TAXICABS
Chapter 18

BE IT ORDAINED, by the Council of the City of Poughkeepsie, New York that Chapter 18, entitled Taxicabs, be and is hereby amended as follows:

Chapter 18, TAXICABS

§ 18-1. **Definitions.**
Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meanings given to them by this section. Whenever used in this Ordinance, pronouns and other references to persons and entities shall be considered to include the masculine and the feminine, and the singular and the plural, as the sense and neutral application thereof shall require.

CHIEF OF POLICE -- The Chief of Police of the City of Poughkeepsie, or the officer designated by him to perform the duties and carry out the responsibilities assigned to the Chief of Police hereunder, unless otherwise specified.

CITY -- The City of Poughkeepsie, New York, unless otherwise specified.

FARE -- Either: a customer or passenger paying or for whom a charge has been paid to hire a lawfully licensed taxicab for transportation services under this Chapter; or the charge so levied and lawfully incurred by such passenger; according to the sense thereof as used herein.

OPERATOR -- Any person owning or having control of the use of one or more taxicabs used for hire upon the streets of the City or engaged in the business of operating a taxicab or a taxicab company in the City of Poughkeepsie.

PRIVATE LIVERY CAB: A taxicab, except that such “private livery cab” shall be registered with the New York State Department of Motor Vehicles as a “Livery” and bearing “Livery” licensed plate, and shall not: (1) have a dome light or external markings for taxicab prescribed by this chapter; (2) be allowed to use taxicab stands prescribed in this chapter; and (3) be used in the city for hire except upon a unit of time for hire by the hour, day or week which unit may exceed that prescribed for taxicabs in this chapter.

RATE CARD -- A card on which is printed the tariff rates or fares charged for taxicabs service in the City as provided by this Chapter.

ROOF LIGHT- Rooflight means equipment attached to the roof of a vehicle, or extending above the roofline of a vehicle, and containing the words “Taxi”, “Taxicab” or “Cab”.

STREET -- Includes any street, alley, avenue, thoroughfare, court, bridge, lane or other public place in the city.

TAXICAB – A Taxicab is a motor vehicle engaged in the business of carrying persons for hire, whether the same is operated from a street stand or subject to calls from a garage or otherwise operated for hire, except vehicles subject to the provisions of the Transportation Law, Private Livery Cabs, and vehicles used by funeral homes or undertakers in carrying on their business.

TAXICAB DRIVER -- Any person who drives a taxicab available for hire or under hire, whether such person is the owner or lessee of such taxicab or employed by or in contract with a taxicab owner, operator or lessor.

TAXICAB DRIVER'S LICENSE -- A license granted by the City to any otherwise-qualified person to drive any licensed taxicab for hire or under hire upon the streets of the City.

TAXICAB LICENSE -- A license granted by the City to any business or person to keep for hire any vehicle to be used as a taxicab in such city; each such license being specifically issued to one specified vehicle only.

TAXICAB NUMBER -- A number included on each taxicab vehicle license and sticker issued by the City Clerk; each vehicle so licensed shall be assigned one unique number as described in this Chapter.

TAXICAB STAND -- Includes any place alongside the curb of a street or elsewhere which is exclusively reserved by the Chief of Police and/or by the codes and rules of the City for the use of taxicabs and specifically designated therefor.

TAXIMETER—A mechanical instrument or device, approved by the Police Chief, by which the charge for hire of a taxicab is mechanically calculated and on which said charge is plainly indicated.

TRIP SHEET -- One or more sheets of paper upon which the driver and/or operator records information pertaining to each trip carrying one or more paying passengers, as described in this Chapter.

§ 18-2. Licenses required.

It shall be unlawful for any person to drive, operate, offer or keep for hire or charge within the limits of the City, any taxicab or other motor vehicle providing transportation service for charge or fee without first having obtained and paid for a, taxi driver's license and a taxicab vehicle license, and all other licenses and permits required by law, and

causing the same to be and remain in force and effect at all times under the provisions of this Chapter.

§ 18-3. Driver's license required.

(a) No person shall drive a taxicab and no person shall permit anyone to drive a taxicab within the limits of the City without such driver having first obtained and paid for and having in force and effect at all times, both a valid New York State drivers license of the appropriate class and certification, including but not limited to a chauffeur's license; and a taxicab driver's license issued under the provisions of this Chapter.

(b) In addition to the penalty provided for in Section 18-32, when a Taxicab is found to be operating in violation of this Section, the Operator shall be assessed a civil penalty by the City Clerk as follows:

1. Violations 1-3= $100 per violation
2. Violations 4-6 =$ 250 per violation
3. Violations 7+ = $500 per violation

(c) Failure to pay such fee could result in the suspension or revocation of the Operator's Taxicab License pursuant to Section 18-17. The Operator may appeal such civil penalty pursuant to Section 18-9(b).

§18-4. Taxicab driver's license application information.

(a) Each applicant for a taxicab driver's license must comply with the following requirements and provide the required information to the satisfaction of the Chief of Police:

(1) He/She must first have obtained all required State licenses including a State chauffeur's license. The full residence address of the applicant must be entered on the Department of Motor Vehicles Driver's License. P.O. Box numbers are not acceptable.

(2) She/He shall fill out, upon a form to be provided by the City Clerk, a statement giving his full name, current residence, places of residence for the five (5) years immediately preceding his moving to his present address, age, date of birth, height, color of eyes and hair, place of birth, whether a citizen of the United States, places of previous employment for the immediately past five (5) years, whether married or single, whether he has ever been arrested or convicted of a felony or misdemeanor, or Driving While Intoxicated ("DWI"), or criminal charges involving illegal drugs, whether he has been previously licensed as a driver or chauffeur and, if so, whether his license has ever been revoked and for what cause, and the number of the chauffeur's license issued by the State, and the company name, business address and telephone number from which the applicant will operate and/or drive any taxicab, which statement shall be

signed and sworn to by the applicant and filed with the City Clerk as a permanent record.

(3) He/She shall additionally submit the following:

a. The results of a drug screening test performed within ten (10) days of the date of the applicant's submission from a laboratory certified to perform toxicology tests and certify the results thereof by the New York State Department of Health and which performs drug abuse testing, indicating the applicant does not use amphetamines, barbituates, benzodiazepines, benzoylecgonine, ethanol, fentanyl, methadone, opiates, phencyclidine, propoxyphene, THC-cannabinoids, and tricyclic antidepressants, unless prescribed by a licensed health care provider. The applicant shall be responsible for all costs associated with the test required for application and renewal, including but not limited to all costs associated with such testing, as may be required by the Chief of Police.

b. A copy of his current New York State Department of Motor Vehicles drivers license abstract; and true and accurate copies of certificates of disposition for any and all arrests of such applicant.

(b) Each application for a driver's license shall contain the following statement: "PURSUANT TO THE NEW YORK STATE PENAL LAW, SECTION 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN."

(c) The Chief of Police is hereby authorized and empowered to require such additional information as same shall be reasonably related to the applicant's fitness and/or eligibility as he may deem necessary from any applicant for any license required by this Chapter. The Chief of Police is hereby authorized to waive the production of any information from any applicant as may otherwise be required under this Chapter if in his opinion such requirement is unreasonable, unnecessary, inappropriate or unjust under the circumstances.

§ 18- 5. Photograph and fingerprints required; approval of Chief of Police.

(a) Each applicant for a taxicab driver's license shall file with his application clear images, inked prints or other impressions of the fingers of his right and left hands to the satisfaction of the Chief of Police. Such impressions shall be placed upon forms furnished by the City Police Department, the impressions to be taken under the supervision of the Chief of Police or someone designated by him, at such place or places as may be designated by such licensing official. Each applicant shall also file two unmounted, unretouched photographs of himself, size 2 ¼ inches by 2 ¼ inches, taken within thirty (30) days preceding the filing of application. The filing required by this Section shall be accompanied by a non-refundable application fee of Ten ($10.00) Dollars and a background check fee of

one hundred and twenty-five ($125.00). The Police Department is hereby authorized to submit such fingerprints to any agency of the State of New York or subdivision thereof for the purpose of conducting a criminal history and background check for such applicant, which shall be used to evaluate and determine the qualifications and fitness of such applicant to be issued a license hereunder.

(b) Applications, with photographs, fingerprint images and/or impressions and drug tests attached, shall forthwith be sent to the Chief of Police, and no license shall be issued under the provisions of this Chapter until the approval of the issuance of such license(s) in writing from the Chief of Police has been received by the City Clerk. The Police Department shall conduct an investigation of each applicant for a taxicab driver's license, and the report of this investigation and a copy of the traffic and police record, if any, shall be attached to the application and filed with the City Clerk. The Chief of Police shall refuse to issue or renew a driver's license if the driver:

(1) Does not meet a qualification for a license; or

(2) Has made a material false statement on the application; or

(3) Has submitted a drug screening test with a positive result or has refused to submit to a test or has failed to provide a test result or information regarding same; or

(4) Has been convicted of, pleaded guilty to or forfeited bond or collateral upon any of the following charges, whether the conviction, plea or forfeiture occurred in the State of New York or elsewhere:

(a) Any offense which constitutes a "serious offense" as the term is defined by Section 265.00 of the Penal Law of the State of New York or any act supplementary thereof or amendment thereto; or

(5) Has accumulated, within the past thirty-six months, six (6) or more points on his or her driver's license, as such points are determined by the Department of Motor Vehicles of the State of New York; or

(6) Has outstanding traffic tickets in any court of competent jurisdiction which if convicted, would result in the applicant accumulating six (6) or more points as such points are determined by the Department of Motor Vehicle of the State of New York.

(7) Has had any taxicab driver's license or a similar license or permit revoked; or

(8) Has three or more violations of this Article within the previous twenty-four months.

(c) The Chief of Police shall notify the applicant in writing of any refusal to approve any application, and the reason therefor.

§ 18- 6. Form and terms of taxicab driver's license fee; temporary permit.

(a) *Issuance and form*. Upon satisfactory fulfillment of the foregoing requirements and upon the payment of a non-refundable driver's license fee of Fifteen ($15.00) Dollars, the City Clerk shall issue to the applicant a license which shall be in such form as to contain a photograph and signature of the licensee and blank spaces upon which a record may be made of any arrest of or such complaint(s) against him as may be required by the Chief of Police. Each license shall be stamped by the Seal of the City upon at least a portion of the photograph. All licenses shall be numbered in the order in which they are issued and shall contain the driver's name and expiration date of the license.

(b) *Tampering*. Any licensee who alters, defaces, mutilates, changes, removes or obliterates any official entry made upon his license or of any other form, format, color, content or component thereof, shall be punished by the revocation of his license.

(c) *Duration*. Taxicab driver's licenses shall be valid for one (1) calendar year from the date of issue and shall remain valid unless otherwise revoked or suspended for the next succeeding calendar year up to the anniversary of the date of issue.

(d) *Display*. Each such license shall be placed in a transparent plaque or frame the size of four by six inches and shall at all times, when the driver is operating the cab for hire, be attached inside the front seat of the taxicab on the right or passenger side thereof in a position readily visible to the passengers of said taxi and to persons looking in or through the window of the front door on the right or passenger side thereof.

§18- 7. Renewal of taxicab driver's license; fee.

(a) When applying for a renewal of a taxicab driver's license, every applicant shall make such application at least thirty (30) days prior to its expiration upon a form to be furnished by the City Clerk, entitled "Application for Renewal of Taxicab Driver's License," which shall be filled out with the full name and address of the applicant, together with a statement of the date upon which the original license was granted and the number thereof and such other information as the Chief of Police and other City licensing official may deem necessary. Such application for renewal shall be accompanied by a non-refundable fee of Ten ($10.00) Dollars and a background check fee of One Hundred Twenty Five ($125.00) Dollars. The Driver shall submit with such application the results of a drug screening test performed within ten (10) days of the date of the application's submission in accordance with the requirements of Section 18-4(a)(3) above.

(b) Each Application for Renewal of License shall contain the following statement: "PURSUANT TO THE PENAL LAW 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN."

(c) Applications for a renewal of a taxi driver's license submitted more than thirty (30) days after the expiration date of same shall be treated as a new application according to the requirements of this Chapter.

§ 18- 8. Taxicab driver's licenses not transferable; fees not pro-rated.
Such licenses shall not be transferable. No license fee shall be prorated or refunded. Each fee in its entirety shall accompany each application therefor.

§ 18- 9. Suspension or revocation of taxicab companies' right to operate within City; suspension or revocation of driver's license or permit; re-licensing.

(a) *Reasons*. The Chief of Police or his designee may suspend, cancel or revoke a taxicab driver's or taxicab owner's license and may refuse to approve an application or renewal for any of the following reasons:

(1) *Conviction*: The conviction of the applicant or licensee of a felony or any crime or offense involving violence, dishonesty, deceit, indecency, degeneracy, moral turpitude, gambling, frequent public intoxication, or illegal use, sale or possession of drugs. The Chief of Police shall nevertheless, apply the standards of licensure and employment of persons previously convicted of one (1) or more criminal offenses embodied in Article 23-a of the Correction Law.

(2) *False application*: If the licensee or applicant has made a material false statement or concealed a material fact in connection with the application for a license or the renewal thereof.

(3) *Violations*: If the licensee or applicant has violated any of the provisions of this chapter or any chapter of the New York State Vehicle and Traffic Laws three or more times in any twenty-four (24) month period.

(4) *Prior revocation or suspension*: If the applicant, any officer, director, stockholder, or partner or any other person directly or indirectly interested in the application for a taxicab license was the former holder, or was an officer, director, or partner or stockholder in a corporation or a partnership which was the former holder of a taxicab license which had been revoked or suspended.

(5) *True ownership requirement:* If the applicant is not the true owner of the vehicle or the taxicab business.

(6) *Unfit applicant or licensee*: If the applicant, in the opinion of the Chief of Police or his designee, is not fit to be a licensee, hereunder, in the best interest of the general public welfare and safety, or for a specific breach of one or more of the requirements of this Chapter.

(b) *Hearings:*

(1) *Notice:* Any suspension, cancellation or refusal to issue a license or to renew a license made hereunder shall be by written notice issued by the Police Chief, or his designee, to the applicant or licensee. Said notice shall include a statement that the applicant or licensee is entitled to demand a hearing provided such demand is made in writing to the Police Chief, and such hearing shall be conducted within two (2) business days after the imposition of such suspension or cancellation of a license hereunder if less than seven (7) days' prior notice thereof has been given. Where prior notice of at least seven (7) days has been given with respect to a proposed suspension or cancellation of a license, a hearing shall be held within seven (7) days after receipt of written demand.

(2) *Demand for hearing:* Any demand for a hearing must be made within thirty (30) days after mailing of the notice of the suspension, revocation or refusal to issue a license.

(c) *Surrender of License:* In the event of a suspension or cancellation as provided for herein of a taxicab operator's or owner's license, the holder thereof shall deliver the license and any badge issued in conjunction therewith to the commissioner of public safety

§ 18- 10. Recordkeeping.

There shall be kept in the office of the City Clerk a complete record of each license or permit issued to a driver and of all renewals, suspensions and revocations thereof, which record shall be kept on file with the original application of the driver for a taxicab driver’s license.

§ 18- 11. Taxicab vehicle license required; fee.

(a) It shall be unlawful for any person to drive, operate or permit to be operated a taxicab upon the streets of the City or to solicit or pick up taxicab passengers within the City without first having paid a non-refundable fee as provided for herein for each such vehicle so licensed and without first having obtained for each such vehicle a taxicab vehicle license under the provisions of this Chapter from the City Clerk. Such license shall be valid for one (1) calendar year from the date

of issue and shall expire on the anniversary of the date of issue of the next succeeding calendar year unless sooner suspended or revoked. It shall be unlawful for any person to drive, operate or keep for hire or pay within the limits of the City any taxicabs not equipped as required by Section 18-15 or which have not been inspected as required by Section 18-15 or which do not display the inspection sticker as required by Section 18-15.
The fee for each vehicle so licensed shall be Two Hundred and Fifty ($250.00) Dollars, until further amended by the City Council.

(b) For each vehicle licensed as a taxicab hereunder the City Clerk shall issue a sticker of uniform design. Each sticker shall display a unique number as provided in this Section and shall show the expiration date of said taxicab vehicle license. Such sticker shall be affixed to the bumper of the vehicle for which same shall have been issued, so as to be clearly visible. Each taxi company shall be assigned a unique number and each vehicle operated by each such company shall be assigned a unique number with said company; thus each vehicle shall have a unique number in the form AB-CD where AB is the number assigned to the company and CD is the number assigned to each vehicle operated by each such company.

(c) The acceptance by an owner or operator of a license issued under this Chapter is conditioned upon and shall be sufficient evidence of the continuing consent of such owner or operator and of the driver of each and every taxicab vehicle to display the Public Notice as required by and described in Section 18-16(B)(23) of this Chapter and to consent to any such stop and visual inspection by any police officer as described in such Public Notice as provided by the City of Poughkeepsie Police Taxi Inspection Safety Program.

(d) The City shall issue new stickers as described in this Section annually or at such other times as the City shall determine to be appropriate and necessary.

§ 18- 12. Taxicab vehicle license application information.
One application for each taxicab vehicle license shall be made by the owner or other person with legal authority over same upon forms furnished by the City Clerk. Such application shall contain:

(a) The name, age and residence of the person applying for the license, proof of his ownership and/or legal authority over each such vehicle, and what, if any, previous experience he has had in the business of owning, furnishing, leasing, operating, driving, repairing or other enterprises in connection with providing transportation or related services for hire or charge.

(b) For each such vehicle, the type of motor vehicle to be used, the horsepower, the vehicle identification number, the state license and registration numbers, any periods during which the vehicle has been used as a taxicab or vehicle for hire, and the seating capacity according to its trade rating.

(c) Whether and when the vehicle has ever been previously licensed to operate as a taxicab or vehicle for hire and, if so, where.

(d) Whether such vehicle's license to operate as a taxicab or vehicle for hire has ever been revoked or suspended, when, and for what cause.

(e) Such other information as the Chief of Police may deem necessary, including but not limited to any and all information concerning the current and former state and history of repairs to such vehicle.

(f) Copy of New York State vehicle registration and expiration date of current New York State motor vehicle inspection and sticker number. The full address of the registered owner must be on the Department of Motor Vehicle registration. P.O. Box numbers are not acceptable.

(g) Miscellaneous.

(1) Each taxicab vehicle license application shall contain the following statement:"PURSUANT TO THE PENAL LAW 210.45, IT IS A CRIME PUNISHABLE AS A CLASS A MISDEMEANOR TO KNOWINGLY MAKE A FALSE STATEMENT HEREIN"

(2) Any false statements by the owner, applicant, operator and/or driver for a taxicab vehicle shall be reported to the Police Department. The City Clerk is hereby authorized and empowered to require such additional information as may be deemed necessary by the City Clerk and/or by the Chief of Police.

(3) The application must include the approved assigned unique official taxicab vehicle number assigned by the Police Department; which shall be added to such application by the applicant, City Clerk or Chief of Police when such application is approved.

§ 18- 13. Insurance; suitability of vehicle.

(a) No vehicle shall be licensed as a taxicab hereunder unless it has a "For Hire" insurance policy in effect. No vehicle shall be licensed as a taxicab hereunder unless it is insured by a public policy for damages for death or injuries to persons in the amount provided in the laws, rules and regulations established by the State of New York as the minimum required of any vehicle operated as a taxicab.

(b) The Chief of Police shall refuse a taxicab vehicle license or, if already issued, shall revoke or suspend a license if the vehicle is unsuitable for public patronage, by virtue of being unclean, unsafe, or out of compliance with any applicable law,

rule or regulation; or if in the discretion of the Chief of Police the design, capacity or other specifications of such vehicle render it unsuitable for use as a taxicab.

§ 18- 14. License card.
If, upon inspection, a vehicle is found to be in proper condition and in compliance in accordance with the provisions of all applicable laws, rules and regulations; and upon the approval of the application for a taxicab vehicle license and the payment of the license fee hereinafter set forth, such vehicle shall be licensed by delivering to the owner a card of such size and form as may be prescribed by the Chief of Police. The card shall contain the official license number of the taxicab vehicle and a statement to the effect that, in case of any complaints, the Chief of Police shall be notified, giving the license number of the taxicab and the telephone number and address via which such complaints may be made. Such card shall be signed by the Chief of Police. The taxicab vehicle license number assigned hereunder shall, in each case, be the same as that assigned to the vehicle for that year pursuant to law. Taxicab vehicle license cards must be displayed in a prominent place visible to all passengers in the taxicab vehicle for which the license card is issued. For each such vehicle the license number shall correspond to the number appearing on the sticker required to be affixed to the left rear bumper of each such vehicle as required by this Chapter.

§18- 15. Inspection of taxicabs.

(a) No vehicle shall be licensed as a taxicab pursuant to this Chapter until it has been inspected and examined and found to be in a thoroughly safe condition for the transportation of passengers; clean, fit, of good appearance, well painted in accordance with this Chapter and in complete compliance with all requirements of the Code of the City of Poughkeepsie and with all other applicable laws, codes and regulations, including that each such vehicle shall bear “taxi” or “livery” license plates issued by the New York State Department of Motor Vehicles.

(b) Taxicabs are to be inspected by the City of Poughkeepsie central garage or other facility designated by the Police Chief. There shall be an inspection fee of Fifty ($50) Dollars paid to the City Clerk for each vehicle inspected.

(c) Such inspection shall occur prior to licensing of such vehicle as a taxicab, and thereafter twice per year.

(d) A copy of the inspection report shall be given to the vehicle owner and/or operator and/or driver and the Chief of Police at the completion of the inspection.

(e) The inspection of the taxi shall include, but not be limited to, a review of the following; and shall also include an inspection of those items listed in Section 18-16 of this Chapter:

1. Brakes
2. Tires
3. Steering/front end

4. Suspension (including shock absorbers and springs
5. Exterior lights (including reverse, license plate, parking lights and roof light)
6. Interior lights
7. Windshield/all glass
8. Windshield wipers, washers
9. Front and rear window defrosters
10. Horn
11. Upholstery
12. Floorboards/Floor mats
13. Door handles, inside and out
14. Doors
15. Body damage and rust (including bumpers)
16. Paint
17. Directional signals
18. Heater
19. Speedometer
20. Mirrors (inside and out)
21. Fuel system
22. Seat Belts
23. Emissions (burning oil and smoke, visible and otherwise)
24. Muffler and Exhaust system
25. Engine fluid leaks
26. Wheel covers or hubcaps
27. Conventional spare tire
28. Jack (rated for said vehicle)
29. Exterior light lenses (free from cracks and proper color)
30. No trailer hitches
31. Trouble light

(g) Upon passing inspection, the City of Poughkeepsie Central Garage or other inspection facility designated by the Police Chief shall place an inspection sticker, as identified by the City Clerk, to be placed on the rear bumper of the Taxicab and shall notify the City Clerk in writing that such Taxicab has passed inspection.

(h) Upon receipt of a report from any designated inspection station which finds a Taxicab to be unfit or unsuited for public patronage or which shall fail to comply with the requirements of this Chapter, the licensing official shall refuse a license or shall revoke or suspend the license previously issued.

(i) It shall be unlawful to possess or display a forged, altered or unauthorized City of Poughkeepsie Inspection Sticker.

(j) The Chief of Police may additionally inspect or cause to be inspected all taxicabs from time to time, as often as he may deem necessary for the public health, safety and welfare. Said inspections shall not be evidence to be used against the City

with respect to any claim of liability and the City assumes no special duty or obligation to any person with respect to same but shall be evidence merely that the licensee has had inspections made as required by this Chapter.

§18-16 -- Taxicab vehicle markings, safety and equipment; taxicab owner, operator and/or driver.

(a) Taxi Vehicle Identification.

(1) The City Clerk shall issue a Taxicab Vehicle License to each such vehicle which shall assign a unique taxicab number as described in this Chapter to each vehicle so licensed. Taxicab markings must be permanently displayed on both front doors of each vehicle. Markings must include (a) taxi owner or company name, (b) taxicab number, (c) words “TAXI” or “TAXICAB” or “CAB” and (d) Poughkeepsie, New York.

(2) The Taxicab number must also be permanently and visibly displayed on the rear of such vehicle (left and right rear fenders, and left side of trunk lid or tailgate).

(3) Taxicabs shall each be numbered, with a unique four-digit number. Companies will be assigned a two-digit number (for example, Company A = 20, Company B = 30, etc.) Each taxicab vehicle will be assigned a two-digit number within each company. Thus each vehicle shall have a unique four digit number, the first two indicating the company and the second two indicating the vehicle within the company fleet. Numerical assignments are to be approved by the Chief of Police or his designee.

(4) Each taxicab vehicle shall prominently display on the outside of the driver’s side door and on the outside of the front passenger’s side door the schedule of fares for trips originating and ending within the City of Poughkeepsie, known as “in-City trips,” charged to passengers for the hire of such taxicab. In addition each taxicab vehicle shall prominently display such information on a fare card in the interior of the vehicle such that it is clearly visible and readable by all passengers.

(5) The signs and numbers described herein as required must contain lettering not less than 3 inches in height and 3 inches in width with a quarter inch paint stroke between each figure. Letter color must contrast to the door color and be readable from a minimum distance of one hundred fifty (150) feet. Background of sign must be of white reflective material.

(6) The City Clerk shall issue a sticker for each vehicle so licensed which shall be affixed to the left rear bumper of the subject vehicle. Each such sticker shall display the unique four-digit number assigned to such vehicle.

(7) The exterior roof light must contain the name of the company or words "TAXI" or "TAXICAB" OR "CAB". Exterior roof light must be permanently mounted and lit at night.

(b) In addition to any requirements otherwise imposed by the Vehicle and Traffic Law of the State of New York or by this Chapter, each licensed taxicab operating within the City of Poughkeepsie shall at all times remain in compliance with each of the following VEHICLE requirements:

(1) No vehicle shall be licensed as a taxi for the first time if it was manufactured ten (10) years or more prior to the date of registration or has more than 200,000 miles.

(2) Every vehicle shall be kept mechanically fit, interior and exterior kept in a clean and sanitary condition and shall at all times bear a current New York State Inspection Sticker and a City of Poughkeepsie Inspection Sticker.

(3) Every vehicle shall have no fewer than four (4) doors, not including a hatchback or other rear-entry, two (2) of which lead into the driver's compartment, and all doors shall be so constructed that they may be opened from the inside and the outside. Under no circumstances shall any two (2) door vehicle be licensed as a taxicab. Vans may be licensed and approved for use as taxicab vehicles only if each such van provides a seat and a seat belt for each passenger and carries no more than seven (7) passengers at any given time.

(4) Every vehicle shall be equipped with an adequate heater of a type which will not permit exhaust gasses to enter the interior of the vehicle.

(5) Every vehicle shall be equipped with at least three (3) adjustable rear-view mirrors, one (1) in the driver's compartment and two (2) exterior mirrors installed on the exterior of the vehicle, one (1) on the driver's side door and one (1) on the passenger-side door.

(6) Every vehicle shall be equipped with a standard speedometer properly installed and maintained in good working order. No licensed vehicle shall be operated in public while such speedometer is inoperative or disconnected.

(7) Every vehicle shall have either acceptable snow tires, all-weather radial tires or tire chains on the drive wheels of such vehicle when pavement conditions are such as to require said use for the safety of the driver, passenger and the general public.

(8) Every vehicle shall be equipped with dual windshield wipers properly installed and maintained in good working order, which shall be operated whenever weather conditions require. This shall include windshield washers in proper working condition. In addition, each licensed vehicle shall at all times

remain in compliance with New York State Regulations requiring that headlights be turned on at any time windshield wipers are in operation.

(9) Every vehicle shall contain original or replacement upholstery and floor mats in good and suitable condition for satisfactory use by the public. In the event that original upholstery or floor mats are found to be worn or otherwise deteriorated, such upholstery or floor mats must be replaced prior to the use of the licensed vehicle for conveyance of the public.

(10) Every vehicle shall be equipped with an interior light capable of illuminating the entire interior of taxicab after sundown. The light shall be so arranged as to be automatically turned on by the opening of any door to the vehicle and shall also have a switch easily accessible to passengers.

(11) Wherever glass is used in the construction of any licensed vehicle, such glass shall be safety glass, clearly and permanently marked as such and of a type approved by the Commissioner of Motor Vehicles of the State of New York. All glass in said licensed vehicle shall be in good condition and shall not contain air bubbles, cracks or fractures. Glass shall not be tinted.

(12) The fenders, bumpers and body of each licensed vehicle must be rigidly and tightly fastened to said vehicle, free from significant or extensive dents or mutilation, and shall be so constructed as to allow the full opening of all doors of the vehicle. The exterior of the vehicle shall be properly maintained, painted and the finish in good condition. This includes all exterior light lenses to be free from cracks and to be the proper color.

(13) The vehicle must be equipped with both front and rear window defroster/defogger. They are to be in proper working condition.

(14) Every vehicle shall be equipped with hubcaps on all four (4) wheels or shall have uniformly painted wheels in lieu thereof.

(15) Shades or curtains are prohibited on the inside of any taxicab.

(16) New York State license plates, City Inspection Sticker and any other licensing and inspection identification shall be placed and maintained in such manner as to be clearly visible and unobstructed at all times.

(17) No licensed vehicle shall be equipped with any equipment which is not reasonably useful or necessary to furnish safe, adequate and convenient taxicab service to the public.

(18) Each vehicle used as a taxicab shall be equipped with a roof light which shall be illuminated by an electrically-powered light and controlled by the driver.

(19) Taxicabs may retain their present color schemes until such time as their vehicles are replaced with newly licensed vehicles, which vehicles shall then be painted a shade of yellow as designated by the Police Chief. The Chief of Police may, upon the request of an operator of ten (10) or more Taxicabs, allow for a color other then yellow, so long as the color is a primary color. The Chief of Police may conduct a hearing, or cause a hearing to be conducted, for the purpose of resolving any disputes as to the use of a color scheme where the use of such color scheme tends to confuse the public as to the identity of the vehicle being used or of the identity of the owner of the vehicle or where the use of such color scheme creates an unfair competition or business practice.

(20) (a) Every company operating any taxicab shall designate an employee such as a dispatcher or other such person who shall be responsible to keep and maintain a trip sheet at all times during the operation of such Taxicab(s). Such trip sheet shall record at a minimum the following information:

- The name, driver's license number, Taxicab Driver's License number and expiration date of each and every driver operating such vehicle for the trips recorded on the trip sheet;
- Date, commencement time in hour and minute(s) and origin point of each trip for each passenger;
- Date, drop-off or termination time in hour and minute(s) and destination or termination location of each trip for each passenger;
- Fare charged and collected for each trip for each passenger;
- Date, time in hour and minute(s) and location of any accident(s) or breakdown causing an interruption or discontinuance of the operation of such taxicab, and a description thereof;
- The issuance of any citation or violation of any law, rule or code involving the operation of such taxicab and/or the conduct of the driver of same.

(b) The operator of any taxicab business shall produce any and all such trip sheets for any and all taxicabs operated, owned or controlled by such persons upon demand therefore by any police officer, Chief of Police or City Clerk.

(c) All such trip sheets shall be retained and kept on file and made available for audit, examination and inspection by any City law enforcement or code enforcement officer at all reasonable times for a minimum period of two (2) years by every owner, operator and/or proprietor of every taxicab and company operating and/or owning same.

(21) Each vehicle used as a taxicab shall comply with all applicable federal, state and other laws, rules and regulations pertaining to its use by and accessibility to persons with disabilities.

(22) Each taxicab vehicle shall display upon the inside of both the right and left passenger doors a sticker stating the following in both the English and Spanish language in no smaller than 18- point type in capital letters:
"PUBLIC NOTICE/AVISO PUBLICO

THIS VEHICLE MAY BE STOPPED AND VISUALLY INSPECTED BY ANY POLICE OFFICER AT ANY TIME TO ENSURE THE DRIVER'S SAFETY
ESTE VEHICULO PUEDE SER PARADO Y VISUALMENE ASEGURAR LA SEGURIDAD DEL CONDUCTOR
POUGHKEEPSIE POLICE TAXI INSPECTION SAFETY PROGRAM"

(23) Each taxicab shall prominently display in the interior thereof visible to all passengers a sign or sticker written in both English and Spanish language in no less than 18-point type advising that seat belts are available and should be used by all passengers.

(c) Taxicabs licensed in accordance with this Chapter may be equipped with a partitions or shields made of plexiglass or other shatterproof material located between and effectively separating the front and rear seats .

(d) In addition to any requirements otherwise imposed by the Vehicle and Traffic Law of the State of New York or by this Chapter, each licensed taxicab operating within the City of Poughkeepsie shall at all times remain in compliance with each of the following requirements applicable to all owners and operators thereof:

(1) Must maintain and furnish a current list of drivers and employees to the City Clerk.
(2) Must provide a letter to the City Clerk upon the discharge or termination for any reason of a driver and/or employee, giving the reason for such discharge or termination.
(3) Must promptly report to the City Clerk the transfer of ownership of any vehicle licensed by the City and concurrently turn in to the Chief of Police the taxicab vehicle license of such vehicle.
(4) Must report in writing changes of address of the owner, operator or driver of a taxicab to the City Clerk within three (3) days of said change.
(5) Must maintain proper vehicle insurance for all owned or operated taxis in accordance with New York State Vehicle and Traffic Law or other laws, rules or regulations and report a revocation or cancellation of insurance immediately to the City Clerk. Proof that the vehicle is covered by current liability insurance
policy shall be attached to the application in the form of a Certificate of Insurance.

(e) In addition to any requirements otherwise imposed by the Vehicle and Traffic Law of the State of New York or by this Chapter, each licensed taxicab driver operating within the City of Poughkeepsie shall at all times remain in compliance with each of the following DRIVER requirements:

(1) Shall keep the interior and exterior of the taxicab in clean and sanitary condition and shall at all times maintain the vehicle in compliance with this Article.
(2) Shall not smoke while the vehicle is carrying passengers.

(3) Shall at all times, while on duty, have displayed in the interior of the vehicle which He/she is operating, his/her Taxicab Driver's License. The license shall be displayed as required by Section 18-6(d).
(4) In the event a driver's appearance changes substantially, he shall provide the Chief of Police with a new photograph and shall accompany such photograph with an application fee of two ($2.00) dollars. Fifteen ($15.00) dollars shall be the fee charged for a replacement license.
(5) Shall report to the police any unlawful act committed in, with or in connection
with his vehicle or any attempt to use his vehicle to commit a crime or escape from the scene of a crime.
(6) Shall not permit any passenger in the taxicab except a paying fare during such time as the taxi is being used for business purposes.
(7) Shall not operate a taxicab when there is snow or ice on the pavement unless there are chains, all weather radial tires or snow tires on the drive wheels.
(8) While on duty, the driver shall state his/her name and employer's name to any passenger or police officer on request. Also, it shall be unlawful for any driver of any taxicab to misrepresent or withhold the name of his employer or the business address and business telephone of the same.
(9) Shall not cruise within the City seeking passengers nor make any personal solicitation on any street or other public place for passengers to ride or hire any particular taxicab other than from immediately adjacent to such taxicab while parked at a designated taxicab stand, in compliance with Section 18-23 hereof. Taxicabs shall not stand on any public street or place other than at or upon a taxicab stand designated by the City.
(10) No vehicle licensed as a taxicab shall be used for the carrying of any freight, goods or merchandise of any nature whatsoever while carrying a fare unless such goods or merchandise are owned by the fare riding with same.
(11) Carriage of infected persons. Should it be found by the owner, operator or driver that a taxicab has been used to convey any person infected with a contagious disease or if any blood or bodily fluids or discharges have contaminated the passenger area of the taxi, such vehicle shall not be used until it has been thoroughly cleaned and disinfected in accordance with applicable laws, rules and regulations related to public health.
(12) Any owner or operator shall not permit any one driver to operate a taxicab more than twelve (12) hours in any continuous twenty-four (24) hour period, except the driver of a taxicab exclusively hired or engaged for special trips or excursions.
(13) Shall not be permitted to carry more than five (5) passengers including children in a 4-door sedan vehicle and shall not be permitted to carry more than seven (7) passengers including children in a station wagon or van.

(14) Shall not operate a taxicab if the vehicle has any equipment violations as defined in this Chapter or in the Vehicle and Traffic Law, Section 375, or other laws, rules and regulations.
(15) Must not consume alcohol or intoxicating drugs prior to or during the driving or other operation of a taxicab. This excludes prescription and over the counter medications which do not cause drowsiness, fatigue, blurred speech or vision or other conditions which may impair the ability to drive safely.
(16) Except when authorized in the Vehicle and Traffic Law, driver shall not use the horn or otherwise make or create loud or unnecessary noise, such as for announcing arrival or alerting potential patrons.
(17) Shall not obstruct traffic. Driver shall pull to the curb to pick up and discharge passengers. Driver shall not intrude upon or obstruct pedestrian crossings, bus stops, loading zones, driveways, intersections or other areas requiring the free and unobstructed flow of traffic when stopped to pick up or discharge passengers.
(18) Shall provide a written receipt accurately stating the exact fare paid by any passenger requesting same.
(19) Each and every operator and driver of a taxicab vehicle operating as such in the City of Poughkeepsie is required to accept as a paying fare every orderly adult person, and shall not refuse to accept as a paying fare any adult person on the basis of any disability, or on the basis of their race, ethnicity, religion, sex, age, sexual preference or other discriminatory basis or criteria prohibited by law.
(20) Shall not illegally use, consume, possess or deal in intoxicating liquors or drugs.

§ 18- 17. Suspension or revocation of taxicab vehicle and/or driver's license.

Taxicab vehicle and/or driver's licenses may be revoked or suspended at any time for cause after a hearing by the Chief of Police. Cause includes but is not limited to : violation of any Sections of this Chapter; conviction of a violation, misdemeanor or felony pursuant to the Laws of the State of New York; transporting, soliciting or procuring any person to ride in a licensed taxicab for the purpose of commission of a crime. Licenses shall be revoked if the vehicle shall be used for immoral or illegal purposes. Licenses and permits may be suspended or revoked for failing to be and remain in compliance with all applicable laws, rules and regulations. When the license is suspended or revoked, the taxicab driver's and/or vehicle license card hereinbefore provided for shall be retained by the Chief of Police and shall be returned only after the expiration of the suspension period with suitable entry being made thereon by the Chief of Police or his authorized designee as to the reason for and duration of the suspension. The Chief of Police upon determination to revoke or suspend a license shall notify the holder of his decision in writing by certified mail and state the reasons for his action.

§ 18- 18. Register of licensed taxicabs.

The City Clerk shall keep a register of the name of each person owning or operating or otherwise legally responsible for a taxicab vehicle licensed under this Chapter, together with the license numbers of vehicles and drivers. Such record shall be open to the inspection of the public at all reasonable times.

§ 18- 19. Return of licenses, cards and permits; non-assignability; transfer of vehicle license exception, fee.

Every person to whom a license card, license or permit has been issued under the provisions of this Chapter shall, upon discontinuing or abandoning the ownership, operation or driving of a taxicab, return such license card, license or permit to the City Clerk unless such card, license or permit has been lost or for other reason cannot be restored. Such card, license or permit shall not be assigned or transferred to any other person or be applicable to any motor vehicle other than the one specified therein. Any licensee who permits his license, permit or card to be used by any other person or for any vehicle other than the one for which same was issued and any person who uses such license, permit or card granted or given to any other person or who uses such permit or license for a vehicle other than the one for which it was issued shall each be guilty of a violation of this Chapter. Notwithstanding the foregoing, the owner or operator of a vehicle licensed as a taxicab under this Chapter may take such vehicle out of service as a taxicab for any reasonable cause, such as damage, wear and tear, sale of the vehicle, age of the vehicle or other. In such case, such owner or operator may apply to the Chief of Police for permission to transfer the license issued to such vehicle to another vehicle to be put in service as a taxicab to replace the vehicle originally licensed. Such application shall include all the information pertaining to the replacement vehicle required for a taxicab vehicle license, and such replacement vehicle shall meet all the requirements applicable to taxicabs, as required by this Chapter. Such application to transfer such taxicab vehicle license shall be accompanied by a non-refundable One Hundred ($100.00) Dollar transfer application fee.

§ 18- 20. Duplicate license, permit or card.

Whenever a license, permit, badge or card shall be lost, stolen or destroyed, without fault on the part of the holder, his agent or employee, a duplicate in lieu thereof, under the original application, may be issued by the City Clerk upon the filing of a sworn affidavit containing the facts of such loss or theft and upon the payment of the cost of such duplicate license, permit, card, badge or tag. The replacement fee for a lost, stolen or destroyed license, permit, badge or card shall be twenty-five ($25.00) dollars. Notice of the issuance of such duplicate with a copy thereof and a copy of the affidavit required hereunder shall be provided by the City Clerk to the Chief of Police.

§ 18- 21. Taxicab stands.

Taxicab stands may be established by police regulation or by ordinance and subject to such approval as the City Council may require, and shall be used only by taxicab drivers

in the order of their arrival at said stands. Taxicab stands may be used only by licensed taxicabs then available for hire and being driven only by licensed taxicab drivers.

§ 18- 22. Soliciting; no cruising.

No taxicab, while awaiting employment, shall stand or travel on any public street except stopped at a stand designated in accordance with this Chapter. No person shall solicit passengers from any point other than immediately adjacent to his taxicab. Taxicabs shall not cruise or operate on the streets of the City of Poughkeepsie, without a fare under hire, for the purpose of soliciting business. No taxicab owner, operator or driver shall employ radios, telephones, or other methods or means of remote communicating in order or so as to pre-empt, intercept, precede or otherwise interfere with any other driver or operator of a taxicab which has lawfully been called, appointed or retained to serve a fare.

§18- 23. Establishment and Schedule of Charges.

(a) Except as provided in Subdivision (B) of this Section, the rate of fare for the transport of passengers and/or baggage to and from destinations within the City of Poughkeepsie shall be five ($5.00) dollars.

(b) Passengers who are 65 years or older from any point having its origin within the City of Poughkeepsie to any point having its destination within the City of Poughkeepsie shall be two dollars and fifty cents ($2.50).

(c) Owners, Operators and Drivers must display fare rates visible to all passengers.

(d) Owners must submit along with the Taxi Vehicle License Application its established fare rate for transports within, through and outside the City limits.

(e) The soliciting of tips, gratuities or any charges in addition to those authorized herein is prohibited. This clause shall not prohibit the voluntary offer or acceptance of a tip or gratuity.

(f) No driver of a licensed taxicab shall carry any person other than the passenger first employing a taxicab without the consent of said first passenger.

(g) No person shall charge or attempt to charge any passenger a greater fare than that to which the taxicab driver is entitled to collect under the provisions of this Chapter.

(h) If a taxicab waits for more than five (5) minutes for a passenger at the passenger's request, there may be a charge for waiting of one ($1.00) dollar for each five (5) minutes or fraction thereof after the first five (5) minutes.

(i). Transport of animals.

(1) There is no additional charge for carrying a guide dog accompanying a blind person or a hearing impaired person; or other person whose physical or medical condition requires the assistance of such animal; and no driver shall refuse or decline to carry a passenger or fare for the reason that such person is accompanied by such an animal.

(2) Drivers may refuse to transport any other animal unless the animal is securely enclosed in a kennel case which can be reasonably accommodated by such vehicle; or is otherwise reasonably secured in accordance with the size, kind and nature of such animal.

(j). The Schedule of Fares herein established may be amended by adoption of an ordinance by the City Council.

§ 18- 24. Payment of fares.

(a) Prepayment. Every driver of a taxicab shall have the right to demand payments 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 or persons upon request to any lawful destination anywhere in the City, unless previously engaged, off duty or otherwise lawfully unable to do so.

(b) Disputed fares. All disputes as to fares shall be determined by the duty officer in charge of the police station at the time of the dispute. Such officer shall record the date, time, names and addresses of all involved parties, and the officer's findings and resolution of such dispute. Copies of same shall be provided to all involved parties and to the Chief of Police. Any party disputing said resolution may, upon advance written notice to all other involved parties, appeal such disputed resolution to the Chief of Police.

§ 18- 25. Receipts for fares.

Whenever a passenger in a taxicab asks for a receipt for the fare paid by him, it shall be given to him by the driver. Such receipt shall show the name of the driver, the name of the owner of the taxicab, the number of the Taxicab, the time when the trip began and ended, the origin, any stops, and final destination of the trip, and the amount of fare collected.

§ 18- 26. Overcharging prohibited.

It shall be unlawful for any taxicab owner or operator or any taxicab driver within the limits of the City to charge fares for taxicab service of more than the prescribed rate of fare for carrying a passenger to his destination.

§ 18- 27. Riders prohibited.

No person shall be allowed to ride on the front seat of any taxicab next to the driver except paying passengers, and any driver who shall permit this may be deprived of his license via suspension or revocation of same by the Chief of Police. It shall be the duty of all police officers to issue violations to offenders and notify the Chief of Police of any violation of this provision.

§ 18- 28. Carrying additional passengers.

No driver of a licensed taxicab shall carry any person(s) other than the passenger first employing a taxicab without the consent of such first passenger. No person shall be required to ride in or to pay for a called taxicab if the same is already occupied by another passenger without his consent. No person shall be required to ride in or to pay for a taxicab if the driver of same takes on additional passengers without his consent.

§18- 29. Compliance with noise ordinance; sounding of horn prohibited.
Every driver of a taxicab shall at all times comply with the ordinances of the City of Poughkeepsie, and all other applicable laws, rules and regulations, prohibiting loud or unnecessary noise in disturbance of peace and quiet. At no time shall a taxicab driver sound the horn or otherwise make noise to notify another person of his presence or to notify, attract or solicit a customer or passenger. Taxicab drivers violating this section are subject to any and all penalties provided for violations of this Chapter, including but not limited to suspension and/or revocation of said driver's taxicab driver's license, and/or the taxicab vehicle permit or license issued to such vehicle. This shall be in addition to and not instead of subjecting such offender to other penalties prescribed by the City Code and any other law for violating such other laws or ordinances prohibiting loud or unnecessary noise and/or cruising.

§ 18- 30. Articles found in taxicabs.

Every driver of a taxicab, immediately after the termination of any hiring or employment, must carefully search such taxicab for any property lost or left therein, and any such property, unless sooner claimed or delivered to the owner, must be taken to the police station and deposited with the officer in charge within 24 hours after the finding thereof.

§ 18-31. Use of vehicle for unlawful purposes; deceiving or mis-informing passengers prohibited.

(a) It shall be unlawful for any licensed driver of any taxicab to misrepresent his own name, and/or the name of his employer, or knowingly to receive or transport any person or persons who intend any unlawful act in such vehicle, during the voyage or at the termination thereof, whether within such vehicle or not. It shall be unlawful for any such driver to solicit or procure or to aid or assist in soliciting or procuring any person to ride in a licensed taxicab with the intent of the driver or of any or all passengers to commit any unlawful act therein or at any time during the voyage or immediately following the termination thereof, whether within the vehicle or not.

(b) It shall be unlawful for any licensed driver of any taxicab to solicit and/or procure the sale or distribution of controlled substances. It shall be unlawful for any licensed driver of any taxicab to solicit and/or procure any person to ride in a licensed taxicab for the purpose of sale or distribution of controlled substances.

(c) Operating a vehicle under the influence of alcohol or a controlled substance shall be grounds for immediate suspension and revocation of a driver's license. The Chief of Police may require a licensee to submit to drug and alcohol screening tests upon reasonable cause. Refusal to submit to such screening test or a positive test result shall constitute grounds for revocation of a license.

(d) No person owning, operating or driving a taxicab shall deceive or misinform any customer or passenger who may pay for taxicab service, or who may ride or desire to ride in any such vehicle as to the shortest route to a destination or as to the lawful fare to be charged. No person owning operating or driving a taxicab shall deceive or misinform any customer or passenger as to the location or distance of the destination requested; nor shall any passenger be transported to any destination other than the one specified and/or by any route directed or requested by such person.

§ 18- 32. Penalties for offenses.

Any person violating any of the provisions of this chapter shall, upon conviction, be punished as provided in § 1-2 for violations of the Code of the City of Poughkeepsie, and in addition thereto, if a licensee, or the owner, operator or driver of a licensed vehicle, his license or licenses or those issued to or for such vehicle may be suspended or revoked. The Chief of Police may, in his discretion, temporarily suspend a license pending outcome of the prosecution of the licensee under this Chapter or under any other provision of any applicable law, code, rule or regulation. The penalties set forth herein and in the City Charter and Code shall be in addition to and not instead of any other penalties imposed by any other applicable law, code, rule or regulation of any other governmental or regulatory agency or entity.

§ 18-33. Public emergency; Police powers

Whenever a state of emergency is declared by the City Council, City Manager or other public official with such authority; or whenever the Chief of Police, or if there be none the highest ranking officer in command of the Police Department determines that protection of public safety so requires, the City Manager and/or the Chief of Police may suspend the provisions of this Chapter, in whole or in part, for part or all of the period during which such emergency conditions may prevail. Such power shall include but not be limited to the suspension of the requirement that fares be paid by passengers; and/or other requirements of this Chapter. Under such circumstances, all drivers and operators shall endeavor to keep and maintain accurate records showing the trips provided and the details of same during such period, similar to such records as would be required to be kept by this Chapter if such period of emergency had not existed.

§ 18- 34. Exceptions.

(a) The provisions of this Chapter shall have no application to Exempt Vehicles as defined herein; or to taxicabs while in use at funerals, weddings, religious services or other special events, upon advance notice of same being provided to the Chief of Police and his approval thereof.

(c) The licensing fee set forth in this chapter shall not be required for taxicab vehicles or other vehicles for hire to which this Chapter would otherwise apply if same are owned by or operated under the control of a corporation duly organized and existing pursuant to the Not-For-Profit Corporation Law of the State of New York and while being used solely for the purposes of such corporation under the following terms and conditions:

(1) That in addition to fulfilling all requirements of this Chapter and other applicable laws, the corporation shall make application for such exemption to the City Clerk of the City of Poughkeepsie. Such application shall list for each taxicab or other vehicle for which the exemption is sought:

(a) Make and model;
(b) License plate number;
(c) Name and address of owner; and operator if different from owner;
(d) Driver's license number of owner; and operator; and driver(s) if different from each other;
(e) Vehicle identification number;
(f) Registration number;
(g) A listing, by name, residence and New York State driver's license number, of all persons authorized to drive such taxicabs or vehicles;
(h) The purposes and usual business of such corporation; and a description of the use of such vehicles in keeping therewith.

(2) That upon approval of such application by the City Clerk, the owner of such exempt taxicab shall be provided with a license card in the same form as prescribed in § 18-4 of this chapter, such license card to have the words "FEE EXEMPT" inscribed upon it.

(3) That upon approval of such application by the City Clerk, each person authorized to drive and/or operate such exempt taxicab shall be issued a license in the same form as prescribed in Section 18-14 of this chapter, such license to have the word "VOLUNTEER" inscribed upon it.

(4) That no owner of or person authorized to drive or operate any exempt taxicab shall receive any salary, fee or compensation for such ownership or operation, or driving of same solely for the purpose of providing transportation services to other persons.

(5) Any person who shall intentionally or knowingly make a false statement on an application in order to obtain a fee-exempt license for a taxicab vehicle or for an exempt taxicab driver's license or who shall seek or obtain compensation for the operation of an exempt taxicab vehicle or who shall drive or operate or permit to be operated an exempt taxicab vehicle without obtaining the license card

and/or license set forth in Subsections B(2) and B(3) of this section shall be guilty of a violation and shall be subject to the penalties prescribed in § 1-12 of the Code of Ordinances, and of any and all other applicable laws, codes and rules including this Chapter.

§18- 35. Severability.

The provisions of this ordinance shall be deemed severable. The finding of the invalidity, illegality or unenforceability of any one or more provisions hereof shall not be deemed to affect the validity of the other sections or provisions of this ordinance, as long as the sense thereof remains. THIS ORDINANCE SHALL TAKE EFFECT ON January 1, 2011, as provided under the terms of the Municipal Home Rule and other applicable laws.