

**ORDINANCE NO: 22- \_\_\_\_\_**

**BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama as follows:

**Section 1.** Section 8-195 of the Code of Ordinances of the City of Huntsville, Alabama (“City”) is hereby amended to read as follows:

**Sec. 8-195. Action against business license and certificate.**

(a) Upon the recommendation of the director of parking and public transit or the chief of police, the city clerk-treasurer may petition the city council to take action against a business license issued under this division in accordance with section 15-56 of this Code, which includes the notice and hearing requirements set forth therein. In addition to the reasons stated in section 15-56(a) of this Code, each of the following shall also constitute grounds for action being taken against the license:

(1) If the licensee or those acting on its behalf make any false statement or misrepresentation on any applications made under this division, including applications for a certificate of public convenience and necessity or a business license issued under this division.

(2) Failure of the licensee to maintain any of the general qualifications required in this division in order to obtain a certificate or business license.

(3) If the licensee or those acting on its behalf violates a provision of this division, which includes the operation of a certified vehicle for hire by a person who does not hold a then-current chauffeur’s license, if a chauffeur’s license is required to operate the vehicle under subdivision II of this division.

(b) The action taken against a business license shall automatically constitute the same action being taken against the certificate of public convenience and necessity of the affected licensee; provided, however, in order to permanently revoke a certificate of convenience and necessity the director of parking and public transit or chief of police must recommend and the city clerk-treasurer must petition the city council that, at the same time and in the same proceeding, the certificate of public convenience and necessity be permanently revoked based on the same grounds that warrant action being taken against the business license, and the certificate holder must be notified that permanent revocation is being considered. The permanent revocation of the certificate shall constitute a permanent revocation of the business license and shall disqualify the certificate holder from holding a certificate, and, should the city council expressly make the determination, the immediate family members, officers, directors, general partners, members, or managers, as the case may be, shall also be disqualified from holding a certificate.

(c) It shall be unlawful for any person, including the company or a driver, to operate or allow or cause to be operated a vehicle for hire under a license or certificate during the effective period of an adverse action taken against the license or certificate.

**Section 2.** Section 8-272 of the Code of Ordinances of the City of Huntsville, Alabama (“City”) is hereby amended to read as follows:

**Sec. 8-272. Vehicle for hire rates.**

(a) *Taxicabs.*

(1) All taxicabs must base their charges on taximeters. The maximum rate is the rate authorized and recorded on a properly working and properly sealed taximeter. The passenger may be charged less than the maximum rate reflected on the taximeter.

(2) The maximum rate to be charged for a trip to one destination by any taxicab shall be \$5.00 for the first one-half-mile and \$0.125 for each additional one-twentieth-mile. (\$5.00 for the first one-half-mile and \$2.50 for each mile thereafter.)

(3) A driver may, in addition to the metered rate, require a waiting charge to be paid which shall not exceed the rate of \$25.00 per hour, regardless of the number of passengers. Such waiting time shall include the time when the taxicab is not in motion, beginning with the time of arrival at the place to which it has been called or time consumed while it is standing at the direction of the passenger; but no charge shall be made for the first five minutes after arrival or for time lost on account of inefficiency of the taxicab or its operator or the time consumed by the premature response to a call or traffic conditions. A fare shall not be considered to be terminated until the taxicab is available for service to another customer.

(4) All taxicabs operated within or under the certificate of public convenience and necessity of the same entity must charge the same rate.

(5) Maximum rates charged must be displayed on each taxicab on the rear quarter panel in a size no smaller than one-inch letters with drop charges, rate per mile, and waiting time.

(6) Maximum rates must be posted at the Huntsville International Airport and in all bus stations in a manner prescribed by the director of the department of parking and public transit.

(7) Response cards must be placed in each taxicab in a manner clearly visible to passengers; referring persons with questions or comments to the City of Huntsville Public Transit Division and listing the phone number and vehicle permit number.

(8) It shall be unlawful for the company or the driver of a taxicab to charge any passenger a fare for the use of such taxicab which is in excess of the rate established by this division and displayed on a properly working and inspected taximeter. Passengers shall have the right to pro-rate charges among themselves as they see fit. In the event the passengers cannot reach agreement as to their respective share of the total fare, the driver then shall be allowed to collect the fare to the point of final destination from the first passenger engaging the taxicab.

(9) No driver shall allow or permit any other person to occupy or ride in such taxicab unless the person or persons first employing the taxicab shall consent to the acceptance of additional passengers.

(10) If the metered fare for any trip to or from the Huntsville International Airport is less than \$15.00, a minimum fare of \$15.00 may be charged. On trips originating or terminating at the Huntsville International Airport, an additional \$2.00 may be charged for each additional passenger, excluding children under the age of six years.

(11) Every taxicab driver shall, upon the request of a passenger, give a receipt upon payment of the fare. The receipt shall indicate the beginning and ending points of the trip, the fare charged, the date, the company's name, and the vehicle number, and shall be signed by the driver.

(b) Vehicles for hire other than taxis. Vehicles for hire other than taxis may charge on a per trip (flat fee) or per hour (time elapsed) basis, or a combination thereof, and vehicles for hire that are non-motorized may charge on a per trip or per hour basis, or combination thereof, conditioned as follows:

(1) Airport shuttles may also charge based on a per person fee.

(2) Limousines, luxury vehicles, and special shuttles shall, as a minimum base rate, charge \$35.00 an hour, excluding other fees and gratuities, without prorating the first hour.

(3) Vehicles for hire that charge in whole or part on an hourly basis shall not prorate the first hour.

(4) The rates shall be uniformly applied to all passengers and shall be posted in each vehicle in a place visible to the passenger, except that companies that use an online enabled application (app) or digital platform to arrange for passenger service may post the rates in the online application (app) and on the company's website.

(c) All rates for any vehicle for hire shall be placed on file by letter to the director of parking and public transit.

(d) The driver is permitted to collect the amount owed from any passenger but it shall be left to the passengers to prorate the amount charged among themselves.

(e) At any time and from time to time the city council may amend this section to provide for a change in the amount of rates or the method for setting rates applicable to some or all vehicles for hire. In such event the amendatory action shall apply to then-current and future certified companies and their vehicles.

**Section 3.** The severability provisions of section 1-8 of the Code of Ordinances of the City of Huntsville, Alabama are specifically included herein by reference as if fully set forth.

**Section 4.** This Ordinance shall become effective upon its adoption and publication.

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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President of the City Council  
Of the City of Huntsville, Alabama

**APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Mayor of the City of  
Huntsville, Alabama