

2015-26

**AN ORDINANCE BY PRINCETON CONCERNING TAXIS AND OTHER VEHICLES FOR HIRE AND AMENDING THE “CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974” AND THE “CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968.”**

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, N.J.S.A. 40:43-66.35, consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to N.J.S.A. 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, the Princeton Council’s Code Subcommittee has reviewed, updated and consolidated Chapter 31 of the “Code of the Borough of Princeton, New Jersey, 1974” and Chapter 21 of the “Code of the Township of Princeton, New Jersey, 1968,” pertaining to taxis and other vehicles for hire; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Chapter 31 of "Code of the Borough of Princeton, New Jersey, 1974" and Chapter 21 of the “Code of the Township of Princeton, New Jersey, 1968” are hereby repealed.

Section 2. A NEW Chapter 31 of the “Code of the Borough of Princeton, New Jersey, 1974,” as set forth on Exhibit A attached hereto and made a part hereof, is hereby adopted to set forth the requirements and regulations affecting taxis and other vehicles for hire, and to replace the aforementioned provisions of the "Code of the Borough of Princeton, New Jersey, 1974" and

the "Code of the Township of Princeton, New Jersey, 1968."

Section 3. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 4. 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 portion thereof.

Section 5. This Ordinance shall take effect upon its final adoption and publication as provided for by law. The provisions of the attached Chapter 31 shall be applicable within Princeton upon taking effect and shall become a part of the new Princeton Code once completed and adopted.

I, Kathleen K. Brzezynski, Deputy Clerk of Princeton, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of an ordinance adopted by the Mayor and Council of Princeton at its meeting held August 10, 2015.



Kathleen K. Brzezynski  
Deputy Clerk

This ordinance is part of the ongoing process of merging and harmonizing the code provisions of former Princeton Borough and former Princeton Township into a new code for the consolidated municipality of Princeton. It sets forth the licensing requirements and other regulations affecting taxis and other vehicles for hire operating in Princeton.

EXHIBIT A

**CHAPTER 31. TAXICABS AND OTHER VEHICLES FOR HIRE.**

**Article I. In General.**

**Sec. 31-1. Purpose.**

The purposes of this chapter are to (1) establish uniform standards for the licensing and operation of taxicabs and limousines within the municipality of Princeton; (2) protect the safety and welfare of the traveling public; (3) preserve the safety and order in and about the streets in Princeton; (4) ensure that the public receives service from qualified companies and drivers; and (5) discourage deceptive business practices.

**Sec. 31-2. Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Driver. Any person who drives or operates a taxicab or limousine within this municipality.

Limousine. Any automobile, vehicle or motor car used in the business of carrying passengers for hire to provide prearranged passenger transport at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route and with a seating capacity of not more than 14 passengers (not including the driver), and as defined by N.J.S.A. 48:16-13, as may be amended.

Livery service. The business of carrying passengers for hire by limousines.

Street. Any street, avenue, park, parkway, highway, or other public place.

Taxicab. Except as otherwise provided by law, any automobile, vehicle or motorcar engaged in the business of carrying passengers for hire, which is held out, announced or advertised to operate or run or which is operated or run over any streets or public highways of this state, and particularly accepts and discharges such persons as may offer themselves for transportation from points or places within or without the state; provided, however, that nothing herein contained shall include autobuses or jitneys on designated routes, public deliveries or such public conveyances as are by law exclusively subject to state and/or federal regulation.

**Article II. Taxicabs and Limousines.**

**Division 1. General Regulations and Rates for Taxicabs; Penalties Generally.**

**Sec. 31-3. Designation of taxi stands.**

The mayor and council shall designate by ordinance such places under its jurisdiction in the municipality as public stands for taxicabs as they may deem expedient and proper. The chief of police, in order to meet a temporary condition or emergency, may temporarily establish other stands or close existing stands for a period not exceeding seven (7) days or until the next meeting of the mayor and council, whichever is sooner. The mayor and council may establish by resolution, other stands or existing stands for a period not to exceed thirty (30) days in order to meet a temporary condition or emergency.

**Sec. 31-4. Use of taxi stands.**

Every taxicab, while occupying space on a public stand, shall be immediately available for hire. As a taxicab shall leave the line or move forward, the taxicab behind it shall be moved forward, and the driver of another taxicab seeking a space at the stand shall approach from the rear of the stand and shall stop as near as possible to the last taxicab in line. The taxicab that is first in line shall be entitled to the next paying passenger. Nevertheless, this provision shall not prevent any prospective passenger from selecting a taxicab other than the one which is the head of the line.

No owner or driver shall leave his or her vehicle unattended or in any other manner to render such vehicle unready for immediate use while such vehicle is occupying space within any public taxi stand.

Only a taxicab licensed by Princeton may occupy or deliver a passenger to a taxi stand in the municipality, or otherwise conduct business from said stands.

**Sec. 31-5. Duty to accept passengers.**

Upon request, no owner or driver of a taxicab, unless previously engaged, shall refuse or neglect to carry any law abiding person meeting the terms and fare for the service to be rendered anywhere within Princeton. No owner or driver shall refuse service to any person based on race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, familial status, disability or nationality, or any other basis in violation of state or federal law.

**Sec. 31-6. Duty to inform passengers of rates prior to trip.**

The driver of a taxicab shall be required to inform the passenger of the specific rate to be charged prior to transporting that passenger.

**Sec. 31-7. Riders other than paying passengers prohibited.**

No owner or driver of a taxicab shall permit or allow any person other than a passenger being transported for hire in or about such taxicab when in service as a taxicab.

**Sec. 31-8. Deceptive practices by taxicab owners or drivers.**

No owner or driver of any taxicab shall induce any person to employ him or her by knowingly misinforming or misleading any such person, either as to the time or place of the arrival or departure of any train or as to the location of any hotel, or public or private place, nor shall any such owner or driver deceive any person, make false representations to him or her or convey any passenger to any other place or over any other route than that indicated by the passenger.

**Sec. 31-9. Delay or neglect in responding to call.**

No owner or driver of a taxicab who has accepted an order to call at any point in the municipality for the purpose of conveying any person to any other point in the municipality or the surrounding community shall neglect or unreasonably delay to execute the order.

For the purposes of this article, any order delivered to and accepted by a person in charge at the garage, office or home of the owner or driver shall be considered as having been delivered to and accepted by the owner or driver.

**Sec. 31-10. Display in taxicab of card identifying owner and driver and specifying rates; charges in excess of maximum rates prohibited; display of electric "Taxi" sign and other license information; taxicab drivers carrying street map of area.**

Every taxicab licensed under this article shall carry affixed therein, a card permanently affixed to the dashboard in the front of the vehicle and to the rear portion of the front seat of the vehicle and which shall state in a fashion readily visible and readable by any passenger the name of the owner of the vehicle, the number of the owner's license and the schedule of charges for transportation. No owner or driver shall be permitted to charge at a rate in excess of such maximum rate set forth in this article.

Every taxicab driver shall also display in a fashion readily visible and readable by passengers his or her taxicab license.

Every taxicab shall carry, in such position as to be visible from the outside, an electric sign not less than five (5) inches by nine (9) inches, which shall be illuminated at night and shall plainly show the word "TAXI" or the owner's name. The owner shall also cause to be displayed on the outside of the vehicle's body the owner's taxi license number issued to that vehicle in legible letters and figures. The owner's taxi license number shall be three (3) inches in height and located in the center of the rear quarter panels on the driver and passenger sides and the rear center line of the trunk of the vehicle. Each taxi shall also display on each rear door of the taxi that the municipality of Princeton has issued the taxi a taxi license in letters three (3) inches in height.

**Sec. 31-11. Rate schedule; posting of rates; issuance of receipts.**

The rates of fare that may be charged by any licensed taxicab driver under this article shall comply with this section and be in accordance with the taxi fare zone map on file in the office of the Princeton clerk, said map being entitled "Map of Taxi Fare Zones in Princeton, Mercer County, New Jersey," prepared by Robert V. Kiser, P.E., Princeton Engineer and dated June 2015, and incorporated herein by reference. Said map shall identify the applicable taxi fare rates by zone,

and shall also include an alphabetized listing of all the streets in the area. The taxi fare zone map shall specifically cover the municipality of Princeton and Princeton University. A copy of the taxi fare zone map shall be made available on Princeton's municipal web site.

In addition, subject to the approval of council, the clerk's office may make available to the public an informational version of the taxi fare zone map that may differ in form but shall be identical in content to the taxi fare zone map on file in the clerk's office.

Every taxicab driver shall carry in his or her vehicle a copy of the informational version of the taxi fare zone map if one has been made available by the clerk's office; otherwise, every taxi driver shall carry a copy of the official taxi fare zone map in his or her vehicle. Copies of the informational version and official version may be obtained from the municipal clerk's office for a fee based on the actual cost of reproducing same.

(a) *Rates when originating from designated taxi stand.* The rate of fare for one passenger from a designated taxi stand to any location within the limits of Princeton shall be based upon which Taxi Fare Zone the designation is located, as set forth in the taxi fare zone map. Fares from a designated taxi stand to Zones A through H as described in the taxi fare zone map shall be as follows:

Zone A.....	\$ 8.00
Zone B.....	\$ 10.00
Zone C.....	\$ 12.00
Zone D.....	\$ 14.00
Zone E.....	\$ 15.00
Zone F.....	\$ 16.00
Zone G.....	\$ 17.00
Zone H.....	\$ 18.00

(b) *Rates when originating within Princeton, but not from designated taxi stand.* The rate of fare for one passenger from any location within Princeton to another location within the limits of Princeton shall be determined as follows:

- (1) In accordance with subsection (a) above, determine first the fare from the origin to taxi stand and second the fare from the taxi stand to the designation. Determine which of the two fares is higher and which is lower.

(2) Add the two fares from subsection (b)(1) above as follows: the higher of the two fares (full amount) plus lower of the two fares (1/2 of amount) equals the actual fare.

(3) To illustrate the manner in which rates not from a designated taxi stand shall be determined, the fare from Constitution Hill West to the Princeton Shopping Center (Harrison Street) shall be \$17.00. Constitution Hill West is in Zone C and the Princeton Shopping Center is in Zone B. The fare from the origin to the taxi stand is \$12.00. The fare from the taxi stand to the destination is \$10.00. The higher of the two fares (\$12.00) plus 1/2 of the lower of the two fares (\$5.00) is \$17.00. This amount represents the actual fare from Constitution Hill West to the Princeton Shopping Center.

(c) *Additional passengers.*

Additional charge for each additional passenger to the same destination within the limits of the municipality,  
per additional passenger ..... \$3.00

Rate of fare for two or more passengers traveling to separate destinations shall be charged in accordance with subsections (a) and (b) above and based on the farthest destination from origin, plus \$6.00 per passenger in excess of one.

(d) *Multiple stops.*

Additional charge for each stop made before reaching a trip's destination, when waiting time is less than fifteen minutes, per stop ..... \$3.00

(e) *Night rates.*

Additional charge for each fare between the hours of 10:00 P.M and 7:00 A.M. .... \$2.00

(f) *Waiting time.* Except as provided above in subsection (d) above, there shall be no charge for waiting time less than fifteen minutes. If waiting time is fifteen minutes or more, then the fee shall be charged at a rate of \$10.00 per quarter hour, starting from the time waiting commenced. The maximum fee for waiting time shall be \$40.00 per hour.

(g) *Baggage and oversized baggage.* Excessive baggage, heavy baggage or trunk luggage shall be assessed a fee of \$1.00 per piece, and said charges must be agreed upon by both driver and passenger before the taxi trip takes place.

Rates of fare, both inside and outside the municipality, shall be displayed at all times on the back of the front seat in each taxicab in a prominent fashion as to be seen by passengers. The rate schedule to be displayed shall be furnished and attested by the clerk in accordance with the foregoing provisions of this section 31-11.

Upon request, every driver of a taxicab is required to provide each passenger with a receipt indicating the driver's name, fee and description of the trip.

In the case of any dispute as to the proper fare, such fare shall be determined pursuant to the dispute resolution procedures set forth in section 31-17, as may be amended.

**Sec. 31-12. Duty to inform passengers requesting transportation outside municipality that rates set forth herein do not apply.**

No owner or driver of a taxicab shall accept a passenger for transportation outside the municipality, unless he or she informs the passenger before starting that the rates of fare as set forth herein do not apply to transportation beyond the limits of the municipality.

**Sec. 31-13. Attire regulation.**

Each licensed taxicab driver shall be clean and neat in person and fully dressed while on duty.

**Sec. 31-14. Disorderly conduct prohibited.**

No taxicab driver shall, while on any street or public place commit any disorder or use loud, indecent or profane language or annoy or insult travelers or citizens.

**Sec. 31-15. Smoke free environment.**

The smoking of tobacco shall not be permitted in licensed taxicabs. The prohibition shall be conspicuously posted in each licensed taxicab.

**Sec. 31-16. General condition.**

Each vehicle used as a licensed taxicab shall at all times be safe for the transportation of passengers, clean, free of debris and in good repair.

**Sec. 31-17. Complaints; informal dispute resolution.**

(a) Any "license standard" violations of the provisions of this article should be reported to the clerk during normal business hours of the municipality, or during other hours, to the police department. "License standard" violations shall consist of overcharging on taxi fares, the failure to maintain taxicabs in a safe, sanitary and clean manner or the failure to otherwise provide taxi service to customers in a manner that is consistent with the provisions of this article.

(b) Upon receipt of a license standard complaint, the clerk shall notify the licensee of the complaint and afford him or her an opportunity to respond. The clerk is authorized to mediate any dispute on an informal basis, and secure payment from the licensee to the customer, without further proceeding.

(c) If said complaint is not resolved informally as provided in subsection (b) above, the aggrieved person may file a formal complaint returnable in municipal court, and violations shall be subject to the penalties set forth in section 31-18 below. Complaints for non-license standard violations of this article shall be adjudicated in municipal court.

(d) Every taxicab driver shall conspicuously post in his or her vehicle a copy of a notice, provided by the clerk's office, which advises passengers of the applicable procedures for reporting violations of this article.

**Sec. 31-18. Penalties.**

Except as provided in section 31-17 above, all violations of this article shall be adjudicated by the municipal court. Any person violating any provision of this article shall be subject to the penalties set forth in section 1-6 of the Code. Repeat offenders, as that term is defined in section 1-6, shall be subject to the penalties set forth in section 1-6. Any person who shall operate a taxicab in any street specifically in violation the provisions of N.J.S.A. 48:16-1 et seq. shall also be guilty of a misdemeanor.

Such penalties shall be in addition to any suspension or termination of a license as set forth in section 31-33 below.

**Division 2. Taxicab and Limousine Licenses.**

**Sec. 31-19. Required.**

It shall be unlawful for any person to operate any taxicab or limousine or cause any taxicab or limousine to be operated within the municipality unless both the vehicle and the driver thereof are licensed by the municipality as herein required or otherwise required by law.

**Sec. 31-20. Types.**

There are hereby established three (3) types of licenses under this division as follows:

(a) Taxicab Owner's License, which shall entitle the vehicle therein listed and described to be used as a taxicab and operated by a driver duly licensed hereunder.

(b) Limousine Owner's License, which shall entitle the vehicle therein listed and described to be used as a limousine and operated by a driver duly qualified pursuant to N.J.S.A. 48:16-22.3a. A limousine owner shall only be required to obtain a license from Princeton if the owner has his or her principal place of business in Princeton.

(c) Taxicab Driver's License, which shall entitle the person named therein to operate within this municipality any taxicab duly licensed hereunder. Such license may only be issued in the name of an individual and not in the name of a business entity.

Limousine operators and drivers shall not be required to obtain a limousine driver's license from Princeton; limousine operators and drivers shall be qualified by the Chief Administrator of the New Jersey Motor Vehicle Commission under N.J.S.A. 48:16-22.3a.

**Sec. 31-21. Transferability and leasing generally.**

- (a) Taxicab drivers' licenses shall not be transferable.
- (b) Taxicab owner's licenses shall not be transferable without the consent of the municipal clerk or the clerk's designee.
- (c) Taxicab owner's licenses may not be leased.
- (d) The claimants to a disputed license shall be obligated to reimburse the municipality for any legal fees the municipality may incur in connection with said dispute.

**Sec. 31-22. Application for taxicab or limousine owner's license; contents; insurance.**

Any person desiring to obtain a license for the operation of a taxicab or limousine shall make a separate application in writing to the municipal clerk for the granting of a license for each vehicle, referred to as either a taxicab owner's license or limousine owner's license. Applications shall be made upon forms as may be required by the clerk, and shall contain or be accompanied by the following information:

- (a) *For a taxicab owner's license.*
  - (1) Owner's name, permanent address and telephone number. Every applicant for a license must be at least eighteen years of age.
  - (2) If the application is made for a business entity, the name and address of said business entity along with the names of its partners or officers and directors, its registered office and agent and title of the individual completing the application.
  - (3) Proof that the owner's compliance with the minimum insurance requirements, in accordance with N.J.S.A. 48:16-3 and 48:16-4, as may be amended.
    - 1. The owner shall have filed with the clerk an insurance policy which shall be issued by an admitted insurance company duly licensed to transact business under the insurance laws of the State of New Jersey or a company registered to do business in the State of New Jersey, the policy providing for not less than \$35,000 of motor vehicle liability insurance coverage or the amount of motor vehicle liability insurance coverage required pursuant to N.J.S.A. 39:6B-1, whichever is greater, to satisfy all claims for bodily injury, death or property damages of any person resulting from, or on account of, an accident by reason of the ownership, operation, maintenance or use of such taxicab upon any public street. Additionally, such operation shall be permitted only so long as the insurance policy remains in force to the full and collectible amount of a minimum of \$35,000. Nothing herein shall prohibit an owner from obtaining any additional amount of motor vehicle liability insurance coverage from a company licensed outside the State of New Jersey. Said insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance, or use of the taxicab or any

fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.

2. If the owner seeks to operate more than one taxicab, he or she may file with the clerk, in lieu of the policy required in subsection 31-22(a)(3)1. above, a bond or insurance policy of a company duly licensed to transact business under the insurance laws of this state, in the sum of \$50,000, which shall be a blanket insurance covering all taxicabs operated by such owner which shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and use of any such taxicabs or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.

(4) Power of attorney. The owner shall execute and deliver to the clerk a power of attorney wherein and whereby the owner shall appoint the Princeton's chief financial officer his or her true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy or bond filed.

(5) Make, model, vehicle identification number and license plate number of the taxicab sought to be licensed.

(6) A certificate of ownership relating to the taxicab sought to be licensed.

(7) A signed statement indicating that the applicant agrees to activate his or her license within two licensing cycles of the same, and that his or her failure to do so may result in revocation of the license as set forth in subsection 31-25(d) below.

(8) The fee set forth in section 31-29 hereunder.

(b) *For a limousine owner's license.*

(1) Owner's name, permanent address and telephone number.

(2) If the application is made for a business entity, the name and address of said business entity along with the names of its partners or officers and directors, its registered office and agent and title of the individual completing the application.

(3) Proof of the owner's compliance with the minimum insurance requirements. Each owner shall file an insurance policy of a company duly licensed to transact business under the insurance laws of the State of New Jersey in a minimum sum of \$1,500,000 against loss by reason of the liability imposed by law upon every limousine or livery service owner for damages on account of bodily injury or death suffered by any person as the result of an accident occurring by reason of the ownership, maintenance or use of the limousine or livery service upon any public street. Additionally, such operation shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amount of a minimum of \$1,500,000. Said insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and use of such limousine or livery service on any fault in respect thereto and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.

(4) Proof of filing of power of attorney with Division of Motor Vehicles. The owner of the limousine shall execute and deliver to the Division of Motor Vehicles, concurrently with the filing of a policy required above in subsection 31-22(b)(3), a power of attorney, wherein and whereby the owner shall appoint the Director of the Division of Motor Vehicles his or her true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed.

- (5) Make, model, vehicle identification number and license plate number of the limousines sought to be licensed.
- (6) A certificate of ownership relating to the limousines sought to be licensed.
- (7) The fee set forth in section 31-29 hereunder.

**Sec. 31-23. Inspection of taxicabs prerequisite to issuance of license.**

Each vehicle to be used as a taxicab shall be inspected prior to issuance of a license therefor by the Princeton police department. The clerk may refuse to issue a license if an inspection reveals that any vehicle so used is unsafe, unclean or otherwise unsuitable for the transportation of passengers.

**Sec. 31-24. Inspection of limousines.**

A vehicle licensed as a limousine hereunder shall be equipped as required by the Director of the Division of Motor Vehicles in the Department of Transportation, pursuant to N.J.S.A. 48:16-22.1, and its condition shall be subject to examination thereof under N.J.S.A. 48:16-22.2.

**Sec. 31-25. Receipt of application for taxicab or limousine owner's license; decision to grant or deny license; issuance of license.**

(a) *For taxicab owner's license.*

(1) Following the filing of a complete application and payment of the license fee as set forth in section 31-29, the clerk shall forward the application to the chief of police, who shall, as soon as practicable but no later than within thirty days investigate the statements made in the application and concerning the vehicle, and inspect the vehicle in accordance with section 31-23 above. Where sufficient cause is shown therefor, the chief of police shall have such additional time as may be reasonably necessary to make the investigation and inspection.

(2) Upon filing of the required insurance policy or bond, the clerk shall issue a certificate in duplicate showing that the owner has complied with the insurance or bonding and power of attorney requirements set forth above. The certificate shall recite the name of the insurance company, the number and date of expiration of the policy or bond, a description of the vehicle insured thereunder, and the registration number of the same. The owner shall file the duplicate certificate with the New Jersey Department of Motor Vehicles before the clerk may issue a license. The original certificate must be posted in a conspicuous place in the taxicab.

(3) If, as a result of the above-required investigation and inspection, the veracity of the contents of the application and condition of the vehicle are found to satisfactory, the chief of police shall endorse on such application his or her approval and return the application to the clerk, who shall issue the license. If, as a result of such investigation and inspection, the veracity of the contents of the application and/or condition of the vehicle is found to be unsatisfactory, the chief of police shall endorse on such application his or her disapproval and the reasons therefor and return the application to the clerk.

(b) *For limousine owner's license.*

(1) Following the filing of a complete application and payment of the license fee as set forth in section 31-29, the clerk shall issue in duplicate a license to operate showing that the applicant has complied with the terms and provisions of this article.

(2) The license shall recite the name of the insurance company, the number and date of expiration of the policy, a description of every limousine insured thereunder and the registration number of same.

(3) The applicant shall file the duplicate license with the New Jersey Motor Vehicle Commission before any such car is registered as a limousine.

(c) A license, when issued, shall in no way be construed so as to permit an owner or operator to drive a taxicab or a limousine without a taxicab or livery driver's license, or in any manner otherwise required by law.

(d) A taxicab license which has not been activated within two licensing cycles from the date of issuance may be revoked pursuant to section 31-33 hereunder. For the purposes of this section, a licensing cycle shall be defined as the period from date of issuance until the fifteenth day of April of the following year.

**Sec. 31-26. Application for taxicab driver's license; contents.**

Any person desiring to obtain a taxicab driver's license shall make an application in writing to the municipal clerk. Applications shall be made upon forms to be furnished by the clerk, and shall contain or be accompanied by the following information:

(a) Applicant's name, permanent address and telephone number Every applicant for a license shall be at least eighteen years of age.

(b) Name of the licensed taxicab owner for whom the applicant seeks to operate or drive a taxicab.

(c) A copy of the applicant's driver's license. Applicant must possess a valid driver's license issued by the States of New Jersey or New York, or Commonwealth of Pennsylvania.

(d) A signed statement that the applicant is able to read and write the English language.

(e) Consent as may be necessary for the municipality to complete a criminal history record background check on the applicant. The applicant must attest that he has not been convicted of any of the disqualifying crimes as set forth in N.J.S.A. 48:16-3b., as may be amended. The cost for the criminal history record background check shall be borne by the applicant.

(f) Consent as may be necessary for the municipality to obtain the applicant's driver history abstract. The applicant must attest that, for a period of three years prior to the date of application, there has been no conviction for reckless driving, driving while intoxicated, leaving the scene of an accident or speeding over thirty miles per hour above the speed limit and that at the time of application, the applicant has no more than eight New Jersey Motor Vehicle

Commission points on his or her or her driving record, or the equivalent if licensed in New York or Pennsylvania. The cost for the driver history abstract shall be borne by the applicant.

- (g) Three identification photographs taken by the police department.

**Sec. 31-27. Examination of applicant for taxicab driver's license prerequisite to issuance of license.**

Each applicant for a taxicab driver's license shall demonstrate adequate knowledge of various street locations in the municipality of Princeton, through an oral examination which shall be approved by the clerk, in consultation with the chief of police. The oral examination shall be administered by an appropriate municipal official to be designated by the clerk.

The applicant may use a street map during the oral examination, for identification of street locations.

**Sec. 31-28. Receipt of application for taxicab driver's license; decision to grant or deny license; issuance of license.**

(a) Following the filing of a complete application and payment of the license fee as set forth in section 31-29, the clerk shall forward the application to the chief of police, who shall, as soon as practicable but no later than within thirty days, investigate the statements made in the application and arrange for a criminal history record background check and driver history abstract to be conducted. Where sufficient cause is shown therefor, the chief of police shall have such additional time as may be reasonably necessary to conduct the investigation, background check and driver history. During the initial thirty days, the clerk shall arrange for the applicant's oral examination to be administered.

(b) If the results of the investigation, background check, driver history and oral examination are found to be satisfactory, the chief of police shall endorse on such application his or her approval and return the application to the clerk, who shall issue the license. If the results of the investigation, background check, driver history or oral examination are found to be unsatisfactory, the chief of police shall endorse on such application his or her disapproval and the reasons therefor and return the application to the clerk. An applicant who is denied a license shall have the right of appeal to the chief of police and the council pursuant to section 31-33 below.

(c) The following shall disqualify an applicant from receipt of a taxicab driver's license:

(1) Criminal history record background check results which reveal that the applicant has been convicted of any of the disqualifying crimes as set forth in N.J.S.A. 48:16-3b., as may be amended; or

(2) Driver history abstract results which reveal that: the applicant has been convicted of reckless driving, driving while intoxicated, leaving the scene of an accident or speeding over thirty miles per hour above the speed limit within three years of the date of the application, in New Jersey or the equivalent in any other jurisdiction; or at the time of application,

the applicant has more than eight New Jersey Motor Vehicle Commission points on his or her driving record, or the equivalent if licensed in New York or Pennsylvania.

(d) Except as otherwise provided herein, each taxicab driver's license, when duly issued, shall remain in full force and effect while the licensee shall remain in the employ of the owner who may have sponsored the application of such licensee, and upon the termination of such employment, such license shall become null and void.

**Sec. 31-29. Term; fees.**

(a) *Taxicab Licenses.*

(1) *Term.* Except as otherwise specifically required, all taxicab licenses hereunder shall be good and valid from the date of issue until the fifteenth day of April next after granting same.

(2) *Fees.* The fee to be paid for each taxicab owner's license shall be the sum of fifty (\$50) dollars. The fee to be paid for each taxicab driver's license, when issued to the holder of a taxicab owner's license, shall be the sum of fifteen (\$15) dollars. The fee to be paid for all other taxicab driver's licenses shall be the sum of twenty-five dollars (\$25) for each license.

(b) *Limousine Licenses.*

(1) *Term.* Except as otherwise specifically required, all limousine licenses hereunder shall be good and valid from the date of issue and so long as the insurance policy required hereinabove shall remain in force to the full and collectible amount of \$1,500,000.

(2) *Fees.* The fee to be paid for each limousine owner's license shall be the sum of twenty (\$20) dollars and the fee for additional limousines covered under the same insurance policy shall be an additional ten (\$10) dollars per additional limousine.

**Sec. 31-30. Drivers to have license in possession.**

Every driver or operator, when in charge of a motor vehicle licensed under this division, shall have in his or her immediate possession a valid taxicab or limousine driver's license.

**Sec. 31-31. Maximum number of licensed taxicabs and limousines.**

The number of taxicab licenses issued and outstanding at any one time shall not exceed twenty-eight (28) active licenses. There shall be no limit on the number of limousine licenses issued and outstanding at any one time.

**Sec. 31-32. Right to inspect licensed vehicles.**

Except as may be prohibited by law, the police department shall have the right at any time to inspect any licensed vehicle for compliance with this article and applicable law.

**Sec. 31-33. Suspension or revocation of taxicab licenses; appeal of denial of license.**

(a) *Grounds and hearings.*

(1) Any taxicab owner's or driver's license may be suspended for not more than five days by the chief of police in the case of emergency.

(2) A taxicab owner's license may be suspended by the chief of police, for such reasonable time as may be necessary, if an inspection by the police department reveals that the taxicab is unsafe, unclean or otherwise unsuitable for the transportation of passengers. The taxicab owner shall be entitled to restoration of said license only upon demonstration that the taxicab is no longer unsafe, unclean or unsuitable for the transportation of passengers.

(3) A taxicab owner's or driver's license may be revoked by the chief of police for a violation of any provision of this article or for other good cause shown.

(4) Notice of suspension or revocation shall be personally communicated to the licensee. If a hearing is requested by a licensee, the licensee shall be provided with a notice of the hearing before the chief of police or his designee. The notice shall be in writing, setting forth the grounds for the suspension or revocation, and the time and place of the hearing. The notice shall be served personally upon the licensee or mailed postage prepaid to the licensee's address as given by the licensee in making the application, at least five days prior to the date set for the hearing, and no more than five days after receipt by the chief of police or his designee of the written request for a hearing.

(b) *Appeals.* Any person denied an application for a license, or any person whose license has been suspended or revoked, shall have the right to appeal to the mayor and council. The mayor and council shall not hear any appeal unless the applicant has first made appeal to the chief of police. Such appeal shall be taken by filing with the clerk, within fourteen days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for a hearing on such appeal. The mayor and council shall set a time and place for hearing the appeal and a notice of the hearing shall be given to the applicant. The decision of the mayor and council on the appeal shall be final and conclusive.

### **Article III. Valet Parking.**

#### **Sec. 31-34. Definitions.**

For the purposes of this article the following words and phrases shall have the meanings respectively ascribed to them by this section:

Valet parking operator. Any person, partnership, corporation or any other type of entity engaged solely in the business of parking automobiles for a fixed period of time for which it charges a fare or price agreed upon in advance between the operator and the customer. Valet parking services operated by an establishment such as a hotel or restaurant as a courtesy to its customers is excluded from this definition.

#### **Sec. 31-35. Valet parking stand--Designation.**

The mayor and council shall designate by ordinance such places under its jurisdiction in the municipality as areas which can be used for the drop-off and pick-up of automobiles by valet parking operators, as they may deem expedient and proper.

**Sec. 31-36. Duty to accept customers upon request.**

No valet parking operator regulated under this article shall refuse to accept a customer and a customer shall be serviced on a first-come, first-serve basis.

**Sec. 31-37. Required.**

It shall be unlawful for a valet parking operator to conduct its business within the municipality without first having obtained a license therefor from the mayor and council as provided in this article.

**Sec. 31-38. Transferability, generally.**

A valet parking operator license shall not be transferable.

**Sec. 31-39. Application for valet parking operator license; qualifications of applicants.**

Any person desiring to obtain an owner's license for the operation of valet parking shall make separate application, in writing, to the clerk for the granting of a license, which application shall be made upon forms to be furnished by the municipality. The applicant shall give such information as may, from time-to-time, be deemed by the clerk, mayor and council, as requisite to determine the fitness of the applicant to conduct the business. In particular, the applicant shall provide proof that it has made arrangements to use private property for the parking of customer cars and that no public parking lots or streets will be used for the parking of vehicles. Every applicant for a license must be at least eighteen years of age. No application shall be accepted by the clerk unless the same shall be accompanied by the full amount of the license fee as provided in this article.

**Sec. 31-40. Term; fees.**

Licenses issued under this article shall be good and valid for one year from the date of issuance. The fee for an owner's license shall be fifty (\$50) dollars.

**Sec. 31-41. Suspension or revocation; nonrenewal of license.**

Any license issued pursuant to this article may be permanently revoked or suspended at any time for a violation of any provision of this division or for other good cause shown, by the mayor and council after notice and an opportunity for a hearing.

**Sec. 31-42. Compliance with state laws and regulations.**

Nothing in this article shall be construed to relieve a licensee from compliance with any applicable state law or regulation and it shall be the responsibility of each licensee under this article to comply with all such state laws and regulations.

**Sec. 31-43. Penalties.**

Any person violating any of the provisions of this article upon conviction thereof shall be subject to the penalties set forth in section 1-6 of the Code. Repeat offenders, as that term is defined in section 1-6, shall be subject to the penalties set forth in section 1-6.