

Banks\_\_\_\_  
Foote\_\_\_\_  
Lindsay\_\_\_\_  
Priester\_\_\_\_  
Stamps\_\_\_\_

**PLANNING COMMITTEE MEETING**  
**Wednesday, September 25, 2019**  
**10:00 A.M.**  
**AGENDA**

- 1. Ordinance of the City Council of Jackson, Mississippi amending Chapter 126 of the Jackson Municipal Code of Ordinances to modernize the regulation of vehicles for hire of the City of Jackson, Mississippi. (Priester)**
- 2. Ordinance of the City Council of Jackson, Mississippi establishing the renaming of Banks Street (from Rose Street to St. Luther Baptist Church) to Reverend Charles E. Polk, Sr. Drive. (Stokes)**
- 3. Ordinance of the City Council of Jackson, Mississippi requiring the posting of the street address on all buildings, apartments, and houses in the City of Jackson. (Stokes)**
- 4. Discussion: Jatran Routes (Banks)**
- 5. Discussion: Parking Meters (Banks)**
- 6. Discussion: Farish Street (Banks)**

**REPORTS FROM MEMBERS, MAYOR OR DEPARTMENT DIRECTORS**

**ANNOUNCEMENTS**

**ADJOURNMENT**

**Ordinance of the City of Jackson, Mississippi Amending Chapter 126 of the Jackson Municipal Code of Ordinances to Modernize the Regulation of Vehicles for Hire of the City of Jackson, Mississippi**

**Chapter 126 - VEHICLES FOR HIRE<sup>[1]</sup>**

**Footnotes:**

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**Editor's note**— Ord. No. 2000-11(27), § XIII, adopted March 28, 2000 repealed §§ 126-1—126-355 in their entirety. Formerly said sections pertained to vehicles for hire. Further, said ordinance, §§ I—XII, set out provisions pertaining to similar subject matter included herein as §§ 126-1—126-9, 126-26—126-32, 126-51—126-55, 126-76—126-81, 126-101, 126-102, 126-126—126-128, 126-151—126-166 to read as herein set out. See the Code Comparative Table.

**Cross reference**— Aviation, ch. 22; businesses, ch. 30; streets, sidewalks and other public places, ch. 110; traffic and vehicles, ch. 118.

**ARTICLE I. - IN GENERAL**

**Sec. 126-1. - Title and applicability.**

Articles I—VII of this chapter shall be known as the "Vehicle[s] for Hire Ordinance" for the City of Jackson, Mississippi, and shall apply to all taxicabs, limousines, sedans, shuttles and animal-drawn vehicles, and certificate of public necessity and convenience (CPNC) holders, vehicles for hire and drivers thereof, where trips are originated within the geographical legal limits of the City of Jackson.

(Ord. No. 2000-11(27), § I, 3-28-00)

**Sec. 126-2. - Purpose.**

Whereas, the providing of economical alternative modes of transportation to the public is encouraged; and

Whereas, taxicabs, limousines, sedans, shuttles and animal-drawn vehicles are commonly recognized as alternative modes of transportation; and

Whereas, the operation and maintenance of these service providers must be regulated, in order to promote the health, safety, and general welfare of the public; and

Whereas, the City of Jackson believes that an unregulated taxi industry is harmful to consumers, drivers and operating companies; and

Whereas, in light of those facts, the City of Jackson wishes to oversee taxicabs, limousines, sedans, shuttles and animal-drawn vehicles in a manner that establishes safety and consumer protections and ensures marketplace fairness; and

Whereas, the City of Jackson recognizes that it is prohibited from regulating transportation network companies and their drivers based on House Bill 1381 and that as such the regulations mentioned in this ordinance will not apply to them; and

**Commented [r1]:** The Councilman can insert another title here if he likes. As you know all vehicles for hire (i.e. UBER and Lyft) will not be subject to this legislation. The term taxicab can be used if the Councilman believes it won't be too limiting.

**Commented [r2]:** Please see comment 1.

**Commented [r3]:** Preempted by state legislation.

Whereas, despite these limitations, the City of Jackson believes it is in the best interest of its citizens that the taxi cab industry remain regulated but that these regulations should change to address the emergence of new industries; and

Whereas, no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of specified public transportation services provided by a private entity that is primarily engaged in the business of transporting people and whose operations affect commerce

Whereas, the regulations contained in these articles are intended as the minimum amount of regulation necessary to achieve its purposes.

Now therefore be it ordered that the City of Jackson hereby amends Chapter 126 of the Code of Municipal Ordinances as follows

Whereas, the City of Jackson recognizes that the emergence of new technologies has fundamentally changed the way in which municipalities should regulate vehicles-for-hire, now therefore be it ordered that the City of Jackson hereby amends Chapter 126 of the Code of Municipal Ordinances as follows.

~~Whereas, the regulations contained in these articles are intended as the minimum amount of regulation necessary to achieve its purposes.~~

(Ord. No. 2000-11(27), § II, 3-28-00)

#### Sec. 126-3. - Definitions.

The following words and phrases, when used in these articles, shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:

*Applicant* means the following:

- (1) If a corporation, the chief executive officer;
- (2) If a partnership, the partner with the greatest proprietary interest;
- (3) If an individual, that individual; and
- (4) If a firm or association, the person with the greatest proprietary interest.

*Baggage and goods* means parcels, bags, packages, suitcases, food, messages or other items which are hauled by a vehicle for hire.

*Basic distance rate* means the charge for distance for all intervals except the initial interval.

*Basic time rate* means the charge for time for all intervals except the initial interval.

*Certificate of public necessity and convenience* (CPNC) means a license, also referred to as "CPNC", permitting an individual or company to operate one or more vehicles for hire upon the streets of the city.

*City* means and includes all the area within the corporate limits of the City of Jackson, including the Jackson International Airport and public facilities outside the corporate limits owned and operated by the city.

*Cleared* means a taximeter is inoperative with respect to all fare indication, when no indication of fare is shown, and when all parts are in those positions in which they are designed to be when the vehicle on which the taximeter is installed is not engaged by a passenger.

*Cold tire pressure* means the pressure in a tire when the tire is at ambient temperature.

*Committee* means the transportation permit and review committee.

*Company* means any person, association, corporation or other organization which operates or intends to engage in business of operating vehicles for hire as defined herein.

*Criminal offense* means a violation of federal, state, or local laws for which a criminal penalty is imposed.

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

*Driver* means an individual permitted to drive a vehicle for hire.

*Driver's permit* means the written authority granted by the city to persons who qualify to drive vehicles for hire.

*Face* means that side of a taximeter upon which passenger charges are indicated.

*Fare* means that portion of the charge for the hire of a vehicle that is automatically calculated by a taximeter through the operation of the distance or time mechanism.

*Fifth-wheel test* means a distance test similar to a road test except that the distance traveled by the vehicle under test is determined by a mechanism known as a "fifth-wheel" that is attached to the vehicle and that independently measures and indicates the distance.

*Flag* means a plate at the end of the lever arm or similar part by which the operating condition of a taximeter is controlled.

*Geographic limits* means the legal corporate limits of the City of Jackson. This includes the Jackson International Airport located in Rankin County.

*Group riding* means the sharing of a vehicle for hire by a group which arranges the sharing of the vehicle prior to entering it other than by contractual arrangement or agreement. The members of the group must have either the same origin, the same destination or both.

*Hired* means a taxicab is deemed "hired" when a taximeter is operative with respect to all applicable indications of fare. The indications of fare include time and distance, where applicable, unless qualified by another indication of "time not recording" or an equivalent expression.

*Initial distance of time interval* means the interval corresponding to the initial money drop.

*Limousine* means a motor vehicle that meets the manufacturer's specifications for luxury limousine, with a minimum of six seats located behind the operator of the vehicle, with a designed seating capacity for no more than ten passengers, and with a door at the rear of the vehicle designed to allow passenger entry or exit.

*Limousine service* means the service regularly rendered to the public by furnishing transportation for hire, not over fixed routes, by means of limousine operated by chauffeurs on the basis of telephone contract, written contract or other prearrangement with the certificate of public necessity and convenience holder.

*Meter rates* means the rates according to a taximeter installed and operated in a taxicab.

*Money drop* means an increment of fare indication. The "initial" money drop is the first increment of fare indication following activation of the taximeter.

*Multiple-tariff taximeter* means one that may be set to calculate fares at any one of two or more rates.

*Narcotic drugs* means any substance controlled under the federal or state uniform controlled substances law and known to have narcotic action.

*Operating tire pressure* means the pressure in a tire when the vehicle has been driven for at least five miles or eight kilometers.

*Rate card* means a card to be displayed in each taxicab showing the rates that are in force for passengers.

*Road test* means a distance test, over a measured course, of a complete taximeter assembly when installed on a vehicle, the mechanism being actuated as a result of vehicle travel.

*Rolling circumference* means the straight line distance traveled per revolution of the wheel that actuates the taximeter. In the case where more than one wheel actuates the taximeter, the rolling circumference is the average distance traveled per revolution of the wheels.

*Sedan* means any sedan-type vehicle which has a seating capacity for the driver and not more than five passengers.

*Shuttle service* means the business of offering or providing transportation for hire by a shuttle vehicle when:

- (1) The driver is furnished as part of the service; and
- (2) The service is offered on a prearranged basis, a preapproved regularly scheduled basis, or a preapproved route.

*Shuttle vehicle* means a van-type motor vehicle that:

- (1) Has a manufacturer's rated seating capacity of not less than seven passengers and not more than 15 passengers; and
- (2) Is used for the transportation of persons from a location in the city to another location either inside or outside the city.

*Simulated road test* means a distance test during which the taximeter may be actuated by some means other than road travel. The distance traveled is either measured by a properly calibrated roller device, or computed from rolling circumference and wheel-turn data.

*Single-tariff taximeter* means one that calculates fares at a single rate only.

*Street* means any public street, avenue, road, boulevard, alley, lane, highway, or public area used for vehicular traffic.

*Subsequent distance or time intervals* mean the intervals corresponding to money drops following the initial money drop.

*Taxicab* means a motor-driven vehicle having seating capacity for passengers and used for the transportation of passengers for hire from points of origin to destinations as directed by the passengers.

*Taxicab stand* means a place alongside a street, or elsewhere, which has been designated and signed as a space for taxicabs to wait for a passenger.

*Taximeter* means a device that automatically calculates, at a predetermined rate or rates, and indicates the charge for hire of a vehicle.

*Transportation permit and review committee (committee):* A committee comprised of the following city personnel and transportation service industry representatives: two representatives from the department of planning and Development, with one serving as chairperson, one representative from the Jackson Municipal Airport Authority; two representatives from the police department; and, two representatives from the transportation service industry (one from taxicab companies and one from limousine companies, with no one company serving a consecutive year). One representative from the legal department, shall serve on the committee in an advisory capacity.

**Note—** Within 30 days of the enactment of this Ord. No. 2016-2(9), a new transportation permit and review committee will be empaneled. This new committee and the transportation permit and review committee thereafter will be comprised of two representatives from the department of planning and development who will serve at the discretion of the mayor, with one serving as chairperson, one representative appointed by the Jackson Municipal Airport Authority for a term not to exceed two years; one representative appointed by the Jackson Convention and Visitors

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Bureau for a term not to exceed two years; two representatives from the police department who will serve at the discretion of the mayor; and one at-large member who represents the interests of the consumer. The at-large member will be nominated by the mayor and approved by the city council and will serve a two-year term. The representatives of the department of planning and development, the Jackson Municipal Airport Authority, the Jackson Convention and Visitors Bureau, the police department, and consumers shall be the voting members of the committee. One representative from the taxicab companies operating in the City of Jackson; one representative from limousine companies operating in the City of Jackson; ~~one representative from the transportation network companies operating in the City of Jackson,~~ and one representative from the City of Jackson legal department shall serve on the committee in an advisory capacity. The mayor shall be responsible for taking the steps necessary to oversee and monitor the appointment of the advisory members.

~~Vehicle for hire means any motor vehicle, animal-drawn vehicle or other vehicle designed or used for the transportation of passengers for hire, taxicabs, limousines, sedans, shuttles and animal-drawn vehicles~~ the charges for the use of which are determined by agreement, mileage or by the length of time for which the vehicle is engaged. The following are excluded from the definition of vehicle for hire:

- (1) Limousines or any other vehicle owned solely by a funeral home and used for the performance of funeral services. However, if the limousine or other vehicle owned by a funeral home is used for other transportation-for-hire purposes for which a fee is charged, a CPNC is required.
- (2) Ambulance service vehicles.
- (3) Non-emergency medical transport services.
- (4) Vehicles provided by an employer or an employee association for use in transporting employee's home and to the employer's place of business with employees reimbursing the employer or employee association in an amount calculated to offset the reasonable expenses of operating the vehicle. Vehicles owned and operated for the purpose of transporting the driver and/or others on a prearranged basis between their homes and places of employment or places of common destination and only charging a fee calculated to reasonably cover expenses (i.e. carpool, vanpool, etc.).
- (5) Vehicles owned and operated by the federal or state government, by a political subdivision of the state, or by a person under contract with the city for operation of the vehicle.
- (6) Vehicles owned and operated by hotels/motels which provide free transportation service to guests. However, vehicles operated by hotels/motels which provide transportation services for a fee are not excluded.
- (7) Vehicles owned by a nonprofit organization and carrying only passengers associated with that organization, if no compensation is received from any other person for carrying the passengers.
- (8) Transportation network companies such as Uber and Lyft are specifically excluded from this legislation.

*Vehicle for hire inspector* means a member of the license and permit division of the police department staff who performs the inspection.

*Waiting time* means the time when a vehicle for hire is not in motion due to the request or fault of a passenger, regardless of whether at the beginning, middle, or end of the trip.

(Ord. No. 2000-11(27), § III, 3-28-00; Ord. No. 2002-42(2), § 1, 11-12-02; Ord. No. 2016-2(9), § 3, 2-9-16)

Sec. 126-4. - Administration.

The transportation permit and review committee is hereby created and shall be responsible for the administration of the provisions of these articles. The committee shall make such administrative regulations as may be necessary to implement or administer these articles and to carry out the functions and duties of the committee.

- (1) The committee shall receive applications for CPNC, review them to determine that all applications to own or operate a vehicle for hire conform to the requirements established by these articles and certify that such requirements have been met.
- (2) Thereafter, the committee shall schedule a hearing on the application, with at least five days' notice being given to the applicant.
- (3) Upon completion of the hearing, the committee shall make the following findings:
  - a. Whether further vehicle for hire service in the city is required by public convenience and necessity.
  - b. Whether the applicant is fit, able, and otherwise qualified to perform such public transportation and to conform with the provisions of these articles.

In making these findings, the committee shall take into consideration the number of vehicles for hire in operation, the experience and responsibilities of the applicant, and the condition of the applicant's equipment. Such findings should be reported to the city council within a period of 30 days from the hearing, with the recommendation of the committee whether the certificate should be granted or not. Such findings shall be reviewed by the city council at its succeeding regular meeting, and the city council may issue the certificate or deny the certificate.

- (4) A record of the issuance of certificates of public necessity and convenience is to be maintained by the committee and made available to the public at all times.

(Ord. No. 2000-11(27), § IV-A, 3-28-00)

#### Sec. 126-5. - Enforcement.

It shall be the primary responsibility of the license and permit division of the police department, under the direction of the chief of police, to enforce all of the provisions of these articles.

- (1) At the time the driver or company is cited for a violation in connection with these articles, the driver or company shall surrender his/its permit to the person issuing the citation. The permit will not be returned until any fines imposed by the city have been paid and until any period of suspension has expired. Failure to pay any fines prescribed herein shall constitute due cause for further action by the city.
- (2) Persons or entities issued citations may elect to pay fines and waive hearing before the committee.
- (3) CPNC holders shall be responsible for the compliance of their affiliated drivers. Noncompliance by a driver may result in the issuance of citations to both the driver and the CPNC holder.
- (4) Whenever any vehicle for which a CPNC is required is animal-drawn, the fitness of the animal for the work and its humane treatment shall be under the supervision of the animal control division of the police department, which shall have power to determine:
  - a. Physical fitness of the animal and limitation on work and conditions of work;
  - b. Condition and fitness of harness;
  - c. Care and treatment of such animals.
- (5) Upon discovery of a violation of any article's provision relating to animal-drawn vehicles for hire, the enforcement officer may issue a directive to the person responsible for the violation

requiring the removal of the subject animal from service. No animal which has been removed from service shall be returned to service until the animal has been inspected by the animal control division and approved for return to service in writing.

- (6) No person shall use the badge of another while driving or operating a vehicle for hire.

(Ord. No. 2000-11(27), § IV-B, 3-28-00)

Sec. 126-7. - Penalty.

- (a) The noncompliance with any mandatory or prohibitory provision of these articles shall subject the offender to punishment by a fine not to exceed the maximum allowed by state law.
- (b) Whenever a corporation, partnership or association is found to have violated any provision of these articles, such violation shall also be deemed to be that of the individual officers, directors, partners or agents of such corporation who had personally authorized, ordered or perpetrated such violation. Any such officer, director, partner or agent shall be punished in the same manner and to the same extent as herein provided for an individual.

(Ord. No. 2000-11(27), § IV-C, 3-28-00)

Sec. 126-8. - Revocation and suspension.

- (a) *Immediate suspension.* For due cause, in the event of a violation of these articles which results in a situation in which continued operation by the CPNC holder and/or driver endangers the health, welfare or safety of the public, the license and permit division of the police department may suspend any CPNC and/or driver's permit hereunder. Such immediate temporary suspension may be done upon summary consideration of facts that indicate due cause and of facts that indicate an immediate danger. Notice of the temporary suspension shall be given immediately to the CPNC holder and/or driver stating the facts upon which the suspension is based and stating the time and place of a full hearing by the committee.
- (b) *Adjudicated suspension.* The committee, pursuant to the following procedure, shall have the authority to suspend and revoke any CPNC and/or driver's permit which has been issued or which may hereafter be issued by the city.

The procedures shall be as follows:

- a. Five day written notice to the CPNC holder and/or driver stating the place, date, time and purpose of such hearing and setting forth the charge or charges upon which said hearing shall be held.
  - b. The hearing shall be held within 15 days of the date the notice is issued.
  - c. After conducting the hearing, the committee may revoke or suspend the CPNC and/or driver's permit upon a finding of due cause.
  - d. The maximum period of suspension of a CPNC and/or a driver's permit shall be 12 months.
  - e. After revocation of a CPNC and/or drivers permit, no application for a CPNC and/or a driver's permit shall be accepted or considered for a period of 36 months from the date of revocation.
- (3) The term "due cause" for the revocation or suspension of a CPNC and/or driver's permit shall include, but not be limited to, the following:
- a. The failure of the CPNC holder and/or driver to maintain any and all general qualifications applicable to the issuance of a certificate or permit;

- b. Providing false information to the police department or obtaining a CPNC or permit by providing false information;
- c. Conviction, pleading guilty or nolo contendere of any criminal offense of the city, the State of Mississippi, any other state, or of the United States;
- d. Charging a fare in excess of those fares set forth in these articles;
- e. If the holder of the CPNC has knowledge of any criminal offense or should have had such knowledge of the violation of a driver who is affiliated with the CPNC holder;
- f. Whenever it shall appear that a driver has disorders characterized by lapses of consciousness or other mental or physical disabilities affecting his or her ability to drive safely; and
- g. Four or more moving traffic violations in any 12-month period;
- h. If the holder of the CPNC is found to have discriminated against a person with disabilities;

**Commented [r4]:** Despite the disabled communities request, the ADA does not require the City to mandate that taxi operators maintain a certain number of handicap accessible vehicles. It is a policy choice whether the City would like to make that an additional requirement.

(Ord. No. 2000-11(27), § IV-D, 3-28-00)

#### Sec. 126-9. - Appeal.

A person may appeal the decision of the committee by filing with the transportation planning division of the department of planning and development a letter requesting a hearing before the city council. The written request for appellate hearing must be filed within ten days after the committee's decision.

(Ord. No. 2000-11(27), § IV-E, 3-28-00)

#### Secs. 126-10—126-25. - Reserved.

### ARTICLE II. - CERTIFICATES OF PUBLIC NECESSITY AND CONVENIENCE

#### Sec. 126-26. - CPNC, business license; required.

No vehicle for hire shall be operated on the streets of the city until a valid certificate of public necessity and convenience and a business license have been obtained. Should the applicant for a CPNC be a corporation, the chief executive officer shall possess the following requirements; if a partnership, the partner with the greatest proprietary interest shall possess the following requirements.

(Ord. No. 2000-11(27), § V, 3-28-00)

#### Sec. 126-27. - Application.

In order to secure a CPNC, an applicant must submit the fee assessed in these articles and must provide information showing its qualifications on a form (application) provided by the license and permit division of the police department. The applicant must:

- (1) Provide name and address.
- (2) Be at least 18 years of age.
- (3) Be a citizen of the United States or an alien admitted for permanent residence who has otherwise been granted employment authorization by the United States Immigration and Naturalization Service.

(4) Be a resident of the State of Mississippi for at least six months immediately preceding the date of application.

(5) Provide information regarding prior experience in the transportation of passengers. *and*

**Must have 16hrs of On Job Training OJT with Company**

**Commented [r5]:** The JTPA would like numbers 4 and 5 deleted and number 6 added. The Councilman can make a policy decision on if he wants to delete or keep the items. However, it is this office's recommendation that all three be retained as they offer value and benefit. I believe that all have a benefit.

(6) Provide financial information prepared by the applicant's financial institution in sufficient detail to determine the applicant's financial security, including the amounts of unpaid judgments against the applicant, and the nature of the transactions or actions giving rise to such judgments.

(7) Provide information regarding the number of vehicles for hire the applicant desires to operate.

(8) Provide information regarding the make, model, year, body type, and physical conditions of vehicles for hire to be operated.

(9) Provide information regarding the color scheme or insignia to be used to designate the vehicles.

(10) Not have been convicted, been on probation, parole, or served time on a sentence for a period of five years previous to the date of application, for the violation of any criminal offense, felony or misdemeanor, of the city, of the State of Mississippi or any other state or of the United States. If at any time during the application process the applicant is charged with any criminal offense, consideration of the application shall be suspended until entry of a judgment or dismissal. A plea of nolo contendere to a criminal offense shall constitute a conviction.

(11) Not have been convicted of three or more violations of these articles within a period of two years prior to the date of application.

(12) Possess an office within the city and maintain a publicly listed telephone number.

(13) Submit a drug testing policy.

(14) Provide additional information upon the request of the committee.

(15) Provide a statement as required by Miss. Code Ann. §21-27-131 from some reputable citizen that the applicant is over the age of eighteen (18) years, an experienced driver, of good moral character, and physically and mentally capacitated to drive and operate such motor vehicle.

(16) Shall not discriminate against people with disabilities and shall, at all times, comply with the Americans with Disabilities Act.

(17) Pursuant to 42 U.S.C.A. § 12184 in the event the certificate holder purchases or leases a new vehicle (other than an automobile, a van with a seating capacity of less than 8 passengers, including the driver, or an over-the-road bus) which is to be used to provide specified public transportation and for which a solicitation is made after the 30th day following the effective date of this section, that is not readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs: except that the new vehicle need not be readily accessible to and usable by such individuals if the new vehicle is to be used solely in a demand responsive system and if the entity can demonstrate that such system, when viewed in its entirety, provides a level of service to such individuals equivalent to the level of service provided to the general public.

(Ord. No. 2000-11(27), § V-A, 3-28-00)

Sec. 126-28. - Animal-drawn vehicles.

(a) No animal shall be permitted to pull any vehicle for hire unless the animal is in good health and meets at least the following requirements. The animal must:

- (1) Be at least 36 months old.
- (2) Weigh no less than 750 pounds.
- (3) Have a current veterinary health certificate. The certificate shall show that a veterinarian licensed by the State of Mississippi has given the animal a complete physical examination including a Coggins Test with negative results as required by Mississippi law, and the certificate also shall show the identifying number and state the animal is fit for service in pulling vehicles for hire. This information shall be furnished to the animal control division of the police department when such animal is placed in service, and again each year thereafter.
- (4) Have no open sores or wounds, not lame nor have any other ailment. Any animal found to have an ailment shall not be used without the approval of a licensed veterinarian.
- (5) Be groomed daily and not have fungus, a dirty coat, or show symptoms of illness or irritation.
- (6) Have adequate flesh and muscle tone. The ribs showing on the animal must be no deeper than one-fourth inch.
- (7) Be no more than four months pregnant.
- (8) Have its own legible identifying number permanently affixed to its body in a manner approved by the animal control division of the police department.

(b) A proposed detailed route system shall be submitted to the committee for review, recommendation and approval. A route system shall be submitted for each vehicle to be placed into operation. This detailed route system shall include the following information:

- (1) The hours of operation for the vehicle;
- (2) The days of the week the vehicle will be in operation;
- (3) The duration of the operation, i.e., summer only or year-round;
- (4) All locations for loading and unloading passengers.

(Ord. No. 2000-11(27), § V-B, 3-28-00)

Sec. 126-29. - Vehicle domicile.

For any CPNC holder having two or more vehicles, the following minimum number of vehicles shall be domiciled in the city, in order for vehicles to be readily available for hire by the traveling public:

Total CPNC Vehicles	Domiciled in Jackson (minimum)
2	1
3 5	2
6 7	3

**Commented [r6]:** Members of the disabled community would like the City to implement legislation that requires taxi cab owners to have a certain number of vehicles devoted to paratransit services. That request is not required under the ADA and is not supported by the taxi cab owners and companies. However, if the Councilman would like to include that request, said inclusion can be included here.

8 9	4
10 or more	All

(Ord. No. 2000-11(27), § V-C, 3-28-00)

**Sec. 126-30. - Temporary limousine and sedan permits.**

The license and permit division of the police department may issue temporary limousine and sedan permits to existing CPNC holders for special events and special needs, subject to the following restrictions:

- (1) The temporary permit will be valid for a seven-day period.
- (2) The vehicles shall be properly licensed, registered and insured.
- (3) Operators of such licensed vehicles shall themselves possess a valid state driver's license.
- (4) Applications shall be made within 72 hours prior to the event.

(Ord. No. 2000-11(27), § V-D, 3-28-00)

**Sec. 126-31. - Maintenance requirements for CPNC.**

In order to maintain a CPNC, the holder must:

- (1) Possess a current valid city privilege license.
- (2) Provide proof that all ad valorem taxes due the city have been paid.
- (3) Submit a copy of a current lease or deed for the company premises, or submit an affidavit as to ownership and occupancy.
- (4) Maintain the name and home address of each driver affiliated with the company, along with the name of the CPNC holder who owns or leases the vehicle operated by the driver.
- (5) Maintain a log listing the year, make, model, vehicle identification number (serial number) and CPNC number of each vehicle for hire operating in the company fleet or animal number, if applicable.
- (6) Maintain at least one off-street parking facility capable of accommodating its vehicles for hire when not in use.
- (7) Certify that all vehicles for hire operating for the company have the insurance coverage required and that such vehicles are in compliance with the standards concerning inspection established in these articles.
- (8) CPNC holders/vehicle for hire companies must randomly test drivers for narcotic or alcohol usage and submit the results to the license and permit division of the police department.
- (9) A taxicab company shall keep its office staffed 24 hours a day with at least one person for the purpose of receiving calls and dispatching taxicabs.
- (10) Limousine, sedan, and shuttle services shall employ sufficient employees or utilize answering devices to answer the telephone after hours.

**Commented [r7]:** During the planning committee meetings, many of the taxi cab drivers expressed the desire that the Council remove the requirement of an official company presence in the City. As this is a policy decision, the Councilman may omit this requirement if he likes.

**Commented [r8]:** See comment 7

**Commented [r9]:** During the planning committee meetings, many of the taxi cab drivers expressed the desire that the Council remove the requirement. This is a policy decision, the Councilman may omit this requirement if he likes.

**Commented [r10]:** During the planning committee meetings, many of the taxi cab drivers expressed the desire that the Council remove the requirement. This is a policy decision, the Councilman may omit this requirement if he likes.

- (11) The license and permit division of the police department must be given written notification of any change in application or maintenance information within five days of such change.
- (12) If a CPNC holder replaces a vehicle for hire in service with another vehicle, such fact shall be submitted to the license and permit division of the police department and all vehicle requirements must be met prior to deployment.
- (13) Taxicab companies shall maintain at least eight vehicles for hire under their company name for which a CPNC license has been issued, or the number of vehicles operated by the company as of the effective date of these articles, if less than eight.

(Ord. No. 2000-11(27), § V-E, 3-28-00)

Sec. 126-32. - Insurance.

All persons, firms, corporations or partnerships operating a vehicle for hire in or over the streets of the city shall file with the license and permit division of the police department a liability insurance policy or certificates of insurance in lieu thereof, executed by an insurance or surety company, authorized to do business in the state, in the minimum amount of \$75,000.00 for injury or death of any one person and subject to that limit for each person. One hundred fifty thousand dollars for each accident. Seventy-five thousand dollars for damage to property. Uninsured motorist coverage for an accident in the minimum amount of \$25,000.00 for injury or death of any one person and subject to that limit for each person. Fifty thousand dollars for each accident. Ten thousand dollars for damage to property. Such liability insurance shall be conditioned that the person, firm, corporation or partnership filing the same will satisfy all judgments and decrees rendered against them in favor of all persons for personal injuries or property damage caused by the operation of such vehicle, and to indemnify and save harmless the city, its officers or agents from all judgments, causes of action, costs and expenses of defending any suit, or cause of action, that might be brought, arising from or growing out of the operation of the vehicle for hire by the principal, or his agents, lessees, successors or assigns, or operating under the trade name, or operating out of the terminal of the principal. Each policy of insurance shall name the city as an additional insured and shall provide that the license and permit division of the police department be given at least 30 days prior written notice by the insurer of any cancellation or amendment of the policy.

**Commented [r11]:** During the planning committee meetings, many of the taxi cab drivers expressed the desire that the Council remove the requirement that taxicab drivers had to maintain 8 vehicles to have the CPNC. During the meeting, the taxi cab drivers requested that they be allowed to operate more like UBER and Lyft and that they only be required to have 1 vehicle. The current CPNC holders suggested reducing the number to 5 vehicles. This is a policy decision, the Councilman may omit this requirement or reduce the number of required vehicles if he likes.

**Commented [r12]:** The Councilman may reduce the amount of insurance if he requires because Miss. Code Ann. § 21-27-133 provides that the amount of the insurance policy or bond required under this section on any motor vehicle of any such owner or operator shall in no case be less than ten thousand dollars for the death or injury to any one person, and subject to said limit for one person, twenty thousand dollars total public liability for any one accident and ten thousand dollars for property damage. Although the statute authorizes lower limits, I would not recommend decreasing the amounts currently in place.

(Ord. No. 2000-11(27), § V-F, 3-28-00)

Secs. 126-33—126-50. - Reserved.

ARTICLE III. - PERMITTING OF DRIVERS<sup>[2]</sup>

Footnotes:

--- (2) ---

Editor's note— See editor's note at article I.

Sec. 126-51. - City permit required.

All drivers of vehicles for hire shall obtain and maintain a permit issued by the city before driving a vehicle for hire upon the streets of the city. If a driver works for a company or partnership that holds a

CFS, the company or partnership shall confirm that the driver meets the standards set forth below before allowing him or her to drive.

(Ord. No. 2000-11(27), § VI, 3-28-00)

Sec. 126-52. - Application.

In order to secure a driver permit, an applicant must provide the following information on a form (application) provided by the license and permit division of the police department. The applicant must:

- (1) Be at least 18 years of age.
- (2) Possess a Mississippi Chauffeurs or commercial driver's license, whichever is necessary for the required insurance coverage to be effective, which must have been held in Mississippi or in another state for a minimum period of one year prior to application.
- (3) Be a citizen of the United States or an alien admitted for permanent residence who has otherwise been granted employment authorization by the United States Immigration and Naturalization Service.
- (4) Be a resident of the state for at least six months immediately preceding the date of application.
- (5) Exhibit a proficiency with the English language so as to be able to comprehend and interpret traffic signs, issue written receipts to passengers and obey lawful orders of police and others in lawful authority.
- (6) Provide a copy of the CPNC's privilege license from the city.
- (7) Submit written statement from a CPNC holder stating that the applicant will be affiliated as a driver with that CPNC holder upon issuance of the permit.
- (8) Submit to fingerprint analysis by the city's police department; this shall include analysis through the Mississippi Crime Information Center.
- (9) Not have been convicted, been on probation, parole, or served time on a sentence for a period of five years previous to the date of application, for the violation of any criminal offense, felony or misdemeanor, of the city, of the State of Mississippi or any other state or of the United States. If at any time during the application process the applicant is charged with any criminal offense, consideration of the application shall be suspended until entry of a judgement or dismissal. A plea of nolo contendere to a criminal offense shall constitute a conviction.
- (10) Not have been convicted of three or more violations of these articles within a period of two years prior to the date of application.
- (11) Be examined by a physician licensed to practice in the state and provide written certification from such physician stating that the applicant is not disabled by reason of defects of sight, hearing, body, limbs or evidence of narcotic or alcoholic usage from safely operating a motor vehicle in and upon the streets of the city. The city reserves the right to have any applicant examined by a physician appointed by the city before issuing a permit to such applicant to drive a vehicle for hire within the city.
- (12) Provide information regarding prior experience in the transportation of passengers. {
- (13) In addition to the above requirements, drivers of animal-drawn vehicles shall be required to provide documentation evidencing working knowledge and general experience involving large animals, e.g. horses, animal-drawn vehicles. Companies must provide new drivers with a five-day driver apprentice training program. Guidelines for and the results of such programs shall be submitted to the license and permit division of the police department. }
- (14) (4) Submit to a a local and national criminal background check that shall include:

a. Multi-State/Multi-Jurisdiction Criminal Records Locator or other similar commercial nationwide database with validation (primary source search); and

**Commented [r13]:** JTPA recommended that this sentence be deleted. I believe the information requested could be pertinent and should be kept.

**Commented [r14]:** JTPA recommended that this sentence be deleted. I believe the information requested could be pertinent and should be kept.

b. National Sex Offender Registry database

(15) (5) The applicant shall not have:

(1) had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license);

(2) Have been convicted, within the past seven years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, acts of violence, or acts of terror. If at any time during the application process the applicant is charged with a criminal offense that would disqualify the driver upon conviction, consideration of the application shall be suspended until entry of a judgment or dismissal. A plea of nolo contendere to a criminal offense shall constitute a conviction;

(Ord. No. 2000-11(27), § VI-A, 3-28-00)

Sec. 126-53. - Issuance.

The license and permit division of the police department shall issue a driver's permit which has a photograph of the holder and has impressed on the face thereof the seal of the city. The seal shall be affixed in such a manner that a portion of both the photograph and card shall be covered by the seal. A permit shall be renewed by the driver prior to expiration thereof, and upon the providing of proof that the driver continues to possess the requirements necessary to obtain and maintain a permit. In case of loss of a driver permit, a duplicate permit may be obtained after payment by the driver of the fee set forth in these articles and after submission of a statement setting forth the circumstances of said loss.

Any driver who intends to change his CPNC affiliation must present his driver's permit to the license and permit division of the police department so that said permit may be replaced with a substitute permit reflecting such change in affiliation. Under no circumstances shall a driver drive for the CPNC holder with which he intends to affiliate before obtaining a substitute permit from the license and permit division of the police department and paying the fee set forth in these articles.

(Ord. No. 2000-11(27), § VI-B, 3-28-00)

Sec. 126-54. - Driver's dress code.

Each driver while operating a vehicle for hire shall be neat and clean in appearance at all times.

- (1) Male drivers shall wear long pants, shirts with collars and sleeves, and shoes. Shoes shall be clean, closed-in and worn with socks. Hair, beards and/or moustaches shall be neat, trimmed and present a groomed appearance. Chauffeur's style caps may be worn.
- (2) Female drivers shall wear long pants or skirts, shirts with collars and sleeves, and shoes. Shoes shall be clean, closed-in and worn with socks or stockings. Hair shall be neat, trimmed, and present a groomed appearance. Chauffeur's style caps may be worn.
- (3) During seasonal periods, drivers may wear knee-length walking style shorts with a short sleeve or a polo shirt, white socks and a leather top shoe with a rubber sole with the approval of the company. Low cut, sleeveless shirts and tank tops shall not be worn. Cut-off jeans shall not be worn. Sheer, transparent or fish net materials shall not be used for any apparel.

(Ord. No. 2000-11(27), § VI-C, 3-28-00)

**Commented [r15]:** JTPA recommended that this section be deleted. It's within the Councilman's discretion to maintain the information as he so desires.

Sec. 126-55. - Maintenance requirements.

In order to maintain a permit to drive a vehicle for hire, a driver must:

- (1) Continue to maintain the qualifications set out for obtaining a driver permit.
- (2) Not smoke or play a radio or tape player if objected to by a passenger.
- (3) Provide the license and permit division of the police department with notice of any change of personal address within five days of such change.
- (4) Not transfer the driver's badge to any other driver.

(Ord. No. 2000-11(27), § VI-D, 3-28-00)

Secs. 126-56—126-75. - Reserved.

ARTICLE IV. - VEHICLE REQUIREMENTS AND SPECIFICATIONS

Sec. 126-76. - Taxicabs and shuttles.

- (a) The license and permit division of the police department shall assign a sequence of numbers to each CPNC holder for the purpose of identifying all vehicles of that CPNC holder. From the sequence, the CPNC holder shall allocate a number for each of its vehicles. Both the number and name of the company shall be affixed by means of permanent, nonmagnetic decals to the taxicab in contrasting colors. The color scheme shall be approved by the committee. This number shall be at least three inches in height; letters of the company name shall be at least one and three-quarters inches in height.
- (b) Each vehicle shall have affixed to the upper right corner of the front windshield a current yearly insurance sticker.
- (c) Posted inside the vehicle in a prominent place immediately visible to a passenger shall be the following:
  - (1) Driver's permit;
  - (2) Schedule of rates and charges;
  - (3) Company's telephone number;
  - (4) City of Jackson's "Action Line" number for complaints and comments; and
  - (5) Metallic badge containing driver number.

The owner, driver, licensee or other person in charge of any taxicab or shuttle shall not demand or be entitled to receive any pay for the transportation of any passengers unless said information is prominently displayed inside of the vehicle. Any owner, driver, licensee or other persons in charge of any taxicab or shuttle who fails to comply with the schedule of rates and charges shall not be entitled to receive any pay for the transportation of passengers.

- (d) Permanently affixed to the roof of each taxicab shall be a dome light not less than six inches in height, bearing the word "TAXI", the company name or the company telephone number.
- (e) Shuttles shall display not more than two signs, logos or other emblems, not to exceed 400 square inches each, which identify the person or organization making available the service and the persons to whom the service is made available.
- (f) Every vehicle authorized for shuttle service must operate on a schedule approved by the committee.

(Ord. No. 2000-11(27), § VII-A, 3-28-00; Ord. No. 2012-32(2), § 1, 12-11-12)

Sec. 126-77. - Limousines and sedans.

- (a) It shall be unlawful for any person to transport or offer to transport passengers for hire in any limousine or sedan which does not have affixed to the lower left front windshield a valid inspection sticker issued by the vehicles for hire inspector showing the vehicle's CPNC number and the date of the inspection.
- (b) No limousine or sedan shall be approved for service if it bears any advertising or other writing or emblem on the outside, except for license plates and inspection stickers.

(Ord. No. 2000-11(27), § VII-B, 3-28-00)

Sec. 126-78. - Animal-drawn vehicles.

Each company operating animal-drawn carriages must identify each carriage with the name and telephone number of the company, CPNC number, insurance sticker, inspection sticker, and carriage number assigned by the license and permit division of the police department.

(Ord. No. 2000-11(27), § VII-C, 3-28-00)

Sec. 126-79. - Taxicabs and shuttles; specifications.

- (a) *Color scheme.* Each CPNC holder and its agents shall have its vehicles painted the same color and marked with a uniform logo or insignia. The color shall be chosen by the CPNC holder and approved by the committee.
- (b) *Vision obstructing devices.* No vehicle shall be equipped with shades, curtains, or any other vision-obstructing device.

(Ord. No. 2000-11(27), § VIII-A, 3-28-00)

Sec. 126-80. - Taximeter; specifications.

Indications of fare shall be displayed through, and entirely protected by, glass or other suitable transparent material securely attached to the housing of the taximeter. A taximeter shall calculate fares only upon the basis of initial money drop and of distance traveled, time elapsed, or a combination of distance traveled and time elapsed.

- (1) A taximeter shall be equipped with a primary indicating element which shall be susceptible of advancement only by the rotation of the vehicle wheels or by the time mechanism. Except when a taximeter is being cleared, indications of fare and extras shall be clearly visible at all times and at least ten mm high for the fare and four mm high for all other indications. If needed, artificial illumination of the taximeter face shall be provided. When a taximeter designed to calculate fares upon the basis of a combination of distance traveled and time elapsed is operative with respect to fare indication, the fare-indicating mechanism shall be actuated by the distance mechanism whenever the vehicle is in motion at such a speed that the rate of distance revenue equals or exceeds the time rate, and may be actuated by the time mechanism whenever the vehicle speed is less than this and when the vehicle is not in motion. Means shall be provided for the vehicle operator to render the time mechanism either operative or inoperative with respect to the fare-indicating mechanism.

- (2) Whenever the indicating elements of a taximeter are set to indicate a charge for the hire of the vehicle, the character of the fare indication shall be clearly shown on the taximeter face. When a taximeter is cleared, the indication "not registering," "vacant," or an equivalent expression shall be shown. Whenever a single-tariff taximeter is set so as to register charges, the indication "registering," "hired," or an equivalent expression shall be shown. Whenever a multiple-tariff taximeter is set so as to register charges, the basis for the particular tariff for which it is set shall be shown.
- (3) Design of the operating control shall be as follows:  
A control lever-arm knob, handle, or other convenient and effective means shall be provided to set the taximeter mechanism for the desired operating condition and to clear the taximeter. The several positions of the control lever shall be mechanically defined, and displacement from any of these positions shall be sufficiently obstructed that the accidental or inadvertent changing of the operating condition of the taximeter is improbable. Possible movement of this control to an operating position immediately following its movement to the cleared position shall automatically be delayed enough to permit the taximeter mechanism to come to complete rest in the cleared condition.
- (4) Adequate provision shall be made for affixing lead-and-wire seals to a taximeter and to other parts required for service operation of a complete installation on a vehicle, so that no adjustments, alterations or replacement affecting in any way the accuracy or indications of the device or the assembly can be made without mutilating the seal or seals. The sealing means shall be such that it is not necessary to disassemble or remove any part of the device or of the vehicle to apply or inspect the seals.
- (5) To determine compliance with distance tolerances, the vehicle shall be driven over a precisely measured road course.
- (6) The time mechanism shall be tested at least through the first five time intervals.
- (7) The operational tire pressure recommended by the manufacturer shall be maintained.
- (8) Whenever a taximeter has been damaged, or repairs that might in any way affect the accuracy of its indications have been made, or any of the official security seals have been mutilated, such device shall not thereafter be used until it has been officially examined and re-approved by the city.

(Ord. No. 2000-11(27), § VIII-B, 3-28-00)

Sec. 126-81. - Animal-drawn vehicles; specifications.

- (a) *Animal working conditions.* No animal shall be worked under any of the following conditions, and any person who allows the conditions to continue shall be in violation of this article:
  - (1) No animal or combination of animals shall pull any combined weight, including passengers and driver, in excess of two times the animals body weight.
  - (2) No animal or combination of animals shall pull any vehicle which is occupied by a number of persons which exceeds such vehicle's normal safe seating capacity.
  - (3) If the animal works more than ten hours in any 24-hour period, the animal shall have at least one 20-minute rest break or two ten-minute rest breaks per hour.
  - (4) No animal pulling a vehicle for hire shall move at a speed faster than a slow trot. A "slow trot" shall mean a speed of five to 15 miles per hour.
  - (5) No animal shall work more than 50 hours in any seven-day period or more than five consecutive days. Working hours shall include time spent on rest breaks and all the time animals are available for hire.

- (6) No animal shall wear equipment, other than normal blinders, which causes an impairment of vision.
- (b) *Vehicles.* Vehicles for hire pulled by animals shall conform to the following vehicle specifications:
- (1) The wheel base shall be equal to or less than 14 feet.
  - (2) The total overall length of the vehicle shall be equal to or less than 28 feet.
  - (3) The maximum overall width of the vehicle shall be equal to or less than 78 inches.
  - (4) The tires shall be rubber or other resilient material. Metal tires shall be prohibited.
  - (5) The vehicle right turn radii shall not be greater than 12 feet for the right rear wheel and 24 feet for the left front wheel.
  - (6) The vehicle shall be drawn by no more than two animals, except at parades and at special events approved by the city.
  - (7) Vehicles shall be equipped with one red light on each outer extremity of the rear of the vehicle body and mounted between two and five feet above the road surface. Similarly mounted yellow lights shall be mounted on the front of the vehicle body. Each light shall be no less than four inches in diameter.
  - (8) A certification indicating the weight of the carriage shall be submitted each time the carriage is modified in any way, but not less than once yearly.
  - (9) The body weight of the animal must be submitted upon request of the animal control division of the police department, but not less frequently than once a year.
- (c) *Use of harness.*
- (1) No animal will be worked without a padded saddle or bit that is approved by the animal control division.
  - (2) The harness must be oiled and cleaned so as to be soft at all times.
  - (3) The harness will be properly fitted and maintained, and kept free of makeshift material such as wire, sisal rope, and rusty chain.
- (d) *Use of whips.* No driver may whip an animal with more than a light touch by a whip approved by the animal control division.
- (e) *Diapers.* No animal shall pull a vehicle for hire unless such animal is wearing a diaper. Diapers must be properly fitted and constructed of a sturdy material to ensure complete waste disposal and comfort to the animal.
- (f) *Shoes.* No animal shall be used to pull a vehicle for hire without properly fitting shoes on each properly trimmed hoof. Should an animal throw a shoe during its shift, the time and location must be noted on the trip sheet, and the driver must examine the hoof and remove any nails. If the animal's hoof is grown more than one-fourth inch from the quick, the horse may complete its shift, but must be shod prior to the next day's shift. In instances where the shoe is thrown and the horse is put back in service prior to the shoe being replaced, the driver is subject to enforcement procedures, including but not limited to warnings and compliance notices and, in certain situations, cruelty to animal prosecution.
- (g) *Water.* Adequate water will be provided to the animals at all times.
- (h) *Stalls and stables.*
- (1) Ventilation and fresh air shall be provided in stalls housing animals used to pull vehicles for hire to minimize draft odors, and moisture condensation.
  - (2) Ceilings in stalls and stables must be at least ten feet high from bedding and flooring.

- (3) Bedding in stalls and stables shall be highly absorbent and comfortable, if in direct contact with the animal.
- (4) Surface or surfaces, including floors, with bedding shall be free of odor and waste and shall be cleaned and disinfected regularly.
- (5) Stalls and stables shall be structurally sound and maintained in good repair to protect the animals from injury and to contain them.
- (6) Stalls and stable floors or surfaces shall be constructed and maintained to protect the animals' feet and legs from injury.
- (7) Stalls and stables shall be constructed and maintained so as to enable the animals to remain dry and clean.
- (8) Stalls shall be constructed and maintained so as to provide sufficient space to allow each animal to turn about freely and easily stand, sit or lie in a comfortable, normal position.
- (9) Stalls and stables shall be constructed and maintained so that the animals contained therein have easy access to food and water, and such food and water shall be kept free of contamination.
- (10) Stalls and stables shall be kept sanitary and receive periodic cleaning to remove feces and other waste materials, including trash and dirt, so as to minimize disease hazards and reduce odors. Such disposal shall meet the guidelines established by city or county health regulations.
- (i) *Trailers.* Any trailer or vehicle involved in transporting animals governed in this article must be in good working order and must be near the working location, so as to provide speedy removal of any animal in an emergency situation.
- (j) *Operating specifications.* Animal-drawn vehicles shall adhere to the following operating specifications:
  - (1) Vehicles shall not make any left turn movement except from one-way streets.
  - (2) Vehicles shall travel in the curb lane except when passing parked vehicles or other obstructions which prevent use of the curb lane.
  - (3) Vehicles shall not travel on streets with grades equal to or greater than ten percent without approval of the committee.
  - (4) Vehicles shall not stop within the roadway other than at designated loading and unloading areas, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic-control sign or signal.
  - (5) Vehicles shall observe all applicable rules of the road as set forth by state laws and regulations.

(Ord. No. 2000-11(27), § VIII-C, 3-28-00)

Secs. 126-82—126-100. - Reserved.

#### ARTICLE V. - VEHICLE INSPECTION

Sec. 126-101. - Vehicle inspections; generally.

- (a) All inspections shall be conducted by the license and permit division of the police department at a designated inspection station.

- (1) Each vehicle for hire shall be inspected during the month of the expiration of the current inspection sticker issued by the vehicle for hire inspector.
- (2) The vehicles for hire inspector shall establish a schedule of inspection for all vehicles for hire for which CPNC's have been issued.
- (3) Random inspections may be conducted at any time.
- (4) If a vehicle for hire fails to pass the requirements of the city's inspection, the vehicle for hire inspector shall issue the driver a correction slip, giving the driver 15 days within which to correct the listed deficiencies. In such event, the vehicles for hire inspector shall forward to the CPNC holder a copy of the correction slip.

(Ord. No. 2000-11(27), § IX-A, 3-28-00)

Sec. 126-102. - Inspection specifications.

All inspections shall consist of the following:

- (1) Animal-drawn vehicles shall be inspected annually for proper markings and materials, exterior lights, glass (no cracks), license plate and license plate lights (if applicable), doors and door locks, body and interior check for conditions of upholstery and floor, and proper lubrication of body, springs and wheels.
- (2) All vehicles for hire other than animal-drawn shall be inspected annually for proper markings and display of information. Inspection of the exterior and interior of the vehicles shall include the following:
  - a. *Exterior.* Headlights, taillights, brake lights, directional signal lights, side mirrors, license plate lights, windshield, vent glasses, windshield wipers, all other vehicle glass, glass window raisers, doors and door locks, trunk lid, trunk, hood, door handles, exhaust system, splash shields, hubcaps, bumpers, fenders, motor vehicle frame, and tires shall be inspected to ascertain that each is functioning properly. Each vehicle shall be maintained in a clean condition. There shall be no tears or rust holes in the vehicle body. The paint shall not be peeling or in faded condition. No loose pieces such as fenders, bumpers or trim shall be hanging from the vehicle body. There shall be no unrepaired body damage or any body condition which would create a safety problem or interfere with the operation of the vehicle.
  - b. *Interior.* The interior shall be in a clean condition, free of foreign matter and offensive odors. There shall be no litter in the vehicle or trunk, and the seats shall be kept clean and without holes or large wear spots. The rear view mirror, horn, seat belts, steering wheel, foot brakes, parking brakes and air conditioning and heating systems shall be inspected to ascertain that each is functioning properly. The dashboard, upholstery, floor mats, head lining, door panels and the trunk compartment shall be inspected to determine whether they are clean, free of debris, free of tears, and that the trunk has sufficient space for passengers' luggage. The vehicle shall contain a spare tire, a jack, a functional means of communication for limousines and sedans and a functional two-way radio for taxicabs which shall serve as means of communication between the company and the driver.
- (3) In addition to all other vehicle inspections required by law, each vehicle for hire shall be subject to an annual inspection.

(Ord. No. 2000-11(27), § IX-B, 3-28-00)

Secs. 126-103—126-125. - Reserved.

## ARTICLE VI. - SCHEDULE OF FEES AND FARES

### Sec. 126-126. - Non-refundable fees; CPNC holder.

(a) The following fees shall be assessed and collected from the CPNC holder or the driver and shall be non-refundable:

- (1) Each CPNC ..... \$250.00
- (2) City driver's permit and badge ..... ~~48.75~~ 13.75
- (3) Renewal of city driver's permit ..... ~~48.75~~ 8.75
- (4) Issuance of duplicate of any of the above ..... ~~48.75~~ 13.75
- (5) Vehicle annual inspection ..... ~~62.50~~ 31.50
- (6) Re-issuance of name change of company or corporation ..... 250.00
- (7) Transfer of driver to different company ..... ~~34.25~~ 15.75
- (8) Record keeping fee ..... 1.25
- (9) Temporary limousine and sedan permit ..... ~~25.00 - 100.00 in State/ 250 Out of State~~

(Ord. No. 2000-11(27), § X-A, 3-28-00; Ord. No. 2006-64(2), 9-26-06)

### Sec. 126-127. - Taxicabs; fares.

The following fares shall be charged by taxicabs:

- (a) *The following fares shall be charged by taxicabs.* The maximum fare shall not exceed \$3.00 for the first one-tenth mile or fraction thereof and \$3.00 for each additional mile thereafter.
- (1) For each additional person who is five years of age or older and who is group riding, the maximum charge of the metered fare shall not exceed \$1.00. Provided, however, said maximum shall not exceed \$3.00 for trips to/from the Jackson Evers International Airport.
  - (2) Waiting or delay time shall not exceed \$23.00 per hour or a fraction thereof.
  - (3) [Reserved.]
  - (4) Privately negotiated contracts for the allowable movement of goods shall be permitted and not be subject to regulations. Privately negotiated contracts for tours and for the movement of passengers for more than one round trip shall be allowable and not be subject to regulation.
  - (5) Charges for trips originating outside the geographic legal limits are negotiable between the taxicab company and/or the driver and the passenger.
  - (6) Any voluntary discounts to the elderly and handicapped shall be posted in a prominent place on the inside of the taxicab in such a way that it shall be immediately visible to passengers therein.
  - (7) No fare shall be charged by any driver of a taxicab unless that driver has attended a mandatory hospitality training course provided by the Jackson Convention and Visitor's Bureau prior to applying for renewal for a driver's permit. Such training shall include, but shall not be limited to, training in the following areas: customer service, personal appearance of drivers, driver courtesy, sensitivity training to the elderly, infirmed and disabled, and customer satisfaction.

**Commented [r16]:** The drivers and JTPA complained about the amounts previously required. I have included their proposed changes.. I recommend going with their suggested additions as it relates to temporary limousine and sedan permits, and then considering a reduction of the other funds. I would be very careful about the reductions as the City relies on the funds.

ADD: GAS SURCHARGE OF \$2.00 WHEN GAS PRICES EXCEEDS \$3.00 PER GALLON

ADD: GAS SURCHARGE OF \$4.00 WHEN GAS PRICES EXCEEDS \$5.00 PER GALLON

**Commented [r17]:** The taxi companies and drivers complained about these mandatory fees because the transportation network companies are not held to the minimums and thus can offer better rates in some situations. The Councilman can reduce these mandatory amounts as he sees fit.

(Ord. No. 2000-11(27), § X-B, 3-28-00; Ord. No. 2005-36(2), 11-28-05; Ord. No. 2012-7(2), 4-3-12; Ord. No. 2013-1(3), 1-22-13)

Sec. 126-128. - Limousines, sedans, shuttles, and animal-drawn vehicles; fares.

- (a) Limousines, not to exceed \$75.00/hour, per vehicle. A limousine service may not charge fares based upon fractions of an hour except after the first hour of service.
- (b) Sedans, not to exceed \$45.00/hour, per vehicle.
- (c) Shuttles, not to exceed \$15.00/hour, per vehicle. Shuttles to/from the Jackson International Airport to points in and beyond the downtown Jackson area, so long as such points are within the legal limits of the City of Jackson, shall charge not more than \$15.00 per person.
- (d) Animal-drawn, not to exceed \$35.00/hour, per carriage.

(Ord. No. 2000-11(27), § X-C, 3-28-00)

Secs. 126-129—126-150. - Reserved.

#### ARTICLE VII. - MISCELLANEOUS REGULATIONS

Sec. 126-151. - Daily records required.

CPNC holders and their agents shall keep a daily record including all accepted telephone calls. Such daily records shall be preserved and any records within the most recent 90 days shall be readily available for examination by the license and permit division of the police department.

(Ord. No. 2000-11(27), § XI-A, 3-28-00)

Sec. 126-152. - Trip records required.

The driver of each vehicle for hire shall keep a trip report, showing the vehicle registration certificate number, driver's permit number, name of driver, time on duty (a.m.—p.m.), time off duty (a.m.—p.m.) and the date. Such trip report shall be filled out (with the exception of the off-duty time) before leaving home or the garage; and for each engagement the time, place and number of passengers at the beginning of a trip shall be entered and same completed at the end of the trip, showing also the destination and fare collected. All entries shall be made legibly, and the trip report shall be signed by the driver, who shall preserve them for a period of not less than 90 days. For animal-drawn vehicle, the log shall include animal rest breaks during working hours.

(Ord. No. 2000-11(27), § XI-B, 3-28-00)

Sec. 126-153. - Taxicab stand regulations.

The license and permit division of the police department shall maintain a list of all open stands. Taxicab stands shall be created by the committee with permission from the city's traffic engineer based on the criteria of traffic conditions, public necessity and convenience. Open stands shall be used exclusively by taxicabs for which CPNC's have been issued by the city. No taxicab shall be placed upon or occupy any taxicab stand except for the purpose of being held forth for hire. Taxicabs shall be placed on stands only from the rear and shall be moved forward and to the front of the stand immediately as space becomes available by the departure or movement of preceding taxicabs. When a taxicab stand is occupied to its full capacity, no taxicab shall loiter or wait nearby in violation of any traffic laws of the city. The driver of any taxicab occupying a stand shall not leave that taxicab unattended.

(Ord. No. 2000-11(27), § XI-C, 3-28-00)

**Sec. 126-154. - Passenger refusals prohibited; exceptions.**

A driver of a vehicle for hire shall not refuse to accept a passenger unless the passenger is obviously intoxicated or deemed to be dangerous. Vehicles for hire drivers are encouraged to assist passengers by providing transportation to assist in alleviating intoxicated drivers from the streets of the city.

(Ord. No. 2000-11(27), § XI-D, 3-28-00)

**Sec. 126-155. - Customer viewing of vehicle.**

Vehicles for hire shall be available for customer viewing prior to the trip event.

(Ord. No. 2000-11(27), § XI-E, 3-28-00)

**Sec. 126-156. - Compliance required; Jackson Municipal Airport rules and regulations.**

Vehicles for hire shall comply with any and all rules and regulations promulgated by the Jackson Municipal Airport Authority. A copy of such rules and regulations shall be filed with the committee.

(Ord. No. 2000-11(27), § XI-F, 3-28-00)

**Sec. 126-157. - Solicitation or transport for criminal activity prohibited.**

No driver of any vehicle for hire shall solicit any person, either in or out of the vehicle, to transport such person to any place for the purpose of participation in any criminal act.

(Ord. No. 2000-11(27), § XI-G, 3-28-00)

**Sec. 126-158. - Use of vehicle for unlawful purposes prohibited.**

It shall be unlawful for the driver of any vehicle for hire to permit any person to occupy or use such vehicle for the purpose of prostitution or pandering, or the violation of any other law or ordinance. It shall be unlawful for any driver to allow or permit the use of the vehicle for any of the purposes prohibited in these entire articles where the driver has knowledge or reasonable cause to believe that the vehicle is to be used, or is being used, for such unlawful purpose.

(Ord. No. 2000-11(27), § XI-H, 3-28-00)

Sec. 126-159. - Notification of recovered lost items required.

All drivers are required to notify their company when lost items are recovered. Such notice shall be provided by the driver within one working day of the discovery of the article and should contain the following information:

- (1) Description of the article; and
- (2) Location where the article was found.

The article shall be deposited with the CPNC holder within three days of its discovery. If the article has not been claimed within 90 days of its discovery, the article shall become the property of the company.

(Ord. No. 2000-11(27), § XI-I, 3-28-00)

Sec. 126-160. - Direct route to passenger destination required; exception.

A driver shall take the most direct route to a passenger's destination unless otherwise authorized or directed by the passenger.

(Ord. No. 2000-11(27), § XI-J, 3-28-00)

Sec. 126-161. - Passenger discrimination prohibited.

No driver shall refuse to accept a passenger solely on the basis of real or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status. For the purposes of this section, the terms "sexual orientation" and "gender identity" shall have the meanings ascribed to them in section 86-301. All vehicles shall comply with the Americans with Disabilities Act (ADA).

(Ord. No. 2000-11(27), § XI-K, 3-28-00; Ord. No. 2012-32(2), § 2, 12-11-12; Ord. No. 2016-17(4), § 3, 6-14-16)

Sec. 126-162. - Reckless operation of vehicle prohibited.

It shall be unlawful for a driver to operate his vehicle in a manner which threatens the life, health, and safety of the passenger or the public, or threatens damage or destruction of property.

(Ord. No. 2000-11(27), § XI-L, 3-28-00)

Sec. 126-163. - Passenger discharge of vehicle.

It shall be unlawful for a driver to discharge any passenger before reaching the passenger's destination unless the driver has reasonable belief that the passenger is dangerous or unless street conditions do not permit a safe discharge.

(Ord. No. 2000-11(27), § XI-M, 3-28-00)

Sec. 126-164. - Driver TV prohibited.

No television visible to the driver may be operated in a moving vehicle.

(Ord. No. 2000-11(27), § XI-N, 3-28-00)

Sec. 126-165. - Severability.

The provisions of these articles shall be separable and the invalidity or unconstitutionality of any portion shall not affect the remainder thereof.

(Ord. No. 2000-11(27), § XII, 3-28-00)

Sec. 126-166. - Effective date.

These articles shall be effective 30 days from and after passage.

(Ord. No. 2000-11(27), § XIV, 3-28-00)

Secs. 126-167—126-355. - Reserved.

#### ARTICLE VIII. - BUSES

Sec. 126-356. - Instructing or permitting charging of excessive fares.

Any person, having authority so to do, who shall instruct or knowingly permit any person or any employee of such person, to charge or exact a fare for the riding of a bus or motor vehicle operated under any franchise with the city in excess of the fare provided by ordinance under such franchise shall be guilty of a misdemeanor. Every exaction of such excessive fare shall be a separate offense by such person so instructing or permitting the exaction of such fare.

(Code 1971, § 28-70)

Sec. 126-357. - Designation of buses required.

Every bus operated within the city limits for the transportation of passengers shall be plainly designated as such.

(Code 1971, § 28-71)

Sec. 126-358. - Refusal to pay fare.

It shall be unlawful for any passenger on any bus being operated in the city to refuse to pay his fare, or to refuse to deposit the fare according to the reasonable rules adopted by the manager of the bus company.

(Code 1971, § 28-72)

Secs. 126-359—126-390. - Reserved.

#### ARTICLE IX. - WRECKER SERVICES<sup>[2]</sup>

Footnotes:

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Cross reference— Emergency services, ch. 50.

DIVISION 1. - GENERALLY

Secs. 126-391—126-415. - Reserved.

DIVISION 2. - STORAGE AND REPORTING REQUIREMENTS; TOWED VEHICLES

Sec. 126-416. - Purpose and findings of division.

The city council has determined that motor vehicles are being towed and stored on private lots that have later been determined to be stolen, and that in order to assist in the reduction of time for recovering such stolen vehicles that wrecker services should be required to provide certain information to the city police department, auto theft division, so that such division can easily determine whether or not said motor vehicle is stolen, and if so, notify its owner as soon as possible.

(Ord. of 1-3-95, § 2)

Sec. 126-417. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Motor vehicle* means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, which is self-propelled or which may be connected to and towed by a self-propelled device.

*Vehicle identification number (VIN)* means a number or numbers, a letter or letters, a character or characters, a datum or data, a derivative or derivatives, or a combination or combinations thereof, used by the manufacturer for the purpose of uniquely identifying a motor vehicle or a motor vehicle part.

*Wrecker service* means any person, firm, partnership, association, corporation, company or organization of any kind that charges a fee for towing, trailering, or otherwise moving wrecked, disabled or abandoned vehicles in the city.

*Wrecker service lot or storage facility* means any building, lot or other premises where motor vehicles are stored, parked or repaired for a fee.

(Ord. of 1-3-95, § 3)

**Cross reference**— Definitions generally, § 1-2.

Sec. 126-418. - Penalty for violation of division.

Any person or business who fails to submit reports, as required under section 126-419, shall forfeit all claims for towing services and storage of such vehicle, and shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$100.00 nor in excess of \$1,000.00 or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment.

(Ord. of 1-3-95, § 8)

**Sec. 126-419. - Reporting.**

Whenever any motor vehicle of a type subject to registration in this state has been towed by a wrecker service and stored, parked, or left at a wrecker service lot or storage facility in excess of five days, the owner of the wrecker service shall report in writing to the city police department, auto theft division, the make, model, vehicle identification number (VIN), license numbers and the date of towing and/or storage of such vehicle; the person authorizing towing and/or storage; and such person's address and telephone number and reason for towing and/or storage, on a form prescribed and furnished by the department. Such written report shall be made no later than five days from the date the vehicle was towed and/or stored; provided, however, that nothing in this section shall apply where arrangements have been made, in writing, for continuous storage or parking by the owner of the vehicle so parked or stored with the owner or operator of the wrecker service.

(Ord. of 1-3-95, § 4)

**Sec. 126-420. - Abandoned vehicles.**

Whenever a wrecker service tows an abandoned vehicle at the request of a private citizen, the wrecker service shall, within five days from the date of towing, report in writing to the city police department, auto theft division, the make, model, vehicle identification number (VIN), license number and the date of towing of such vehicle; the person requesting such towing; and the person's address and telephone number on the form prescribed and furnished by the department.

(Ord. of 1-3-95, § 5)

**Sec. 126-421. - Records.**

The owner of the wrecker service shall maintain adequate records on towing and/or storage of all vehicles, describing the vehicle, date brought into storage and the name and address of the person and/or department authorizing such storage. These records shall be open to inspection by any law enforcement officer during normal business hours.

(Ord. of 1-3-95, § 6)

**Sec. 126-422. - Vehicle markings.**

All vehicles used by a wrecker service for towing, trailering, or otherwise moving motor vehicles pursuant to this chapter shall, on each front door, bear in permanently embossed letters, no less than six inches in height, the name, address, and telephone number of the wrecker service.

(Ord. of 1-3-95, § 7)

**Secs. 126-423—126-500. - Reserved.**

## ARTICLE X. - TRANSPORTATION NETWORK COMPANIES

### Sec. 126-501. - Definitions.

The following words and phrases used in article X of this chapter shall have the following meanings, unless the context clearly requires otherwise. To the extent that the vehicle, passenger, driver, company, or matter being addressed pertains to a transportation network company as defined in this section 126-501, the definition provided in this section 126-501 supersedes any conflicting definition contained elsewhere in this chapter unless expressly specified in this article X:

*Committee* means the transportation permit and review committee as defined in chapter 126, section 126-3 of the General Laws of the City of Jackson.

*Department* means the Police Department of the City of Jackson.

*Prearranged ride* means a period of time that begins when a transportation network driver accepts a requested ride through a digital network, continues while said driver transports the transportation network company rider, and ends when said rider departs from the vehicle.

*Transportation network company [(TNC)]* means a corporation, partnership, sole proprietorship or other entity, operating in the City of Jackson that uses a digital network to connect riders to drivers for the purposes of pre-arranging and providing transportation.

*Transportation network company permit or permit* means a document that may be issued by the committee to a qualifying transportation network company under section 126-504 of this chapter, effective for a period of two years. A transportation network company shall not be deemed to control, direct or manage the vehicles or transportation network drivers that connect to its digital network, except where agreed to by written contract.

*Transportation network driver* means a driver certified by a transportation network company pursuant to section 126-505.

*Transportation network driver certificate* means a certificate issued by a transportation network company pursuant to section 126-505, effective for a period of one year, and which may be provided in an electronic form.

*Transportation network rider or rider* means a passenger in a pre-arranged ride provided by a transportation network driver, provided that the passenger personally arranged the ride or an arrangement was made on his or her behalf.

*Transportation network services or services* means the offering or providing of pre-arranged rides for compensation or on a promotional basis to riders or prospective riders through the transportation network company's digital network, covering the period beginning when a transportation network driver is logged onto the transportation network company's digital network and is available to receive a prearranged ride or while in the course of providing a prearranged ride.

*Vehicle* means a vehicle that is used by a transportation network driver to provide transportation network services.

(Ord. No. 2016-2(9), § 2, 2-9-16)

### Sec. 126-502. - Administration.

The committee shall have general supervision of all transportation network companies and the manner in which transportation network services are provided with reference to the safety and convenience of the public, as expressly set forth in sections 126-501 through 126-512 of this chapter. Transportation network companies are not subject to the department or committee's rate, certificate of

necessity, or common carrier requirements, other than those expressly set forth in sections 126-501 through 126-512 of this chapter, nor are transportation network companies subject to any other provision of this chapter, other than those expressly set forth in sections 126-501 through 126-512.

(Ord. No. 2016-2(9), § 2, 2-9-16)

Sec. 126-503. - City permit required.

- (a) No transportation network company shall operate in the City of Jackson without a permit issued to it by the committee. Unless the committee can show good cause for delay, such as the failure to submit information required in this article or failure to comply with this article, the committee shall issue permits to transportation network companies who apply within 30 days of the applicant submitting a completed application. Any transportation network company operating in the City of Jackson at the time of the enactment of the ordinance from which this article is derived may continue operating so long as it submits a completed application within 30 days of the effective date of the ordinance from which this article is derived. If it completes the application within 30 days, said company may operate unless/until its application is reviewed and rejected.
- (b) No transportation network driver shall provide transportation network services unless said driver:
  - (1) Is affiliated with a transportation network company that holds a permit issued to it by the committee or is otherwise authorized to operate on an interim basis under section 126-503(a);
  - (2) Holds a current and valid transportation network driver certificate issued to him by a transportation network company identifying him as a transportation network driver;
  - (3) Uses a vehicle that is listed on his transportation network driver certificate and bears the recognizable external marker required by subsection (f) of section 126-505; and
  - (4) Carries the proof of insurance required by section 126-506.

(Ord. No. 2016-2(9), § 2, 2-9-16)

Sec. 126-504. - Application.

- (a) A transportation network company shall apply for a permit to be issued by the committee. The applicant must pay a \$5,000.00 registration fee. The registration must include:
  - (1) The transportation network company's name, business address, and phone number;
  - (2) If the transportation network company is registered in another state, the name, address, and phone number of the transportation network company's agent for service of process (said agent must be in Mississippi);
  - (3) The name, address, email address and phone number of the transportation network company's main contact person for communications with the committee;
  - (4) A certification that the applicant has a company policy of nondiscrimination on the basis of destination, age, race, color, creed, sex, sexual orientation, gender identity, national origin, intellectual disability, or physical disability with respect to all passengers and potential passengers.
- (b) Each applicant for a transportation network company permit must meet the following requirements:
  - (1) Adequate insurance as set forth in section 126-506 of this chapter.
  - (2) Agree to driver background checks as described herein.

- a. The transportation network company shall not allow the provision of transportation network services by any driver who has not been determined to be suitable to provide transportation network services through the process set forth in this chapter.
  - b. The transportation network company shall submit a verification setting forth, in detail, its background check process under this chapter.
- (3) Agree to vehicle safety. The vehicle used by a TNC driver to provide TNC services shall be inspected by a qualified garage or mechanic within 60 days of the driver being authorized to drive on the TNC's platform.
- (4) Transparent pricing. The digital network used by the transportation network company to pre-arrange rides must have a straightforward explanation of the total cost or pricing structure applicable to each pre-arranged ride before such ride begins. The company agrees to disclose this pricing structure to each passenger via its website, app, and/or digital network before the passenger incurs any fees.

(Ord. No. 2016-2(9), § 2, 2-9-16)

Sec. 126-505. - Driver requirements.

- (a) Prior to permitting an individual to act as a TNC driver on its digital platform, the TNC shall:
- (1) Require the individual to submit an application to the TNC, which includes information regarding his or her address, age, driver's license, driving history, motor vehicle registration, automobile liability insurance, and other information required by the TNC and this article;
  - (2) Conduct, or have a third party conduct, a local and national criminal background check for each applicant that shall include:
    - a. Multi-state/multi-jurisdiction criminal records locator or other similar commercial nationwide database with validation (primary source search); and
    - b. National Sex Offender Registry database.
- (b) The TNC shall not permit an individual to act as a TNC driver on its digital platform who:
- (1) Has had more than three moving violations in the prior three-year period, or one major violation in the prior three-year period (including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license);
  - (2) Has been convicted, within the past seven years, of driving under the influence of drugs or alcohol, fraud, sexual offenses, use of a motor vehicle to commit a felony, a crime involving property damage, and/or theft, acts of violence, or acts of terror. If at any time during the application process the applicant is charged with any criminal offense that would disqualify a driver upon conviction under this article, consideration of the application shall be suspended until entry of a judgment or dismissal. A plea of nolo contendere to a criminal offense shall constitute a conviction;
  - (3) Is a match in the National Sex Offender Registry database;
  - (4) Does not possess a valid driver's license;
  - (5) Does not possess proof of registration for the motor vehicle(s) used to provide TNC services;
  - (6) Does not possess proof of automobile liability insurance for the motor vehicle(s) used to provide TNC services; or
  - (7) Is not at least 19 years of age.
- (c) The transportation network company shall verify that the vehicle or, where appropriate, each of the vehicles, to be used by the driver to provide transportation network services is currently registered in

the State of Mississippi. The requirement that the vehicle must be currently registered in Mississippi shall not apply to drivers who, because of their status as a student or as a member of the military or as a dependent of a student or military member, are not required by Mississippi state law to register in Mississippi the vehicle they will use to provide transportation network services. If the student or military exception applies, the transportation network company shall verify that the vehicle or, where appropriate, each of the vehicles, to be used by the driver to provide transportation network services is currently registered by a state or jurisdiction of the United States of America. The transportation network company shall make sure that all vehicles pass an inspection by a qualified garage or licensed mechanic no later than 60 days after a driver is permitted to pick up passengers on the TNC's platform and annually thereafter.

- (d) The certification requirements set forth herein shall apply to each renewal of a transportation network company permit.
- (e) When requested, and no more frequently than on a quarterly basis, the TNC shall allow the city to visually inspect or audit the records of the TNC for purposes of verifying that the TNC is in compliance with the requirements of this chapter, including, but not limited to, vehicle inspections, proper completion of criminal background checks, and proper insurance. The audit shall take place at a mutually agreed locale in the City of Jackson. The city does not assume any responsibility for the operations of the TNC, its drivers or any actions or omissions arising in connection with its activities, which, at all times, shall remain the responsibility of the TNC.
- (f) The transportation network driver certificate provided by the TNC to its authorized drivers shall contain the name of the driver and the license plate number of each vehicle used by him to provide transportation network services.
- (g) A recognizable external marker shall be displayed on a vehicle at all times it is used to provide transportation network services.

(Ord. No. 2016-2(9), § 2, 2-9-16)

Sec. 126-506. - Insurance.

- (a) On or before the effective date of this article and thereafter, TNCs and TNC drivers shall comply with the automobile insurance requirements of this section 126-506 and MCA 1972, § 21-27-133.
- (b) The following automobile insurance requirements shall apply during the time that a TNC driver is logged into the TNC's network and available to receive requests for transportation but is not conducting a prearranged ride:
  - (1) Automobile liability insurance that provides at least the minimum coverage amounts required under MCA 1972, § 63-15-3(j).
  - (2) Automobile liability insurance in the amounts required in paragraph (1) of subsection (b) shall be maintained by a TNC and provide coverage in the event of participating TNC driver's own automobile liability policy excludes coverage according to its policy terms or does not provide coverage of at least the limits required in paragraph (1) of subsection (b).
- (c) The following automobile liability insurance requirements shall apply while a TNC driver is conducting a prearranged ride:
  - (1) Primary automobile liability insurance with limits not less than \$1,000,000.00 for bodily injury or property damage per accident.
  - (2) The coverage requirements of this subsection (b)(1) may be satisfied by any of the following:
    - a. Automobile liability insurance maintained by the TNC driver; or
    - b. Automobile liability insurance maintained by the TNC; or
    - c. Any combination of subparagraphs a. and b.

- (d) Each TNC shall carry general liability insurance with limits not less than \$1,000,000.00 per occurrence and \$1,000,000.00 in the aggregate for claims against the TNC arising out of its operations.
- (e) In every instance where insurance maintained by a TNC driver to fulfill the insurance requirements of this section has lapsed, failed to provide the required coverage, denied a claim for the required coverage or otherwise ceased to exist, insurance maintained by a TNC shall provide the coverage required by this section beginning with the first dollar of a claim.
- (f) Insurance required by this section may be placed with an insurer authorized to do business in the State of Mississippi.
- (g) TNC drivers shall carry proof of the insurance required under this section 126-506 at all times that the TNC driver is in his or her vehicle and providing TNC services. If the insurance is maintained by the TNC such proof of the insurance shall, at a minimum, identify the TNC's insurance company, policy number, effective dates of the policy, and instructions for filing a claim. Proof of insurance may be displayed electronically through the TNC's digital platform.

(Ord. No. 2016-2(9), § 2, 2-9-16)

**Sec. 126-507. - Right to revoke permit with hearing and notice.**

The committee may, following notice and a hearing, suspend or revoke a transportation network company permit or an individual driver for due cause. The term "due cause" for the revocation or suspension of a transportation network company or driver shall include, but not be limited to, the following:

- (1) The failure of the transportation network company permit holder and/or driver to maintain any and all general qualifications applicable to the issuance of a certificate or permit;
- (2) Providing false information to the committee or police department or in the application to obtain a transportation network company permit;
- (3) Conviction, pleading guilty or nolo contendere of any disqualifying criminal offense of the city, the State of Mississippi, any other state, or of the United States, listed in section 126-505(b);
- (4) Refusing to accept via its network/website/software a genuine passenger who meets the requirements for service set by the transportation network company unless the passenger is obviously intoxicated, deemed to be dangerous, or other good cause;
- (5) If the holder of the transportation network company permit has knowledge of any disqualifying criminal offense or reasonably should have had such knowledge of the violation of a driver and nevertheless authorized the driver to provide transportation network services affiliated with the TNC;
- (6) Whenever it shall appear that a driver has disorders characterized by lapses of consciousness or other mental or physical disabilities affecting his or her ability to drive safely.

(Ord. No. 2016-2(9), § 2, 2-9-16)

**Sec. 126-508. - Immediate suspension of drivers.**

The committee or the chief of police (personally or by his designee) may order a transportation network company to immediately suspend the certificate of a transportation network driver, and to report to the committee and to the police department within 24 hours upon having done so, upon receipt of information from the committee or the police department indicating that the driver is not suitable to provide transportation network services and poses a danger to the public. If the committee or the police department exercise their right to suspend a driver under this paragraph, the driver may request, in

writing, addressed to the committee that the committee hold a hearing reviewing whether there is due cause to suspend the driver. The request for a hearing must be sent within five business days of the suspension and the committee shall hear the appeal within ten business days of receiving the written request for a hearing or later if all involved parties agree.

(Ord. No. 2016-2(9), § 2, 2-9-16)

Sec. 126-509. - Penalties.

- (a) The committee shall not issue a permit unless the transportation network company submits an application and registration fee in compliance with the provisions set forth herein. The committee may suspend or revoke a duly issued permit if the transportation network company fails to comply with the provisions set forth herein.
- (b) If a transportation network company operates without a permit issued by the committee, the transportation network company will be subject to criminal misdemeanor prosecution and be subject to punishment by a fine not exceeding \$1,000.00 or by imprisonment up to but not exceeding 90 days which is the maximum allowed under state law, or both such fine and imprisonment. Every day any such violation shall continue shall constitute a separate offense.
- (c) Any driver who is certified by transportation network company permitted under this article and who provides for-hire transportation services using the vehicle authorized by a TNC without going through a digital network or app for a transportation network company he is certified with (e.g., accepting a street hail) will be subject to criminal misdemeanor prosecution and be subject to punishment by a fine not exceeding \$1,000.00 or by imprisonment up to but not exceeding 90 days which is the maximum allowed under state law, or both such fine and imprisonment. Every day any such violation shall continue shall constitute a separate offense.
- (d) Any driver who is not certified by a transportation network company permitted under this article and who provides for-hire transportation services using a TNC platform or a vehicle authorized by a TNC will be subject to criminal misdemeanor prosecution and be subject to punishment by a fine not exceeding \$1,000.00 or by imprisonment up to but not exceeding 90 days which is the maximum allowed under state law, or both such fine and imprisonment. Every day any such violation shall continue shall constitute a separate offense.

(Ord. No. 2016-2(9), § 2, 2-9-16)

Sec. 126-510. - Annual fees.

- (a) In addition to the application fee, each transportation network company shall pay an annual fee of \$500.00.
- (b) The payment to the City of Jackson of the annual fee described in section 126-510(a) is not a tax. The payment to the City of Jackson of the annual fee described in section 126-510(a) does not relieve the obligation of the transportation network company or its drivers to pay any applicable taxes or fees for providing vehicle-for-hire services imposed by the State, including, but not limited to, any taxes or fees related to Jackson Convention and Visitors Bureau or the Jackson Convention Complex.

(Ord. No. 2016-2(9), § 2, 2-9-16)

Sec. 126-511. - Miscellaneous.

- (a) The committee may establish forms and procedures appropriate to effectuate sections 126-501 through 126-512 of this chapter. In so doing, it shall consider comments provided to it by transportation network companies.
- (b) The committee shall monitor and examine the provision of service by transportation network companies to all citizens of Jackson, regardless of race, class, location in the city, or special needs and shall report to the city council and mayor on an annual basis about whether further regulation of transportation network companies is necessary to address the fair provision of service to all citizens of Jackson.
- (c) Records shall be maintained by transportation network companies, including, but not limited to, records pertaining to service, accessibility, and pricing pertaining to the City of Jackson. Transportation network companies shall retain individual trip records for at least two years and driver records for at least two years after the driver's activation on the digital network or app ends.
- (d) Any record furnished to the department may exclude information that would tend to identify specific drivers or passengers, unless such information is pertinent to the enforcement processes.
- (e) Any driver who has a valid and current certification under this article as a transportation network company driver and who is displaying on his or her vehicle the external markings required in section 126-505(f) shall be authorized to pick-up and drop-off passengers using the transportation network company system at any Jackson Municipal Airport subject to any geofencing regulations, rules, or fees required by the Jackson Municipal Airport Authority. While at the airport, the driver shall not be allowed to access any parking or waiting zones that are restricted to commercial vehicles and the driver shall not be allowed to pick up fares or be hailed by people who are not using the transportation network company app or website unless authorized by the Jackson Municipal Airport Authority.

(Ord. No. 2016-2(9), § 2, 2-9-16)

Sec. 126-512. - Public records.

Any record furnished to the committee or the police department by a transportation network company pursuant to sections 126-501 through 126-512 of this chapter, including but not limited to information on permitted transportation network drivers required shall be considered confidential and is not subject to public disclosure to a third party without the TNC's express written permission unless required to be disclosed by applicable law or court order, including without limitation MCA 1972, § 25-61-1 et seq., provided that the city notifies the TNC of such requirement promptly prior to disclosure, and provided further that the city makes diligent efforts to limit disclosure pursuant to any available bases set forth in MCA 1972, § 25-61-1 et seq. or other applicable law. If the city is required to release the TNC's confidential information, it shall use any available authorities to redact personal or business confidential information from such records to the extent consistent with applicable law and the final judgment.

(Ord. No. 2016-2(9), § 2, 2-9-16)

**ORDINANCE OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI  
ESTABLISHING THE RENAMING OF BANKS STREET FROM  
ROSE STREET TO ST. LUTHER BAPTIST CHURCH TO  
*REVEREND CHARLES E. POLK, SR. DRIVE***

**WHEREAS**, the late Reverend Charles E. Polk, Sr., is a prominent Pastor, Man of God, Civil Rights activist, and pillar of the community; and

**WHEREAS**, Reverend Charles E. Polk, Sr. has led the congregation of St. Luther Baptist Church from a small footprint to a beautiful edifice, making a bold statement for the Christian community in West Jackson; and

**WHEREAS**, it is in the best interest of the citizens of the City of Jackson that this distinguished citizen and community leader be honored with this street designation in his honor.

**NOW, THEREFORE, BE IT ORDAINED:**

Section 1: That Banks Street from Rose Street to St. Luther Baptist Church be renamed to Reverend Charles E. Polk, Sr. Drive.

Section 2: That the City Clerk shall transmit a certified copy of this Ordinance to the Director of the Mississippi State Highway Department.

Section 3: That the City engineer is hereby authorized and directed to make appropriate revision to the official map of the City of Jackson, Mississippi, to reflect the official renaming of said street.

Section 4: That the City Clerk shall notify the United States Postal Service, Public Safety Communication Division, and other appropriate City departments, and all other necessary parties of the official renaming of said street.

SO ORDAINED, this the \_\_\_\_\_ 28<sup>th</sup> day of August, 2018.

Agenda Item No.

Date: August 28, 2018

BY: STOKES

**ORDER OF THE CITY COUNCIL OF JACKSON, MISSISSIPPI  
REQUIRING THE POSTING OF THE STREET ADDRESS ON  
ALL BUILDINGS, APARTMENTS, AND HOUSES IN THE CITY OF JACKSON**

**WHEREAS**, the public health, safety, and welfare will be considered by this Ordinance; and

**WHEREAS**, this Ordinance shall create the requirement for a prominently displayed address on all buildings, apartments, and houses; and

**WHEREAS**, the purpose of this Ordinance shall be to promote awareness of locations at all times for positive access by first responders, mail carriers, and other identification purposes.

**IT IS THEREFORE ORDAINED**, that there is hereby the requirement of the posting of street addresses for all buildings, apartments, and houses in the City of Jackson.

**SO ORDAINED**, this the \_\_\_\_\_ day of September, 2019.

Agenda Item No. \_\_\_\_\_

Agenda Date: September 17, 2019

By: Stokes