

## Chapter 5.20

## AUTOCABS AND LIMOUSINE SERVICES

## Sections:

- 5.20.010 Definitions.  
 5.20.020 Licensing and enforcement.  
 5.20.030 License required—Expiration date—  
 Fee.  
 5.20.040 Licensing of livery/limousine  
 drivers.  
 5.20.050 Insurance required.  
 5.20.060 Maintenance of valid insurance  
 policy required.  
 5.20.070 Autocabs prohibited to operate as  
 taxicabs.  
 5.20.080 Application procedure—Information  
 required.  
 5.20.090 Power to issue or refuse license.  
 5.20.100 Autocab equipment and  
 maintenance—Inspections.  
 5.20.110 Records required of licensee—  
 Inspections—Authorized—  
 Exceptions.  
 5.20.120 Applicants for license—  
 Requirements.

## 5.20.010 Definitions.

As used in this chapter:

"Autocabs" means and includes any automobile or motor car with a carrying capacity of not more than nine passengers, not including the driver, used in the business of carrying passengers for hire, which is held out, announced or advertised to operate or run or which is operated or run over any of the streets or public highways of the state, and which is hired by charter or for a particular contract, or by the day or hour or other fixed period, or to transport passengers to a specified place or places, or which charges a fare or price agreed upon in advance between the operator and the passenger. Nothing contained in this chapter shall be construed to include taxicabs, hotel buses, or buses employed solely in transporting school children or teachers or autobuses which are subject to the jurisdiction of the board of public utilities or interstate autobuses required by federal or state law or rules of the board of public utilities to carry insurance against loss from liability imposed by law on account of bodily injury or death.

"Certificate of compliance" means a certificate issued by the city clerk pursuant to the provisions of N.J.S.A. 48:16-17.

"Certificate of public convenience and necessity" means a certificate of public convenience and necessity issued by the license division authorizing the holder thereof to conduct a limousine or livery service business in the city.

"Chief license inspector" means the supervisor of the license division.

"Cruising" means the driving of a private livery on the streets, alleys or public places of the city in search of or soliciting prospective passengers for hire.

"Designated taxi stands" means a public place alongside the curb of a street or elsewhere in the city, which has been designated by the city as reserved exclusively for the use of certain taxicabs.

"Dispatch" means an instruction to a driver from the principal place of business to provide transportation to a passenger, who has prearranged such transportation with the principal place of business.

"Limousine or livery service" means the business of carrying passengers for hire by autocabs.

"Person" means any individual, copartnership, association, corporation or joint-stock company, their lessees, trustees or receivers appointed by any court whatsoever.

"Prearranged" means having been arranged in advance of pickup by telephone, fax, letter, contract or in person communication with the principal place of business.

"Principal place of business" means the place or location where the limo or livery service files its power of attorney, certificate of compliance, required insurance policy or bond pursuant to the provisions of N.J.S.A. 48:16-14, N.J.S.A. 48:16-16, N.J.S.A. 48:16-17 and N.J.S.A. 48:16-18.

"Street" means any street, avenue, park parkway, highway or other public place. (Ord. 3156 § 1, 1999)

## 5.20.020 Licensing and enforcement.

The licensing and inspections of autocabs, and licenses as hereinafter provided for in this chapter, shall be under the control of the license division and the enforcing of the provisions of this chapter shall be under the control of the license division and the police department of the city. (Ord. 3156 § 2, 1999)

**5.20.030 License required—Expiration date—Fee.**

A. No limousine or livery service having its principal place of business in the city shall operate hereafter upon the streets of the city without first complying with the provisions of N.J.S.A. 48:16-14, N.J.S.A. 48:16-16, N.J.S.A. 48:16-17 and N.J.S.A. 48:16-18 and receiving an autocab license, certificate of compliance and livery plates from the Division of Motor Vehicles, and certificate of public convenience and necessity, which shall expire on the 31st of March of each year.

**B. Annual Fees.**

Certificate of public convenience and necessity	\$1,000.00
Permits per vehicle	100.00 (first 10)
	75.00 (11 or more)

(Ord. No. 4149, § 8, 8-24-2010; Ord. 3156 § 3, 1999)

**5.20.040 Licensing of livery/limousine drivers.**

No person shall drive a limousine/livery whose principal place of business is in Elizabeth without first obtaining a license from chief license inspector of the city. Such license should be renewed annually. The annual fee for the license should be ninety dollars (\$90.00). (Ord. No. 4149, § 9, 8-24-2010; Ord. 3383 § 1, 2002)

**5.20.050 Insurance required.**

A. It is unlawful for any person to operate or cause or permit a livery to be operated or shall any livery license or certificate of compliance be issued until an insurance policy has been approved and accepted by the chief license inspector, which policy shall be in compliance with N.J.S.A. 48:16-13 to N.J.S.A. 48:16-22.

B. Upon the issuance of such license, the original insurance policy shall thereupon be filed forthwith with the office of the city clerk. (Ord. 3156 § 4, 1999)

**5.20.060 Maintenance of valid insurance policy required.**

A. Any license issued hereunder shall only be effective for as long as the insurance policy remains in force and in accordance with the statutory amounts. In the event that the insurance is canceled, the private livery license shall terminate on the effective date of the cancellation unless the insurance has been reinstated

and a withdrawal of the cancellation or new policy of insurance has been submitted to the city clerk prior thereto for the remainder of the license terms.

B. Insurance policy must provide therein, that it shall not be canceled except upon thirty (30) days prior written notice to the license division. (Ord. 3156 § 5, 1999)

**5.20.070 Autocabs prohibited to operate as taxicabs.**

A. No owner or operator of an autocab shall park or cause to be parked upon the streets of the city an autocab for the purpose of waiting to be dispatched to a new location or waiting to pick-up a passenger or passengers at a new location after it has completed its original dispatched assignment.

B. No owner or operator of an autocab shall drive or cruise such autocab upon the streets of the city in search of prospective passengers for hire or for the purpose of soliciting or accepting unscheduled passengers for hire.

C. No owner or operator shall park or cause to be parked an autocab upon the streets of the city displaying any sign, soliciting or accepting passengers for hire, utilize any on street or off street parking area as a taxi stand or place to solicit such business.

D. No owner, operator, dispatcher or any agent or representative thereof shall dispatch an autocab when the passenger requests a taxicab.

E. An autocab shall immediately return to its principal place of business after discharging a passenger unless it is in route to a scheduled pickup. Autocabs will be dispatched from the principal place of business for prearranged scheduling.

F. All autocabs shall be garaged and shall not be stored and/or parked on the streets of the city. (Ord. 3156 § 6, 1999)

**5.20.080 Application procedure—Information required.**

A. Application for license for operation of private livery automobiles shall be made by the owner, lessee or bailee thereof upon blank forms to be furnished by the license division.

B. The application shall contain the full name and address of the owner, lessee or bailee, the year, type, VIN number and model of the livery, place and telephone number of the owner, location where vehicles are stored (properly zoned by Elizabeth, must be off-street

parking) for which the license is desired and any other pertinent information or documentation requested by the chief license inspector.

C. Name and address of principal place of business.

D. If application is corporation, a list of shareholders/officers and percentage of ownership must be submitted. (Ord. 3156 § 7, 1999)

#### 5.20.090 Power to issue or refuse license.

A. The chief license inspector shall have the power to issue or refuse to issue or suspend or revoke a license under this chapter and clarify a license or permit under this chapter.

B. Any revocation or suspension must be in writing to the owner of record by the chief license inspector by regular mail and certified mail returned receipt requested.

C. Any denial, suspension or revocation of a license may be appealed by the applicant or owner within ten (10) days of the notice of denial, suspension or revocation as the case may be in writing to the mayor or designee, who shall set the date, time and place for the hearing with respect to such matter. (Ord. 3156 § 8, 1999)

#### 5.20.100 Autocab equipment and maintenance— Inspections.

A. The license division is authorized and empowered to establish reasonable rules and regulations for the inspection of private livery automobiles.

B. Any vehicle licensed under this chapter found in unclean or unsanitary condition or whose appearance, construction, or condition is found to be unsafe for the transportation of passengers, will be removed from service and suspended, until the vehicle is repaired and reinspected and found to be in compliance with this chapter.

C. Prior to the use and operation of any vehicle as an autocab under this chapter, the vehicle shall be thoroughly examined and inspected by the license division and shall be found to comply with such reasonable rules and regulations as may be prescribed by the division.

The inspectors of the division of license shall maintain due vigilance over all autocabs to ensure that they are maintained in a condition that is safe and sanitary for the transportation of passengers, and to this end, they shall have the right, at any and all times, to inspect

any and all licensed autocabs. The inspectors shall maintain a written record of all such inspections together with the name of the person owning or operating a vehicle or vehicles under this chapter, a description and make of the vehicle or vehicles, the license number and the VIN number of the vehicle.

D. When the license division finds that a vehicle has met the standards established by the division it shall issue a license to that effect. The license shall be conspicuously displayed in each autocab, so as to be readily seen by the passenger and contain the following information:

1. Name of applicant/owner;
2. License plate number;
3. VIN number of vehicle;
4. Make/color of car and year; and
5. Card should be conspicuously displayed.

E. Every vehicle operating under this chapter shall be kept in a clean and sanitary condition according to rules and regulations promulgated by the license division.

F. All seat belts and shoulder harnesses shall be maintained and/or replaced as required to keep them in a safe working order. The number of such seat belts and harnesses maintained and/or replaced shall be the same number originally installed by the manufacturer of the vehicle.

G. All vehicles covered under this chapter must be inspected by both the New Jersey Division of Motor Vehicles and the city bureau of central license. No vehicle shall be presented to the bureau of central license for inspection without first having passed inspection by the New Jersey Division of Motor Vehicles, proof of which is required to be submitted to the bureau of central license at the time of inspection. No vehicle covered under this chapter shall be allowed to service passengers in the city without first having passed inspection by both the New Jersey Division of Motor Vehicles and the city bureau of central license.

H. Security locks, which permit operation of both rear door locks by the operator of the autocab, may be installed in any vehicle; however, the passenger shall never be prevented from manually unlocking his or her door.

I. No lettering, domes, emblems or advertising may be placed on a licensed limousine except for med-

ical liveries which produce proper state licenses; however, displaying the name of the owner on license plates shall be permitted.

J. Vehicles licensed under this chapter may not be older than five years old (sixty (60) months).

K. No vehicle licensed under this chapter shall have a transparent taxi partition protective plate.

L. The restrictions imposed in Section 5.20.100(I) shall not apply to any license emblems or decals created, issued, affixed and/or mandated by the city. (Ord. 3503 § 1, 2003; Ord. 3356 § 1, 2001; Ord. 3156 § 9, 1999)

**5.20.110 Records required of licensee—**

**Inspections—Authorized—Exceptions.**

Each and every licensed owner shall record in a book, kept solely for this purpose, the time of departure from the principal place of business or every licensed vehicle, giving the name and address of the driver thereof, the license number of the vehicle and the time of the return to the place of business of each such vehicle, which book shall be kept open for inspection at all times to a duly authorized representative of the division of license or of the traffic bureau of the police department, provided, however, that this requirement shall not apply when the vehicle is used for funeral purposes. (Ord. 3156 § 10, 1999)

**5.20.120 Applicants for license—Requirements.**

An individual, partners of a partnership or the officers of a corporation applying for a licensed limousine or its renewal must be:

- A. At least eighteen (18) years of age; and
- B. Citizens or permanent residents of the United States of America;
- C. Of good moral character. (Ord. 3156 § 11, 1999)