

CITY OF BILOXI
AGENDA ITEM
FACT SHEET

Item No.: 4 E

2nd Reading

Council Meeting Date: 8/5/14

ITEM TITLE: ORDINANCE (

INTRODUCED BY: Mayor A.J. Holloway HA
DN

CONTACT PERSON: David Nichols, CAO

SUMMARY EXPLANATION: Ordinance amending Section 21-1-3 (Motor Vehicle for Hire Authority) of the Code of Ordinances of the City of Biloxi, Mississippi.

Resolution _____ Ordinance X Public Hearing _____ Routine Agenda _____

Exhibits for Review

Contract _____ Minutes _____ Plans/Maps _____ Deed _____ Lease _____

Other (Specify): _____

Submittal Authorization: Council President _____ Mayor X

STAFF RECOMMENDATION:

Staff recommends approval

COUNCIL ACTION: Motion By: Lawrence Second By: Gines

Vote: Councilmember Yes No Other

Councilmember Yes No Other

Lawrence _____
Gines _____
Newman _____
Deming _____

Tisdale _____
Glavan _____
Fayard _____

ACTION TAKEN:

GT/mw 072214cleg

First reading on July 22, 2014

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 21-1-3
OF THE CODE OF ORDINANCES OF
THE CITY OF BILOXI, MISSISSIPPI

WHEREAS, in order to ensure consistency in the regulation and operation of motor vehicles for hire within their boundaries, the Cities of Gulfport, Biloxi, Pass Christian and D'Iberville, all located in Harrison County, have entered into an Interlocal Agreement to establish the Motor Vehicle for Hire Authority which is a joint administrative body formed for the purpose of regulating the motor vehicle for hire industry within the participating municipalities; and

WHEREAS, after the governing authorities of the participating municipalities approved the aforementioned Interlocal Agreement, it was approved by the Attorney General of the State of Mississippi on or about June 18, 2014, recorded in the Chancery Clerk's Office of Harrison County (First Judicial District) on or about June 25, 2014, recorded in the Chancery Clerk's Office of Harrison County (Second Judicial District) on or about June 26, 2014, and finally recorded in the Office of the Secretary of State of the State of Mississippi on or about June 27, 2014; and

WHEREAS, the intent of the legislation was to provide uniform and consistent regulation of the motor vehicle for hire industry within Harrison County; and

WHEREAS, the Interlocal, among other things, provides that the Authority may adopt rules and regulations to accomplish the aforesated goal and that any person violating any of the rules or regulations established by Authority shall be guilty of a misdemeanor, and upon conviction, shall be fined not more than fifty dollars (\$50.00); and

WHEREAS, the Interlocal, among other things, also provides the municipalities located in Harrison County may adopt an ordinance making it a misdemeanor to violate the rules and regulations as established and adopted by the Authority; and

WHEREAS, the Interlocal, among other things, also provides that any such misdemeanor may be prosecuted by the municipality in the municipal court of the municipality in which the infraction or violation occurred; and

WHEREAS, the City of Biloxi hereby finds that it is in the best interest of the City of Biloxi to adopt an ordinance which, in effect, adopts the rules and regulations of the Motor Vehicle for Hire Authority, makes violation of the same a misdemeanor in the City of Biloxi and authorizes prosecution for violation of the same in the City's municipal court.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the matters and things set forth in the above preamble are hereby accepted as stated as the findings of the Biloxi City Council.

SECTION 2: The Council further finds and declares that one of the prevailing purposes of this Ordinance is to protect the public welfare by allowing for consistent county wide regulation of the motor vehicle for hire business and providing for enforcement thereof.

SECTION 3: That Section 21-1-3 of the Code of Ordinances of the City of Biloxi, Mississippi, should be amended to read as follows:

The Rules and Regulations of the Motor Vehicle for Hire Authority, as adopted by the Authority and on file in the offices of the City Clerk and the Clerk of the City Council, are hereby adopted and incorporated herein by reference and shall regulate

and govern the operation of motor vehicles for hire (as that term is defined in the said Rules and Regulations) in the City of Biloxi.

Violation of any rule or regulation contained in the Rules and Regulations of the Motor Vehicle for Hire Authority shall be a misdemeanor which may be prosecuted in the Municipal Court of the City of Biloxi and shall be punishable by a fine not to exceed fifty (50) dollars (\$50.00). Every day any violation of the Rules and Regulations of the Motor Vehicle for Hire Authority shall continue shall constitute a separate offence.

SECTION 4: All provisions of this chapter of the Code of Ordinances of the City of Biloxi, Mississippi, not in conflict herewith shall remain in full force and effect as heretofore provided.

SECTION 5: This ordinance shall be in full force and effect thirty (30) days after the date of passage, except should it pass unanimously in which case the ordinance shall be in effect immediately upon its passage. It shall be published according to law and shall be spread on the minutes of the Biloxi City Council.

**RULES AND REGULATIONS
MOTOR VEHICLE FOR-HIRE AUTHORITY**

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ARTICLE I. - GENERAL

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- 2. – Penalty for Violation of Chapter**
- 3. – Certificate of Registration Required**
- 4. – Issuance of Certificate of Registration; Additional Vehicles**
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- 7. – Driver's Permit Required**
- 8. – Application for Driver's Permit; Temporary Permit; Display of Permit and Badge**
- 9. – Transfer of Driver's Permit or Badge**
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- 11. – Suspension or Revocation of Driver's Permit; Reporting Requirements**
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- 13. – Method of Payment**
- 14. – Receipts**
- 15. – Advertising on Vehicles**
- 16. – Refusal of Passenger to Pay Legal Fare**
- 17. – Enforcement of Article**
- 18. – Dress Code/Hygiene**
- 19. – No Smoking Policy**
- 20. – Customer Service Training**
- 21. – Random Drug Testing**
- 22. - Existing Certificates of Registration and Driver's Permits.**
- 23. - Gulfport-Biloxi International Airport**

Sec. 1. – Motor Vehicle For-Hire Authority

The mission of the Authority is to unify the rules and regulations governing motor vehicles for hire engaging in business within the municipalities of Harrison County, Mississippi (hereby referred to as “the municipalities”) and such other purposes as are set out in the inter-local agreement creating and establishing the Authority by the municipalities of Harrison County. The Authority shall be governed by a Board whose members shall consist of representatives of the municipalities as follows:

- A. Members of the Authority shall be as follows:**
 - (1.) One (1) Representative appointed by the governing authorities of the City of Pass Christian, Mississippi;**
 - (2.) One (1) Representative appointed by the governing authorities of the City of D'Iberville, Mississippi;**
 - (3.) Two (2) Representatives appointed by the governing authorities of the City of Biloxi, Mississippi;**
 - (4.) Two (2) Representatives appointed by the governing authorities of the City of Gulfport, Mississippi;**
- B. Interim terms begin when appointed by the respective municipalities and end September 30, 2014. The initial terms of the Authority Representatives shall be as follows:**

One (1) year for the Representatives appointed by the City of Pass Christian (ending September 30, 2015); two (2) years for the Representative appointed by the City of D'Iberville (ending September 30, 2016); and three (3) years for the Representative appointed by the City of Biloxi and the City of Gulfport (ending September 30, 2017). Subsequent terms of the Representatives shall be for a period of three (3) years beginning October 1st and ending September 30th.

- C. Each Representative of the Authority shall hold office until his or her successor has been appointed and has qualified, or until he or she resigns or is removed from office in accordance with the bylaws. Any Representative shall be eligible for reappointment. A Representative may resign at any time by giving written notice to the President of the Board. Any resignation of a Representative shall take effect upon receipt and acceptance by the Board.
- D. Any Representative who does not attend three (3) consecutive regular meetings of the Authority may be removed from office by the Board upon a majority vote of the Board. Any Representative so removed shall be replaced with an appointment from the governing authority which originally appointed the removed Representative to serve out the remainder of the term of the removed Representative.
- E. Each Representative shall give bond in the sum of not less than Fifty Thousand and 00/100 Dollars (\$50,000), with sureties qualified to do business in Mississippi. The condition of each bond shall be that each Representative will faithfully perform all duties of his or her office and account for all monies or other assets which shall come into his or her custody as Representative of the Authority. The premiums for such bonds shall be an expense of the Authority.
- F. At the initial meeting of the Authority, the authority shall elect a President, a Vice President, and Treasurer. Thereafter, the Authority will annually, at the last meeting of the fiscal year, elect a President, Vice President, and Treasurer who shall serve in their respective offices for the next fiscal year. The Vice President shall act in the absence or disability of the President.
- G. All voting members of the Authority shall serve without salary but shall be entitled to receive per diem as provided for in Section 25-3-60, Miss Code of 1972 (as amended), and actual and necessary expenses incurred while in the performance of any duties as a member of the Authority as provided in Section 25-3-4, Miss. Code of 1972 (as amended).
- H. Interim appointments shall be made only for the balance of the unexpired term remaining. Regular Authority Meetings will be held in a public place to be designated by the Authority. The Authority may otherwise meet upon 24 hours' notice to each of its members when such special meeting is required to carry out the provisions of this chapter, and a majority of the Authority shall constitute a quorum thereof, as long as the majority of them are voting members. It shall be the duty of the Authority to proceed at once to administer the provisions of inter-local agreement as amended, and for this purpose the Authority shall formulate and cause to be printed such application forms and such other forms as may be required to properly carry out the duties of the Authority.

- I. Definition of Motor Vehicle for Hire.** The term "motor vehicle for hire" or vehicle for hire, when used herein shall mean any motor vehicle, animal-drawn vehicle, pedicab, or other vehicle designed or used for the transportation of passengers for hire, 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 "motor vehicle for hire":
- (a) 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, such vehicle is not excluded;
 - (b) Ambulances and other medical transport service vehicles; however, nonemergency transportation vehicles are not excluded;
 - (c) Vehicles provided by an employer or an employee association for use in transporting employees back and forth between the employees' homes and to the employers' place of business, with employees reimbursing the employer or employee association in an amount calculated to offset the reasonable expenses of operating the vehicle;
 - (d) 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.);
 - (e) 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 county or any city within the county for operation of the vehicle;
 - (f) 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; and
 - (g) 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.

Sec. 2. - Penalty for Violation

- A. To provide an enforcement mechanism, the participating municipalities shall adopt an ordinance declaring that any person or persons who may violate any of the rules or regulations established by the Authority shall be guilty of a misdemeanor, and, upon conviction, shall be fined not more than two hundred dollars (\$200.00) in addition to any revocation, suspension of any permit, license, certificate of registration, or any other documentation issued by the Authority.
- B. The penalties issued herein shall be in addition to the suspension and revocation penalties of the Authority granted by these Rules. However, the suspension and revocation penalties are considered administrative penalties for a violation or infraction of these Rules. Nothing herein should be interpreted to construe that the Authority has the authority to adjudicate a misdemeanor.

Sec. 3 – Certificate of Registration Required

No individual or company shall operate or permit a vehicle owned or controlled by him or her to be operated as a vehicle for hire upon the streets of the participating municipalities of Harrison County without having first obtained a Certificate of Registration from the Authority. However, persons operating such vehicles for the purpose of servicing or maintaining such vehicles or for other non-passenger ferrying purposes other than personal services are exempted from this regulation.

Otherwise personal use of such vehicles by non-permitted drivers is prohibited. The language of this section notwithstanding, nothing herein is intended to prohibit a driver permitted by this Authority from using a vehicle titled in that driver's name, for which a Certificate of Registration has been issued, for personal purposes.

Sec. 4. - Issuance of Certificate of Registration

- A. Companies.** Before conducting business as a Company which owns and operates Motor Vehicles for Hire, such company must be issued a Company Certificate of Registration.

The application for such certificates shall be pursuant to forms and instructions prescribed by the Authority and will include background checks for each owner, officer or agent. It shall also include documentation of corporate existence, names addresses and titles of each owner, officer or agent; social security numbers, dates of birth, and places of birth of each owner, officer or agent and copies of government issued IDs of each owner, officer or agent. Finally, the Application shall provide any other information necessary prescribed by the Authority necessary for checking the background of each company owner, officer or agent including releases authorizing such investigations.

- B. Vehicles.** The owner or driver of any vehicle for hire operating in the municipalities shall, before causing or permitting the vehicle for hire to be operated, register such vehicle with the Authority, giving its year, make, model, vehicle identification number and license tag number for the current year, and furnishing to the Authority proof of a public liability policy in the required amounts of coverage written by an insurance company authorized to do business in the state, for each vehicle for hire. The Authority shall register such vehicle for hire in the name of the owner in a record kept for that purpose, giving the vehicle for hire a number, provided that the registration number shall not be required to be changed at subsequent registrations, but there shall at all times be in force and effect the insurance coverage specified in this subsection.

Additional vehicles may not be put in service until a new Certification of Registration is obtained from the Authority.

- C. Duration and Renewal.** Certificates of Registration (both company and vehicle) shall be valid for a period of one year from the date of issuance. Renewal applications must be submitted 60 days prior to expiration.
- D. Company Fees.** There shall be a \$225.00 fee paid to the Authority with each application for a Company Certificate of Registration. In the event that a designated officer of the Company has also applied for a Driver Permit, the fee shall be reduced by the amount of

\$25.00 per officer applying for a Driver Permit.

There shall be a \$200.00 fee paid to the Authority with each application for a renewal of a Company Certificate of Registration.

- E. **Vehicle Fees.** There shall be a \$50.00 fee paid to the Authority with each application, including renewal applications, for a Vehicle Certificate of Registration. The Company which owns and or has control of the vehicle for hire for which a Vehicle Certificate of Registration has been issued shall pay the Authority a monthly fee in the amount of \$20.00 per vehicle per month. Monthly fees due the Authority are due on the first day of each month. There shall be no invoice with regard to the requirement for the payment of Vehicle fees other than these Rules. Failure to pay all monthly fees due from a Company by the last day of the month shall result in an automatic revocation of all Certificates issued to that Company including the Company Certificates of Registration and all Vehicle Certificates of Registration. For example, if a Company holds 5 Vehicle Certificates of Registration, then it shall owe fees to the Authority in the total sum of \$100 due to be paid on the first day of each month. If fees which were due as of May 1 remain unpaid as of June 10, all Certificates issued to that Company will automatically be revoked.

There shall be a \$50.00 fee paid to the Authority with each application for a renewal of a Vehicle Certificate of Registration.

- F. **Certificate of Registration Application Instructions and Forms.** Certificate of Registration application, instructions and forms shall be prescribed by the Authority and shall include any and all necessary release forms needed to investigate the applicant.
- G. **Holds and Moratoriums.** The Authority shall have the authority to issue temporary holds or moratoriums on the issuance of Certificates of Registration

Sec. 5. - Transfer of Certificate of Registration.

No Certificate of Registration may be sold, assigned, hypothecated, mortgaged or otherwise transferred without the consent of the Authority.

Sec. 6. - Suspension or Revocation of Certificate of Registration.

- A. A Certificate of Registration issued under the provisions of this article may be revoked or suspended by the Authority if the holder has violated any of the provisions of this article.
- B. Prior to suspension or revocation, the holder shall be given notice of the proposed action to be taken and shall have an opportunity to be heard.

Sec. 7. - Driver's Permit Required.

No person shall operate a vehicle for hire upon the streets of the municipalities, and no person who owns or controls a vehicle for hire shall permit it to be so driven, and no vehicle for hire licensed by the Authority shall be so driven at any time for hire, unless the driver of the vehicle shall have first obtained and shall have then in force a driver's

permit issued by the Authority under the provisions of this article.

Sec. 8. - Application for Driver's Permit; Temporary Permit; Display of Permit and Badge.

- A. **Mississippi Class D (or higher) Driver's License Required.** No person shall drive a vehicle for hire on or over any of the streets, avenues, alleys or ways within the municipalities unless he has a current, valid Class D or higher driver's license issued by the State of Mississippi.
- B. **Application.** Any person desiring to drive a vehicle for hire in the municipalities shall make written application to the Authority, on a form provided by the Authority, on which shall be shown the home address of the applicant and the applicant's birthplace, date of birth, age, height, weight, color of hair, color of eyes, complexion, as well as a recent full-face identification-type photograph of the applicant showing the head uncovered, size two inches by two inches.
- C. **Investigation.** The Authority shall make inquiry into the background and history of the applicant, which shall include, but not be limited to, a criminal background investigation, a drug testing and a driving record investigation. If found satisfactory, the applicant may receive a Authority issued identification badge/card, which shall have a number and the name of the Authority thereon, as well as a permit to drive a vehicle for hire within the municipalities. The number shown on the badge/card and the permit/Certificate shall be the same. The permit shall not be transferable or assignable.
- D. **Issuance of Permit.** In the event that such investigations reveal no negative history or positive results for illegal substances, a permit for such an applicant may be issued at the discretion of, and by, the Authority Administrator subject to ratification by the Authority at its next scheduled meeting. However, in the event that such investigations reveal negative criminal or driving history or positive results for illegal substances, the Authority Administrator must present the results of the investigation to the Authority and Permits for such applicants may only be issued upon Authority approval.
- E. **Permit Duration.** Driver Permits shall be valid for a period of two years from the date of issuance, unless revoked or suspended pursuant to these Rules. Renewal applications must be submitted 60 days prior to expiration.
- F. **Permit Fees.** Initial permit application fee shall be \$125.00 and it shall be paid at the time of application. Renewal application fee shall be \$100.00 and paid with the submission of any renewal application.
- G. **Driver Permit Application Instructions and Forms.** Driver Permit application instructions and forms shall be prescribed by the Authority and shall include any and all necessary release forms needed to investigate the applicant.
- H. **Temporary Permits.** Temporary permits will not be issued. However, in the event that the Authority Administrator is out of the office for three or more consecutive days, the Authority Chairman or his or her designee shall have the authority to issue a 30 day permit. The Authority Chairman is vested with absolute discretion in exercising this

authority; however, in no case may a permit be issued upon evidence of an applicant's inability to qualify as otherwise set forth herein.

- I. **Display of Permit and Badge/Card.** Upon receipt of the permit and badge/card, the driver and owner of the vehicle for hire shall, at all times the vehicle for hire is driven, cause the permit to be displayed in a prominent place in the vehicle for hire, and the driver shall wear the badge/card on his or her outermost garment above waist level in a visible location at all times she or he is operating the vehicle for hire within the municipalities.

Sec. 9. - Transfer of Driver's Permit or Badge.

- A. **No Transfer among Individuals.** It shall be unlawful for any driver who secures a driver's permit and badge/card to transfer such permit and badge/card to any other driver, or for any person to use the permit or badge/card of another person while driving or operating a vehicle for hire.
- B. **No Transfer among Companies.** In the event that a driver who has secured a permit while working for one company and she or he begins to work for another company, such driver must secure a new driver's permit and badge which reflects the change in company affiliation. New permits and badges will be issued at a cost of \$10.00 payable to the Authority.

Sec. 10. - Issuance of Driver's Permit; Duration and Renewal of Permit.

- A. Upon approval of an application for a vehicle for hire driver's permit, the Authority shall issue a permit to the applicant, which shall bear the name, signature and photograph of the applicant as well as the name of the Company for which the driver is working.
- B. Such permit shall be in effect for two full calendar years unless otherwise suspended, surrendered or revoked.

Sec. 11. - Suspension or revocation of driver's permit; reporting requirements.

- A. **Grounds.** The Authority may revoke or suspend a driver's permit and badge/card and demand the return of the permit and badge/card upon proof that the person to whom they were issued permitted any other person to use such permit or badge/card, or upon proof that the holder of such permit, was guilty of or commits any of the following while operating or providing services in connection with a motor vehicle for hire governed by these Rules and Regulations:

- (1) Being intoxicated or under the influence of liquor, or suffering impaired driving ability due to the use of prescription or nonprescription drugs;
- (2) Disturbing the peace;
- (3) Violating the speed regulations prescribed by law;
- (4) Carrying or possessing drugs or any weapons in violation of law;
- (5) Knowingly driving a vehicle with defective brakes;
- (6) Committing three moving violations within one year;
- (7) Driving any such vehicle for hire which has not been registered or for

which insurance is not carried as required by this article;
(8) Failing to have a current and valid commercial driver's license;
(9) Failing to comply with all Airports, city, county, state and federal laws or regulations or any provision of this article;
(10) Allowing a driver, without a permit issued by this Authority, to operate a Motor Vehicle for Hire other than drivers who are transporting or testing Motor Vehicle for Hire for service or maintenance purposes.
(11) Service Conduct Complaint made by Customer/Passenger made in writing and signed by the Customer/Passenger with their name, address, and telephone number.

B. Reporting Requirements.

1. Any driver who receives a ticket for any moving violation or is arrested and charged with a crime or is convicted of a crime must report such occurrence to the Authority within ten (10) working days. Failure to do so may result in the suspension or revocation of that person's driver permit.
2. Companies holding Certificates of Registration issued by the Authority must report the following:
 - i. Receipt of a ticket by one its drivers for any moving violation
 - ii. The arrest or charging of a crime of one of its drivers
 - iii. The conviction of one of its drivers of a crime
 - iv. An accident involving a Motor Vehicle for hire owned or controlled by Company.
 - v. The separation or departure of a Company driver from the Company
3. Companies must report the occurrences described in Section 11.B.2 above within ten (10) working days of first having obtained knowledge of the circumstance. Failure to do so may result in the suspension or revocation of the Company's Certificate of Registration.

C. Suspension or Revocation.

1. Upon a drug related arrest of a driver holding a driver's permit issued by the Authority, the driver's permit of the individual arrested shall be automatically suspended without Authority action. If such a driver voluntarily submits to a drug test to be arranged by the Authority Administrator, and paid for by the permit holder, and the drug test reveals that the Permit Holder tests negative for illegal substances, the suspension may be lifted pending legal adjudication of the charges. The arrested Permit Holder will, like all other Permit Holders, be subject to random drug tests pending legal adjudication of the charges. Upon legal adjudication of the charges, further suspension or revocation of the permit will be considered by the Authority at their next scheduled meeting.
2. Company Certificates of Registration and all Vehicle Certificate of Registrations issued under a company shall be considered automatically revoked for failure to pay monthly fees due the Authority.
3. Otherwise, upon receipt of evidence of any other violation of this article by a

permit holder, the Authority Administrator shall notify such permit holder that the revocation or suspension of his/her permit is under consideration and shall invite the holder to submit documentary evidence or written statements relevant to the issue and after due consideration of all the evidence the Authority shall issue a decision regarding its action and shall notify the holder as soon as practicably possible.

4. Effect of Revocation

- a. In the event that a Certificate of Registration and or a driver's permit is or are revoked, and that certificate or permit had never been previously revoked, then the Company or individual for which or whom, the Certificate or Permit had been revoked shall not be eligible to submit a new application for such Certificate or Permit for a period of no less than 30 days and no more than 90 days from the date of revocation.
- b. In the event that a Certificate of Registration and or a driver's permit is or are revoked and that certificate or permit had been previously revoked once, then the Company or individual for which or whom the Certificate or Permit had been revoked shall not be eligible to submit a new application for such Certificate or Permit for a period of no less than 90 days and no more than 180 days from the date of revocation.
- c. In the event that a Certificate of Registration and or a driver's permit is or are revoked and that certificate or permit had been previously revoked on two or more occasions, then the Company or individual for which or whom, the Certificate or Permit had been revoked shall not be eligible to submit a new application for such Certificate or Permit for a period of no less than 180 days and no more than 365 days from the date of revocation.
- d. The exact period for which a Company and or Driver shall remain ineligible for submitting a new application shall be determined by the Authority within the guidelines stated above.
 - i. In the case of a revocation that occurs automatically by operation of the Rules (for example for failure to pay fees as required), the revocation shall begin immediately; however, the length of the period for which a Company and or Driver shall remain ineligible for submitting a new application shall be determined by the Authority the first meeting of the Authority after the effective date of revocation and that period shall run from the effective date of revocation.
 - ii. In the case of a revocation imposed or issued by the Authority the length of the period for which a Company and or Driver shall remain ineligible for submitting a new application shall be determined by the Authority at the time it issues or imposes the revocation.

C. **Appeals.** If the Authority refuses to grant an operator's permit or license to an applicant, or reinstate a suspended or revoked license, or if any individual fees aggrieved by a decision under this article, an appeal may be taken to the City Council of the municipality where the applicant resides or where the applicant's employer is located. If the applicant neither resides nor is employed by an employer located in any of the participating municipalities, appeal shall be taken to the City Council of one of the municipalities

participating in the Inter-local Agreement. Appeals to the appropriate City Council shall be perfected by the filing of a Notice of Appeal with the City Clerk of the appropriate participating municipality within ten (10) days of the refusal to grant or the decision from which the party is aggrieved. The City Council, sitting as an appellate body, shall determine whether the best interest of the health, welfare, and safety of the citizens of the participating municipalities would be served by permitting said applicant to pursue such vocation in the participating municipalities.

Sec. 12. - Vehicle Equipment and Maintenance; Inspections.

- A. Inspection Prior to Use.** Prior to the use and operation of any vehicle for hire under the provisions of this article, the vehicle for hire shall be thoroughly examined and inspected by personnel authorized by the Authority and found to comply with such reasonable rules and regulations as may be prescribed by the Authority. These rules and regulations shall be promulgated to provide safe transportation and shall specify such safety equipment and regulatory devices as the Authority shall deem necessary therefore.
- B. Inspections.** Every vehicle for hire operating under this article shall be inspected annually not more than 60 days prior to the application for renewal of such vehicle for hire certificate of registration. Such inspections will be conducted by personnel authorized by the Authority to ensure the continued maintenance of safe operating conditions. Additionally every vehicle for hire operating under this article shall be subject to being inspected on a random basis to be determined by the Authority Administrator. In the event that a vehicle inspected fails such annual or random inspection, then Authority Administrator is vested with the authority to suspend the Certificate of Registration issued to that vehicle pending repair or correction of the item or items causing the vehicle to fail.
- C.** Vehicles for hire are to be kept in clean, sanitary and undamaged condition. Every vehicle for hire operating under this article shall present a favorable appearance and be free from offensive odors. Vehicles that have been damaged and remain roadworthy shall be repaired within five (5) business days from date of the damage. If not repaired within five (5) business days, the vehicle will be restricted from operating. Operators may apply to the Authority for an extension of the five (5) business day limit. All vehicles are subject to inspection at any time by an employee of or an agent of the Authority.
- D. Inspection Permit and Decal.** Upon a vehicle for hire passing the required inspection, the holder shall be issued an inspection permit showing the date of the inspection, the vehicle's registration number and license tag number. The permit shall be legibly signed by the person conveying the permit, and shall be in the form of or accompanied by a decal issued by the Authority, to be displayed in the right lower corner of the front windshield of the inspected vehicle.

Sec. 13 – Methods of Payment

Taxis are required to accept cash and all major credit cards as method of payment. Every vehicle for hire shall be equipped with a fully-functioning wireless device that provides a secure Credit Card processing method, satisfies all Payment Card Industry Data Security Standard ("PCI DSS") requirements, and (i) encrypts any information transmitted to

authenticate a Credit Card payment transaction for approval, (ii) generates a truncated printed sales draft or charge receipt. Manual imprinting machines are prohibited.

Sec. 14. - Receipts.

Upon request of any passenger of a vehicle for hire, the driver thereof is required to and shall furnish a receipt with the vehicle permit number or registration number required to have been obtained and assigned under the provisions of this article, the amount of the fare charged, the date issued and the vehicle for hire driver's permit number.

Sec. 15. - Advertising on Vehicles.

Subject to the Rules and Regulations of the Authority, it shall be lawful for any person owning or operating a vehicle for hire to permit advertising matter to be affixed to or installed in or on such vehicle for hire. Authority reserves the right of refusal and has right to order removal of advertising.

Sec. 16. - Refusal of Passenger to Pay Legal Fare.

It shall be unlawful for any person to refuse to pay the legal fare of any vehicle for hire after having hired the vehicle, and it shall be unlawful for any person to hire any vehicle with the intent to defraud the person from whom it is hired of the value of such service.

Sec. 17. - Enforcement of Article.

Any law enforcement agency with jurisdiction in the municipalities is hereby given the authority to enforce the provisions of this article and is requested to watch and observe the conduct of certificate holders and drivers operating under this article. In addition to pursuing criminal charges against a violator of this article, if appropriate, upon discovering a violation of the provisions of this article, such law enforcement agency is requested to provide notice of the violation to the Authority, which will take appropriate action.

Sec. 18. – Dress Code/Hygiene.

All commercial ground transportation providers and vehicle drivers must be properly attired in clean and sanitary apparel and maintain the following dress and grooming standards while transporting passengers for hire:

- (1.) Male drivers shall wear long pants or knee length hemmed shorts, shoes and shirts with collars and sleeves. Shoes shall be clean and of a style that attachable to the foot; foot apparel such as flip flops, thongs, or shower shoes that are held on by a strap between the toes are not allowed. Hair, beards and mustaches shall be neat, trimmed and present a groomed appearance.
- (2.) Female drivers shall wear long pants or knee length hemmed shorts, skirts or dresses, shoes, shirts or blouse with sleeves. Shoes shall be clean and of a style

that attachable to the foot; foot apparel such as flip flops, thongs, or shower shoes that are held on by a strap between the toes are not allowed. Hair shall be neat and present a groomed appearance.

(3.) Uniforms from other jobs must be changed prior to providing services.

Sec. 19. No Smoking Policy

Smoking is prohibited in any vehicle for hire. No Smoking signs will be posted in the vehicle in a location visible to passengers.

Sec. 20. Customer Service Training

Driver's Permit Holders must attend customer service classes once every two years such classes will be offered by or approved by the Authority and shall be taken at the owner's or driver's expense. Other employees may attend on a voluntary basis at their own expense. New drivers are required to attend the next regularly scheduled training class to meet the initial training requirement.

Sec. 21. Random Drug Testing

The Authority Administrator is authorized to require and arrange random drug tests of Driver's Permit Holders and or drug tests upon reasonable suspicion of cause for such tests.

Sec. 22. - Existing Certificates of Registration and Driver's Permits.

- A. All Company Certificates of Registration to operate or own a motor vehicle for hire company issued by the Harrison County Motor Vehicle for Hire Commission outstanding as of the effective date of this article shall be considered valid until December 31, 2014 so long as the Certificate holder is in good standing with the Commission on July 1, 2014. The process for the renewal of the Company Certificate of Registration that expire on December 31, 2014 will follow the specifications outlined within this article. Any existing Company Certificate of Registration that will expire prior to December 31, 2014 will need to be renewed prior to the date of expiration and will be valid until December 31, 2014. The fee for this Certificate of Registration shall be \$100.00.
- B. All Vehicle Certificates of Registration to operate or own a motor vehicle for hire company issued by the Harrison County Motor Vehicle for Hire Commission outstanding as of the effective date of this article shall be considered valid until December 31, 2014 so long as the Certificate holder is in good standing with the Commission on July 1, 2014. The process for the renewal of the Vehicle Certificate of Registration that expire on December 31, 2014 will follow the specifications outlined within this article. Any existing Company Certificate of Registration that will expire prior to December 31, 2014 will need to be renewed prior to the date of expiration and will be valid until December 31, 2014. The fee for this Certificate of Registration shall be \$25.00.
- C. All Driver's Permits issued by the Harrison County Motor Vehicle for Hire Commission will be considered valid so long as the permit holder is in good standing with the Commission on July 1, 2014. All holders must apply for and be issued a transfer permit from the Authority within a period of 90 (ninety) days from the effective date of this article. The fee for the transfer Driver's permit shall be \$10.00. Any Driver's Permit not

transferred by the end of the 90 (ninety) day transitional period will be considered revoked.

Sec. 23. – Gulfport-Biloxi International Airport Rules & Procedures.

The Gulfport-Biloxi International Airport (the “Airport”) may establish such rules and procedures as to govern the operation of motor vehicles for hire at the Airport. These rules and regulations may supersede the minimum specifications of the Authorities rules and regulations.

ARTICLE II. - TAXICABS

Sec. 1. - Definitions

Sec. 2. – Liability Insurance

Sec. 3. - Insignia on Vehicles; Identification of Vehicles; Posting of Rates of Fare

Sec. 4. - Taximeter

Sec. 5. - Rates of Fare Established

Sec. 6. - Solicitation, Acceptance and Discharge of Passengers; Prohibited Acts by Driver

Sec. 7. - Open Stands—Establishment; Use by Taxicabs

Sec. 8. - Same—Use by Other Vehicles

Sec. 9. - Service Standards

Sec. 10. - Manifests

Sec. 11. - Electronic Communication Device

Sec. 12. - Service Requirements for People with Disabilities (ADA)

Sec. 1. - Definitions.

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

Certificate of Registration means a certificate issued by the Authority authorizing the holder thereof to conduct a taxicab business in the municipalities.

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

Driver's Permit means the permission granted by the Authority to a person to drive or operate a taxicab upon the streets of the municipalities.

Holder means a person to whom a certificate of registration has been issued.

Information Sign or Sticker means an adhesive sign that is posted in vehicle for hire that would inform passengers the rates of fare and the telephone number of the Motor Vehicle for Hire Authority.

Manifest means a daily record of all trips made by a driver, showing time and place of origin, destination, the number of passengers and any other information required by the Authority.

Open Stand means a public place alongside the curb of a street or elsewhere in the municipalities which has been designated by the Authority as reserved exclusively for the use of taxicabs.

Person includes an individual, a corporation, or other legal entity, a partnership and any unincorporated association.

Taxicab means any metered, on-demand vehicle that carries seven passengers or less (eight including the driver) for-hire where the destination and route traveled may be controlled by a passenger and the fare is calculated on the basis of an initial fee, distance traveled, waiting time, or any combination thereof.

Taximeter means a meter instrument or device attached to a taxicab which measures mechanically or electronically the distance driven and the waiting time upon which the fare is based.

Waiting Time means the time during which a taxicab is under the direction of a passenger, and the taxicab is moving slower than the per-mile rate allowed by this article.

Sec. 2. - Liability Insurance.

- A. No Certificate of Registration shall be issued or continue in operation unless there is in full force and effect a liability insurance policy for each taxicab authorized in the amount of at least \$100,000.00 for bodily injury per accident for any one person, and \$300,000.00 for injuries to more than one person which are sustained in the same accident, and \$50,000.00 for property damage resulting from any one accident. Such policy shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of a holder or his employees, subcontractors or agents. The policy or proof thereof shall be filed in the office of the Authority, and the policy shall be issued by an insurance company authorized to do business in the state.
- B. The insurance policy, or proof thereof filed with the Authority as required by this section shall contain an endorsement or other provision which requires and confirms the Authority to be notified immediately in writing upon termination, cancellation or temporary suspension of the policy. Failure to have liability insurance in force on any taxicab authorized to be used by the holder is cause for revocation and cancellation of the vehicle certificate of registration. **Notification of a lapse in the insurance required herein shall cause an automatic suspension of the Certificate of Registration for which the insurance has lapsed.**

Sec. 3. - Insignia on Vehicles; Identification of Vehicles; Posting of Rates of Fare.

- A. Each taxicab shall bear on the outside of each front or each rear door, in permanently affixed letters not less than four inches and not more than ten inches in height, the name and telephone number of the Company under which the Certificate of Registration for that vehicle for hire is (or is to be) issued, and in addition, may bear an identifying design approved by the Authority.
- B. No taxicab covered by the terms of this article shall be licensed whose color scheme, identifying design, monogram or insignia to be used thereon shall, in the opinion of the Authority, conflict with or imitate any color scheme, identifying design, monogram or insignia used on a taxicab already operating under this article, in such a manner as to be misleading or tend to deceive or defraud the public. If, after a license has been issued for a taxicab under this article, the color scheme, identifying design, monogram or insignia thereof is changed, in the opinion of the Authority, to be in conflict with or to imitate any color scheme, identifying design, monogram or insignia used by any other person, owner or driver, in such a manner as to be misleading or tend to deceive the public, the license

or certificate covering such taxicab shall be suspended or revoked.

- C. Each taxicab shall bear on the outside of the front, the back and both sides of the vehicle in an easily noticeable location, in permanently affixed or painted letters of three inches in height, the number found on the Certificate of Registration issued to each such vehicle, identified as such.
- D. Each taxicab shall bear on the outside of each front or each rear door, in permanently affixed letters not less than one inch in height, the rates of fare as prescribed by this article.
- E. Each taxicab interior shall bear an Information Sign or Sticker provided by the Authority informing passengers the rates of fare and the telephone number of the Motor Vehicle for Hire Authority. The Information Sign or Sticker shall be posted in a location clearly visible to all passengers.

Sec. 4. – Taximeter.

All taxicabs operated under the authority of this article shall be equipped with taximeters in accurate operating condition, with a lighted face that can be easily read at all times by the passenger. Every taximeter must be inspected by a certified taximeter installer and certified at installation and at the time of any change in rates. A Certificate of Inspection must be issued by a qualified taximeter repair service upon each inspection. A copy of the Certificate of Inspection must remain in the taxicab at all times. Otherwise, the taximeter will be inspected during the annual vehicle inspection by the Authority Administrator. The Authority Administrator may, upon inspection of the vehicle, require recalibration and certification of the meter by a certified taxi meter installer. Additionally, every vehicle for which a Certificate of Registration is issued shall be subject to a random inspection of its taximeter. Such random inspections shall be conducted at the instance of and by the Authority Administrator.

Sec. 5. - Rates of Fare Established.

- A. No owner or driver of a taxicab shall charge a sum for the use of a taxicab greater than the rates prescribed and outlined in ATTACHEMNT A – FEE & RATE SCHEDULE.

Discounted Fares (offering a customer a percentage off of the metered rate) are at the discretion of the company, agent, or driver. Discounts may be allowed for, but not limited to, military personnel, senior citizens, or students.

Requests for increases and for decreases in rates shall be submitted in writing to the Authority. The Authority shall, within 30 days after receipt of such request, call a meeting to consider the approval or denial of the request.

- B. Every taxicab operated under this article shall clearly display the authorized and maximum rates of fare in such place as to be in view of all passengers. Driver shall use most direct/reasonable route to passenger's destination unless passenger specifies a specific route. Under most circumstances, the most reasonable route will be the route

which results in the lowest fare.

Sec. 6. - Solicitation, Acceptance and Discharge of Passengers; Prohibited Acts by Driver.

- A. **Solicitation of Passengers Generally.** No driver shall solicit passengers for a taxicab except when sitting in the driver's compartment of a parked taxicab or while standing immediately adjacent to that driver's vehicle at all times when such vehicle is upon the public street, except that, when necessary, a driver may be absent from the taxicab for not more than 15 consecutive minutes, and provided further that nothing contained in this section shall be held to prohibit any driver from alighting to the street or sidewalk for the purpose of assisting passengers into or out of such vehicle.
- B. **Prohibited Solicitation.** No driver shall solicit patronage in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct the movement of any person, or follow any person for the purpose of soliciting patronage. Taxis staging or operating on private and or local government property shall abide by the property owner's rules regarding solicitation, so long as they do not conflict with these Rules and Regulations.
- C. **Receipt and Discharge of Passengers.** Drivers of taxicabs shall pull up to the righthand sidewalk as nearly as possible, or, in the absence of a sidewalk, to the extreme right hand side of the roadway, and there receive or discharge passengers, except upon one-way streets, where passengers may be discharged at either the right hand or left hand sidewalk, or side of the roadway in the absence of a sidewalk. The driver of the taxicab shall not be held responsible for the unassisted, unauthorized, voluntary exit of a passenger from the taxicab, but shall be responsible for providing the opportunity to safely enter and exit as required in this subsection.
- D. **Cruising.** No driver shall cruise in search of passengers, except in such areas and at such times as shall be designated by the Authority. Such areas and times shall only be designated when the Authority finds that taxicab cruising would not congest traffic or be dangerous to pedestrians and other vehicles.
- E. **Solicitation of Passengers of Other Common Carriers.** No owner or driver of a taxicab shall solicit passengers at the terminal or designated boarding and alighting points on the fixed routes of any other common carrier.
- F. **Additional Passengers.** No driver shall permit any other person to occupy or ride in the taxicab unless the person first employing the taxicab shall consent to the acceptance of the additional passenger. No charge shall be made for an additional passenger except when the additional passenger rides beyond the previous passenger's destination, and then only for the additional distance so travelled. No driver shall permit any persons, except individuals employing the vehicle to occupy or ride in the vehicle unless such person is undergoing training to be a driver.
- G. **Maximum Number of Passengers.** No driver shall permit more persons to be carried in a taxicab as passengers than the rated seating capacity of his taxicab permits as stated in the inspection permit for the vehicle issued by personnel authorized by the Authority.

- H. **Refusal to Carry Passenger.** No driver shall refuse or neglect to convey any orderly person upon request, unless previously engaged or unable or forbidden by the provisions of this article to do so.
- I. **Prohibited Acts.** It shall be a violation of this article for any driver of a taxicab to solicit business for any hotel, or to attempt to divert patronage from one hotel to another, nor shall such driver engage in selling or transporting intoxicating liquors or solicit business for any house of ill repute or use his vehicle for any purpose other than the transporting of passengers.
- J. **Public Forum.** No company, agent or driver shall engage in the act of solicitation or haggling in a public forum in an attempt to discount, undercut or otherwise subvert a competitor's fare for the purpose of obtaining a customer's business.

Example: If a customer approaches Driver A for a fare quote to a set destination, Driver B cannot haggle, solicit or otherwise undercut Driver A's price. If the customer inquires to Driver B's rate, Driver B is to quote the same fare. This provision is to prevent open solicitation, arguments and other public disturbances over fare discrepancies

Sec. 7 - Open Stands—Establishment; Use by Taxicabs.

- A. Open stands shall be used by the different drivers on a first come, first served basis. The driver shall pull on to the open stand from the rear and shall advance forward as the cabs ahead pull off. Drivers shall stay within five feet of their cabs. Drivers shall not solicit passengers or engage in loud or boisterous talk while at an open stand.
- B. Nothing in this section shall be construed as preventing a passenger from boarding the cab of his choice that is parked at an open stand.

Sec. 8. - Same—Use by Other Vehicles.

Private or other vehicles for hire shall not at any time occupy any space upon the streets that has been established as an open stand.

Sec. 9. - Service Standards.

All persons engaged in the taxicab business in the municipalities operating under the provisions of this article shall render an overall service to the members of the public desiring to use taxicabs. Holders of Certificates of Registration shall maintain a central place of business and keep the place of business open 24 hours a day for the purpose of receiving calls and dispatching cabs. They shall answer all calls received by them for services inside the corporate limits of the municipalities as soon as they can do so, and, if the services cannot be rendered within a reasonable time, they shall then notify the prospective passenger of how long it will be before the call can be answered and give the reason therefor. Any holder who shall refuse without good cause to accept a call anywhere within the municipalities at any time when such holder has available cabs, or who shall fail or refuse to give overall service, shall be deemed a violator of this article, and the certificate granted to such holder may be revoked after notice and a hearing.

Sec. 10. - Manifests.

- A. Drivers.** Every driver shall maintain and preserve in a safe place, for at least the calendar year next preceding the current calendar year, a daily manifest upon which are recorded all trips made each day, showing the time and place of origin, the destination of each trip, the number of passengers and the amount charged. The forms for each manifest shall be furnished to the driver by the owner and shall be of a character approved by the Authority. The manifests shall be available to the Authority and all federal, state, county and local law enforcement agencies for inspection and reproduction.
- B. Certificate Holders.** Every holder of a Company Certificate of Registration shall maintain and preserve in a safe place, for at least the calendar year next proceeding the current calendar year, a manifest showing the time and place of origin, the destination of each trip, the number of passengers and the identity of the vehicle or driver. The manifests shall be available to the Authority and all federal, state, county and local law enforcement agencies for inspection and reproduction. The requirements of this section may be satisfied by maintaining electronic copies of the manifests.

Sec. 11. – Electronic Communication Device.

- A.** No holder of a certificate of registration shall begin operation as a taxicab company within the municipalities unless the system is sufficient to transmit communications regarding both customer pickup and delivery, and taxicab location; and the system may be utilized during normal taxicab operations in a manner that is at least as safe as a standard radio communication system. Cellular telephones are an authorized form of electronic communication.
- B.** It shall be a violation of this article for any taxicab driver or driver to answer a call other than one made directly to the taxicab company by which he or she is employed or their agent, or to use or possess with the intent to use, for the purpose of answering a call for taxicab service other than one made to such taxicab company, a radio scanner or any other device, regardless of the form of technology, that permits the monitoring of taxicab dispatch communication other than taxicab dispatch communication from the taxicab company which employs such driver.

Sec.12. – Service Requirements for People with Disabilities (ADA)

- A.** Taxicab drivers cannot refuse to serve a person with a disability who can use taxi vehicles;
- B.** Taxicab drivers cannot charge higher fares or fees for carrying individuals with disabilities and their equipment than are charged to other persons;
- C.** Taxicab drivers must provide assistance with the stowing of mobility devices (wheelchairs, walkers, etc.)
- D.** Taxicab drivers are prohibited from asking a passenger about her or his disability.

ARTICLE III. - LIMOUSINES

Sec. 1. - Definitions

Sec. 2. - Liability Insurance

Sec. 3. - Rates of Fare

Sec. 4. - Manifests

Sec. 5. - Solicitation of Passengers

Sec. 6. – Maximum Allowable Age of Vehicles

Sec. 7. – Special Events Permit

Sec. 1. - Definitions.

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

Limousine Service means a business which utilizes limousines as vehicles which operate only on the basis of written or other prearranged contract.

Certificate of Registration means a certificate issued by the Authority authorizing the holder, thereof, to conduct a limousine business in the municipalities.

Driver's Permit means the permission granted by the Authority to a person to drive or operate a limousine upon the streets of the municipalities.

Holder means a person to whom a Certificate of Registration has been issued.

Manifest means a daily record of all trips made by a driver, showing time and place of origin, destination, the number of passengers on each trip and any other information required by the Authority.

Person includes an individual, a corporation or other legal entity, a partnership, and any unincorporated association.

Sec. 2. - Liability Insurance.

- A. No Certificate of Registration shall be issued or continue in operation unless there is in full force and effect a liability insurance policy for each limousine authorized in the amount of at least: \$1,500,000.00 as combined single limit coverage for bodily injury and property damage resulting from any one accident. Such policy shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of a holder or his employees, subcontractors, or agents. The policy or proof, thereof, shall be filed in the office of the Authority, and the policy shall be issued by an insurance company authorized to do business in the state.
- B. The insurance policy or proof thereof filed with the Authority as required by this section shall contain a provision or endorsement that requires the Authority to be notified immediately in writing upon termination, cancellation or temporary suspension of the

policy. Failure to have liability insurance in force on any taxicab authorized to be used by the holder is cause for revocation and cancellation of the Certificate of Registration.

Sec. 3. - Rates of Fare.

- A. No certificate holder, owner or driver of a limousine shall utilize the limousine except as part of either an airport limousine service or a standard limousine service, nor shall any holder, owner or driver of a limousine charge a greater sum for the use of a limousine than in accordance with the current schedule of rates filed by that holder or owner with the Authority on the basis of hourly rates or a per passenger charge.
- B. At all times any limousine is operated, the driver and owner of a limousine operated as an airport limousine service shall cause a schedule of the rates of such limousine to be posted in a conspicuous location in the limousine, and the driver and owner of a limousine operated as a standard limousine service shall cause a schedule of rates of such limousine to be available in the limousine for inspection upon demand.
- C. Any holder or owner may change his schedule of rates by notifying the Authority of the amount of the new rates 30 days in advance of the effective date of such change; however, during the 30-day advance notice period no additional notification of change of rates may be filed by the holder or owner.

Sec. 4. - Manifests.

- A. Every certificate holder shall maintain a daily manifest upon which are recorded all trips made each day, showing the time and place of origin, the fare charged, and the destination of each trip. The forms for each manifest shall be approved by the Authority.
- B. Every holder of a Certificate of Registration shall retain and preserve all manifests in a safe place for at least the calendar year next preceding the current calendar year, and the manifests shall be available to the Authority and all federal, state, county and local law enforcement agencies for inspection and reproduction.

Sec. 5. - Solicitation of Passengers.

- A. No person shall solicit passengers for a limousine, and no holder or driver shall permit the solicitation of passengers for a limousine, while the limousine is operated or located upon the streets of the municipalities.
- B. No person shall solicit passengers for any passenger-carrying motor vehicle for hire, including limousines, at the terminal or designated boarding and alighting points on the fixed routes of any common carrier, unless the person is so authorized by a federal, state or municipal regulatory board or agency and is acting with the permission of or under contract with the common carrier. Limousines staging or operating on private and or local government property shall abide by the property owners rules regarding solicitations.

Sec. 6. – Maximum Allowable Age of Vehicle.

- A. No vehicle shall exceed a 10 year maximum age limit from date of manufacturer.
- B. Operators of vehicles may apply to the Authority for an extension of maximum age limit.

Sec. 7. – Special Events Permits.

- A. Limousine Operators that wish to provide service for Special Events on a temporary basis may apply to the Authority for a Special Events Permit. Permits, if issued, will be valid for a 30 day period only.
- B. Limousine Operators that apply for a Special Events Permit must be sponsored by a local Limousine Operator that is currently certified by the Authority.

ARTICLE IV. - SHUTTLES

Sec. 1. - Definitions

Sec. 2. - Liability Insurance

Sec. 3. - Rates of Fare

Sec. 4. - Manifests

Sec. 5. - Solicitation of Passengers

Sec. 1. - Definitions.

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

Shuttle Service For purposes of this article, the word "shuttle" shall mean a nonmetered passenger-carrying vehicle for hire that operates over a fixed route and time schedule.

Certificate of Registration means a certificate issued by the Authority authorizing the holder thereof to conduct a shuttle business in the municipalities.

Driver's Permit means the permission granted by the Authority to a person to drive or operate a shuttle upon the streets of the municipalities.

Holder means a person to whom a certificate of registration has been issued.

Manifest means a daily record of all trips made by a driver, showing time and place of origin, destination, the number of passengers on each trip and any other information required by the Authority.

Person includes an individual, a corporation or other legal entity, a partnership, and any unincorporated association.

Sec. 2. - Liability Insurance.

- A. No Certificate of Registration shall be issued or continue in operation unless there is in full force and effect a liability insurance policy for each shuttle authorized in the amount of at least: \$1,500,000.00 as combined single limit coverage for bodily injury and property damage resulting from any one accident. Such policy shall inure to the benefit of any person who shall be injured or who shall sustain damage to property proximately caused by the negligence of a holder or his employees, subcontractors, or agents. The policy or proof thereof shall be filed in the office of the Authority, and the policy shall be issued by an insurance company authorized to do business in the state.
- B. The insurance policy or proof thereof filed with the Authority as required by this section shall contain a provision or endorsement that requires the Authority to be notified immediately in writing upon termination, cancellation or temporary suspension of the policy. Failure to have liability insurance in force on any taxicab authorized to be used by the holder is cause for revocation and Cancellation of the certificate of Registration.

Sec. 3. - Rates of Fare.

- A. No certificate holder, owner or driver of a shuttle shall utilize the shuttle except as part of either an airport shuttle service or a standard shuttle service, nor shall any holder, owner or driver of a shuttle charge a greater sum for the use of a shuttle than in accordance with the current schedule of rates filed by that holder or owner with the Authority on the basis of hourly rates or a per passenger charge.
- B. At all times any shuttle is operated, the driver and owner of a shuttle operated as an airport shuttle service shall cause a schedule of the rates of such shuttle to be posted in a conspicuous location in the shuttle, and the driver and owner of a shuttle operated as a standard shuttle service shall cause a schedule of rates of such shuttle to be available in the shuttle for inspection upon demand.
- C. Any holder or owner may change his schedule of rates by notifying the Authority of the amount of the new rates 30 days in advance of the effective date of such change; however, during the 30-day advance notice period no additional notification of change of rates may be filed by the holder or owner.

Sec. 4. - Manifests.

- A. Every certificate holder shall maintain a daily manifest upon which are recorded all trips made each day, showing the time and place of origin, the fare charged and the destination of each trip. The forms for each manifest shall be approved by the Authority.
- B. Every holder of a Certificate of Registration shall retain and preserve all manifests in a safe place for at least the calendar year next preceding the current calendar year, and the manifests shall be available to the Authority and all federal, state, county and local law enforcement agencies for inspection and reproduction.

Sec. 5. - Solicitation of Passengers.

- A. No person shall solicit passengers for a shuttle, and no holder or driver shall permit the solicitation of passengers for a shuttle, while the shuttle is operated or located upon the streets of the municipalities.
- B. No person shall solicit passengers for any passenger-carrying motor vehicle for hire, including shuttles, at the terminal or designated boarding and alighting points on the fixed routes of any common carrier, unless the person is so authorized by a federal, state or municipal regulatory board or agency and is acting with the permission of or under contract with the common carrier. Shuttles staging or operating on private and or local government property shall abide by the property owners rules regarding solicitations.

ATTACHMENT A –RATE SCHEDULE
Motor Vehicle for Hire Authority
Fare Rate Schedule for Motor Vehicles for Hire
Effective January 1, 2012

Taxi Cab Rates

Cab Operator Drop Fee - \$3.00

Each additional 1/9 mile or fraction thereof - \$0.25

Per hour waiting fee - \$30.00/hr.

Gulfport/Biloxi International Airport - \$3.00 Drop Fee (if applicable)

Limousine Rates

Current Schedule of Rates Filed With the Authority

Shuttle Rates

Current Schedule of Rates Filed With the Authority