

CHAPTER 100
PUBLIC PASSENGER VEHICLE REGULATIONS

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SUBCHAPTER 1
GENERAL PROVISIONS

100-1. Authority; Title. This chapter is adopted under ss. 62.11(5) and 349.24, Wis. Stats., and shall be cited as "The City of Milwaukee Public Passenger Vehicle Regulations".

100-2. Purpose. The purpose of this chapter is to:

1. Provide for safe, convenient and efficient transportation for the general public.
2. Enhance the image of the city and to more effectively serve visitors.
3. Enhance the role of the private sector in public transportation.
4. Protect consumers from hazardous conditions or overcharging for service.
5. Encourage innovation in the provision of public passenger vehicle services.
6. Eliminate conflict and confusion among users between different types of services.

100-3. Definitions. In this chapter:

1. **COLOR** means any hue named in the Inter-Society Color Council as it has been developed at the National Bureau of Standards (ISCC-NBS circular 553).
2. **CONTRACT SERVICE** means acceptance of a passenger for transportation for a fixed fare by agreement prior to entry of the passenger into the public passenger vehicle.
3. **CRUISING** means driving along public ways soliciting passengers for hire, and includes stopping wherever parking is permitted and at any cabstand or private property where permitted by the owner.
4. **DOUBLE LOADING** means accepting additional fares after being hired by one fare paying passenger.
5. **DRIVER'S LICENSE** means a license issued under this chapter by the common council to drivers of public passenger vehicles.
6. **EXCLUSIVE** means the persons hiring a vehicle have its exclusive use, with no ride sharing.
- 6.3. **FIXED FARE** means the amount a passenger may be responsible for paying based upon the combination of any rates and fees or estimates agreed upon by the passenger and confirmed by the driver of a public passenger vehicle upon accepting contract service.
- 6.5. **FIXED ROUTE** means authorized scheduled trips from predetermined passenger pickup points to predetermined destinations.

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6.7. HAIL means signaling the driver of a public passenger vehicle visually or by telephonic or other electronic means indicating a demand for immediate service by a metered vehicle for passenger transportation.

6.9. HIRE means acceptance for a fee, fare or compensation of any kind of a passenger for transportation by contracted service or upon hail or request for transportation and entry of the passenger into the public passenger vehicle.

7. HUMAN SERVICES VEHICLE means a vehicle for hire, other than a taxicab or public mass transportation vehicle, which is especially suited for the transportation of disabled or elderly persons who by reason of physical or mental infirmity or age cannot be transported on public mass transportation vehicles.

8. HORSE AND SURREY LIVERY means a horse-drawn surrey for hire.

9.5 LICENSE CLASSIFICATION means the category or categories of public passenger vehicles for which a person holding a valid driver's license issued under s. 100-54 is qualified to operate under s. 100-54-2. License classifications include the following:

a. "Class H" means the holder of the license has met the qualifications to operate the following public passenger vehicles: human services vehicle.

b. "Class L" means the holder of the license has met the qualifications to operate the following public passenger vehicles: limousines and shuttle vehicles.

c. "Class M" means the holder of the license has met the qualifications to operate the following public passenger vehicles: motorcycles used for tours.

d. "Class P" means the holder of the license has met the qualifications to operate the following public passenger vehicles: pedicabs and horse and surrey liveries.

e. "Class T" means the holder of the license has met the qualifications to operate the following public passenger vehicles: taxicabs.

10. LICENSING COMMITTEE means the committee of the common council responsible for licensing vehicles under this chapter.

11. LIMOUSINE means a category of for-hire, unmetered, unmarked, chauffeur-driven, ground transportation vehicles solely engaged in the business of carrying passengers on a contract service basis only.

11.5. MOTORCYCLE means a vehicle as defined in s. 340.01(32), Wis. Stats., and which is used on a contract service basis.

12. MOTOR VEHICLE means a self-propelled vehicle and also includes trailers and semitrailers designed for use with such vehicles.

13. NETWORK COMPANY means a transportation company or business that uses an online, digital or electronic platform to connect passengers with network vehicles operated by public passenger vehicle drivers.

14. NETWORK VEHICLE means a public passenger vehicle operated as a taxicab under contract service arranged through a network company.

14.5. PASSENGER-CARRYING CAPACITY means the seating capacity of the vehicle which has been specified by the manufacturer, or established by the department of public works upon visual inspection of the vehicle.

15. PEDICAB means a multiwheeled hooded or unhooded passenger vehicle that is moved by human power, or rickshaw-type vehicle pulled or propelled by any person which is used in the movement of passengers for hire on the public highways.

16 PEDICAB, COMMERCIAL QUAD-RICYCLE means a vehicle with fully operational pedals for propulsion entirely by human power, that has 4 wheels and is operated in a manner similar to a bicycle, that is equipped with at least 12 seats for passengers, that is designed to be occupied by a driver and passengers providing pedal power to the drive train of the vehicle, that is used for commercial purposes, and that is operated by the vehicle owner or an employee of the owner.

17. PERMIT means a permit issued by the common council under this chapter to operate a public passenger vehicle.

18. PERMITTEE means a person who has been issued a permit under this chapter.

19. PERMITTEE, FLEET means a person who has been issued 5 or more vehicle permits.

20. PERMITTEE, INDIVIDUAL means a person who has been issued 4 or fewer vehicle permits.

21. PERSON means any individual, partnership, corporation, limited liability company or association.

22. PLYING means solicitation of potential taxicab customers, including the use of flashing lights mounted anywhere on the vehicle,

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soliciting or taking orders by telephone, cruising, stopping, whether in taxicab stands or not, or in any other manner holding out to the public that such taxicab is available for hire.

23. PUBLIC PASSENGER VEHICLE means a vehicle which is used for the transportation of passengers for hire, including human service vehicle (Class H), horse and surrey livery (Class P), limousine (Class L), pedicab (Class P), motorcycle used for tours (Class M), shuttle vehicle (Class L), and taxicab (Class T). Public passenger vehicle does not include:

- a. A vehicle operated on fixed routes pursuant to authority granted by the county, state or federal government.
- b. A vehicle which is rented to be driven by the renter or an agent.
- c. A vehicle operated solely as a funeral car.
- d. A vehicle used in a carpool operated by private individuals.
- e. A commercial motor vehicle as defined under s. 340.01(8), Wis. Stats., as amended.

24. RIDE SHARING means a method of operating a vehicle in which passengers sharing a common portion of a trip may enter the vehicle at one or more points of origin and disembark at one or more destinations, each passenger paying an individual fare for the trip.

25. SHUTTLE VEHICLE means a privately owned vehicle which is solely engaged in the business of carrying passengers in either a:

- a. Shared ride service for hire on a fixed route and fixed schedule to and from predetermined locations; or
- b. Group travel service for hire, provided that the vehicle:
 - b-1. Operates on a pre-reserved basis only and has a passenger-carrying capacity of 5 or more persons, excluding the driver; or
 - b-2. Is a "low-speed vehicle," as defined in 340.01(27h), Wis. Stats., and is titled and registered by the state as a low-speed vehicle.

26. STANDS means street curb locations which are designated for a particular type of permitted vehicles.

27. TAXICAB means a public passenger vehicle with 3 or more doors which operates without a fixed route or schedule and which is available for hire upon demand for service including by hail on the street, or upon telephonic or other electronic request.

28. TAXICAB AFFILIATION means an association of taxicab permittees organized by incorporation, limited liability company, partnership, individual ownership or other legally-binding cooperative association.

29. TAXIMETER means a device by which the charge for hire of a taxicab is calculated, either for distance traveled or for waiting time, or for both, and upon which such charge is indicated by means of numbers.

100-4. Licensing Committee. 1. AUTHORITY. The licensing committee, subject to the approval of the common council, shall supervise and regulate public passenger vehicles and keep the rates within the limits established by the common council, and determine the adequacy of the service furnished.

3. REGULATIONS; ORDERS. The committee may prescribe regulations and issue orders, in conformity with this chapter, applicable to permittees or drivers of public passenger vehicles. The committee may require the filing of reports, schedules and other data by the permittees or drivers of public passenger vehicles so that the provisions of this chapter may be carried out. Any permittee or driver who does not comply with the regulations or orders of the committee shall be subject to the penalty provisions of this chapter.

4. ADMINISTRATIVE OFFICIAL.

a. The city clerk shall administer all regulations and orders adopted or issued by the committee and shall keep a register of the names of each permittee, together with the permit number and record of financial responsibility as provided in this chapter and the description, make and year of each permitted vehicle, with the date and the complete record of inspection made of the vehicle. These records shall be open to public inspection at all reasonable times and shall be public records, extracts of which may be certified for use as evidence by the chief of police.

b. The city clerk shall investigate and otherwise review the operation of vehicles and the conduct of drivers and vehicle permittees as directed by the committee and may issue warnings and citations for violations of the regulations and orders of the committee or for violations of other applicable provisions of this chapter assessing reasonable costs related to enforcement of the chapter.

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SUBCHAPTER 2
VEHICLE REGULATIONS

100-49. Purpose. The purpose of this subchapter is to provide uniform regulations to require every permittee and driver to furnish reasonably safe and adequate service at just and reasonable rates to assure adequate accommodations to the public.

100-50. Public Passenger Vehicle Permits.

1. PERMIT REQUIRED. a. No vehicle owner or lessee shall operate his or her vehicle, or allow his or her vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee first obtaining for the vehicle a permit as provided in this section.

b. No person shall operate a public passenger vehicle for hire upon the streets of the city without the vehicle owner or lessee first obtaining for the vehicle a permit as provided in this section.

c. Any person violating this section shall be subject to the penalty provided in s. 100-62-2.

2. EXEMPTIONS. The following vehicles shall be exempt from the regulations of this subchapter:

a. Vehicles licensed by the Wisconsin department of transportation as human service vehicles as described in ch. Trans 301, Wis. Adm. Code.

b. Shuttle vehicles authorized by Milwaukee county to provide in-county shuttle service to and from General Mitchell International Airport under s. 4.05.02, Milwaukee county code when solely engaged in the business of carrying passengers to and from General Mitchell International Airport.

3. ELIGIBILITY, TAXICABS. a. No new or renewal public passenger vehicle permit for a taxicab shall be issued for any motor vehicle of a model year greater than 10 years old at the time of application.

b. No new public passenger vehicle permit for a taxicab shall be issued except for a motor vehicle that, in addition to meeting all other requirements of this subchapter, provides passenger leg room of not less than 32 inches measured from the back of the seated passenger forward.

c. No permit shall be transferred to a different vehicle except to a vehicle in compliance with par. b.

d. Notwithstanding the vehicle requirements of pars. b and c, a permit for a taxicab may be issued or renewed upon a determination that the vehicle model meets the requirements in s. 100-51.5-4 for human service vehicles.

f. Notwithstanding the limitations in sub. 13, a new public passenger vehicle permit may be issued upon surrender of an existing permit to the city clerk and either an application by the permittee to change his or her legal form of business or upon application of a permittee to transfer the permit to another person.

4. APPLICATION. a. Application for a public passenger vehicle permit shall be filed with the city clerk on forms provided and, except where otherwise expressly provided in this section, shall conform to the requirements in s. 85-12. Completed applications for a new permit shall be accepted by the city clerk for processing in a manner established by the city clerk for submission to the licensing committee.

b. The application shall require:

b-1. The name, date of birth and home address and telephone number of the applicant.

b-2. If the applicant is a corporation or limited liability company, the name of the corporation shall be set forth exactly as it is set forth in its articles of incorporation, together with the names, dates of birth and home addresses and telephone numbers of its designated agent and each of its officers or members, if any. If any of the members is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate officers.

b-3. If the applicant is a partnership, the application shall set forth the name, date of birth and home address and telephone number of each of the partners, including limited partners. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply to the corporate partners.

b-4. The type of public passenger vehicle the applicant intends to employ.

b-5. The current state registration of each motor vehicle, naming the applicant as title holder.

b-6. Evidence of financial responsibility as required by s. 100-53, issued to and covering the applicants.

b-7. The identity of any dispatch services or network company with which affiliated, if any.

b-8. The plan for public passenger vehicle operation including:

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b-8-a. A statement of the experience of the applicant in operating a public passenger vehicle, if any.

b-8-b. Identification of all public passenger vehicle permits currently issued to the applicant.

b-8-c. The times at which the public passenger vehicle will be available for service and whether the vehicle will be operated within an affiliation, network company or dispatch service that provides 24-hour service each day of the year.

b-8-d. The area or areas of the city to be served by the public passenger vehicle or that will be served by an affiliation, network company or dispatch service.

b-8-e. A description of routine maintenance, including location and frequency of maintenance activities and other vehicle inspections conducted by or on behalf of applicant.

b-8-f. The manner in which the public passenger vehicle will be operated if not operated and driven by the applicant, including arrangements for leasing, loaning, driver employment or other operation by parties other than the applicant.

b-8-g. A statement or copy of the written policies for drivers to maintain a clean, professional and orderly appearance together with specific requirements, if any, established by the applicant for driver dress or uniform.

b-8-h. The applicant's written plan to promote and ensure driver and passenger security.

b-8-i. A statement of the applicant's process for resolving complaints, including the manner in which complaint records are to be retained and reported to the city clerk.

b-8-j. The manner in which all accident reports or citations received in the operation of a permitted vehicle shall be retained and made available to the city clerk.

b-8-k. A description of all proposed vehicle markings, body color or colors, signs or stickers consistent with the requirements in s. 100-51.5.

b-9. Such other reasonable and pertinent information the common council or the licensing committee may from time to time require.

c. If the applicant cannot satisfy the provisions of pars. b-5 and b-6 at the time of filing, the applicant shall file, with the application, a letter addressed to the licensing committee outlining his or her intentions of satisfying all the requirements of this subchapter prior to issuance of the applicable permit.

d. Each corporate applicant applying shall file with its application for a permit a statement by its officers or members showing the names and addresses of all persons who individually hold 20% or more of the corporation's total or voting stock, or proxies for that amount of stock, together with the amount of stock or proxies held by each person.

e. In addition to the requirements of par. b, applications for horse and surrey livery permits shall require:

e-1. The name and address of a licensed veterinarian whom the applicant attests will be kept on call to administer veterinary services to the applicant's horses at any time when the horse and surrey livery service is operating.

e-2. The telephone number or numbers at which the licensed veterinarian can be reached 24 hours a day.

e-3. The manufacturer's specified seating capacity of the surrey. If the manufacturer has not specified the seating capacity of the surrey, the chief of police shall establish the seating capacity.

5. CHANGES TO BE REPORTED.

a. A permittee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The permittee shall make this notification in writing within 10 calendar days after the change occurs.

b. Whenever a corporation or limited liability company holding a public passenger vehicle permit changes any of its corporate officers, members or agents, the corporation agent shall file, within 10 calendar days after the change occurs, the appropriate application with the city clerk and pay the fee required by s. 81-101.5. This application shall in all respects be treated as a new application subject to all the requirements of this section.

c. It shall be the duty of the corporate officers to file with the city clerk a statement of the sale or transfer of any stock or proxies, where the effect of such stock would constitute a change in the stockholders' list previously filed with the city clerk. The notice to the city clerk shall be given in writing within 10 calendar days after the sale or transfer occurs.

6. FEE. Each application shall be accompanied by the fee specified in ch. 81.

7. FINGERPRINTING. All applicants for public passenger vehicle permits shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

8. INVESTIGATION. a. Each application shall be referred to the chief of police who shall cause an investigation to be made and report the findings to the licensing committee.

b. The chief of police may designate one or more additional parties, businesses or agencies, subject to approval by the common council, to conduct investigations under terms and conditions that will ensure substantially similar quality and costs as if conducted by the department.

9. COUNCIL ACTION. If the chief of police files no written report summarizing the arrests and convictions of the applicant which could form a basis for denial, the city clerk shall issue the permit in accordance with this section. If the chief of police files a written report summarizing the arrests and convictions of the applicant which could form a basis for denial, the application shall be subject to common council review and approval in accordance with the provisions of ss. 85-2.7 and 85-5.

10. DISQUALIFICATION. a. Whenever an applicant for a new or renewal public passenger vehicle permit has had his or her application denied, not renewed or revoked, no other application by the same applicant for any new public passenger vehicle permit shall be recommended for approval by the licensing committee for a period of 12 months following the date of the denial, nonrenewal or revocation.

11. ISSUANCE. a. Whenever a public passenger vehicle permit has been granted by the common council or whenever the chief of police files no written report summarizing the arrests and convictions of an applicant which could form a basis for denial, the city clerk shall prepare and deliver to the applicant a permit in accordance with this section.

b. No permit shall be issued by the city clerk unless the applicant has first provided the city clerk with all of the following items:

b-1. A current state vehicle registration naming the applicant as titleholder.

b-2. Proof of financial responsibility in accordance with s. 100-53.

b-3. A city treasurer's receipt for payment of the permit fee.

c. The permit shall be conspicuously and prominently displayed in each vehicle by the owner and shall be kept there at all times. An exception is made to the permit display for any taxicab or shuttle vehicle marked as provided in s. 100-51.5-1-c.

d. A permit shall be mailed only to the vehicle owner. If a vehicle owner wishes to have the permit mailed to an address other than his or her home address, the vehicle owner shall fill out a form prepared by the city clerk, indicating the vehicle owner's mailing address. The address listed on the required form shall be a street address, not a post office box. In case of a corporation, limited liability company or limited liability partnership, the address listed on the form shall be the home address of the agent or the mailing address of the corporation, limited liability company or limited liability partnership. The individual owner, all partners of a partnership, the agent and all members of a limited liability company or limited liability partnership, and the agent, president and secretary of a corporation shall sign the form.

e. Whenever a permit has been defaced, lost, stolen or destroyed, the permittee shall immediately apply to the city clerk for a duplicate permit. All requests for a duplicate permit shall be accompanied by the fee specified in s. 81-1-4.

12. REGULATIONS. a. All Permittees. Every permittee shall be responsible for the operation of the vehicle for which the permit has been granted without regard to the legal relationship between the permittee and the driver.

e. Replacement of Vehicle.

e-1. No permit may be transferred to any other vehicle unless the owner of the vehicle is also the permittee, demonstrates financial responsibility for the vehicle, and the owner has paid the required vehicle replacement fee. The city clerk shall be notified of all vehicle replacements.

e-2. No public passenger permits for taxicabs shall be transferred to any motor vehicles not meeting the eligibility requirements provided under s. 100-50-3.

g. Fleet Parking. Fleet permittees shall be responsible for providing and using suitable off-street parking for their vehicles.

k. Commercial Quadricycles. Passengers on a commercial quadricycle that is permitted to operate as a pedicab under a plan approved by the licensing committee may possess on or carry onto the commercial quadricycle not more than 36 ounces of fermented malt beverages and may consume fermented malt beverages upon the quadricycle subject to the following requirements and restrictions and any other regulation required by the city or specified in the plan of operation:

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k-1. No other alcohol beverage including intoxicating liquor as defined in ch. 125, Wis. Stats., may be possessed on, carried upon or consumed upon a commercial quadricycle.

k-2. Restrictions on possession, transportation and consumption of alcohol beverages in the operation of commercial quadricycles upon city highways and public places shall apply to operation of commercial quadricycles when used for nonrevenue-producing events or transportation in addition to regular commercial activities.

k-3. No driver of a commercial quadricycle may consume alcohol while the commercial quadricycle is occupied by passengers.

k-4. No person may drive a commercial quadricycle with an alcohol concentration of more than 0.02.

k-5. No person may drive a commercial quadricycle on which any alcohol beverages are carried or consumed other than fermented malt beverages under this section.

k-6. No person may drive a commercial quadricycle on which alcohol beverages are sold and may not transport alcohol beverages on a commercial quadricycle for the purposes of sale or delivery upon sale.

k-7. No alcohol beverages, including fermented malt beverages, shall be possessed, carried upon or consumed on a commercial quadricycle if any passenger or the driver has not attained the legal drinking age as defined in ch. 125, Wis. Stats.

k-8. Passengers shall be advised by the operator, driver or other person responsible for the operation of a commercial quadricycle that no alcohol beverages shall be possessed on, carried upon or consumed on a commercial quadricycle in violation of city ordinance or state statute, and shall conspicuously post a notice of these restrictions upon the commercial quadricycle in a form and manner approved by the city.

k-9. No glass beverage containers shall be carried upon a quadricycle while operated on the public way.

k-10. The plan of operation of a licensed quadricycle shall identify the geographic area in which the quadricycle shall routinely operate and may include a description of procedures for notifying police or other authorities when anticipated operation of a quadricycle deviates from customary routes.

k-11. Failure of a licensee to comply with the regulations of this paragraph or to operate in accordance with an approved plan of operation shall constitute grounds for non-renewal, suspension or revocation as provided in ss. 85-4-4 and 100-51-16.

13. TRANSFER OF PERMITS. a. If a permittee dies or becomes disabled, the permit may be transferred, upon notification of the city clerk by the claimant, to the surviving spouse, and if there is no surviving spouse, to the legal representative of the permittee or the estate, who shall be eligible for the operation of the vehicle for the remainder of the permit period. A permit may also be transferred with the permittee's consent to a spouse for good cause and upon approval of the licensing committee.

b. Upon expiration of the permit, the surviving spouse or legal representative may apply for the permit in his or her own name.

14. RENEWAL. a. Renewal Application. Renewal applications shall be made as provided in s. 85-26.

b. Procedure for Renewal. b-1. Except as provided in subd. 2, the licensing committee shall, without a hearing, recommend to the common council the granting of an application for renewal of a public passenger vehicle permit to a permittee, provided the city clerk has received a timely-filed application for renewal and the applicant has complied with the requirements of subs. 7-a and 11-b.

b-2. If the chief of police files a written report summarizing the arrest and convictions of the applicant which could form a basis for nonrenewal, or there is a written objection to the renewal of the permit by any interested person in accordance with the provisions of s. 85-3-3, the application shall be forwarded to the licensing committee for its recommendation as to whether or not each permit should be renewed.

b-3. Any application filed after the expiration date of the license period following the license period for which the permit was issued shall be considered as a new permit application and be subject to the requirements for an original permit provided in this subchapter.

c. Procedure for Nonrenewal. c-1. If there is a possibility that the committee will not renew a permit, a motion should be entertained to hold the application in committee and instruct the city clerk to forward proper notice to the applicant, unless the notice has already been sent, in which case the hearing shall proceed.

c-2. Prior to the date set for the hearing, the city clerk's office shall forward notice to the applicant which shall contain:

c-2-a. The date, time and place of the hearing.

c-2-b. A statement of the common council's intention not to renew the permit in the event any objections to renewal are found to be true.

c-2-c. A statement of the reasons for possible nonrenewal.

c-2-d. A statement that an opportunity will be given to respond to and challenge such reasons for nonrenewal and to present witnesses under oath and to confront and cross-examine opposing witnesses under oath.

c-2-e. A statement that the applicant may be represented by counsel at the applicant's expense, if the applicant so wishes.

d. Hearings. All hearings held and committee recommendations prepared pursuant to this subsection shall be conducted as set forth in sub. 16.

15. REVOCATION OR SUSPENSION OF PERMITS. a. Any permit issued under this section may be suspended or revoked for cause by the common council after notice to the permittee and a hearing.

b. Suspension or revocation proceedings may be instituted by the licensing committee upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police, or upon a sworn written complaint filed with the city clerk by any interested person.

c. Whenever either sworn written charges or a sworn written complaint are filed with the city clerk setting forth specific charges against a permittee involving conduct which would violate ordinances that are grounds for suspension or revocation of a permit, the city clerk shall issue notice to the permittee. The notice shall contain:

c-1. The date, time and place of the hearing.

c-2. A statement to the effect that the possibility of suspension or revocation of the permit exists and the reasons for possible suspension or revocation.

c-3. A statement that an opportunity will be given to the applicant to respond to and challenge any reason for suspension or revocation

and to present witnesses under oath and to cross-examine opposing witnesses under oath.

c-4. A statement that the permittee may be represented by counsel at the permittee's expense, if the permittee so wishes.

d. The licensing committee shall convene at the date and time designated in the notice for the purpose of taking evidence and making findings of fact and conclusions of law and a recommendation to the common council in connection with the proposed suspension or revocation.

e. If the permittee appears before the committee at the time designated in the notice and denies the charges contained in the complaint, the committee shall conduct an evidentiary hearing in connection with the suspension or revocation at that time. If the permittee does not appear, or appears but does not deny the charges contained in the complaint, the complaint shall be taken as true and the committee shall hear the arguments of the complaints and the permittee in connection with the suspension or revocation.

f. All hearings held and committee recommendations prepared pursuant to this subsection shall be conducted as set forth in sub. 16.

16. PROCEDURE FOR NON-RENEWAL, REVOCATION OR SUSPENSION.

a. Applicable Procedures. If there is a possibility that the licensing committee will not recommend renewal of the permit, or if revocation or suspension proceedings are initiated, the procedures for notice and committee hearing and for the committee report, recommendations and common council consideration provided in ss. 85-3 to 85-5 shall apply.

b. Grounds for Non-renewal, Suspension or Revocation. The recommendation of the committee regarding the permittee shall be based upon evidence presented at the hearing. Probative evidence concerning non-renewal, suspension or revocation may include evidence of:

b-1. Failure of the permittee to meet the municipal qualifications or any of the licensing requirements of this chapter.

b-2. Pending charges against or the conviction of any felony, misdemeanor, municipal offense, or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed activity, by the permittee, or by any employee or driver of the permittee.

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b-3. The permittee, or any employee or driver of the permittee, having violated any of the operating regulations and prohibited practices set forth in this chapter.

b-4. Failure of a permittee to comply with the written plan of operation provided under s. 100-50-4-b-8.

b-5. Any other factor or factors which reasonably relate to the public health, safety and welfare.

17. REQUEST TO SURRENDER A PERMIT. See s. 85-17 for provisions relating to the surrender of permits and the return of surrendered permits.

100-51. Vehicle Inspection. 1. INSPECTION REQUIRED. a. A public passenger vehicle permittee shall submit his or her vehicle for inspection on the designated date and time for any inspection or reinspection required under this section.

b. The department of public works shall conduct inspections under this section.

c. The commissioner of public works may designate one or more additional parties, businesses or agencies, subject to approval by the common council, to conduct inspections under terms and conditions that will ensure substantially similar quality and costs as if conducted by the department.

2. WHEN REQUIRED. A vehicle inspection conducted by the department of public works or its designee shall be required as determined by a random or other selection process or when identified by complaint by the police department, the department of public works or the city clerk.

3. NOTICE OF INSPECTION. Notice of inspection including the time and place of inspection shall be provided by the city clerk by U.S. first class mail, postage prepaid, at least 3 days prior to inspection.

4. ELIGIBILITY. No vehicle shall be inspected unless, prior to inspection, the permit, certificate of vehicle registration, and, if a meter fare taxicab, meter permit and meter inspection slip are presented to the inspecting officer.

5. INSPECTION REPORT. The department of public works shall report the results of each inspection to the city clerk in a form and manner prescribed by the city clerk. The report shall include vehicles appearing for inspection, vehicles passing inspection, vehicles removed from public service, reasons for removal of vehicles from public service and vehicles failing to appear for inspection. The department of public

works shall also provide the city clerk with information related to the costs of inspections upon request.

6. INSPECTION ACTIONS.

a. **Inspection Sticker.** The department of public works shall place in a conspicuous location a nonremovable sticker on each public passenger vehicle thoroughly inspected by the department of public works and found to meet the vehicle standards and equipment requirements established in this subchapter. The city clerk may provide for an inconspicuous inspection sticker for limousines. No inspection sticker shall be required for a horse and surrey livery or a pedicab.

b. **Require Reinspection.** The department of public works shall not issue an inspection sticker for, and shall require reinspection of, any vehicle that is found in violation of any of the vehicle standards and equipment requirements established in this subchapter. Violations found during any inspection shall be corrected and the vehicle shall be presented at the designated inspection station for reinspection on the next regularly scheduled inspection date, or on or before the last day of the annual inspection period, if applicable.

c. **Remove Vehicle from Service.** In addition to any action taken under par. b, the department of public works shall immediately suspend the permit of and remove from public service any vehicle that is found to be in a hazardous condition and unsafe for public patronage.

c-1. A red sticker shall be placed on the vehicle that shall read: THIS VEHICLE UNSAFE FOR PUBLIC PATRONAGE.

c-2. The sticker may only be removed by the department of public works upon a successful reinspection at the designated inspection station.

c-3. Removal, alteration, defacement or obscuration of the sticker by anyone other than the department of public works shall be subject to the penalty provisions of this chapter.

d. **Suspend Permit.** d-1. Without any further action, the city clerk shall immediately suspend the permit and notify the permittee by first class mail of the suspension whenever the department of public works receives information that any of the following has occurred:

d-1-a. The permittee fails to submit the vehicle on the designated date and time for any inspection or reinspection required under this section.

d-1-b. All violations found during any inspection are not corrected when the vehicle is presented at the designated inspection station for reinspection.

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e. Any permit suspended under this section shall be immediately reinstated upon successful inspection or reinspection and payment of any special inspection fee required under s. 81-101.5-7.

7. WEIGHTS AND MEASURES INSPECTIONS. In addition to other inspection requirements of this section, a metered taxicab licensee shall submit his or her vehicle for any inspection required under subch. 3 of ch. 82 and shall be subject to all applicable requirements and procedures of that subchapter.

100-51.5. Vehicle Standards and Equipment Requirements. 1. GENERAL REQUIREMENTS.

a. Responsibility. No vehicle owner or other person shall operate his or her vehicle, or allow his or her vehicle to be operated, as a public passenger vehicle for hire upon the streets of the city without the vehicle first meeting the vehicle standards and equipment requirements established in this section.

b. Vehicle Standards. Vehicles shall meet all safety standards required by law and, as adjudged by the police department or its designee, be kept in good operating condition and appearance.

b-1. Vehicle interior and exterior shall be free of dirt, mud, oil, rips, tears, exposed springs, foodstuff, trash, waste material or any other substance or object capable of harm, damage or injury to, or interference with the person, clothing, personal property, comfort or convenience of any passenger, whether upon ingress or egress of such vehicle, or while riding therein.

b-2. Vehicle shall have an exterior which is free of any misshapen or deformed condition arising from collision, crash or other impact, excepting minor dents. Vehicles shall be free of holes in floorboards, and trunk shall be empty except for emergency equipment. Vehicle shall be free of exterior rust and exterior must be painted a uniform color so as not to have patches of unmatching paint on the vehicle.

b-3. All vehicles shall be washed a minimum of once per week.

c. Vehicle Markings. c-1. Each taxicab not meeting the definition of network vehicle and each shuttle vehicle, excepting a shuttle vehicle meeting the definition in s.100-3-25-b, shall have the following clearly and permanently marked:

c-1-a. The word "Milwaukee" on the right and left sides of the vehicle.

c-1-b. The permit number, the type of permit and the name of the owner of the vehicle or

the trade name under which the vehicle is operated, placed on the right and left sides of the vehicle on either the front or rear doors with the permit number at least 5 inches high in a color to contrast with the auto body color.

c-1-c. The permit number at least 5 inches high in a color to contrast with the auto body color marked on the trunk or rear door of the vehicle.

c-1-d. The permit number clearly displayed on the back of the driver's seat.

c-2. Vehicles with shuttle permits, excepting a shuttle vehicle meeting the definition in s. 100-3-26-b, shall have the word "shuttle" in a color to contrast with the auto body color permanently marked on the left and right side of the vehicle.

c-3. The licensing committee may require vehicle marking other than as required by this paragraph for specified types of vehicles.

d. Complaint Forms. Except as provided in par. e-1, each public passenger vehicle shall have available, in the passenger compartment in a conspicuous place plainly visible to all occupants of the vehicle, complaint forms provided by vehicle owners, in a format approved by the city clerk.

e. Complaint Placard. Except as provided in par. f, each public passenger vehicle shall have posted, in the passenger compartment in a conspicuous place plainly visible to all occupants of the vehicle, a rate and service complaint placard provided by the city, in substantially the following form:

Milwaukee Permit Number _____

NOTICE TO PASSENGERS

The Rates of Fare are:

Fill in with approved rates.

Complaints regarding rates or service may be addressed to:

License Division Manager, City Clerk's Office
Room 105, City Hall, 200 E. Wells St.
Milwaukee, WI 53202
license@milwaukee.gov

Complainant: Please provide the name of the driver, vehicle number, company name, trip date and time, and details of the complaint.

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f. Information provided to passengers. Limousines, taxicabs meeting the definition of network vehicle, and shuttle vehicles meeting the definition under s. 100-3-26-b shall provide to passengers, at the time the service is contracted for hire, the information provided on the complaint form and rate and service complaint placard required under this subsection.

g. Complaints. Complaints shall be in writing and contain the name of the driver, vehicle number, company name, trip date and time, and the details of the complaint.

2. EQUIPMENT REQUIREMENTS. In addition to any other vehicle standards and equipment requirements established in this section, each public passenger vehicle shall be equipped with a Milwaukee area street map or street guide and the following mechanical devices, in sound working condition:

a. All headlamps, tail lights, emergency blinkers and turn signals shall be operable and in good working condition.

b. Each taxicab shall be equipped with a dome light mounted above the top line of the windshield.

c. Each motor vehicle shall have a heater and defroster that is in good working condition and shall be equipped with a permanently installed air conditioning system capable of reducing the interior temperature of the passenger section to 68 degrees Fahrenheit. A motor vehicle is exempt from the air conditioning requirement contained in this paragraph if the vehicle has been continually licensed as a public passenger vehicle by the vehicle owner prior to July 23, 2005.

d. The spare tire, if standard equipment, shall be securely attached and properly inflated.

e. All hood, trunk and door latches shall be in proper working order.

f. All windows shall be in proper working order and free of unsafe chips and cracks. No vehicle shall operate with curtains, shades or other means which hide its occupants from outside view. There shall be no obstructions to normal vision by the driver.

g. Operable and easily accessible safety belts for use by each person in the motor vehicle.

h. The windshield wipers shall be in proper working order and the blades shall be free of defects.

i. The horn shall be in sound working condition and be of the standard type for each motor vehicle.

j. Door handles, arm rests and window handles must be clean and intact.

k. The muffler, tailpipe and crossover pipe shall be securely connected and free of holes and punctures.

L. The condition of the steering apparatus, suspension and brakes shall be determined by a road test of whatever length to verify the safe operating condition of the devices.

m. The tire-tread depth shall not be less than 2/32 of an inch and each tire shall be free of cuts or breaks in the sidewall. Each tire shall be of the type approved for use as original equipment. No tire shall extend beyond the outer fender wall.

3. TAXICAB REQUIREMENTS (CLASS T)

a. Taximeter.
a-1. The taximeter shall not be in error more than 1% in deficiency and more than 4% in excess of the interval under test.

a-2. After sundown a suitable light, so arranged as to throw a continuous steady light thereon, shall illuminate the face of the taximeter.

a-3. The taximeter case is sealed and its cover and gear intact.

a-4. Taximeters shall not be transferred between vehicles without permission of the city sealer.

a-5. Taximeters shall not be programmed to charge rates higher than permitted.

b. Noncash Payment. On or after July 1, 2014, each permittee replacing a taxicab or placing a new vehicle into service shall install rear seat swipe credit and debit card-processing equipment subject to policy or rule established by the city clerk and approved by the licensing committee.

c. Fuel Efficiency. The legislative reference bureau shall provide a report to the common council on or before July 1, 2015, reviewing best practices, strategies and regulation in comparable municipalities for improving fuel efficiency and reducing reliance upon fossil fuels within the city's permitted taxicab fleet. Information shall be organized and provided by the legislative reference bureau with the assumption that fuel standards will be developed and implemented on or before July 1, 2019.

4. HUMAN SERVICE VEHICLE REQUIREMENTS (CLASS H). Human service vehicles shall be suited for the transportation of disabled or elderly persons who by reason of physical or mental infirmity or age cannot be

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transported on public mass transportation vehicles or in taxicabs. These vehicles shall have:

a. Doorways wide enough to accommodate a wheelchair.

b. Ramps or lifting devices for elevating wheelchairs from the curb or sidewalk into the vehicle.

c. Adequate means of securing wheelchairs to the inside of the vehicle and safety belts for all disabled persons.

d. A door, in addition to those normally provided on the vehicle for ingress and egress from the vehicle, located at the rear of the vehicles to be used as a method of escape in case of an emergency.

5. HORSE AND SURREY LIVERY REQUIREMENTS (CLASS P). A horse and surrey livery shall:

a. Be in thoroughly safe and sanitary condition for the transportation of the public.

b. Comply with the equipment requirements of ch. 347, Wis. Stats., as amended, with respect to lamps and identification emblem for animal drawn, slow moving vehicles.

c. Be provided with facility to remove all fecal matter and flush all urine from public ways.

d. Fixed seating. Each horse and surrey livery shall provide passengers with fixed seating which has been installed by the manufacturer of the surrey.

e. Posting of Signs. Each horse and surrey livery shall securely post and maintain placards indicating the following:

e-1. The seating capacity of the surrey which has been specified by the manufacturer, or established by the chief of police, and declared on the application for a new or renewal permit pursuant to s. 100-50-4-f-3.

e-2. A placard posted in the passenger compartment in a conspicuous place visible to all occupants of the vehicle stating: "No standing while vehicle is in motion."

6. MOTORCYCLE USED FOR TOURS REQUIREMENTS (CLASS M). A motorcycle used for tours shall:

a. Be in a thoroughly safe condition for the transportation of the public.

b. Comply with the equipment requirements of ch. 347, Wis. Stats., as amended.

7. PEDICAB REQUIREMENTS (CLASS P). A pedicab shall be in a thoroughly safe condition for the transportation of the public.

8. LIMOUSINE REGULATIONS (CLASS L). In addition to all other applicable provisions of this chapter, a limousine shall comply with the following:

a. The exterior of a permitted vehicle may not display any signs, markings or stickers not otherwise required by law, except as specifically authorized in an approved plan of operation under s. 100-50-4-b.

b. The color or paint design of a permitted vehicle shall not be unduly distracting or untypical for the make, model or year of the vehicle

100-52. Rates Established.

1. RATE INCREASES. a. Application for an increase in the fares may be made to the licensing committee by any fleet permittee, or by at least 10% of the individual classification of permittees. The committee upon request for a rate increase may recommend to the common council that any of the regulations controlling fares be revised.

b. On or before July of each even-numbered year, the legislative reference bureau shall provide to the common council information derived from the international taxicab and livery association or other sources with respect to taxicab meter rates and operating costs.

2. METER FARE TAXICAB. a. Except a taxicab meeting the definition of network vehicle, no person owning, operating or controlling any motor vehicle licensed as a meter fare shall charge an amount exceeding the following rates:

a-1. The first 1/10 mile or fraction of a mile, for one or more persons, \$2.25.

a-2. For each succeeding 1/10 mile or fraction of a mile, for one or more persons, \$0.25.

a-3. For each minute of waiting time, \$0.35. In this subdivision "waiting time" includes the time when the meter fare taxicab is not in motion beginning 5 minutes after the specified time designated by the passenger as the time of arrival at the place to which the meter fare taxicab has been called or the time consumed while standing at the direction of the passenger, but no charge shall be made for the time lost for inefficiency of the meter fare taxicab or its operator or time consumed by premature response to a call.

a-4. For each additional passenger over the age of 12 years, \$1, except that there shall be no additional charge for an identified personal care attendant who accompanies a passenger with disability

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a-5. For more than 2 suitcases (21" overnigher or larger) or larger packages handled by the taxicab driver, and for other grocery, laundry, and similar bags and items that exceed the storage capacity of the taxicab trunk, a single surcharge of \$1.

b. Rates are to be determined by the taximeter after the customer is seated in the cab or has placed one or more articles within the cab. The owner, operator, driver or person in control of the meter fare taxicab shall use the shortest practical route.

c. All fares computed from General Mitchell International Airport shall include any fees imposed by Milwaukee county for use of airport facilities and grounds. The minimum fare from the airport terminal to any part of this city shall be \$15.

3. OTHER PUBLIC PASSENGER VEHICLE RATES. Maximum rates for other vehicles including those permitted for human services, as horse and surrey, limousine, pedicab, motorcycle used for tours, or shuttle vehicle may be established by adoption of such rates by the common council.

100-53. Insurance Required. 1. INSURANCE. No person may operate, or shall be issued a permit to operate, a public passenger vehicle unless that person is in conformance with the financial responsibility requirements under ch. 344, Wis. Stats.

2. DRIVER TO BE COVERED. All surety bonds or policies of insurance in compliance with this section shall contain an omnibus coverage clause by which all provisions of the surety bond or insurance policy shall inure to the benefit of and cover all drivers of the named assured's public passenger vehicle regardless of the type of operation and regardless of any arrangement for the operation of the vehicle existing between the owner and the driver, whether such arrangement is that of principal agent, employer-employee, bailor-bailee, renter-tenant, or any other type of relationship.

3. HUMAN SERVICE DRIVER. All surety bonds, deposits or insurance for persons transporting disabled or elderly persons shall cover such persons transported from the time the driver or other employee of the permittee assumes control over the persons. Such liability shall continue until the driver or other employee of the permittee or owner relinquishes control over the disabled or elderly person.

4. NO OBLIGATION ON PART OF CITY. The city in requiring surety bonds, insurance policies or escrow deposits makes no representations or commitments whatsoever as to the sufficiency or adequacy with respect thereto and assumes no obligations to the public by virtue of having required the forgoing to be submitted and filed with the city.

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SUBCHAPTER 3
DRIVER'S LICENSE

100-54. Public Passenger Vehicle Driver's License.

1. LICENSE REQUIRED. a. No person shall operate a public passenger vehicle in the city, including a human service vehicle licensed or otherwise regulated by the state of Wisconsin, unless the person first holds a valid license issued under this section.

b. No permittee may allow his or her vehicle to be operated by any person not holding a valid license issued under this section.

2. QUALIFICATIONS. Each applicant for a driver's license shall:

a. Be at least 18 years of age.

b. Possess a valid motor vehicle driver's license, excluding occupational licenses, issued by the state of Wisconsin.

c. If desiring to operate a motorcycle for tours, possess a valid motor vehicle driver's license issued by the state of Wisconsin for the operation of "Class M" vehicles under ch. 343, Wis. Stats., as amended.

e. If a driver of human service vehicles, have successfully completed within 3 years prior to the date of any original application a passenger assistance techniques training program approved by the commissioner of health. This requirement shall be waived if, at any time within the 2-year period prior to the date of filing the application with the city clerk, the applicant held a public passenger vehicle driver's license for human service vehicles issued under this chapter.

f. Be able to read, write and speak the English language to the extent necessary to operate a public service vehicle licensed by the city.

g. Be of sound physique, with good eyesight, and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render a person unfit for the safe operation of a public passenger vehicle.

h. Be clean in dress and person and shall comply with all applicable written standards of dress and appearance specified in the plan of operation provided under s. 100-50-4-b-8.

3. APPLICATION. a. Application for a driver's license shall be filed with the city clerk on forms provided therefor. The application shall require the following information:

a-1. Name, home address and telephone number of the applicant.

a-2. Date of birth, height, weight, color of eyes and hair of the applicant.

a-3. Valid motor vehicle driver's license number issued by the state of Wisconsin.

a-4. License classification for which the applicant is applying.

a-5. Name, business address and telephone number of the person, firm, association or corporation for whom the applicant is or will be employed as a public passenger vehicle driver, if known.

a-6. Whether the applicant has prior to the date of application been licensed to operate a public passenger vehicle in this city.

a-7. Whether the applicant has within the last 5 years had any motor vehicle driver's license issued by the state of Wisconsin suspended or revoked, and the nature of the suspension or revocation.

a-8. Sworn statement by the applicant stating that the applicant is aware that the license may be subject to suspension, nonrenewal or revocation if the licensee violates any rule or regulation provided in this section.

b. Each applicant for a driver's license shall file with the application one recent photograph suitable in size and form, as determined by the city clerk, for inclusion on the applicant's official license.

c. Post office box numbers shall not be acceptable for addresses required on applications for driver's licenses.

4. FEE. All applications shall be accompanied by the fee established in s. 81-44.7.

5. CHANGES TO BE REPORTED. A licensee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The licensee shall make this notification in writing within 10 calendar days after the change occurs.

6. FINGERPRINTING. All applicants shall be fingerprinted as provided in s. 85-21-1.

7. INVESTIGATION. Each application shall be referred to the chief of police who shall cause an investigation of the applicant's criminal history for the preceding 10 years and motor vehicle driving history for the preceding 2 years to be made, and report the findings to the city clerk. The chief of police may object to issuance of the license based on the applicant's criminal history and shall object to issuance of the license if, within the preceding 2 years, the applicant has been convicted of 3 or more moving violations, as defined in s. 343.01(2)(cg), Wis. Stats., arising out of separate incidents or occurrences.

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8. COMMON COUNCIL ACTION; APPLICATION FOR NEW LICENSE. If the police chief files no objection to an application for a new license, the city clerk shall issue the license in accordance with sub. 9. If the police chief files an objection, the application shall be subject to common council review and approval in accordance with the provisions of ss. 85-2.7 and 85-5 and may be subject to the additional requirements for license issuance under s. 100-56.

9. ISSUANCE OF LICENSE. Any license issued by the city clerk under this section shall contain the following information:

a. Name and recent photograph of the license holder

b. License classification indicating the category or categories of public passenger vehicles the licensee is qualified to operate.

c. The period of time for which the license is valid.

10. CHANGE OF LICENSE CLASSIFICATION. a. During the license period. Any holder of a license issued under this section is permitted to change the license classification during the license period. Requests for changes of classification shall be made by filing an amendment with the city clerk, and by providing documentation of meeting the qualifications for the license classification under s. 100-54-2 and payment of the fee as provided in s. 81-44.7-7.

a-1. If the police chief had not previously filed an objection to the application for the license for which the change in license classification is sought, the city clerk shall issue the license with a change in license classification in accordance with sub. 9.

a-2. If the police chief had previously filed an objection to the application for the license for which the change in license classification is sought, the city clerk shall refer the application for change of license classification to the chief of police for review.

a-2-a. If the police chief files no objection to an application for change of license classification, the city clerk shall issue the license with a change in license classification in accordance with sub. 9.

a-2-b. If the police chief files an objection to an application for change of license classification, the application shall be forwarded to the licensing committee for its recommendation as to whether a license with a change in license classification should be issued.

b. At the time of renewal.

b-1. Any holder of a license issued under this section is permitted to change the license classification at the time application for renewal is filed. Requests for change of license classification shall be made by filing an application for renewal with the city clerk pursuant to sub. 11, and by providing documentation of meeting the qualifications for the license classification under s. 100-54-2 and payment of the fee as provided in s. 81-44.7-4.

b-2. If the licensee fails to submit documentation of meeting the qualifications for the change of license classification at the same time the application for renewal is filed with the city clerk, no change in license classification shall occur, except as provided in par. a.

11. RENEWAL AND NON-RENEWAL.

a. Procedure for Renewal. Applications for renewal shall be made to the city clerk. The clerk shall refer the application to the chief of police for review. The chief of police may object to renewal of the applicant's license based on the applicant's criminal history and shall object to renewal of the license if, within the most recent license period, the applicant has been convicted of 3 or more moving violations, as defined in s. 343.01(2)(cg), Wis. Stats., arising out of separate incidents or occurrences. If the chief of police indicates that the applicant still meets the licensing qualifications, the city clerk shall issue the license unless a written objection to renewal of the license has been filed with the city clerk in accordance with the provisions of s. 85-3-3. If a written objection is filed, or if a determination by the city clerk or a designee of the city clerk is made that the applicant no longer meets the licensing qualifications, the application shall be forwarded to the licensing committee for its recommendation to the common council.

b. If there is a possibility that the committee will not recommend renewal of a permit, the procedures for notice, hearing and review by the common council provided in sub. 12 shall apply.

c. An applicant who has held a public passenger vehicle driver's license in the past 12 months shall be required to file a renewal application. If more than 12 months have elapsed since the date of license expiration, the applicant may file either a new application or a renewal application, except that any application filed after the expiration date of the license period following

the license period for which the license was issued shall be considered a new license application and is subject to the requirements for an original license provided in sub. 2.

12. PROCEDURES FOR NON-RENEWAL, SUSPENSION OR REVOCATION.

a. Any license issued under this section may be subject to non-renewal, suspension or revocation for cause by the common council after notice to the licensee and a hearing and may be subject to the additional requirements for license issuance under s. 100-56.

b. Non-renewal, suspension or revocation proceedings may be instituted by the licensing committee upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police or upon a sworn written complaint filed with the city clerk by any interested party.

c. Due Process Hearing and Review by the Common Council. If there is a possibility that the licensing committee will not recommend renewal of the license, or when revocation or suspension proceedings are initiated, the procedures for notice and committee hearing and for the committee report, recommendations and common council consideration provided in ss. 85-3 to 85-5 shall apply.

d. Grounds for Non-renewal, Suspension or Revocation. The recommendation of the committee regarding the licensee shall be based on evidence presented at the hearing. Probative evidence concerning non-renewal or revocation may include evidence of:

d-1. Failure of the licensee to meet the municipal qualifications.

d-2. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense by the licensee, the circumstances of which substantially relate to the circumstances of the licensed activity.

d-3. Violations of any rules or regulations of this chapter.

d-4. Any other factor or factors which reasonably relate to public health, safety and welfare.

13. DISQUALIFICATION. Whenever any application is denied, or license not renewed, revoked or surrendered, the procedures for disqualification for license provided in s. 85-13 shall apply.

14. REQUEST TO SURRENDER A LICENSE. See s. 85-17 for provisions relating to the surrender of licenses and the return of surrendered licenses.

100-56. Additional Requirements for License Issuance. For an application subject to common council review and approval under this subchapter, the common council may direct, if circumstances warrant based on evidence presented at the licensing committee, that the city clerk withhold issuance of a license until the applicant provides the city clerk with documentation indicating the applicant has successfully completed any of the following additional requirements:

1. DEFENSIVE DRIVING AND SAFETY COURSE. A driver of a motorized public passenger vehicle may be directed under this section to successfully complete a defensive driving and safety course approved by the police department.

2. KNOWLEDGE OF CITY GEOGRAPHY AND REGULATIONS TEST. A driver of a motorized public passenger vehicle may be directed under this section to pass a test established and administered by the city clerk concerning knowledge of city streets, major buildings, facilities and city regulations regarding public passenger vehicles. Alternate tests shall be available for those applicants who possess limited ability to read the English language.

3. DRIVER TRAINING COURSE. A driver of a motorized public passenger vehicle may be directed under this section to successfully complete a driver training course offered by the Taxicab, Limousine and Paratransit Association or its equivalent upon approval by the chief of police.

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**SUBCHAPTER 4
OPERATING REGULATIONS**

100-58. Purpose. The purpose of this subchapter is to regulate the operation of the various kinds of public passenger vehicles permitted by the city.

100-59. Operating Regulations for all Public Passenger Vehicles.

1. LICENSE TO BE EXHIBITED. a. A driver while operating a public passenger vehicle shall display in a conspicuous location clearly visible to passengers at all times and illuminated at night the license issued under subch. 3. Except for a taxicab driver, the license may be carried on the person of the driver when operating a public passenger vehicle, in lieu of the display requirements under this paragraph.

b. Whenever a licensee's state of Wisconsin motor vehicle driver's license is cancelled, expired, revoked or suspended, the public passenger vehicle driver's license issued under this chapter to the licensee shall be automatically suspended and returned to the city clerk within 10 working days following the date on which the motor vehicle driver's license was cancelled, revoked or suspended. The public passenger vehicle driver's license will be reinstated upon presentation of documentation evidencing the possession of a valid state of Wisconsin motor vehicle driver's license excluding occupational licenses.

2. DRIVER NAME AND RECEIPT.

a. No driver of a public passenger vehicle may refuse to give to a person requesting the information his or her name or license number, the vehicle owner's name, or the address of the vehicle owner's place of business.

b. If requested by the passenger, the driver in charge of a vehicle shall deliver to the person paying for the hiring a receipt in legible writing containing, at a minimum, the name of the service, the city permit number, the driver's city license number, the total amount paid and the date of payment.

3. FAILURE TO PAY FARE. a. No person shall neglect or refuse to pay for the service of any licensed vehicle with the intention of defrauding the driver of the vehicle, provided the rates charged by the vehicle are in conformity with this chapter.

b. Every driver of a vehicle shall have the right to demand payment of the legal fare in advance and may refuse employment unless so

prepaid, but no driver shall otherwise refuse or neglect to convey any orderly person upon request within the area bounded by Lake Michigan on the east and 22000 block west on the west, 12000 block north on the north and the 11100 block south on the south unless previously engaged or unable to do so.

4. HOURS OF DRIVERS. No person may require any other person driving a public passenger vehicle upon the public streets to work more than 12 hours in every 24 hours. Such 12 hours shall be split by an intermission of one to 4 hours off duty. Every driver shall have at least 24 consecutive hours off each week.

5. LOST ARTICLES LEFT IN VEHICLES. Whenever an article is left in or on a public passenger vehicle, the driver shall deliver the article to the property bureau at police headquarters or to the office of the vehicle dispatcher, unless the driver shall have returned the article to its owner or disposed of the article in a manner directed by its owner within 48 hours of the discovery of the article. Property not reclaimed by the owner from the dispatcher's office within 48 hours shall be delivered to the property bureau of police headquarters.

6. MAP OR STREET GUIDE. Every public passenger vehicle driver shall cause to be maintained in the vehicle he or she is driving for public hire, or upon his or her person, a Milwaukee area map or street guide.

7. MISINFORMING, MISLEADING PERSONS PROHIBITED. No owner or driver of a public passenger vehicle, or agent of an owner or driver of a public passenger vehicle, shall induce a person to ride in or hire the vehicle by misinforming or misleading the person as to the time or place of the arrival or departure of a bus, airline flight, passenger train or other public transportation, or as to the location of a transportation terminal, business, public place or private residence.

8. MISREPRESENTATION AND FALSE VOUCHERS PROHIBITED. a. No owner or driver of a public passenger vehicle or agent of an owner or driver of a public passenger vehicle shall induce a person to ride in or hire the vehicle by falsely representing the vehicle as being in the employment of another person. No owner or driver of a public passenger vehicle shall deceive a person as to the value of a ticket or voucher or make a false statement concerning a voucher or ticket which may be shown to him or her.

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b. No driver or owner of a public passenger vehicle or agent of a driver or owner of a public passenger vehicle shall submit for payment a fare voucher for an amount in excess of the rates of fare established in this chapter as applicable to the trip for which the voucher was written.

9. PROHIBITED ACTIVITIES. The following activities are prohibited:

a. Permitting a nonpaying passenger or driver's pet in a vehicle when transporting a fare-paying passenger, except for the purpose of driver training. The potential passenger shall be informed of this training and offered an alternative vehicle.

b. The directing, taking or transportation, or offering to direct, take, or transport any person for immoral purposes, or assisting by any means whatsoever any person for such purposes, to seek or to find any prostitute or other person engaged in immoral practices, or any brothel, or bawdy house, or any other place of ill fame whatsoever, with knowledge or reasonable cause to know of the character of the person, house or place is prohibited.

c. Knowingly receiving any person for purposes of lewdness, assignation or prostitution, into or upon any vehicle, conveyance, or other means of transportation, or permitting any person to remain for purposes of lewdness, assignation or prostitution, in or upon any vehicle, conveyance, or other means of transportation.

d. Knowingly receiving and transporting any goods or substances which are contraband or illegal or otherwise restricted as to delivery or use.

e. Using while on duty alcohol, a controlled substance, a controlled substance analog or a combination thereof, or driving or operating a vehicle while intoxicated or under the influence of alcohol, a controlled substance, a controlled substance analog or a combination thereof, or under the influence of any drug which renders the person incapable of safely driving.

10. SEATING CAPACITY OF VEHICLES. No driver shall carry more adult passengers than the designed capacity of the vehicle, and no more children, except children under 5 years of age carried in the arms of an adult, than can be seated comfortably on the seats. In no event shall more than 2 persons in addition to the driver be permitted in the front seat of the vehicle.

11. SOLICITATION; DRIVER TO REMAIN WITH VEHICLE. No person shall solicit passengers at a designated vehicle stand unless the driver is sitting in the driver's seat of the vehicle. Drivers of vehicles shall remain on driver's seat or inside of the vehicle except to use a restroom, receive telephone calls or to assist passengers, in and out of the vehicle, and they are not to be absent more than 15 minutes at a time.

12. STOPPING OF VEHICLES IN VARIOUS RESTRICTED PARKING ZONES. Permittees may stop in the following restricted parking zones to engage and disengage passengers and their baggage: in a loading zone; in an alley in a business district; within 10 feet of a fire hydrant, unless a greater distance is indicated by an official traffic sign; within 4 feet of the entrance to an alley of a private road or driveway; closer than 15 feet to the near limits of a crosswalk upon any portion of a highway where, and at the time when parking is prohibited, limited or restricted by official traffic signs. All such business shall be performed without any unnecessary delay.

13. TRIP RECORDS. Prior to starting any shift, every driver shall fill in on the trip record his or her name, the shift date and start time, and the vehicle permit number. Every driver shall complete in real time on a daily basis trip records, approved by the police department as to format, which shall show the date, time and place each passenger was picked up and the date, time and place each passenger was discharged. The permittee shall retain trip records for at least 90 days, and the original records shall be readily available for inspection upon request by the police department.

14. DAILY SAFETY CHECKLIST.

a. Every public passenger vehicle driver prior to the beginning of each shift shall inspect the vehicle to make sure that all equipment on the vehicle is operable and in good working condition and that the vehicle is maintained in a reasonably clean condition on the inside and outside.

b. Every public passenger vehicle driver shall keep in the vehicle a daily safety checklist ensuring that the items listed in par. c have been inspected and are in good working order and by the public passenger vehicle permit holder properly placed in or on the vehicle. The checklist shall be kept for at least 14 days by the public passenger vehicle permit holder and be readily available for inspection upon request by the police department.

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c. The daily safety checklist shall include the following items:

- c-1. Meter seal.
- c-2. Rate/complaint placard.
- c-3. Clean interior/exterior.
- c-4. Seat belts.
- c-5. Horn.
- c-6. Spare tire (inflated).
- c-7. Heater/defroster/air conditioner.
- c-8. Windshield (in compliance with s. Trans 305.34, Wis. Adm. Code, as amended).
- c-9. Windshield wipers/blades.
- c-10. Head lamps/tail, turn, brake, hazard lights.
- c-11. Tires.
- c-12. Wheels/rims.
- c-13. Body of vehicle.
- c-14. Upholstery.

15. SERVICE TO DISABLED PASSENGERS. No owner or driver of a public passenger vehicle or agent of an owner or driver of a public passenger vehicle shall decline service to those passengers who are disabled or those with service animals or wheelchairs.

100-60. Additional Operating Regulations.

1. METER FARE TAXICABS. a. Taxi Stand Use. a-1. No taxicab standing at the head of a taxi stand line shall refuse to carry any orderly person applying for a taxicab who agrees to pay the proper fare, but this shall not prevent any person from selecting any taxicab he or she may desire on the stand whether it be at the head of the line or not.

a-2. As the taxicabs leave the line with passengers, those behind shall move up, and any taxicab seeking a place on the stand shall approach the same only from the rear of the stand and shall stop as near as possible to the last taxicab already on the line. No taxicab shall stand within 5 feet of any crosswalk.

b. Radio Service Prohibited. b-1. No person may provide radio service to any unlicensed taxicab or taxicab whose license has been suspended or revoked.

b-2. Penalty. Any person violating subd. 1 shall be subject to the penalty provided in s. 100-62-2.

c. Double Loading. Double loading is prohibited unless expressly authorized by the first passenger. No driver may plant, or permit to be planted, any person for the purpose of assuming the role of a first passenger to attempt to evade

the provisions of this paragraph. Any person consenting to act as a plant for the purpose of falsely assuming the role of a first passenger shall be considered with the driver to be violating this paragraph.

d. Maximum Period. A driver of a taxicab shall respond to a service request within 30 minutes upon receiving the request.

2. HORSE AND SURREY LIVERY.

a. Hours of Operation. Unless otherwise authorized by the chief of police, no horse and surrey livery service shall be conducted between 7 a.m. and 9 a.m. and 3 p.m. and 6 p.m. on weekdays, except during the months of November, December, January and February, when no horse and surrey livery service shall be conducted between 7 a.m. and 9 a.m. and 3 p.m. and 6:30 p.m. on weekdays.

b. Sanitation. No driver of a horse and surrey livery may permit urine or fecal matter of such animal to remain on any street, alley, gutter, sidewalk, lawn, field or any public or private property as set forth in ss. 79-11 and 79-12, and it shall be solely the responsibility of the driver of the animal to immediately remove all fecal matter by shovel or like instrument, and dilute and flush the urine.

c. Maximum Number of Passengers. No horse and surrey shall carry more passengers than can be seated comfortably on the seats without exceeding the seating capacity of the surrey as posted pursuant to s.100-51.5-5-e-1, except up to 2 children under 5 years of age who each shall be carried in the arms of separate persons 18 years of age or older.

d. Riding with Driver Prohibited. The driver of any horse and surrey livery shall not permit any passenger to sit alongside the driver while the driver is engaged in the operation of the horse and surrey livery.

e. Operation on Certain Streets Restricted. No horse and surrey livery shall be operated on East State Street, West State Street, East Wells Street or West Wells Street for more than one block length at a time. Whenever a horse and surrey livery operates for one block on one of the specified streets, it shall then turn onto an intersecting street.

f. Horse and Surrey Stands. Livery services shall stop, stand or park only at stands approved for that purpose pursuant to s.101-23-9.

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g. Serious Injury. g-1. Whenever a horse and surrey animal is injured in an accident so severely that the police department believes euthanasia may be necessary, the police department shall immediately contact the horse and surrey livery permittee, inform the permittee of the situation and, in consultation with the permittee, determine whether euthanasia is required.

g-2. If the police department and the permittee agree that euthanasia is required and determine that the licensed veterinarian on call is able to come to the accident site in a period of time that will not prolong excessive suffering by the animal, the permittee shall immediately summon the veterinarian to the accident site. Euthanasia shall then be permitted only when both of the following conditions are met:

g-2-a. The euthanasia is performed by a veterinarian licensed by the state of Wisconsin who concurs with the determination of the police department and the permittee that euthanasia is necessary.

g-2-b. The euthanasia is administered by painless lethal injection.

g-3. The police department may euthanize a horse and surrey animal with close range gunfire directed at the animal's brain under any of the following circumstances:

g-3-a. The police department and the permittee agree that euthanasia is required but determine that the veterinarian cannot come to the accident site in a period of time that will not prolong excessive suffering by the animal.

g-3-b. The police department is unable to make contact with the permittee, and the police department determines that, in order to prevent excessive suffering by the animal, the animal must be euthanized immediately.

g-3-c. The police department determines that the animal poses an immediate and serious threat to public safety.

3. SHUTTLE VEHICLES. a. Each person holding a permit for a shuttle vehicle operating on a fixed route and schedule shall post a current route schedule in the vehicle and submit a copy to the city clerk.

b. No shuttle vehicle operating on a fixed route and schedule may deviate from the route filed with the city clerk, without the person holding a permit for the shuttle vehicle having first filed an amended route and schedule form with the city clerk's office at least 48 hours prior to the change in route and schedule.

4. LIMOUSINE REGULATIONS. In addition to all other applicable provisions of this chapter, operation of limousines shall comply with the following:

a. Purpose. The purpose of this subsection is to promote a high standard of appearance for limousine service based upon the common expectation of parties contracting limousine services for business meetings and formal events.

b. Uniform. All limousine chauffeurs shall be uniformed in business attire.

c. Vehicle Type and Appearance. The party contracting for a limousine on a prereserved basis shall be advised of the make, model and year of the vehicle and of any custom nonproduction features or unique energy conservation features of the vehicle. No vehicle shall be provided that is of a different make, model, year or custom features, or an equivalent vehicle, from that agreed to by the contracting party prior to passenger pickup.

5. PEDICABS. a. No person may operate on a highway during hours of darkness any pedicab unless the pedicab is equipped with at least 2 lighted lamps or lanterns exhibiting a white light visible from a distance of 500 feet ahead and 2 lighted lamps or lanterns exhibiting a red light visible from a distance of 500 feet to the rear. As an alternative to the red lamps or lanterns, 2 red reflectors may be displayed on the rear of the pedicab if the following standards are met:

a-1. Each reflector is mounted at a height not less than 16 inches nor more than 60 inches above the ground on which the pedicab stands. If the pedicab is more than 80 inches wide, the reflectors shall be mounted so as to indicate as nearly as possible the extreme width of the vehicle.

a-2. Each reflector is of such size and characteristics and so maintained as to be readily visible during the hours of darkness from all distances within 500 feet to 50 feet from the pedicab when directly in front of lawful upper beams of headlamps.

a-3. The pedicab is equipped with a flashing lighted lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear.

b. No person may operate on a highway, day or night, any pedicab unless there is displayed on the most practicable rear area of the pedicab a slow moving vehicle emblem consistent with the provisions of s. 347.245(2), Wis. Stats.

100-62. Penalty. 1. Any person who violates any provision of this chapter shall, where no other provisions are expressly made for the enforcement of any forfeitures or penalties under this chapter, upon conviction forfeit not less than \$50 nor more than \$750 together with the costs of prosecution, or in default of payment may be imprisoned as provided by law.

2. Any person who violates s. 100-50-1 or 100-60-1-b-1 shall upon conviction be subject to the following forfeitures together with the costs of prosecution, and, in default of payment may be imprisoned as provided by law:

a. A forfeiture not less than \$1,500 nor more than \$2,500 if the person has not committed a previous violation within 24 months of the violation.

b. A forfeiture not less than \$2,500 nor more than \$4,000 if the person has committed a previous violation within 24 months of the violation.

c. A forfeiture not less than \$4,000 nor more than \$5,000 if the person has committed 2 or more previous violations within 24 months of the violation.

3. Any person who violates s. 100-54-1 shall upon conviction forfeit not less than \$500 nor more than \$1,000 together with the costs of prosecution, or in default of payment may be imprisoned as provided by law.

4. Multiple violations for the same offense, though occurring on the same date, may be treated as separate violations under this section.

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**SUBCHAPTER 5
PROVISIONAL LICENSES AND PERMITS**

100-70. Provisional Licenses and Permits.

1. **AUTHORITY.** a. A provisional public passenger vehicle driver's license shall authorize the license holder to perform those activities permitted a person holding a regular public passenger vehicle driver's license issued under s. 100-54.

b. A provisional public passenger vehicle permit shall authorize the holder to perform those activities permitted a person holding a regular public passenger vehicle permit issued under s. 100-50.

3. **ELIGIBILITY.** Any person who has properly filed with the city clerk a completed application and the required application fee for a regular public passenger vehicle driver's license or permit may apply for a provisional license or permit issued under this subchapter, unless the applicant is subject to the disqualification provisions provided under s. 85-13.

5. **ISSUANCE.** a. Application for a provisional license or permit shall be filed with the city clerk in writing on forms provided. Upon application, the city clerk shall issue a provisional license or permit to an applicant if the applicant has first filed with the city clerk all of the following items:

a-1. A completed application and the required application fee for a regular public passenger vehicle driver's license or permit.

a-2. Evidence of possessing a valid motor vehicle driver's license, excluding occupational licenses, issued by the state of Wisconsin. This requirement shall apply to a person applying solely for a provisional permit.

a-3. A statement affirming that within 2 years of the date of application that all of the following are true:

a-3-a. The applicant has not been convicted of any felony or misdemeanor offense related to a violent offense.

a-3-b. The applicant has not been convicted of 3 or more moving violations, as defined in s. 343.01(2)(cg), Wis. Stats., arising out of separate incidents or occurrences.

a-3-c. The applicant has not been convicted of any offense related to operating a motor vehicle while intoxicated.

a-4. A statement affirming the applicant's understanding that providing false, misleading or fraudulent information or a false affidavit on any application required under this subchapter shall be subject to the penalties provided in s. 85-34.

a-5. A statement attesting that there are no open warrants for the arrest of the applicant, that the applicant has no unpaid fines or forfeitures due the city, and that the applicant is not on probation or parole.

a-6. If the application is for a provisional public passenger vehicle driver's license and the applicant seeks to drive a handicapped and elderly vehicle, documentation that the applicant has completed a passenger assistance training course.

b. Any person filing an application for a provisional public passenger vehicle permit shall, in addition to the requirements under par. a, file with the city clerk all of the following items:

b-1. The current state registration of each motor vehicle naming the applicant as title holder.

b-2. Evidence of financial responsibility as required under s. 100-53, issued to and covering the applicant.

6. **FEE.** No provisional public passenger vehicle license or permit shall be issued until the applicant submits to the city clerk, in addition to the required application fee for a regular license or permit, the fee for a provisional license or permit specified in ch. 81.

7. **EXPIRATION DATE.** A provisional license or permit shall expire 60 days after the date of issuance by the city clerk or upon issuance, denial, non-renewal, or suspension of the regular license or permit, whichever is sooner, and shall not be renewable.

9. **REVOCACTION.** The city clerk may revoke a provisional license without further common council action if he or she determines that the applicant provided false information on the license application or upon denial by the common council of the holder's application for a regular license or permit.

"For legislative history of chapter 100, contact the Legislative Reference Bureau."

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