any person sick or infected with a contagious disease or the body of any deceased person.

SECTION XVII. Each licensed Taxicab Owner or licensed Taxicab Operator shall maintain their Taxicab vehicles and operations in full compliance with all applicable federal, state, and Town laws, codes, By-Laws, and regulations. All taxes and fees owed to the Town of Billerica must be paid on a current basis. Failure to be current with any taxes or fees to the Town of Billerica and/or failure to comply with any laws, codes, By-Laws, and regulations shall be sufficient cause for revocation, suspension, or modification of the License(s).

SECTION XVIII. Each licensee shall immediately notify, in writing, the Board of Selectmen of any proceedings brought by or against the licensee under the bankruptcy laws or of any other court proceedings which may affect the status of the license.

SECTION XIX. Before employing any Taxicab Operator(s), the Taxicab Owner must verify that the operator possesses a valid current Taxicab Operator's License issued by the Board of Selectmen. It shall also be the responsibility of the licensed Taxicab Owner to insure that each operator possesses a valid current motor vehicle license issued by the Registry of Motor Vehicles of the Commonwealth of Massachusetts.

SECTION XX. A Taxicab Owner and/or Taxicab Operator may not refuse, unless previously engaged, to carry any passenger lawfully entitled to be carried in a taxicab. A Taxicab Owner and/or Taxicab Operator may not demand, from any passenger, more than the fare indicated on the taximeter regardless of

the number of passengers involved.

SECTION XXI. Every Taxicab Operator shall be suitably dressed while driving/operating a taxicab.

SECTION XXII. A Taxicab Operator shall not pick up or carry any other passenger(s) after the taxicab is occupied by the current passenger(s) until the current passenger(s) has/have discharged said taxicab, except with the consent of the current passenger(s).

SECTION XXIII. A Taxicab Operator is not required to convey any passenger(s) that is/are noisy, disorderly, or intoxicated. Should any passenger(s) become noisy or **disorderly**, the Taxicab Operator may appeal to any Police Officer for assistance.

SECTION XXIV. Each Taxicab vehicle and/or Operator must be capable of immediate communications and access via two-way radio or telephonic means.

SECTION XXV. The Billerica Police Department shall administer and enforce these Rules and Regulations. Complaints and violations shall be administered and enforced by the Billerica Police Department. Any suspension and/or revocation of any License(s) shall be by the Board of Selectman. The Board of Selectmen may levy any fine (s) , penalties and/or administrative action(s) it deems appropriate to any Licensee. Any such violation(s) and/or administrative action(s), fine(s), and/or penalties shall not interfere with the normal procedure of any violation of M.G.L. Chapter 89 or Chapter 90 nor the normal enforcement duties of any Police agency or authority. Any licensed Owner and/or Operator convicted of three (3) or more traffic violations, other than parking violations, in a five (5) year period shall be subject to automatic suspension and/or revocation of any License issued by the Board of Selectmen. Any licensed Owner and/or Operator convicted of a felony shall be subject to automatic revocation of any License(s) granted by the Board of Selectmen.

SECTION XXVI. Should any Taxicab vehicles be added or replaced, with different vehicle (s), said added or replaced Taxicab shall meet all applicable Rules and Regulations prior to being placed in service.

SECTION XXVII. Any License(s), issued by the Board of Selectmen, not put into use within thirty (30) calendar days from date of issue shall be automatically null and void. No fees will be returned in such cases.

SECTION XXVIII. Should any section of these Rules and Regulations be deemed to be unenforceable, then only that section shall be removed and those Rules and Regulations remaining shall be in full force.

ADOPTED BY THE BILLERICA BOARD OF SELECTMEN ON

James F. O'Donnell, Chairman

Robert B. Accomando, Vice Chairman

Robert M. Correnti, Secretary

Michael S. Rosa, Member

Marc T. Lombardo, Member