

ORDINANCE NO. 82421

An Ordinance amending Ordinance No. 76398 (License Code) by amending article 63 concerning motor vehicles for-hire so as to revise, clarify, and bring it to date, and providing effective dates.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that Article 63 of the License Code (Ordinance No. 76398) should be revised, clarified and brought to date; now, therefore, Article 63 of Ordinance No. 76398 (License Code) is hereby amended to read as follows:

Article 63. Motor Vehicles for hire:

Section 20-6301. FEES. License fees for the vehicles herein named shall be as follows (subject to the provision of the War Code):

- (a) Taxicabs, for each vehicle, quarterly \$10.00

Failure to make payment in advance shall render a license void. No license shall be issued for a period of less than a full quarter, except that when an application is made after the payment date for each quarter, the applicant shall be charged a proportionate rate for the remainder of such quarter and such rate shall be not less than \$5.00 in any event.

- (b) For-hire vehicles for each vehicle, quarterly \$10.00

Each for-hire vehicle with a seating capacity in excess of five passengers shall pay in addition to such fee of \$10.00 per quarter, a fee of fifty cents per quarter for each passenger seat in excess of five. Failure to pay the license fee in advance shall render the license void. No license shall be issued for a period of less than a quarter, excepting that when application is made after the payment date for such quarter, the applicant shall be charged a proportionate rate for the remainder of such quarter, and

3. The number of the state license of such motor vehicle for the current year.
 4. A blank space for the signature of the licensed owner of the motor vehicle, which shall be signed by such licensed owner immediately after the receipt of such numbered license registration card, and placed by said licensed owner in each motor vehicle rented, hired out or permitted to be used in said business, securely fastened in plain sight within the driver's compartment of the motor vehicle. In the event of the loss or destruction of said numbered license registration card the bureau of licenses, upon being satisfied that said numbered license registration card has been lost or destroyed, may issue a duplicate registration card upon payment of a fee of twenty-five cents.
- (g) Any person operating a mortuary shall be exempt from inclusion in this article for two automobiles owned by said person and used for transporting pallbearers and mourners. Any automobile so exempt shall have the sign or nameplate of the mortuary displayed thereon. Street cars and other vehicles operating under a franchise or Council permit in lieu of franchise are not included in this article.

Section 20-6302. DEFINITIONS.

- (a) Taxicab and Taximeter. The term "taxicab" as used in this article shall mean and include every motor vehicle having a seating capacity of five passengers or less, as per manufacturer's rating, except cars for rent without drivers, used for the transportation of the passengers for hire within the corporate limits of the City of Portland and

such rate shall be not less than \$5.00 in any event.

- (c) Sight-seeing or limousine busses, for each vehicle, quarterly \$10.00

Each sight-seeing or limousine bus with a seating capacity in excess of five passengers shall pay in addition to such fee of \$10.00 per quarter, a fee of fifty cents per quarter for each passenger seat in excess of five. Failure to pay the license fee in advance shall render the license void. No license shall be issued for a period of less than a full quarter, excepting that when application is made after the payment date for such quarter the applicant shall be charged a proportionate rate for the remainder of such quarter, and such rate shall be not less than \$5.00 in any event.

- (d) Drive-yourself vehicles, for each vehicle, annually \$ 6.00

Said fee shall be paid in advance, and no license shall be issued for less than the full annual rate.

- (e) No license shall be issued for any vehicle covered by this article unless the applicant shall first have obtained a permit to engage in said business as described elsewhere in this article.
- (f) When a license is issued the bureau of licenses shall furnish to the applicant a numbered license registration card for each vehicle rented, hired out or permitted to be used, which numbered registration card shall contain on the face thereof the following data:
1. The name of the registered owner of the motor vehicle.
 2. The owner's business address.

a three mile radius beyond said limits, not operated exclusively over a fixed and defined route, but used for transportation of passengers to a specified destination by the shortest and most direct route, for which a charge is made according to taximeter reading. Taxicabs shall be equipped with a taximeter which shall be an instrument or device by which the charge for transportation by a passenger-carrying vehicle is mechanically measured or calculated, either for the distance traveled by such vehicle, or for waiting time, or for both, and upon which such charges shall be indicated by means of figures.

- (b) For-Hire Car. The term "for-hire car" as used in this article shall mean and include every motor vehicle, except taxicabs, sight-seeing and limousine busses and drive-yourself vehicles, as otherwise classified herein, which is offered or engaged in carrying passengers for hire within the corporate limits of the City of Portland and a three mile radius beyond said limits, not operating exclusively over a fixed and defined route, not used for the transportation of passengers for hire to a specified destination by the shortest and most direct route, but rather engaged on a basis of payment for the time consumed in the operation.
- (c) Sight-seeing Busses. The term "sight-seeing bus" shall mean and include every motor vehicle, except vehicles otherwise classified herein, which is offered or engaged in carrying passengers for hire within the corporate limits of the City of Portland and a three mile radius beyond such limits, operating on a route fixed by the operator for sight-seeing or other purpose and for which a fixed charge or flat rate is made.
- (d) Limousine Bus. The term "limousine bus" shall include every motor vehicle used under contract with a person, firm or corporation engaged in a different business, by which contract persons doing business with such person, firm or

corporation are carried to a fixed destination for a flat fee.

- (e) Drive-yourself Vehicle. The term "drive-yourself vehicle" shall mean and include every vehicle rented or hired out to a person other than the owner, for which no chauffeur or driver is furnished, to be used by the person driving the same. This term shall cover the activities referred to as drive-yourself vehicles, drive it yourself, U drive it, drive it yourself system, autos for hire, driverless autos for hire, or any similar term used in the business for hiring out vehicles for the use of a person to whom such vehicles are hired, regardless of whether such renting or hiring be for a short or long period of time, and whether or not the name of the person obtaining such vehicle be upon the vehicle. In the event that the name of the person obtaining the vehicle is placed upon it, the name and address of the person furnishing the vehicle shall be placed on the exterior portion of the body thereof near the front seat in letters not less than two inches in height in contrast with the color of the body, showing that such person is the owner or lessor thereof.
- (f) Motor Vehicles. The term "motor vehicle" as used in this article shall mean and include every vehicle used for public hire, propelled by mechanically produced power and intended for use on streets and highways, except street cars, interurban street cars and motor busses operated under franchise.
- (g) Seating Capacity. The term "seating capacity" as used in this article shall mean the capacity of a vehicle to seat adult persons other than the driver in regular permanent seats without the use of any box, board, or other device of temporary nature, with not more than one person other than the driver in the front seat; provided, however, that permanently built-in jump seats shall be considered regular permanent seats and vehicles having a front seat of 72 or more inches may allow two passengers in the front seat but this shall not be taken to increase the permitted capacity of a taxicab.

Section 20-6303. PERMIT TO ENGAGE IN BUSINESS. The applicant for a license for any motor vehicle covered by this article shall first obtain a permit to engage in the business. Application for such permit shall be made to the commissioner of public utilities on such forms as said commissioner may supply, and such application shall contain the following information: The name of the applicant and his classification as a person, firm or partnership or corporation, the business address of such applicant, the type of transportation for which a permit is sought, a description of the motor vehicle for which a license will be sought if the permit is granted, a brief financial statement showing the assets of the applicant and their types, and the liabilities of the applicant and their types, and the recommendations of three real property owners within the city in writing, signed by such property owners, as to the honesty, integrity and responsibility of the applicant, and such other information as the commissioner of public utilities may require. Such application shall be filed in the office of the commissioner of public utilities. Within thirty days, unless such time is extended by action of the council, after such application is filed, said commissioner shall transmit such application to the council with such recommendation as he may see fit, and thereafter the council may, in its discretion, grant such permit if not found detrimental to the public safety, convenience or welfare. After a permit has been obtained no new permit need be obtained as a prerequisite to subsequent licenses. Such permit shall be nonassignable and shall run to the permittee personally; and shall not be constructed as a franchise or a property right in any particular.

Section 20-6304. APPLICATION FOR AND GRANTING OF LICENSES. Every person desiring to obtain a license for the operation of a vehicle under the provisions of this article, shall file a written application therefor with the bureau of licenses of the city setting forth the name of the person to whom the license is to be issued, the number of vehicles proposed to be operated, the name of the maker and the maker's number of each vehicle, the seating capacity of each vehicle and the number of the state license of each vehicle. Should the state license number of any vehicle be changed during the license period, said change of number shall be immediately reported to the commissioner of public utilities and to the bureau of licenses. When a certificate of inspection and approval shall have been issued the inspector of licenses shall, upon receipt of the license fee or fees herein provided

for each vehicle to be operated under such license, cause a license to be issued to such applicant in accordance with the provisions of this article.

Section 20-6305. BOND OR INSURANCE REQUIRED. Every person engaged in a business covered by this article, shall in addition to complying with such other requirements as may be necessary to obtain a license, deposit with the bureau of licenses for each motor vehicle operated a surety company bond to be filed with the city auditor, in the penal sum of \$1100.00 for each vehicle. Such bond shall be conditioned that the principal or surety on said bond will pay any adjudicated claim within the limitation of liability of the surety, as herein-after provided, within ten days of adjudication or agreement thereon, unless an appeal be taken and perfected within said time, in which case a stay shall apply pending the appeal, on account of injuries to or the death of any person, or damage to the property of any passenger, caused by the careless, negligent, or unlawful act of said principal, his agents or employe, in connection with the operation of the motor vehicle for which the bond is given. The liability of said surety on said surety bond shall not exceed the sum of \$1000 for any personal injury claim, and its liability for property damage shall be limited to passengers and shall not exceed the sum of \$100 arising out of any accident. Payment of bona fide claims of said sum or sums by the principal or surety to any claimant shall relieve the surety of further liability to such claimants. Said surety shall be relieved from further liability under said bond when it has paid bona fide claims totaling \$1000 for personal injury and \$100 for property damage. But in the event of an accident causing a basis for claims to this extent a new bond shall be provided for future business. A blanket bond representing the above amounts for each vehicle covered therein may be given in lieu of a separate bond for each vehicle, provided that such blanket bond identify the vehicle covered.

If the surety company bond covers a drive-yourself vehicle, the bond shall be in the sum of \$1000 to provide for claims for personal injury and need not include the \$100 for damage to the property of any passenger, but shall include \$100 for property damage of others arising out of the operation of the said vehicle. Such bond shall expressly provide for coverage during the time such vehicle is rented out.

In lieu of a bond or bonds as above provided, there may be deposited and kept on file with the bureau of licenses, for each motor vehicle a policy or policies of liability insurance executed by an insurance company licensed and authorized to write such insurance policies in the state of Oregon, assuring the applicant for the license herein referred to against property damage to its passengers and liability for personal injury to its passengers and to the general public, with premium paid and payment noted thereon. Said policy of insurance shall provide a coverage equal to or exceeding the coverage required for a surety bond. Each bond or policy shall contain a provision that it shall not be canceled without prior notice in writing to the city for at least thirty days.

Cash or securities may be deposited with the city treasurer in lieu of a bond or insurance policy as required herein, and on the same terms, permitting the City to pay such claims therefrom.

Section 20-6306. CANCELLATION OF BOND OR INSURANCE POLICY. Within ten days of adjudication of any claim, unless an appeal be taken and perfected, the same shall be paid by the licensed operator, or by the surety or insurance company, or from cash or securities deposited by the licensed operator. On or before the payment by the surety or insurance company, or the payment out of cash or securities deposited by the licensed operator of any sum in payment of an agreed claim or final judgment against the principal or operator, the said principal or operator shall, as a condition of continuing his license in effect, furnish a new surety bond, insurance policy, or additional cash or securities as hereinbefore required, so that he will at all times have on deposit surety bonds or insurance policies or cash and collateral of the amount required by this article. Within one day of such payment by the surety or insurance company, such company shall notify the bureau of licenses thereof, in writing, and failure to give such notice of payment shall operate to continue such surety or insurance contract for its full amount and shall be interpreted as the equivalent of placing a new bond or insurance policy on behalf of said operator, until such notice is actually given. Said surety bond, insurance policy, or cash or securities shall run to the city of Portland for the use and benefit of any person who may recover

any such judgment, or whose claim shall have been agreed to in writing by said surety or insurance company, or licensee if cash or securities have been deposited. If the said bond or insurance policy is canceled for any other reason, the surety or insurance company shall notify the bureau of licenses in writing thirty days in advance of such proposed cancellation, and cancellation shall be ineffective before the expiration of such thirty days.

Section 20-6307. CANCELLATION OF LICENSE.

When any license shall be canceled by the council there shall be refunded to the licensee the unearned portion of the license fee paid. Licenses shall be canceled for any of the reasons set out in Section 20-203 of this code.

Section 20-6308. VEHICLE EXAMINATION.

All vehicles, falling under the provisions of this article shall be examined under the direction of the chief of police whenever found necessary for public safety and as provided in Section 19-2007 of the traffic code. The person or persons making such examination or re-examination of any such vehicle shall, if he find that the steering gear, brakes, safety devices or any other part or parts of said vehicle is in such condition as to be dangerous, place or cause to be placed on such vehicle a tag on which shall be printed or embossed the words "Out of Repair" in letters at least one inch in height, and stating the part or parts to be repaired or replaced. Such tag shall be attached securely to the vehicles in a conspicuous place by wire, the ends of which shall be twisted together and sealed; or by any other device which may be properly sealed to prevent removal. It shall be unlawful for any person other than the officer thereunto duly authorized by the chief of police to remove such tag, and such tag shall not be removed until such person shall find that the necessary repair and/or replacement has been made so that said vehicle is rendered safe. It shall be unlawful for any driver, chauffeur or other person to drive such vehicle for carrying any passenger or passengers within the territory falling within the jurisdiction of the city of Portland while such tag is attached thereto. If and when such vehicle shall have been withdrawn from said service the owner thereof may obtain a removal of such tag upon showing to such officer that such vehicle has been withdrawn and so altered as not to be useful for said service. It shall be unlawful for the owner or person in control of such vehicle to return it to said service

without notifying said bureau and obtaining a re-inspection and approval, and it shall be unlawful for any person to drive or cause such vehicle to be driven in said service if said tag has not been removed.

Section 20-6309. CERTIFICATE OF INSPECTION, ETC. No license required by this article shall be issued except upon a certificate of inspection and approval as above provided, and such license shall be in accordance with such certificate and with the terms of this article.

Section 20-6310. CONTENTS OF CERTIFICATE. All certificates issued as above provided shall set forth the name of the person to whom the license is to be issued, the number of vehicles proposed to be operated, the maker and the maker's number of each vehicle, the seating capacity and the number of the state license of each vehicle to be operated by such licensee.

Section 20-6311. DRIVERS TO OBTAIN PERMIT: PROVISIONS THEREFOR. It shall be unlawful for any person to drive a taxicab, for-hire car, sight-seeing or limousine bus within the city of Portland and a three mile radius from the city limits without first obtaining a driver's permit therefor from the chief of police who is authorized to designate one or more persons to examine such driver. The person applying for such permit shall make and sign a written application of a size and form to be provided by such examiner or inspector, and shall give such information as thereon required, whereupon the examiner or inspector shall give the applicant a written and/or practical examination concerning his knowledge of the traffic laws and rules, the streets, and location of public buildings and places in this city, and his ability to drive safely and readily to understand traffic signs and controls. If the inspector approve the examination he shall assign to the applicant a number, whereupon the applicant shall pay a fee of twenty-five cents and present himself to the record division of said bureau which shall take his photograph on which shall be entered the number assigned by the inspector and the name of the applicant; thereupon the inspector shall issue the permit. The photograph shall be kept on record in the record division for identification purposes. The inspector shall issue permits only to drivers whom he finds competent and of good character. In case of a

denial of the application the inspector shall immediately give written notice to the applicant of such denial and of the applicant's rights of appeal to the council and the time within which such appeal may be taken, and shall send a copy thereof to the city auditor. Any person aggrieved by the decision of the inspector may appeal to the council by filing with the city auditor within five days after such decision a written notice of appeal and delivering to the inspector a copy thereof, whereupon the auditor shall forthwith place such appeal on the calendar of the council to be heard in the regular course of council business at a time to be fixed by the auditor who shall send to the applicant and to the inspector written notice of the time when such appeal will be heard. It shall be the duty of said inspector to be present at such hearing, state the reasons why such permit was denied and present to the council such evidence and argument as may tend to support such denial. The appellant shall have the right to appear personally and by counsel if desired, and present such facts and other argument as may tend to support his appeal. The action of the council upon the appeal shall be final. All permits issued to drivers under this article shall expire on December 31st of each year and must be renewed for the following year. A new examination, photographing and the fee may be omitted in the discretion of the inspector after the first examination if no complaint shall have been made against such driver. Said inspector shall keep a record of complaints against any driver concerning his ability and care or lack thereof, and concerning his fair treatment of passengers or lack of fair treatment. It shall be unlawful for any owner of a motor vehicle as defined herein, except a drive-yourself vehicle, to cause or permit the same to be operated on any street within the city of Portland or within a three mile radius from the city limits by any person who does not have a permit as herein provided. It shall be unlawful for any person to drive such motor vehicle on any street in the city of Portland without having a card posted in a conspicuous place inside said vehicle stating the driver's permit number in figures at least one and one half inches high and three-quarter inch wide, and the driver then in charge of the vehicle shall not permit any other card referring to any other driver to be posted at any time.

Section 20-6312. STAND OR ZONE PERMITS
REQUIRED. No taxicab, for-hire car, sight-seeing
or limousine bus, shall be licensed by the bureau

of licenses unless the applicant shall first have obtained from the department of public utilities a zone permit as provided in article 17 of the traffic code, if such applicant expects to use street area for taking on passengers or parking while not engaged in service; provided, that a renewal license may be obtained without a new permit for a stand if a permit theretofore obtained remains effective. The stand (or zone) permit when first obtained shall be presented to the city treasurer by the applicant who shall authorize the city treasurer to credit the deposit theretofore made for a stand permit to the payment of the stand fee. The evidence of such payment shall be submitted to the bureau of licenses and proper credit given therefor on the stand or zone fee.

Section 20-6313. TRANSFER AND FEE (see also Article 36 of War Code). When vehicles are owned by the same permittee, the bureau of licenses shall, only upon recommendation of the commissioner of public utilities, allow a transfer of license issued under the provisions of this article from one vehicle to another. When a change of ownership is being made, the commissioner of public utilities shall, upon being satisfied that the change of ownership is bona fide, approve the transfer of the license and any stand permit covering such vehicle to such new owner, provided that such new owner has been granted a permit to engage in the class of business in which such vehicle is to be used, and the number of vehicles authorized in such permit will not be exceeded by such transfer. The said commissioner shall file with the bureau of licenses a written notice of such approval. A fee of \$1.00 shall be collected for all transfers as herein authorized.

Section 20-6314. APPEAL. Any person aggrieved by any action of the commissioner of the department of public utilities may appeal to the council by serving upon said commissioner a written notice of appeal and filing a duplicate thereof with the auditor within five days after such action. Thereupon the auditor shall place such appeal upon the calendar of the council to be heard in the regular course of business of the council, and notify the appellant and said commissioner of the time of hearing.

Section 20-6315. REVOCATION OF DRIVER'S PERMIT. The chief of police shall have the authority on proper showing by the inspector to revoke a driver's permit issued under this article when he finds that such driver fails to comply with any of the traffic regulations of the city of Portland or state of Oregon, or is unskilled in handling such vehicle or fails to exercise good judgment or fails to treat the public courteously, honestly and efficiently, or if such driver fails upon notice from said inspector to present himself and submit to a new examination

concerning any or all of said matters. If any driver shall drive such vehicle while under the influence of intoxicating liquor or under the influence of narcotics, his driver's permit shall be revoked and he shall not be granted another driver's permit by the city for a period of at least one year from and after the date of such revocation. Any driver having his permit revoked as herein provided shall have a right of appeal to the council of the city of Portland provided that such appeal be taken in the time and manner provided by section 20-6311 hereof, and the proceedings and the effect of action by the council thereon shall be as provided in said section. Pending the appeal and decision thereon by the council the permit shall stand in suspension and no driving shall be done by the driver nor any new permit issued to him. In case of revocation of a permit no new permit shall be issued to such driver for a period of one year from the date of revocation. The hearing on all appeals hereunder shall be de novo.

Section 20-6316. REVOCATION OF PERMIT TO ENGAGE IN BUSINESS OR OF LICENSE. Whenever any driver is convicted of any violation of the provisions of this article, or any owner to whom a permit to engage in the business of transporting passengers for-hire has been granted, or any of the officers, agents or employes of such owner, is convicted of any violation of this article, the council may revoke any license or permit issued either to the offending owner or to any offending driver. If the owner of any such vehicle shall knowingly permit any driver whose driver's permit has been revoked or suspended to operate any such vehicle within the city limits and a three mile radius therefrom, the council may revoke the owner's permit to engage in business. Notice and hearing in accordance with the procedure set forth in Section 20-204 of this code shall precede any revocation under this section.

Section 20-6317. CONDUCT OF DRIVERS. No driver shall operate any taxicab, for-hire car, sight-seeing or limousine bus in a careless or reckless manner, use profane or obscene language, use tobacco in an offensive manner, or smoke without the consent of the passenger.

Section 20-6318. AGE LIMIT FOR DRIVERS. It shall be unlawful for any licensee under this article to permit any person under the age of 21 years to drive any taxicab, for-hire vehicle, sight-seeing, or limousine bus owned or controlled by him within the city of Portland and a three mile radius from the city limits thereof.

Section 20-6319. REPORT OF LOST ARTICLES. The driver of any vehicle, covered by this article or the owner, or his agent, shall promptly notify the central police station within twenty-four hours of any and all property of value left in his vehicle by any passenger. A record of such notices shall be made by the bureau of police.

Section 20-6320. NUMBER OF TAXICAB LICENSES AUTHORIZED. The number of taxicabs authorized to operate in the city of Portland and a three mile radius therefrom and for which licenses may be issued shall be based upon the population of the city and the area within the three mile radius, being determined in the ratio of one taxicab to each 1800 inhabitants reported in the preceding United States government census. It shall be conclusively presumed that the population of the area within the three mile radius and outside the city limits is 50,000, and that on January 1, 1946, the population within the city of Portland is 50,000 greater than the 1940 census figures, for the purpose of computing such number of taxicabs. The council may, upon written application therefor, grant any person, firm or corporation additional licenses for taxicabs on a showing that such additional licenses are necessary for the business, or reasonably in the public interest.

Section 20-6321. NUMBER OF FOR-HIRE CAR LICENSES AUTHORIZED. The number of for-hire cars authorized to operate within the city of Portland and a three mile radius therefrom and for which licenses may be issued shall be based upon the population of the city and the area within the three mile radius, being determined in the ratio of one for-hire car to each 20,000 inhabitants reported in the preceding United States government census. It shall be conclusively presumed that the population of the area within the three mile radius and outside the city limits is 50,000 and that on January 1, 1946, the population within the city of Portland is 50,000 greater than the 1940 census figures, for the purpose of computing such number of for-hire cars. The council may, upon written application therefor, grant any person, firm or corporation additional licenses for for-hire cars on a showing that such additional licenses are necessary for the business, or reasonably in the public interest.

Section 20-6322. TAXICAB TO HAVE TAXIMETER. It shall be unlawful for any person to drive or operate, or engage in the business of operating a

taxicab, unless each of said taxicabs be equipped with a taximeter which has been duly inspected and approved by the sealer of weights and measures.

Section 20-6323. FARE COMPUTED BY TAXIMETER. It shall be unlawful for any person to drive or operate, or engage in the business of operating a taxicab or taxicabs, unless a taximeter is at all times used on each of such taxicabs in determining the fare or rate to be charged and collected, subject to any exceptions contained in the fare structure as set forth in the War Code. It shall be unlawful for any person operating or driving, or engaging in the business of operating, a taxicab or taxicabs, to charge, demand, collect or receive any fare, rate or charge which is not directly based, measured, and computed upon the record of the reading fare of the taximeter used in such taxicab or taxicabs, subject to the exceptions above mentioned.

It shall be unlawful for any person to use or employ any other or different method of computing or measuring distance or time charged than by this article provided. All fares, with the exception of the charge made for extra passengers, shall be computed on the basis of mileage traveled, or time elapsed, or a combination of both, subject to the provisions of the War Code relative to maximum fares.

Section 20-6324. TAXIMETERS TO BE INSPECTED. It shall be the duty of the owner, lessee in possession, or any other person having possession or control of any taxicab at all times to keep such taximeter accurate and have same approved by the sealer of weights and measures before being placed in service. When any such taximeter has been approved by the sealer of weights and measures, his seal or certificate shall be plainly posted on said taximeter for the information of the public. Said sealer of weights and measures shall inspect all taximeters at least once a year, and have the right to inspect them at any and all times.

Section 20-6325. TAXIMETER INSTALLATION AND CHARGES REGULATED. Every taximeter shall be installed at the right side of driver, and at such height that the flag thereof may be readily seen by observers on the street. The reading face of such taximeter shall at all times be well lighted and readily discernible to the passengers riding in the taxicab. It shall be unlawful to change the size of the wheels or tires of any taxicab or the gears operating the said taximeter, or to change the

taximeter from one taxicab to another, unless such taximeter is reinspected and approved by the sealer of weights and measures before using.

Section 20-6326. TAXIMETER FLAG TO BE DISPLAYED. It shall be unlawful for any driver of a taxicab while carrying passengers or under employment to display the flag attached to the taximeter at such a position as to denote such taxicab is not employed, or to throw the flag of the taximeter at a recording position when such vehicle is not actually employed, or to fail to throw the flag of such taximeter at a nonrecording position at the termination of each and every service.

Section 20-6327. VEHICLES TO BE INSPECTED, KEPT CLEAN AND PROPERLY EQUIPPED. All vehicles operating under authority of this article shall be inspected from time to time as provided by Section 19-2803 of the traffic code by the motor bus inspector for the purpose of determining whether the same are clean, properly equipped, of good appearance, and in a safe condition for the transportation of passengers. Said inspector shall, at the time of such inspection, determine for the guidance of the public the classification and capacity of the vehicle inspected. It shall be unlawful for any person to drive or operate, or engage in the business of operating such vehicle unless and until the same has been so inspected and approved. (Also see Section No. 20-6328).

Section 20-6328. DIRECT ROUTE TO BE TRAVELED; FARES NOT CHARGED WHEN VEHICLE DISABLED. Any driver of a taxicab employed to carry passengers to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his destination.

In the event any vehicle described in this article shall, while under employment, become disabled, or break down without fault of the passenger, the time of stoppage shall be deducted from the charge.

Section 20-6329. RECEIPT OF FARE TO BE GIVEN. Whenever so demanded by the passenger, the driver in charge of a taxicab or for-hire car shall deliver to the person paying for the hiring of such vehicle at the time of such payment, a receipt therefor in legible printing or writing,

containing the name of the owner and his address, the name of the driver and his permit number, the taximeter number, if the vehicle be a taxicab, and an account of any and all items for which a charge is made, the total amount paid and the date of payment.

Section 20-6330. REFUSAL TO PAY FARE. It shall be unlawful for any person to refuse to pay the regular fare for a motor vehicle licensed under this article after having hired the same.

Section 20-6331. LIGHT BAGGAGE CONVEYED IN TAXICAB. Every person being served by a vehicle under this article shall be entitled to have conveyed without charge such small valises or other light baggage as can be conveniently carried within the vehicle. He shall be entitled to have a small trunk carried thereon at a charge not to exceed twenty cents. Each driver shall load and unload such baggage without additional charge. Any person canceling a call for a taxicab after the cab has been dispatched in answer thereto shall pay a calling charge of not less than twenty-five cents. If any such vehicle is equipped for carrying heavier and larger articles a reasonable charge for carrying same may be collected.

Section 20-6332. LOAD LIMIT. No driver of any motor vehicle under this article shall carry more than two persons in excess of the ordinary seating capacity for which such vehicle was designed and built. No more than two persons shall be permitted in the seat with the driver, nor more than one unless the seat is 72 inches or more long, but this shall not be taken to increase the permitted capacity of a taxicab, and no person or passenger shall be allowed to be or remain on the steps, or running board of any such motor vehicle while the same is in motion.

Section 20-6333. SCHEDULE OF RATES TO BE FILED. No person shall maintain or operate any for-hire vehicle, sight-seeing or limousine bus within the city of Portland or within a radius of three miles from the city limits without previously having filed with the council a schedule showing the maximum rates proposed to be charged for the service of such vehicle. The rates for for-hire cars shall not exceed \$4.00 per hour with 50 cents per hour extra for each passenger in excess of six, and a minimum fee of \$1.00 shall be charged for any hire or engagement of such for-hire vehicle. The rates for sight-seeing

or limousine busses shall not exceed \$1.25 per passenger for a continuous trip of approximately 1½ hours and the flat rate amount for any regularly scheduled trip shall be shown in such schedule. A duplicate of each such rate schedules shall be filed by the licensee in the office of the commissioner of public affairs. (For taxicab rates see War Code).

Section 20-6334. RATE CARDS TO BE DISPLAYED. The driver or operator of any vehicle under this article operating within the city and a three mile radius therefrom shall post and keep posted a copy or copies of such rates in accordance with the schedule filed with the council in a conspicuous place or places on such vehicle where such rates may be easily read by the passengers from both the inside and the outside of such vehicle. Each copy of such rates shall be headed with the word "Rates" in letters not less than one half inch in length and the text thereof shall be in letters of not less than twelve point type, printed, typed or painted on card board sheets not less than 4 x 6 inches in size. Such rates shall be tabulated so as to be easily read and understood, and no copy of rates shall be posted or used which has not been approved by the council as to the tabulation and schedule thereof. It shall be the duty of the chief of police to see that the tabulation of all rates is in such form as to be easily read and understood.

Section 20-6335. CHANGE IN RATES. No change shall be made in excess of the amount indicated by schedule of rates filed with the council and posted in the vehicle, and no change in such schedule shall be made without first having filed with the council a new schedule showing the new rates. Such new schedule shall be filed with the council and a duplicate thereof filed with the commissioner of public utilities not less than thirty days prior to the date when such new rates are to take effect. Upon approval of a change in rates a rate card in accordance with the new schedule shall be posted as heretofore set forth.

Section 20-6336. CHARGE WHILE EMPTY. All such schedules of rates shall be framed so that no charge shall be made for traveling empty, whether going or returning.

Section 20-6337. FOR-HIRE VEHICLES TO BE EQUIPPED WITH DEVICES. All for-hire vehicles shall be equipped with an accurate timepiece,

odometer, and speedometer. The same shall be so placed as to enable the passenger or passengers easily to read the same. At night the driver shall carry a flashlight or other light, and throw the same upon such instruments so as to enable the passenger or passengers to read the same both at the time of starting and at the time of stopping, except where such vehicle is equipped with an illuminating device which throws a constant light upon such instruments when such vehicle shall be employed after dark. No timepiece, odometer, or speedometer shall be used unless the same has been inspected by the sealer of weights and measures of the city of Portland and found to be accurate. It shall be the duty of the sealer of weights and measures to inspect and test all such instruments which may be presented to him. If found accurate, the sealer of weights and measures shall place thereon his certificate or seal of accuracy, and such certificate or seal shall be so attached as to be easily read by the public. Every timepiece, odometer, or speedometer used on any for-hire vehicle shall be subject at all times to inspection and examination by the sealer of weights and measures and by any police officer. Any police officer of the city of Portland is further authorized and directed, upon complaint of any person, to investigate such complaint, and, upon discovery that any timepiece, odometer or speedometer or other measuring device is inaccurate, he shall at once notify the sealer of weights and measures. It shall be unlawful for any person to use any such timepiece, odometer, speedometer, or other measuring device after notification by any police officer of the inaccuracy thereof, and any certificate or seal of inspection which may have been placed thereon by the sealer of weights and measures shall be immediately removed. Such instruments may not again be used until after having been tested by the sealer of weights and measures and found accurate, the sealer of weights and measures again attaching his certificate or seal as above specified.

Section 20-6338. INTERFERENCE WITH DEVICES. It shall be unlawful for any driver of any vehicle under this article to manipulate the odometer, timepiece or any other device so as to cause a registration to be made of more time or greater distance than the correct amount of time and distance for the particular trip.

Section 20-6339. OVERCHARGING. In any case of disagreement between the driver and passenger of any vehicle, under this article relative to the amount of fare to be paid the driver shall convey the passenger to the nearest police station, and the officer in charge shall have authority, after hearing their statements, immediately to decide the matter. If the decision is in favor of the passenger, the driver shall convey the passenger from the police station to his original destination without additional charge. If the passenger is about to leave the city by railroad, steamboat or otherwise, the police officer on duty at the depot or wharf shall have the same power and authority as the officer in charge at the nearest police station and shall decide the matter.

Section 20-6340. DRIVER OF FOR-HIRE CARS NOT TO ENGAGE IN TAXICAB BUSINESS. Drivers of for-hire cars, sight-seeing and limousine busses shall not at any time engage in taxicab service, nor solicit patronage nor accept any multiple fare group, nor at any time accept hire by a passenger, until the passenger has been told that such service is not taxi service but on hourly rates.

Section 20-6341. DISPLAY OF SIGNS OR NAMES UPON TAXICABS AND FOR-HIRE CARS. It shall be unlawful for any driver of a for-hire car to display any sign stating or implying that it is a taxicab or that the rates will be based upon the distance traveled. Whenever a for-hire car is not engaged or hired by some person, and during such time as said vehicle is open to engagement or hiring, there shall be displayed upon such vehicle a sign not less than 8 x 10 inches containing the words "For-Hire Car, hourly rates only", printed or painted thereon in letters at least one inch in height.

Section 20-6342. CERTAIN CONTRACTS AND OFFERS PROHIBITED. It shall be unlawful for any person engaged in operating motor vehicles under this article to make contract for such service at a greater price than any rate herein provided or in excess of any schedule filed and approved as herein provided. It shall be unlawful for any driver of such vehicle to make any tender or offer of any kind or character to any person by which any passenger shall be caused or expected to pay a sum of money for service greater than is provided by the rate or schedule filed and posted as set forth herein.

Section 20-6343. INFORMATION ON SIGHT-SEEING TOUR.

In addition to the posted schedule of rates, a map, tracing or chart shall be available or displayed by the operator of any sight-seeing bus, showing the route of travel and points of interest thereon. It shall be unlawful for the driver of such sight-seeing bus to practice deception upon patrons by giving false information on any points of interest upon such route.

Section 20-6344. EFFECTIVE DATES. All the provisions of

this article as amended hereby shall apply on and after 30 days from passage of this amendment by the Council, to all applications for new licenses and the prerequisite permit. As to any license already granted and in existence on the date 30 days after passage of this amendment, the provisions of this article prior to this amendment as to licenses, bonds, insurance and deposits shall remain in effect until the expiration of such license but no longer; all other regulatory provisions of this article as amended hereby shall apply on and after 30 days from passage of this amendment by the Council. Any bond, insurance policy or deposit filed or deposited and accepted previous to 30 days from the passage of this amendment by the Council, which under the contract provisions thereof is for a period extending beyond the date 30 days from passage of this amendment, shall remain in effect for such contract term or until an earlier termination thereof, but shall in no event extend beyond January 1, 1947.

Passed by the Council April 4, 1946

EARL RILFY

Mayor of the City of Portland

Attest:

WILL E. GIBSON

R. S. I.

Auditor of the City of Portland

3/16/46
Commissioner Lee
MCR;eh

