

METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 126

TAXICABS ORDINANCE



Adopted by Commission: September 25, 2017
Effective Date: October 1, 2017

180697

METROPOLITAN AIRPORTS COMMISSION

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METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 126

TAXICABS

An Ordinance to promote and conserve public safety, health, peace, convenience and welfare and to provide for the equitable allocation of the costs of establishing and maintaining ground transportation facilities at the Airport, by regulating the operation of all Taxicabs at Minneapolis-St. Paul International Airport, Wold-Chamberlain Field, a public airport under the operation, direction and control of the Metropolitan Airports Commission, and repealing Ordinances 123.

The Metropolitan Airports Commission does ordain:

SECTION 1 – DEFINITIONS

- 1.1 Affiliated With. To be “Affiliated With” means operating under the Service Company name and displaying the Service Company name, logo, and telephone number that is registered pursuant to Section 4.2(b), on the outside of the Taxicab.
- 1.2 Airport. Minneapolis-St. Paul International Airport, Wold-Chamberlain Field, a public airport under the supervision, operation, direction and control of the Metropolitan Airports Commission, and located in the County of Hennepin and State of Minnesota.
- 1.3 Airport Director. The Commission's administrative officer or the officer's designee in charge of the terminal areas at the Airport, and, for purposes of the licensing, permitting and control of Taxicabs and enforcement of this Ordinance, the agent of the Metropolitan Airports Commission.
- 1.4 Airport Property. All property owned by the Airport.
- 1.5 Airport Taxicab System. A system designed to facilitate the transportation of Taxicab passengers from the Airport. It includes, but is not limited to, all designated Taxicab roadways, Taxicab Holding Areas, Taxicab Loading Areas, Taxicab Staging Areas, and an Automatic Vehicle Identification (AVI) System or a similar vehicle tracking system.
- 1.6 Airport Use Fee. The fee set by the Commission that Drivers are authorized to charge in addition to the metered fare in order to recover up to the approximate cost paid to the Commission for the Taxicab Permit and Per-Trip Fee.
- 1.7 Automatic Vehicle Identification (AVI) System. A system that utilizes AVI tags, readers, controllers, gates, loops, signs, and computers to dispatch, monitor, and control Permitted Taxicabs within the Airport Taxicab System.
- 1.8 AVI Tag. A small device that controls Vehicle access and signals when Vehicles enter or exit the Commercial Lanes.
- 1.9 Commercial Lanes. Traffic lanes designated by the Airport Director as Permitted Taxicab Lanes or areas

for use by Pre-Arranged Taxicabs.

- 1.10 Commission. The Metropolitan Airports Commission, a public corporation organized and operating pursuant to Chapter 500, Laws of Minnesota 1943 and amendments thereto.
- 1.11 Communication Device. Communication Device shall include one or more of the following options; live radio dispatching, operational cellular phone, or other equipment as approved by the Airport Director.
- 1.12 Company Representative. Anyone employed by, Affiliated With, or acting on behalf of a Service Company and representing its interests, including, but not limited to, Drivers.
- 1.13 Driver. Every person who drives or is in actual physical control of a Taxicab under this Ordinance.
- 1.14 Dwell Fee. A fee imposed on Pre-Arranged Taxicabs not permitted by the Commission for exceeding the prescribed time in picking up passengers while operating in the Commercial Lanes.
- 1.15 Executive Director/CEO. The Commission's chief executive officer or a designated representative.
- 1.16 Hearing Officer. A designee of the Executive Director/CEO who shall conduct hearings, hear evidence and make a determination regarding fines, Suspension and/or Revocation of Service Company Authorizations, Taxicab Permits, and MAC Drivers' Licenses.
- 1.17 MAC. The Metropolitan Airports Commission.
- 1.18 MAC Driver's License. The driver's license that authorizes Drivers to pick up passengers at the Airport through the Permitted Taxicab Lanes. This license is created and stored in MAC's digital database and not physically issued to the Driver.
- 1.19 MAC Representative. Any Person authorized by the Airport Director to direct or coordinate Taxicab operations at the Airport, including MAC Landside Staff and employees of the Airport Police Department.
- 1.20 Owner. The Person who holds the title to a Taxicab Vehicle.
- 1.21 Permitted Taxicab. A Taxicab for which an Owner has a Taxicab Permit.
- 1.22 Permitted Taxicab Lanes. The Commercial Lanes at the Terminal 1-Lindbergh and the Terminal 2-Humphrey that Taxicabs permitted under this Ordinance must use to pick up non-prearranged passengers.
- 1.23 Person. Any natural person, firm, partnership, association, corporation or other entity.
- 1.24 Pre-Arranged Taxicab. A Taxicab that is at the Airport to pick up passengers for a pre-arranged trip, and that uses the Commercial Lanes designated for Pre-Arranged Taxicab operation.
- 1.25 Revenue Card. A card that allows MAC to charge the Driver's account any applicable Per-Trip Fee in accordance with this Ordinance.
- 1.26 Revocation. The discontinuance of a Service Company Authorization, a MAC Taxicab Permit, or a MAC Driver's License.

- 1.27 Service Animal. Any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or retrieving dropped items.
- 1.28 Service Company. A company that conducts Taxicab business activities and has Taxicabs Affiliated With it operating at the Airport.
- 1.29 Service Company Authorization. An authorization from the Airport Director issued to a Service Company that allows the Service Company to conduct business activities and to operate Taxicabs at the Airport.
- 1.30 Suspension. The temporary discontinuance of a Service Company's Authorization, a Taxicab Permit or a MAC Driver's License.
- 1.31 Taxicab. Any motor Vehicle carrying passengers for pay or hire to specific destinations requested by passengers upon public streets and upon the streets, avenues and roads of the Airport, and subject to call on or upon such public streets and Airport streets, avenues or roads or from a garage or other established place of business, not including Transportation Network Companies as defined by Minnesota Statute § 65B.472, or as amended.
- 1.32 Taxicab Holding Area. Any areas designated by the Airport Director for Taxicabs to remain while actively registered in the AVI or vehicle tracking system.
- 1.33 Taxicab Loading Area. Any areas designated by the Airport Director for Taxicabs to load passengers.
- 1.34 Taxicab Manual. A manual established by the Airport Director that sets forth requirements for the operation of Taxicabs.
- 1.35 Taxicab Permit. An authorization from the Airport Director to a Taxicab Owner that allows the Taxicab to pick up passengers at the Airport through the Permitted Taxicab Lanes. An Owner who complies with the requirements of this Ordinance may register one vehicle per Taxicab Permit. This permit is created and stored in MAC's digital database and not physically issued to the Owner.
- 1.36 Taxicab Staging Area. An area designated by the Airport Director for Taxicabs to temporarily remain while actively registered in the AVI or vehicle tracking system.
- 1.37 Taxicab Starter. A MAC Representative who is responsible for the facilitation of passenger transportation at the Airport.
- 1.38 Taxicab Meter. Any instrument or device attached to a Vehicle and designed to measure mechanically or electronically the distance traveled by such Vehicle, to record the time the Vehicle travels or is waiting, and to indicate upon such record, by figure or design, the fare to be charged.
- 1.39 Vehicle. Every device in, upon or by which any Person or property is or may be transported or drawn upon public streets and upon streets, avenues and roads within the Airport.

SECTION 2 – SCOPE

This Ordinance applies to all Service Companies, Persons, and Vehicles engaged in Taxicab transportation at the Airport.

Service Companies are authorized, Taxicab Vehicles are permitted, and Drivers are licensed by the Commission to serve the Airport and the traveling public. The Commission does not employ, subsidize or guarantee the profitability of Service Companies, Taxicab Owners, or Drivers.

SECTION 3 – AUTHORITY TO OPERATE

3.1 Service Company Authorization

No Service Company shall operate, and no Taxicabs Affiliated With the Service Company, except Pre-Arranged Taxicabs, shall pick up passengers within the Airport Taxicab System without a current valid Commission authorization.

3.2 Taxicab Permit

All Taxicabs, except Pre-Arranged Taxicabs, must have a valid annual MAC Taxicab Permit, and have an AVI Tag or other device approved by the Airport Director in order to pick up passengers at the Airport.

3.3 MAC Driver's License

No Driver shall operate, and no Service Company shall allow a Driver who is Affiliated With it to operate, a Taxicab permitted under this Ordinance at the Airport without a current, valid MAC Driver's License.

3.4 High Volume Events

The Airport Director may declare a High Volume Event at the Airport. Such event may be declared when conditions exist that are likely to create a need for Taxicabs at the Airport that is greater than can be met by the existing number of Permitted Taxicabs or Service Companies. During such a High Volume Event, the Airport Director may authorize non Permitted Taxicabs to operate at the Airport subject to terms, times, conditions, and fees as determined by the Airport Director.

SECTION 4 – SERVICE COMPANIES

4.1 Authority to Operate

- a. Upon application, the Airport Director may issue an annual, non-transferable Authorization to a Service Company to conduct Taxicab business activities and to operate Taxicabs in the Airport Taxicab System.
- b. A Service Company Authorization shall apply for one year from the date the Authorization is granted, or as otherwise established by the Commission, and must be renewed annually.
- c. An annual Service Company Authorization will not be issued to a Service Company that has past due fees, fines, or is indebted to the Commission at the time of application. In addition, the

Airport Director may deny requests for Service Company Authorizations where the interests of the traveling public and/or the efficient operation of the Airport are best served by such denial.

- d. The Service Company shall be penalized for the operation within the Airport Taxicab System of a non-permitted Taxicab that is Affiliated With it. The Service Company shall be penalized for the operation by an unlicensed Driver within the Airport Taxicab System of a Taxicab that is Affiliated With it.

4.2 Service Company Requirements

A Service Company may be authorized by the Commission when the requirements set forth in this Section are met. All Service Companies shall maintain these requirements throughout the year for which they are authorized.

- a. Distinct Name and Logo, and Secretary of State Registration

Each Service Company shall have a distinct name and logo, and shall be registered with the Office of the Minnesota Secretary of State.

- b. Directory Assistance Registration

The Service Company name and telephone number must be registered with Directory Assistance for Minneapolis or St. Paul.

- c. Central Place of Business

Every Service Company shall maintain an office, with a registered address (no P.O. Box) and with regular business hours, within thirty (30) miles of the Airport. Regular business hours should match MAC Landside Operations' official business hours.

- d. Record Maintenance

Each Service Company shall maintain the following records, at the central place of business as defined in 4.2(c), for a period of at least three (3) years:

- (1) Current information on each Taxicab Owner Affiliated With the Service Company, as required under Section 5.5;
- (2) Current information on each Driver Affiliated With the Service Company, including, but not limited to the Driver's residence address and telephone number, the Driver's application history, and customer complaints against the Driver and resolution records of those complaints;
- (3) The model, make, year, license number, vehicle identification number, Taxicab Permit number and Taxicab manual-compliance and mechanical inspection records obtained pursuant to Section 5.2(f) for each Taxicab Affiliated With the Service Company;
- (4) Current insurance information for each Taxicab Affiliated With the Service Company;

- (5) Trip sheets that meet the requirements set forth in the Taxicab Manual for each Permitted Taxicab and Driver Affiliated With the Service Company, and that are collected by the Service Company on a monthly basis, no later than the tenth (10th) of each month; and
- (6) Information on which Permitted Taxicabs and Drivers are operating on each day or portion of a day, so that the Service Company is able to inform a MAC Representative as to which Driver is or has been driving a Vehicle Affiliated With the Service Company.

e. Record Inspection

Every Service Company shall comply, by the end of the seventh (7th) business day, with a reasonable request by a MAC Representative to inspect the records maintained by the Service Company as required in this Ordinance. A MAC Representative may choose to conduct the Record Inspection at the Service Company's Central Place of Business or at the Airport.

f. Communication Device

Service Companies shall maintain communication at all times with all Drivers and Taxicabs Affiliated With the Service Company through a Communication Device while Taxicabs Affiliated With the Service Company are in operation.

g. Service Company Representative

Every Service Company shall have one Representative or Designee that is the sole contact for the Service Company in any communication necessary between the Commission and the Service Company during regular business hours.

h. Information Requests

Every Service Company shall provide information in response to a reasonable request from a MAC Representative within sixty (60) minutes during normal business hours. Such information includes, but is not limited to, Driver information, Vehicle information, and trip sheet information.

i. [Removed]

j. Vouchers

Every Service Company shall ensure every Driver operating a Taxicab Affiliated With the Service Company, accepts airline vouchers as payment for the Taxicab fare, if so directed by the Airport Director. Each Service Company shall establish vendor accounts under the Service Company's name and contact information with all airlines serving the Airport and shall process vouchers for only Owners and Drivers Affiliated With their Service Company. Service Companies shall reimburse Drivers Affiliated With the Service Company the full face value of the voucher in a reasonable timeframe. MAC shall communicate to the airlines the importance of timely payment of airline vouchers.

k. Handling of Customer Complaints

Every Service Company shall properly and thoroughly handle all customer complaints:

- (1) In the event that a MAC Representative receives a customer complaint, that complaint will be forwarded to the Service Company and the Service Company must investigate the complaint. Upon receipt the Service Company must inform the MAC Representative of the status of any forwarded complaints by the end of the next business day. The Service Company must inform MAC of the ultimate resolution of the customer complaint.
- (2) The Service Company may consult the Airport Director for assistance when appropriate.

l. Insurance

Every Service Company shall ensure that each Taxicab Affiliated With the Service Company meets the insurance requirements of Section 5.4. The Service Company must not allow any uninsured Taxicab to operate at the Airport. The Service Company will be responsible to the Commission for the operation of any uninsured Taxicab, and will be responsible for any applicable processing and/or reactivation fees pursuant to Schedule I.

m. Information on File

- (1) Every Service Company shall notify the Commission in writing of all MAC Permitted Taxicabs that are Affiliated With the Service Company.
- (2) Every Service Company shall provide the Commission written notice of any Taxicabs newly Affiliated With the Service Company, and of any Taxicabs no longer Affiliated With the Service Company, by the end of the next business day following the change of affiliation.
- (3) Every Service Company shall keep the current Service Company representative(s) and Service Company owner(s) name on file with the Commission at all times.

n. Wheelchair Accessible Vehicles

Service Companies with ten (10) or more Permitted Taxicabs at the Airport must have least one Permitted Taxicab that is a wheelchair accessible Taxicab and is available to pick up passengers at the Airport.

4.3 Annual Review

- a. Every Service Company shall be subject to a reasonable annual review conducted by MAC Representatives to determine whether the Service Company is meeting the requirements of this Section. The annual review shall be conducted at least thirty (30) days prior to the Service Company Authorization renewal date.
- b. The annual review may include a meeting between MAC Representatives and the Service Company Representative.

- c. Should Service Company records not be complete, properly on file in an orderly fashion, and available for review by MAC Representatives at the time of the annual Service Company review, a re-inspection fee as set forth in Schedule I, or as otherwise modified by the Airport Director, may be charged for each additional inspection required to complete the Review.

SECTION 5 – TAXICAB PERMITS

5.1 Annual Permit

An annual Taxicab Permit shall apply for the period as established by the Commission.

5.2 Taxicab Permit Requirements

Upon application, the Airport Director may authorize an annual Taxicab Permit to the Owner of a Taxicab when the requirements set forth in this Section are met and where the interests of the traveling public and the efficient operation of the Airport are best served by such issuance.

The Airport Director may deny requests for Taxicab Permits where the interests of the traveling public and the efficient operation of the Airport are best served by such denial. The Commission may direct the Airport Director to limit the number of Taxicab Permits in order to promote the efficient operation of the Commission's ground transportation system and to promote orderly traffic flow, in accordance with applicable Minnesota Statutes. All Owners shall maintain these Taxicab Permit requirements throughout the annual Permit time period.

a. Service Company

The Taxicab Owner must be a Service Company, or must be Affiliated With a Service Company, that meets the requirements of this Ordinance.

b. Title

The Taxicab Owner must hold legal title to the Vehicle as evidenced by the certificate of title.

c. Insurance

The Taxicab Owner must provide proof of insurance as required by Section 5.4.

d. Age of Vehicle

For each permitting year, take the year in which the permitting period begins and subtract ten (10) to calculate the oldest model year eligible for permitting.

This means eleven (11) model years will be eligible for permitting each year. For example, the model years eligible for permitting in 2017 will be 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008 and 2007.

The Airport Director may extend the vehicle age for certain wheelchair accessible Taxicabs at his/her discretion to incentivize more wheelchair accessible Taxicabs to operate at the Airport.

e. Vehicle Minimum Size Standards

All Taxicabs must comply with the minimum size standards set forth in the Taxicab Manual.

f. Taxicab Manual Compliance and Mechanical Inspection

The Taxicab Vehicle must pass an inspection, at the Owner's expense, pursuant to standards set forth in the Taxicab Manual at a facility designated or approved by the Airport Director. The Airport Director will issue a taxicab inspection form to be used in the inspection of taxicabs.

g. Taxicab Meter Calibration Certificate

For mechanical Taxicab Meters, the Taxicab Owner must furnish a current Taxicab Meter calibration certificate at the time of the mechanical inspection described in Section 5.2(f) and a copy of such calibration certificate shall be kept in the Taxicab at all times and shown at the request of a MAC Representative.

h. No Past Due Amounts

A Taxicab Permit will not be authorized to an Owner who has past due fees, fines or is indebted to the Commission at the time of application.

5.3 AVI Tag

a. Commission Property

An AVI Tag provided to a Taxicab Owner remains the property of the Commission. The AVI Tag shall at all times be affixed in a location that is designated by the Airport Director and that allows the tag to operate properly.

b. No Unauthorized Transfer

An AVI Tag shall only be used in the Taxicab for which it is authorized.

5.4 Insurance and Indemnification

a. Commercial Automobile Liability Insurance

The Owner shall have commercial automobile liability insurance for each Vehicle in force at all times with minimum coverage limits of either (i) \$200,000 bodily injury per person, \$600,000 bodily injury per accident, and \$200,000 property damage; or (ii) a combined single limit of \$1,000,000 for each occurrence. The insurance policy shall name the Metropolitan Airports Commission as an additional insured. The Owner must have a completed insurance certificate evidencing such coverage on file with the Commission at all times. The insurance certificate shall be submitted on the form as required by the Airport Director.

Insurance must be provided by a company licensed to write such insurance in the State of Minnesota. Also, liability must not be limited due to insolvency or bankruptcy of the insured. The

Commission must immediately be notified in writing that a Vehicle(s) is being deleted from the policy. The Commission must be notified in writing ten (10) days before a policy may be canceled or changed by endorsement. The Owner will be held responsible if proper notice is not provided by the insurance company. Also, coverage must not be limited in any way when insured Vehicles are driven, used, operated or maintained while the Driver or occupants are under the influence of alcohol or controlled substances, or engaged in the illicit transportation of such substances.

b. Indemnification

The Owner shall indemnify and hold harmless the Commission for the negligent acts of the Owner or Driver with permission, expressed or implied, of the Owner of all covered Vehicles resulting in personal injury or property damage within the limits of coverage stated herein.

5.5 Owner Information on File

a. Owner Information

Each Taxicab Owner shall keep a current address and telephone number on file with the Service Company and the Commission at all times.

b. Changes

Each Taxicab Owner shall provide the Commission written notice of any changes required by this Section by the end of the next business day following the change.

c. Enforcement

Failure to comply with this Section will result in an Immediate Suspension under Section 12.4.

5.6 Unauthorized Transfers

No Owner may sell or transfer a Taxicab Permit to another Owner.

5.7 Authorized Transfers

a. Vehicle to Vehicle

An Owner may transfer a Taxicab Permit from one Vehicle to another Vehicle subject to procedures set forth by the Airport Director and payment of the appropriate fee.

b. Service Company to Service Company

An Owner may transfer a Vehicle from one Service Company to another, so long as ownership of the Vehicle is not transferred, subject to procedures set forth by the Airport Director and payment of the appropriate fee. In the event of such transfer, the Owner must change the name and logo under which the Owner operates to the new Service Company, and must provide written consent from the new Service Company to the Commission, prior to such transfer.

SECTION 6 – DRIVER LICENSING

6.1 MAC Driver's License

MAC Driver's Licenses shall be effective from the date of issuance until one (1) year following the date of effectiveness or as modified by the Airport Director. The Airport Director may limit the number of MAC Driver's Licenses in order to serve the public's welfare and provide for the efficient operation of the Airport. To be licensed, an applicant must submit to MAC the MAC Driver's License application, including providing all information required on the application, and pay the MAC Driver's License fee as described in Section 11.6.

6.2 MAC Driver's License Requirements

Upon application, the Airport Director may authorize a nontransferable MAC Driver's License to a Person who meets the following requirements. All licensed Drivers shall maintain these license qualifications throughout the term of their MAC Driver's License.

a. Identification and Application Requirements

For an initial MAC Driver's License, the applicant must appear in person before a MAC Representative and present a valid driver's license issued by a state or territory of the United States of America and complete the MAC Driver's License application, including all information required on the application, which includes information required under Minnesota Statutes § 270C.72.

b. National Criminal Background Check and Driving Record Check

Applicants must undergo a national criminal background check and driving record check through a third party background check company/provider approved by the Airport Director hired either through the applicant's Service Company or through MAC, provided that an applicant who is also an owner of a Service Company cannot perform the national criminal background check and driving record on themselves. The national criminal background check shall cover a period of no less than the previous ten (10) years (unless state law prescribes a shorter period) and the driving record check shall cover a period of no less than the previous five (5) years and must include all states in which applicant has held a driver's license for previous five (5) years. The Airport Director may adopt additional requirements for the national criminal background check and driving record check.

If the national criminal background check and driving record check is done through MAC, the applicant shall submit the necessary information and their informed consent to MAC so that the national criminal background check and driving record check can be performed. If MAC performs the national criminal background check and driving record check, a background check fee will be assessed and must be paid by either the applicant or the applicant's Service Company before a MAC Driver's License will be authorized. This fee is set forth in Schedule I or as otherwise modified by the Airport Director.

If the national criminal background check and driving record check is done through the Service Company, the Service Company must certify to MAC that the national criminal background

check and driving record check has been performed according to the criteria above, and that the applicant meets the requirements outlined in Section 6.2(c). The Service Company must keep records of the national criminal background check and driving record check for a period of three (3) years and shall allow such records to be reviewed by law enforcement personnel and a MAC Representative upon request.

One (1) year after the initial date of a MAC Driver's License, and annually thereafter, either the Service Company or MAC shall verify that the Driver is still eligible for a MAC Driver's License by performing the national criminal background check and driving record check as outlined in this section (including paying MAC any applicable background check fee).

c. MAC Driver's License Requirements

No MAC Driver's License shall be authorized unless the applicant or Driver:

1. Has no felony convictions in the last five (5) years;
2. Has no non-traffic gross misdemeanor or misdemeanor convictions in the last three (3) years involving the use or threat of use of force, possession or sale of a controlled substance, prostitution, or indecent exposure;
3. Has at least twelve (12) months from the date of release from imprisonment for a sex crime or crime of violence. "Sex crime" is any prohibited act that has an element of a sexual nature. "Crime of violence" means any prohibited act that has as an element (a) the use or threat of force or a dangerous weapon or (b) a person (i) committing substantial bodily harm to another, or (ii) committing great bodily harm to another or (iii) causing the death of another;
4. Has no convictions in the last five (5) years for any of the following offenses involving injury or death and no convictions in the last three (3) years for any of the following offenses not involving injury or death: Hit and run; driving under the influence of an alcoholic beverage or controlled substance; reckless or careless driving; or failure to submit to an implied consent test;
5. Has no convictions in the last ten (10) years for Murder (Minn. Stat. §§ 609.185 to 609.195), manslaughter (§§ 609.20 to 609.205), criminal vehicular homicide and injury (§ 609.21), assault I-III (§§ 609.221 to 609.223), criminal sexual conduct (§§ 609.342 to 609.3451), indecent exposure (§ 617.23, subd. 2 or 3); any violation of the controlled substance law (§152 et al) which is punishable by a maximum sentence of fifteen (15) years or more; as allowed under Minn. Stat. § 364.09, or violence at international airports (18 U.S. Code §37). No convictions in the last ten (10) years for any similar felony committed in another state or country; and
6. Has no active felony criminal wants or warrants issued for such person.

The applicant or Driver must have a driving record meeting the following standards:

1. For original endorsement: No more than three (3) moving violations within the last three (3) years, and no more than two (2) moving violations in the last year.

2. For annual endorsement renewal: No more than four (4) moving violations within the last three (3) years and no more than two (2) moving violations in the last year.

d. Photograph

The applicant must have a photograph taken for inclusion in MAC's digital database. MAC will arrange for this photograph.

e. Driving Experience

Applicant shall have at least twelve (12) consecutive month's driving experience in the United States as a licensed driver. Such prior driving experience may be verified by a driving record check conducted by MAC or the applicant's Service Company.

f. Age

The applicant must be at least eighteen (18) years of age.

g. Driver Safety and Customer Service Training

The applicant must have a demonstrated ability to read, write and speak the English language. In addition, the applicant must have a demonstrated knowledge of the geography and street systems of the seven-county metropolitan area, as well as the location of major attractions within those areas. The applicant must also have a demonstrated knowledge of the provisions of this Ordinance relating to the conduct of Drivers and the operation of a Taxicab. The Airport Director may approve accredited facilities which may verify these abilities and this knowledge.

Each Driver shall obtain a certificate of completion in such a course designed to improve public service to Taxicab passengers as so approved and when directed by the Airport Director, and from a facility that is accredited and approved by the Airport Director. Such courses shall be administered in compliance with the Americans With Disabilities Act. The certificate of completion must be provided to the Commission prior to authorization of a MAC Driver's License. The cost of the course shall be paid by the applicant.

Applicants shall attend the course when space is available and obtain a certificate of completion (i) prior to applying for their initial MAC Driver's License; (ii) if the Driver receives three (3) customer complaints in a twelve (12) month period; (iii) in conjunction with penalties established in Schedule II where appropriate; and (iv) pursuant to any policy adopted by the Airport Director and incorporated into the Taxicab Manual. Failure to obtain a certificate of completion will result in denial of license application and/or loss of the MAC Driver's License, and loss of driving privileges.

h. No Past Due Balance

A MAC Driver's License will not be authorized to any Person who has past due fees, fines or is indebted to the Commission.

6.3 [Removed].

6.4 Revenue Card

No Person shall use or attempt to use another Person's Revenue Card or allow another Person to use or attempt to use his/her Revenue Card.

6.5 Access

Access to Taxicab Holding, Loading, and Staging areas will be obtained in the manner directed by the Airport Director. This may include the use of an access card and/or the use of biometric identification.

6.6 Renewal

- a. A MAC Driver's License is not valid after the expiration date.
- b. Drivers must renew their MAC Driver's License either within thirty (30) days prior or within twelve (12) months after the expiration date. Drivers that do not renew their MAC Driver's License within that time period will be required to obtain a new certificate of completion, as set forth in Section 6.2(g), and pay the appropriate fees.
- c. To renew a MAC Driver's License, the Driver must meet all the requirements of Section 6.2 except 6.2(g), provided that the Airport Director may adopt renewal procedures that allow the identification and documentation requirements outlined in Section 6.1 (a) to be submitted to MAC electronically or through US Mail, rather than in person. To renew a MAC Driver's License, the Driver must submit to MAC the MAC Driver's License renewal application and pay the MAC Driver's License fee as described in Section 11.6.

6.7 Lost or Stolen Revenue Card

A lost or stolen Revenue Card shall be immediately reported to the MAC Landside Office. The applicable fees must be paid to replace the Revenue Card.

6.8 Duplicate Revenue Card

The fee to replace a lost or stolen Revenue Card, or to create a duplicate Revenue Card for any other purpose is set forth in Schedule I or as otherwise modified by the Airport Director.

6.9 Driver Information on File with Commission

a. Driver Information

Each Driver shall keep a current residence address and telephone number on file with the Commission at all times.

b. Service Company Information

Each Driver shall keep the current names of the Taxicab Owner(s) and Service Company(ies) for

which the Person drives on file with the Commission at all times.

c. Changes

Each Driver shall provide the Commission written notice of any changes required by this Section by the end of the next business day following the change.

d. Enforcement

Failure to comply with this Section may result in an Immediate Suspension under Section 12.4.

6.10 Ineligibility for False Application

If a MAC Representative determines a false application has been made, the applicant shall be required to wait twenty-four (24) months before reapplying. A false application is any incorrect statement that could lead the Airport Director to improperly authorize a MAC Driver's License.

SECTION 7 – TAXICAB OPERATION

7.1 Operation of One Taxicab

- a. No Driver may operate or be in control of more than one Taxicab within the Airport Taxicab System at any given time.
- b. The Driver of a Taxicab that enters the Taxicab Loading Area must be the same Driver that entered that same Taxicab into the Airport Taxicab System.

7.2 Commercial Lanes

Taxicabs shall only use the Commercial Lanes to pick up passengers at the Airport, unless otherwise directed by a MAC Representative.

7.3 Taxicab Loading

A Driver shall in all instances, unless otherwise directed by the passenger, assist a passenger to enter the Taxicab and to load and unload all property, except that a Driver shall not be required to lift a passenger or lift property weighing more than fifty (50) pounds.

7.4 Trip Refusal

a. Trip Refusal Generally Prohibited

Except as provided in Section 7.4(b), Section 9.5, or the Taxicab Manual as amended, no Driver shall refuse or neglect to convey any Person or Persons and their reasonable and legal property upon request to their destination, provided such Person or Persons agree to pay the legal rate of fare.

A Driver will not be subject to the penalty in Section 7.4(c) because the Driver cannot transport excessive luggage. However, the decision that too much luggage exists must be made before the

destination has been discussed.

b. Grounds for Refusal

A Driver may refuse service to a passenger only if the passenger is (a) significantly impaired by or under the influence of any intoxicating liquor or any drug, or (b) poses a threat to the physical safety of the Driver. In such instance, the Driver must bring the situation to the attention of the Taxicab Starter on duty and explain the reasons the Driver believes that the passenger is impaired, intoxicated, or a threat to the Driver's safety. In the event that a Taxicab Starter is not on duty, the Driver shall call the Airport Police for assistance.

c. Penalty for Refusal

The penalty for violation of Section 7.4(a) will be an Immediate Dismissal from the Permitted Taxicab Lanes, pursuant to Section 12.2 and the penalty called for in Schedule II or as amended.

d. Unlawful Discrimination

Under no circumstances may a Driver refuse service to a passenger at the Airport on account of race, gender, religion, national origin, ethnicity, marital status, disability of any passenger who may be safely transported in the Taxicab, status with regard to public assistance, sexual orientation, or age. Without limiting the foregoing, under no circumstances will a Driver refuse service to a passenger at the Airport solely on account of the passenger's being accompanied by a Service Animal.

7.5 Communication Device

A Driver must have an operational Communication Device turned on while engaged in Taxicab transportation at the Airport.

While a customer is present in the Taxicab, cell phone calls must be no longer than one (1) minute. An outgoing call may be made only if it aids the customer present in the Taxicab or to the Service Company Affiliated With the Driver.

- a. All cell phone use at the Taxicab Loading Areas is prohibited.
- b. All cell phone use while the Taxicab is in motion must be conducted with hands-free technology.

7.6 Lost Articles

The Driver shall inspect the Vehicle after the departure of each passenger to ascertain that no article has been left behind. If a passenger leaves an article in the Taxicab, the Driver shall immediately attempt to return it. If the Driver is unable to return the article, the Driver shall immediately notify the Service Company dispatcher, describe the article to the Service Company dispatcher, and deliver the article to the Person acting as Taxicab Starter as soon as reasonably practical. Taxicab starters will provide a receipt to any Driver turning in a lost article.

7.7 Permitted Taxicab Lanes

The Airport Director may establish one or more Permitted Taxicab Lanes at Terminal 1-Lindbergh and Terminal 2-Humphrey to ensure that all transportation needs of Persons using the Airport are met.

7.8 Taxicab Manual

a. Adoption of Manual

The Airport Director has the authority to establish a Taxicab Manual that includes but is not limited to Vehicle standards, Permitted Taxicab Lane procedures, detailed operational procedures, and administrative issues. Except for emergency declarations by the Airport Director, the Airport Director shall post notice seven (7) days prior to adopting or changing the Taxicab Manual and hold a meeting at which proposed changes will be discussed.

b. Compliance with Manual

Every Person and Service Company engaged in Taxicab transportation at the Airport shall comply with the Taxicab Manual at all times.

7.9 Compliance with Laws and Orders

a. Laws

All Persons and Vehicles engaged in Taxicab transportation at the Airport shall comply with all applicable federal, state and local laws, including but not limited to any applicable ordinances or security directives.

b. Orders

All Persons engaged in Taxicab transportation at the Airport shall comply with all lawful orders or directions given by MAC Representatives.

c. Compliance Checks

MAC Representatives may conduct random, unannounced compliance checks at any time to determine compliance with this Ordinance and the Taxicab Manual.

7.10 General Taxicab Operation

- a. Taxicab operation and parking shall at all times be in accordance with requirements established by the Airport Director.
- b. No Taxicab shall be operated so as to obstruct traffic, jeopardize passenger safety or interfere with the efficiency of Airport operations.

- c. No Taxicab Owner or Driver shall take any actions that threaten the safety, comfort or convenience of passengers or MAC Representatives or that interfere with the efficiency of Airport operations.

7.11 Direct Route

Drivers must take the most direct route to the passenger's destination, unless the passenger expressly consents otherwise.

7.12 Items Displayed in Vehicle

Certain items as listed in the Taxicab Manual shall be displayed in the Taxicab at all times as described in the Taxicab Manual.

7.13 Credit/Debit Cards

Drivers shall accept all major credit/debit cards, including Visa and MasterCard, as payment for the Taxicab fare and all credit/debit cards shall be processed with an electronic credit/debit card processing system described below. If the electronic credit/debit card processing system in the Taxicab is not functioning in accordance with these requirements the Driver may not operate such Taxicab at the Airport until the system is functioning properly.

Drivers must have an operational electronic credit/debit card processing system that will allow the credit/debit card transaction to be processed in real time according to Payment Card Industry Data Security Standards. This electronic credit/debit card processing system must have the ability to provide an electronic or paper receipt to include the Service Company name, Service Company telephone number, Taxicab number, date, metered fare, and tip. This electronic credit/debit card processing system must include the name of the Driver's authorized Service Company as the service provider.

7.14 Vouchers

Drivers shall accept airline vouchers as payment for the Taxicab fare.

SECTION 8 – TAXICAB FARES

8.1 Rate of Fare

a. Meter Fare

A Driver shall not charge more than the legal fare shown on the Taxicab Meter, except as otherwise provided by this Ordinance. The legal rate of fare for the Taxicab Meter ("meter fare") may be set by the Commission. In the event the meter fare is not set by the Commission, the meter fare shall not exceed that authorized by the cities of Minneapolis or St. Paul, whichever is greater. Members of the Taxicab industry may submit meter fare recommendations with accompanying written justification to the Taxicab Advisory Committee by May 15 of each year.

b. Zone Fare

The Airport Director may establish zone or destination fares, which include the Airport Use Fee,

for specific areas. If such fares are established, then the Driver shall not charge more than that fare. Zone fares shall be established at the time of Permit renewal.

c. Rate of Fare Displayed

Each Taxicab shall have the rate of fare, including any minimum rate of fare, displayed on the outside and inside of the Vehicle, on both sides, so that it is clearly visible to passengers upon entering the Taxicab.

8.2 Airport Use Fee

One Airport Use Fee may be added to the meter fare for trips originating from the Airport. The amount of the Airport Use Fee may be adjusted annually by the Commission to recover up to the approximate cost paid to the Commission for the Taxicab Permit and Per-Trip Fee, based on the average annual number of trips per Taxicab Vehicle (rounded to the nearest \$.25 increment for ease of collection), for the previous year except that it shall not be reduced below \$2.00. The Driver may only charge one Airport Use Fee regardless of the number of passengers or destinations.

8.3 Computation of Fares

a. One Fare Per Trip

Drivers may only charge one fare per Taxicab trip to the passenger or passengers they are transporting, whether or not the passengers are traveling to the same destination, except in the limited circumstances of MAC Representative-directed multiple loading. A Taxicab trip originates from the Airport and concludes when the last passenger has been dropped off at the passenger's destination. One fare means the final rate on the Taxicab meter plus one Airport Use Fee, or the Zone Fare established.

b. Multiple Loading Exception

MAC Representative-directed multiple loading occurs in circumstances such as weather emergencies, extremely heavy passenger traffic, or when there is a limited number of Taxicabs available. When MAC Representative-directed multiple loading is utilized, any waiting passenger has the right to refuse multiple loading, may command the Taxicab's immediate departure, and shall not be caused undue delay. In cases of MAC Representative-directed multiple loading, each passenger pays the full fare, but only one Airport Use Fee may be charged for the Taxicab trip. No passenger, however, shall be required to pay a higher fare than if that passenger had sole use of the Taxicab.

8.4 Taxicab Meter

Every Taxicab shall be equipped with a Taxicab Meter in good working order equipped to measure the rate of fare which may legally be charged, and equipped so as to enable the passengers at all times to see the fare registered. The Taxicab Meter shall be so equipped that it is not capable of altering the legal fare shown on the meter. The Taxicab Meter must be operating at all times when the Taxicab is engaged.

Each mechanical Taxicab Meter shall be inspected annually by a meter repair establishment, acceptable to the Commission, which will calibrate the meter to the rate of fare which may legally be charged. Written

documentation of the calibration shall be provided at the time of the mechanical inspection, pursuant to Section 5.2(g). For electronic Taxicab Meters, the Airport Director may upon request, test such a meter to confirm its accuracy.

Every Driver shall issue a receipt to the Person paying for the Taxicab trip. The receipt shall include the date, the final fare amount, the name of the Service Company for which the Driver is currently driving, the Service Company's telephone number that is registered pursuant to Section 4.2(b), and the Taxicab number.

SECTION 9 – DRIVER CONDUCT

9.1 Solicitation

While on Airport Property, no Person shall solicit the business of carrying passengers for hire in any Taxicab, and no Taxicab shall be driven within the limits of the Airport for the purpose of soliciting the carrying of passengers for hire. No Driver shall provide any payment to any skycap, MAC Representative, or any other Person at the Airport in return for the referral of passengers or preferential treatment.

"Solicitation" means to directly or indirectly, actively or passively, openly or subtly, ask, request, plead for, seek, or try to obtain passengers for hire in a Vehicle, whether or not by the Owner or Driver of such Vehicle. This includes any effort by use of voice, movement of body or by mechanical contrivance of whatever sort to call attention to the availability of a Vehicle to carry a passenger or baggage for hire. The fact that a Vehicle displays a mechanical device to indicate that such Vehicle is not engaged is not considered solicitation.

9.2 Alcohol or Controlled Substance Use

- a. No Driver shall possess, consume or be under the influence of alcohol or a controlled substance while at the Airport.
- b. No Driver shall consume alcohol or take a controlled substance within four (4) hours of beginning a shift at the Airport.
- c. "Controlled substance" has the meaning given in Minnesota Statutes Section 152.01, subd. 4 or as amended.

9.3 Smoking

- a. No Driver shall smoke, or have in his or her possession, a lighted cigarette, cigar, or pipe while driving a Taxicab which is occupied by a passenger, unless such passenger shall have first granted permission to do so.
- b. Smoking is prohibited at all Taxicab Loading Areas and Taxicab Staging Areas.

9.4 Weapons

No Driver shall have in his or her possession while operating a Taxicab at the Airport any firearm, knife with a blade length in excess of four (4) inches, or any assault weapon, unless the Driver has a permit to carry.

9.5 Prostitution

No Driver shall allow any Person to occupy or use such Vehicle for the purpose of prostitution. No Driver shall direct or offer to direct any Person to any place or Person for the purpose of prostitution, or to transport any Person to any building, place or other Person with knowledge or reasonable cause to know that the purpose of such transportation is prostitution.

9.6 Discrimination

No Driver shall discriminate against any Person based on race, gender, religion, national origin, ethnicity, marital status, disability of any passenger who may be safely transported in the Taxicab, status with regard to public assistance, sexual orientation, or age.

9.7 Driver Behavior

- a. A Driver shall at all times be courteous when dealing with passengers, the public, other Drivers, or any MAC Representative.
- b. A Driver shall not use profane or threatening language or gestures directed at or in front of any passengers, the public, other Drivers, or any MAC Representative.
- c. No Driver shall interfere with any other authorized Driver with whom any Person is negotiating or inquiring about the transportation of Persons or property.

SECTION 10 – PRE-ARRANGED TAXICABS

10.1 Picking Up Pre-Arranged Passengers

Pre-Arranged Taxicabs, whether or not permitted by the Commission, shall pick up passengers at the Airport using the Commercial Lanes designated by the Airport Director.

10.2 Comply with Manual

Pre-Arranged Taxicabs and Drivers shall comply with Pre-Arranged provisions of the Taxicab Manual and any direction of MAC Representatives.

10.3 Fees

Pre-Arranged Taxicabs not permitted by the Commission shall use the Commercial Lane designated for non-permitted Taxicabs, and pay the applicable Pre-Arranged Trip Fee, and any Dwell Fees imposed, as set forth in Schedule I. Taxicabs Permitted by the Commission are not subject to the Pre-Arranged Trip Fee or the Dwell Fee.

The Airport Director may increase or decrease the Pre-Arranged Trip Fee, Dwell Fee, or the dwell time set forth in Schedule I as needed in order to ensure that commercial roadways operate free of congestion and recover costs associated with such use of the Airport.

SECTION 11 – FEES

11.1 Service Company Authorization Fee, Taxicab Permit Fee, and Per-Trip Fee

a. Service Company Authorization Fee

- (1) Each Service Company shall pay an annual, non-refundable Service Company Authorization Fee as set forth in Schedule I or as otherwise modified by the Airport Director. The Service Company Authorization Fee shall be paid in full at the time of application.
- (2) If the Service Company was issued a Service Company Authorization in the immediately preceding year, the Service Company shall pay the annual, non-refundable, Service Company Authorization Renewal Fee in full as set forth in Schedule I or as otherwise modified by the Airport Director.

b. Taxicab Permit Fee

Each Taxicab Owner shall pay a non-refundable Taxicab Permit Fee for each Taxicab that uses the Permitted Taxicab Lanes. The fee for an annual Taxicab Permit shall either be paid in full at the time of application or paid in half at the time of application plus Per-Trip Fees as described below.

c. Per-Trip Fee

A Per-Trip Fee shall be paid by the Driver with a credit/debit card, each time the Taxicab enters the Permitted Taxicab Lanes if the Taxicab Owner did not pay the Taxicab Permit Fee in full.

The Per-Trip Fee will be assessed for use of the Permitted Taxicab Lanes; thus, the credit/debit card will be charged regardless of whether the Taxicab transports passengers.

The Airport Director may establish an incentive program to encourage more wheelchair accessible Taxicabs to operate at the Airport. This incentive program may include a reduced Per-Trip Fee.

d. Establishment of Taxicab Permit Fee and Per-Trip Fees

The Taxicab Permit Fee and Per-Trip Fee shall be established by the Commission which recovers a portion of the Taxicabs' budgeted costs for the year, and charge for use of the Permitted Taxicab Lanes. When determining the Taxicabs' share of the year's budgeted costs, the Commission shall take into consideration, among other things, actual historical costs, operational costs, administration, penalty fees collected, depreciation, and interest attributable to the Airport terminal roadway system and the commercial ground transportation and Taxicabs' facilities, and the previous years' historical data regarding the numbers of trips.

For the year beginning January 1, 2017, the Taxicab Permit Fee and Per-Trip Fee shall be as set forth in Schedule I. Starting January 1, 2018, and each year thereafter, the Taxicab Permit Fee and the Per-Trip Fee for the year shall be calculated by multiplying the previous year's

Taxicab Permit Fee and Per-Trip Fee by the index described herein. This index shall be the average of the average percentage change over the previous five (5) calendar years, not including the immediate previous year, of (1) the Consumer Price Index – All Urban Consumers, Midwest Region, or similar CPI index, and (2) MAC's Operating Budget Expenses as published on the MAC Website. The Commission may raise, lower, or remove this annual adjustment at a public meeting and notice of such meetings shall be provided in accordance with Section 13.2. The Fees shall be posted in accordance with Section 13.2. The Taxicab Permit Fee amounts shall be rounded to the nearest \$25.00 increment. The Per-Trip Fee amount shall be rounded to the nearest \$0.01 increment.

The Taxicab Permit Fee and Per-Trip Fee, and future increases, may be adjusted by the Commission at public meetings with notice provided in accordance with Section 13.2.

11.2 Driver Safety and Customer Service Course Fee

If the Commission decides to provide a Driver Safety and Customer Service Course, a fee for the Course will be charged so that the Commission recovers the cost of providing the course.

11.3 Authorized Transfer Fee

The fee for an Authorized Transfer under Section 5.7 shall be as set forth in Schedule I or as otherwise modified by the Airport Director. One Service Company to Service Company Authorized Transfer per permit year will be allowed without a fee.

11.4 Insurance Processing Fee

An insurance processing fee shall be charged for each administrative action taken with respect to the processing, handling, and/or tracking of the insurance for a Permitted Taxicab. Such administrative action includes, but is not limited to, receiving a cancellation notice, reinstatement notice, change of endorsement notice, or change of carrier notice. The first two (2) incidents of administrative action taken per year with respect to a Permitted Taxicab will be exempt from the insurance processing fee. The amount of the insurance processing fee shall be set forth in Schedule I or as otherwise modified by the Airport Director.

11.5 Reactivation Fee

If an AVI Tag is deactivated pursuant to Section 12.4(c) for the reason in Section 12.4(a)(7), a reactivation fee shall be charged, per individual Permitted Taxicab, for reactivation of the AVI Tag. Payment of the reactivation fee must be paid in full, for each individual Permitted Taxicab, prior to the reactivation of any affected AVI Tags. The amount of the reactivation fee shall be set forth in Schedule I or as otherwise modified by the Airport Director.

11.6 MAC Driver's License Fee

The annual, nonrefundable, fee for a Driver's License shall be set forth in Schedule I or as otherwise modified by the Airport Director. This fee must be paid at the time of application or renewal by either the Driver or the Driver's Service Company.

11.7 Fee Changes and Other Fees

The Commission has the authority to adjust any of the fees in this Section and in Schedule I and notice shall be provided in accordance with Section 13.2. The Airport Director has the authority to establish other fees that cover reasonable administrative costs for services provided to Taxicab Owners or Drivers.

SECTION 12 – ENFORCEMENT

12.1 Scope

a. Violations

The sanctions set forth in this Section shall apply to Persons committing any of the following (hereinafter referred to as “violations”):

- (1) Violations of this Ordinance, the Taxicab Manual, or any laws or regulations expressly incorporated by this Ordinance;
- (2) Violations of any Ordinance of the Commission for which a criminal penalty may be imposed;
- (3) Violations while on Airport Property of any law of the State of Minnesota or the United States for which a criminal penalty may be imposed.

b. Penalties

Penalties for violations shall be as set forth in this Ordinance and Schedules II and III. The Commission at public meetings may review and change Schedules II and III as it deems necessary. Notice shall be provided as required in Section 13.2.

c. Enforcement

Enforcement of this Ordinance shall be done in a uniform and nondiscriminatory manner.

12.2 Immediate Dismissal From Permitted Taxicab Lanes

a. Conduct

MAC Representatives may immediately dismiss from the Permitted Taxicab Lanes any Driver or Vehicle on the grounds that, in the judgment of the MAC Representative:

- (1) The Driver or the Owner of the Vehicle is engaged in behavior in the Permitted Taxicab Lanes which amounts to a violation and/or which is disruptive of the efficient operation of the Permitted Taxicab Lanes.
- (2) The Driver is driving a Vehicle in the Permitted Taxicab Lanes which is in violation of standards which relate to the ability of the Vehicle to safely convey passengers.
- (3) The Driver has violated Permitted Taxicab Lanes procedures or has taken an improper

position in the Permitted Taxicab Lanes.

- (4) The Driver has failed to provide service as required by Section 7.4.
- (5) The Service Company has not supplied the necessary operational credit/debit card processing system to a Vehicle as required in Section 4.2(i).

b. Other Actions Not Precluded

Any Immediate Dismissal from the Permitted Taxicab Lanes shall be without prejudice to other enforcement actions taken under this Section and Schedules II and III.

c. Limitations On Immediate Dismissal

Except as provided below, an Immediate Dismissal shall be imposed for one trip through the Permitted Taxicab Lanes.

Where the Immediate Dismissal is for the reason stated in Paragraph a(4) above, the Immediate Dismissal shall be imposed for one trip through the Permitted Taxicab Lanes, or as set by the Commission.

Subsequent violations of the type contained in a(1), (2), (3), (4), or (5) above may result in subsequent Immediate Dismissals.

12.3 Delayed Suspension Repair Notice

a. Conduct

MAC Representatives may issue to the Service Company, Driver, or Owner of any Vehicle a Delayed Suspension Repair Notice upon observing that the Vehicle is in violation of the Vehicle standards contained in this Ordinance or the Taxicab Manual, but which do not relate to the ability of the Vehicle to safely convey passengers.

b. Contents of Notice

The Delayed Suspension Repair Notice shall set forth:

- (1) The nature of the violation(s);
- (2) The date on which the violation(s) took place;
- (3) The date by which the repair of such violation(s) must take place ("repair date"), which shall be no later than fourteen (14) calendar days from the date of the violation; and
- (4) Notice that the Taxicab Permit for the Vehicle shall be suspended, and its AVI Tag deactivated, on the repair date without further notice, unless the Vehicle has passed inspection by a MAC Representative.

c. Duration

A Suspension pursuant to a Delayed Suspension Repair Notice shall be for such time until the Vehicle passes an inspection by a MAC Representative.

d. Other Actions Not Precluded

Any Delayed Suspension Repair Notice shall be without prejudice to other enforcement actions taken under this Section and Schedules II and III.

e. Review

Any Delayed Suspension Repair Notice shall be reviewable by the Airport Director upon written request.

12.4 Immediate Suspensions

a. Conduct

The Airport Director, or designee may immediately suspend a Service Company's Authorization, a Taxicab Permit and/or a MAC Driver's License for the following reasons:

- (1) Failure by an Owner to keep current the information required by Sections 5.2(c) and 5.5, or a Driver to keep current the information required by Section 6.9.
- (2) Failure by a Service Company to respond to telephone communications by the Commission within sixty (60) minutes if a Taxicab Affiliated With the Service Company is on Airport Property or has been on Airport Property within the past thirty (30) minutes, provided that the Commission has attempted to establish telephone contact by calling the Service Company's registered telephone number or dispatch service.
- (3) Failure by an Owner to respond to telephone communications by the Commission within sixty (60) minutes if the Owner is on Airport Property or has been on Airport Property within the past thirty (30) minutes, or otherwise by 12:00 p.m. of the next business day, provided that the Commission has attempted to establish telephone contact by calling the Service Company through which the Owner is Affiliated With.
- (4) Failure by a Driver to respond to telephone communications by the Commission within thirty (30) minutes if the Driver is on Airport Property, excluding the Loading areas, or has been on Airport Property within the past sixty (60) minutes, or otherwise by 12:00 p.m. of the next business day, provided that the Commission has attempted to establish telephone contact by calling the Service Company, Owner or the Driver at the phone number on file with the Commission.
- (5) Failure by a Driver to have a Communication Device as required by Section 7.5.
- (6) Failure by a Service Company, Owner or Driver to pay in full any outstanding balance for any fees or other monies that are thirty (30) days past due or fines that are not paid within the time specified by the Ordinance.

- (7) Failure by a Taxicab Owner to have the insurance, as required by Section 5.4, in full force and effect at any time during the term of the Taxicab Permit.
- (8) Inoperable Taxicab Meter as required by Section 8.4.
- (9) Violations where the failure to immediately suspend may jeopardize the health, safety or welfare of the traveling public, other Drivers, or MAC Representatives.
- (10) The Service Company has not supplied the necessary operational credit/debit card processing system to a Vehicle as required in Section 4.2(i).

b. Immediate Suspension Order

Upon finding cause for such Immediate Suspension, the Airport Director or designee shall immediately issue a written Order of Immediate Suspension to the Service Company, Owner, or Driver depending on the nature of the violation. The Immediate Suspension Order shall state the grounds for the Suspension and inform the Service Company, Owner, or Driver that he or she may present additional information to the Airport Director, if he or she chooses to request that the Airport Director vacate that order. If such additional information is presented to the Airport Director, the Airport Director shall consider such information and shall promptly affirm or vacate the Order of Immediate Suspension.

c. AVI Tag Deactivation

Upon the issuance of an Order for Immediate Suspension, the Commission may deactivate the AVI Tag for one or more of the Taxicabs Affiliated With the Service Company. Where the Immediate Suspension is for Driver conduct for the reasons stated in Paragraph a(1) or a(4) above, the Commission may deactivate the AVI Tag of the Vehicle which the Commission reasonably believes the Driver is operating.

d. Immediate Suspension Duration

Where the Immediate Suspension is for the reasons stated in Paragraph a(1), (2), (3), (4), (5), (6), (7), (8), or (10) above, the Immediate Suspension shall end and the AVI Tag shall be reactivated as soon as practical (but not later than the end of the business day) upon remediation of the reasons for the Immediate Suspension. Where the Immediate Suspension is for the reasons stated in Paragraph a (9) above, the Immediate Suspension shall be for such time as the Airport Director or designee determines that there continues to be a threat to the health, safety and welfare of the public, provided that if the Immediate Suspension period shall exceed seven (7) days after issuance of the Order of Immediate Suspension, the Airport Director shall initiate proceedings for Suspension or Revocation through issuance of an appropriate notice.

12.5 Administrative Fines

a. Amount

Administrative Fines shall be imposed for violations of this Ordinance and the Taxicab Manual as set forth in Schedules II and III.

b. Notice of Assessment

A MAC Representative shall have the authority to issue a Notice of Assessment of fines to a Service Company, the Owner and/or Driver who is the violator(s). The Notice of Assessment shall state:

- (1) the nature of the violation;
- (2) the date on which the violation occurred;
- (3) the amount of the fine; and
- (4) the date of the Notice of Assessment.

c. Payment

Payment of fines must be received within twenty-one (21) calendar days of the date on which the Notice of Assessment is dated, or where a hearing is requested, within twenty- one (21) calendar days of the date of the Commission's final action affirming the Notice of Assessment under Section 12.5(b).

12.6 Suspensions

a. Conduct

Service Company Authorizations, Taxicab Permits and MAC Driver's Licenses may be suspended for any one of the following reasons:

- (1) Repeated violations for which fines have been assessed, as set forth in Schedules II and III;
- (2) Violations for which Suspension is specified in Schedule II; or
- (3) Violations which are aggravated in nature by their adverse impact on the orderly delivery of ground transportation services to the public or the efficient operation of the Airport.

b. Notice of Suspension

The Airport Director shall have the authority to issue a Notice of Suspension. The Notice of Suspension shall set forth:

- (1) the nature of the violation(s) which is the reason for the Suspension;
- (2) the date of the violation(s);
- (3) the length of the Suspension;
- (4) the date on which the Suspension shall commence;

- (5) the date of the Notice of Suspension; and
- (6) the right to a hearing.

The Airport Director shall review any report brought to his or her attention and may conduct additional investigation into such facts as deemed necessary in order to determine whether there are grounds for issuance of a Notice of Suspension. A Suspension shall commence not earlier than twenty-one (21) calendar days from the issuance of a Notice of Suspension or, where a hearing is requested, the final action of the Commission sustaining the Suspension under this Section.

c. Duration

The Suspension shall be for the period stated in Schedule II, where specified, or for such time as is ordered by the Airport Director not to exceed twelve (12) months, or until the violation no longer jeopardizes the health, safety or welfare of the traveling public.

d. AVI Tag Deactivation

Upon the commencement of a Suspension, the Commission may deactivate the AVI Tag(s) for the Service Company, Owner's affected Vehicle(s) and/or the Driver's License for the length of the Suspension.

12.7 Revocations

a. Conduct

Service Company Authorizations, Taxicab Permits and MAC Driver's Licenses may be revoked where any one of the following exist:

- (1) A violation(s) for which a violator has had a previous Suspension within twelve (12) months prior to the violation.
- (2) Violations for which Revocation is specified in Schedule II or Schedule III.
- (3) Violations that indicate a willful or reckless disregard for, and which has an immediate impact on the health, safety or welfare of the public, other taxicab Drivers, or MAC Representatives.

b. Notice of Revocation

The Airport Director shall have the authority to issue a Notice of Revocation. The Notice of Revocation shall set forth:

- (1) the nature of the violation(s) which is the reason for the Revocation;
- (2) the date of the violation(s);

- (3) the length of the Revocation;
- (4) the date on which the Revocation shall commence;
- (5) the date of the Notice of Revocation; and
- (6) the right to a hearing.

The Airport Director shall review any report brought to his/her attention and may conduct additional investigation into such facts as deemed necessary in order to determine whether there are grounds for issuance of a Notice of Revocation. A Revocation shall commence not earlier than fifteen (15) days from the issuance of the Notice of Revocation or, where a hearing is requested, the final action of the Commission sustaining the Revocation under this Section.

c. Duration

(1) MAC Driver's License

After a MAC Driver's License has been revoked, the Driver shall not be eligible to apply for another MAC Driver's License for a period of two (2) years from the date Revocation commences.

(2) Taxicab Permit

In the event that any or all of the Taxicab Permits of an Owner are revoked, the Owner shall be eligible to apply for Taxicab Permits as follows:

- (i) In the event that fewer than all Taxicab Permits of an Owner are revoked, for a period of two (2) years after the date on which the Revocation commences, the total number of Taxicab Permits which the Owner is eligible to hold shall be the number of Taxicab Permits held prior to the Revocation minus the number of Taxicab Permits revoked.
- (ii) In the event that all Taxicab Permits of an Owner are revoked, such Owner shall not be granted any Taxicab Permit for any Vehicle for a period of two (2) years from the date on which the Revocation commences.

(3) Service Company

In the event that a Service Company's Authorization has been revoked, the Service Company shall not be eligible to apply for Authorization from the Commission for a period of two (2) years from the date Revocation commences.

d. Multiple Taxicab Permits

Where an Owner has more than one Taxicab Permit, only the Taxicab Permit for the Vehicle involved in the violation shall be revoked. If the violation(s) giving rise to the Revocation involves conduct or policies involving all of the Vehicles of the Owner, all of his/her Taxicab

Permits shall be revoked. Conduct or policies involving all of an Owner's Vehicles includes but is not limited to:

- (1) violations which have the potential to place in imminent jeopardy the safety and well-being of others; or
- (2) violations involving dishonesty, fraud or corruption; or
- (3) more than two (2) violations for operating an Owner's Vehicles without a MAC Driver's License and where one-third or more of the Owner's Vehicles have been operated by Drivers who do not hold valid MAC Driver's Licenses during any twelve (12) month period; or
- (4) more than two (2) insurance violations and where one-third or more of the Owner's Vehicles have been operated without the insurance required by this Ordinance during any twelve (12) month period.

12.8 Hearing Procedure

- a. The procedures herein shall apply to Persons receiving a Notice of Assessment, Suspension or Revocation ("Notice"), but shall not apply to an Immediate Dismissal From the Permitted Taxicab Lanes, Delayed Suspension Repair Notice or Order for Immediate Suspension.
- b. Any Person receiving a Notice of Assessment, Suspension or Revocation may request a hearing before a Hearing Officer. Such request must be made in writing and received by the Airport Director within twenty-one (21) calendar days after the Notice of Assessment, Suspension or Revocation has been issued.
- c. If the Person requests a hearing, the Hearing Officer shall set a time for such hearing to be held as soon as practical. The Airport Director or designee shall notify the Owner or Driver of the time and place of the hearing not less than seven (7) calendar days before the time set for the hearing.
- d. The hearing shall be conducted by the Hearing Officer, shall be recorded by electrical or mechanical recorder or by a qualified reporter, and shall proceed as follows:
 - (1) The Airport Director shall present evidence which supports the facts constituting grounds for the Notice.
 - (2) The Person requesting the hearing may appear in person, may be represented by counsel, may cross-examine Airport Director's witnesses who are present, and may present any relevant evidence which the Owner or Driver has relating to the facts constituting grounds for the Notice. The evidence at the hearing shall be limited to that which is relevant to the facts constituting grounds for the Notice.
 - (3) All testimony shall be taken under oath, but both the Airport Director and the Person requesting the hearing may introduce testimony under oath in the form of sworn statements if witnesses are unavailable or refuse to appear in person.

- (4) The Hearing Officer shall hear the evidence and shall make recommended findings concerning the facts relevant to the violation(s) set forth in the Notice. The Hearing Officer shall make no determination concerning the penalty set forth in the Notice, nor shall the Hearing Officer make recommended findings concerning any substantive issue other than the facts underlying the Notice.
- (5) The Hearing Officer shall issue a report in writing stating his/her recommended findings as soon as practical following the hearing.
- (6) Either the Airport Director or the Person requesting the hearing may request review of the Hearing Officer's report by the Executive Director/CEO. The review must be requested by filing with the Executive Director/CEO a written Request for Review within ten (10) days of the date of the Hearing Officer's report. The Request for Review must state reasons for reversing or vacating the report. The party not requesting review may submit a written Response to the Request for Review within ten (10) days of the date of the Request for Review. Based on the record of the hearing, the Request for Review and the Response, the Executive Director/CEO shall issue a written ruling that affirms, reverses or vacates the Hearing Officer's report. The Executive Director/CEO may order remand to a Hearing Officer for a new hearing, a supplemental hearing and/or for additional findings.
- (7) Where review is requested, the Executive Director/CEO's ruling shall be the final action of the Commission. Where review is not requested within ten (10) days as set forth in Section 12.8(d)(6), the Hearing Officer's report shall be the final action of the Commission.

SECTION 13 – NOTICE

13.1 Notice of Assessment, Suspension, or Revocation

Notice as required by Section 12.3, 12.4(b), 12.5(b), 12.6(b), or 12.7(b), or any other notice required by this Ordinance to be given to an individual, is sufficient if delivered in person, sent by U.S. mail to the last address on file with the Commission of the individual or the Service Company with which that individual is affiliated, or transmitted by fax. Time of "issuance" means when the notice is hand delivered, placed in the mail, or faxed.

13.2 Posted Notice

Notice of Commission meetings to review Schedules I or II, notice of meetings and notice of issues that affect numerous Taxicab Owners or Drivers shall be sufficient if posted in a public area within the Airport Taxicab System, or other location reasonably calculated to provide notice. Changes to Schedules I or II (that require Commission action) shall be posted in such manner thirty (30) days prior to implementation.

13.3 Agent for Service of Other Notices, Orders, and Correspondence

Each Service Company shall be deemed the agent for service of all notices other than those listed in Section 13.1, all orders, and all other correspondence from the Airport to Taxicab Owners and Drivers operating under the name of the Service Company, including but not limited to inspection notices, orders

to remove Vehicles from service, and repair orders. Notice to a Permitted Taxicab Owner or Driver shall be considered effective if mailed or delivered to the registered office of the Service Company with which the Owner or Driver is affiliated. It shall be the responsibility of every Service Company to forward all notices, orders and other correspondence from the Airport to the Taxicab Owners and Drivers to whom they are addressed.

SECTION 14 – GENERAL PROVISIONS

14.1 Penalty

Any Person violating any of the provisions of this Ordinance shall upon conviction be punished by sentence within the parameters of the maximum penalty for misdemeanors set forth in Minn. Stat. § 609.03 or as amended.

14.2 Provisions Severable

If any part of this Ordinance shall be held unconstitutional or invalid, this does not affect the validity of the remaining parts of this Ordinance. The Commission declares it would have passed the remaining parts of this Ordinance without the unenforceable provisions.

14.3 Repealer

As of the effective dates of this Ordinance, Ordinance No. 123 is repealed.

14.4 Time Periods

The time periods set forth in this Ordinance shall be based on calendar days unless otherwise specified.

14.5 Effective Dates

This Ordinance is effective October 1, 2017 except as provided below or as otherwise specified in this Ordinance. Section 4.2(n) is effective January 1, 2018. The procedures and requirements outlined in Sections 6.2(a), (b), and (c) may be phased in over an appropriate timeframe as determined by the Airport Director, not to exceed six months, and through methods as determined by the Airport Director.

SCHEDULE I

SCHEDULE OF FEES

One-time and Annual Fees

Service Company Authorization Fee (Ord 11.1 a.)	\$500.00*
Service Company Authorization Renewal Fee (Ord. 11.1 a.)	\$100.00*
January 1, 2017 – December 31, 2017 - Taxicab Permit Fee (Ord. 11.1 b.)	\$3,250.00
MAC Driver's License Fee (Ord 11.6)	\$25.00*
Driver Background Check Fee (if applicable) (Ord. 6.2 b.)	\$80.00*

Replacement and Reactivation Fees

Duplicate Revenue Card Fee (Ord. 6.8)	\$25.00*
Authorized Transfer Fee (Vehicle to Vehicle) (Ord. 11.3)	\$100.00*
Authorized Transfer Fee (SC to SC) (Ord. 11.3)	\$100.00*
Insurance Processing Fee (Ord. 11.4)	\$25.00*
Reactivation Fee (Ord. 11.5)	\$ 50.00*
Service Company Re-inspection Fee (Ord. 4.3 c.)	\$100.00*

Activity Fees

January 1, 2017 – December 31, 2017 - Per-Trip Fee (Ord. 11.1 c.)	\$1.87
Pre-Arranged Trip Fee (Ord. 10.3)	\$ 8.00*
Dwell Rate for Lane Designated for Non-Permitted Vehicle Use (Ord. 10.3)	
0 - 10:59 minutes	\$ 0.00*
11:00 - 20:59 minutes	\$ 1.00*
each additional 10 minute increment	\$ 2.00*

Schedule I is subject to change by Commission action according to Section 11.7

* These fees may be adjusted periodically by the Airport Director. Check with the Landside Operations Department for current amounts.

SCHEDULE II

Violations are cumulative by category and all categories are tracked for a twenty-four (24) month consecutive period. Fines will be assigned to each Person/Vehicle involved in the incident. In addition to the penalties established in this Schedule, the Airport Director may require a Driver to attend remedial training, such as the Driver Safety and Customer Service Course and test, in appropriate situations at the Driver's expense if the Airport Director determines performance may be improved. (See Section 6.2(g))

Category A: Offense in this category is immediate dismissal from the taxicab line.

Category B: No warning, first offense in this category fine, second offense suspension, third offense revocation.

Category C: No warning, first offense in this category suspension, second offense revocation.

Category D: No warning, first offense in this category revocation.

Responsible Party Codes identify which individual would be held responsible for accumulating offenses. D = Driver; O = Owner; E = Either the Driver or the Owner, whoever is determined responsible. If both are determined to be responsible, both will be held accountable.

<u>Category A</u>		<u>Applicable Section</u>			
A1	Taxi Trunk Cluttered/Dirty; Taxi Front Seat Cluttered; Interior/Exterior Dirty	Manual			
A2	Driver Not With Vehicle in Areas Where Required to Stay With Vehicle	Manual			
A3	Obstructing Roadways and/or Double Parking	Ord. 7.10			
A4	Missing Equipment	Manual			
<u>Category B</u>		<u>Applicable Section</u>	<u>1st Offense: Fine</u>	<u>2nd Offense: Suspension</u>	<u>Party</u>
B1	Discourteous Behavior; Use of Profane or Threatening Language to Passengers, MAC Representatives, or Other Drivers	Ord. 9.7 a; 9.7 b.	\$50.00	10 Days	E
B2	Overcharging Passengers (Driver must also pay restitution)	Ord. 8.1, 8.2, 8.3, 8.4	\$50.00	15 Days	D
B3	Violations of MAC Ordinance, Taxicab Manual Not Specifically Mentioned	All	\$50.00	10 Days	E
B4	Improper Taxicab Loading	Ord. 7.3	\$50.00	10 Days	D

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B5	Operating Without MAC Driver's License	Ord. 3.3	\$100.00	15 Days	D
B6	Driver/Owner Refusing to Comply With MAC Representative Instructions	Ord. 7.9. b.	\$100.00	15 Days	E
B7	Unloading in Improper Area	Ord. 7.10	\$100.00	15 Days	D
B8	Bypassing Holding, Staging, or Loading Area	Manual	\$100.00	15 Days	D
B9	Failure to possess or display required Items	Ord. 7.12	\$100.00	15 Days	E
B10	No / Incomplete Trip Sheets	Manual	\$100.00	15 Days	D
B11	Operating Without or With Inoperable Taxicab Meter	Ord. 8.4	\$100.00	15 Days	E
B12	Careless/Reckless Driving	Ord. 7.9, 7.10	\$100.00	15 Days	D
B13	Improper use of Revenue Card	Ord. 6.4	\$100.00	15 Days	E
B14	Unauthorized Transfer	Ord. 5.6	\$100.00	15 Days	O
B15	Communication Device Violation	Ord. 7.5	\$200.00	30 Days	D
B16	Credit/Debit Card Violation	Ord. 7.13	\$200.00	30 Days	D
B17	Voucher Violation	Ord. 7.14	\$200.00	30 Days	D
<u>Category C</u>		<u>Applicable Section</u>	<u>1st Offense: Suspension</u>	<u>2nd Offense: Revocation</u>	<u>Party</u>
C1	Conduct Which Interferes With or Threatens the Safety of Passengers	Ord. 7.10	30 Days	Revocation	E
C2	Conduct Which Interferes With or Threatens the Operational Efficiency of the Airport	Ord. 7.10	30 Days	Revocation	E
C3	Discrimination	Ord. 7.4 d., 9.6	30 Days	Revocation	E
C4	Improper Operation of Taxicab	Ord. 7.1, 7.2	30 Days	Revocation	D
C5	Trip Refusal	Ord. 7.4	30 Days	Revocation	D
C6	Unauthorized AVI Tag Transfer Between Authorized Vehicles	Ord. 5.3 b.	120 Days	Revocation	E

<u>Category D</u>	<u>Applicable Section</u>	<u>1st Offense: Revocation</u>	<u>Party</u>
D1 Unauthorized Vehicle	Ord. 3.2, 5.2,	Revocation	E
D2 Manipulating AVI Tags to Cheat Dispatch Area	Ord. 5.3	Revocation	E
D3 Bring Weapons onto MAC Property	Ord. 9.4	Revocation	E
D4 Alcohol/Controlled Substance Violations	Ord. 9.2	Revocation	D
D5 Soliciting / Loading in Improper Area	Ord. 9.1	Revocation	D
D6 Operating Without Insurance	Ord. 5.4	Revocation	O

Schedule II is subject to change by Commission action according to Section 12.1(b).

SCHEDULE III

Violations are cumulative, and all violations are tracked for a twenty-four (24) month consecutive period. The first offense is a fine, second offense is a doubled fine, and the third offense is Revocation.

Service Companies are responsible for paying all fines. SC = Service Company.

<u>Category A</u>	<u>Applicable Section</u>	<u>Fine</u>	<u>Party</u>
A1 Operation of a non-permitted Taxicab	Ord. 4.1 d.	\$200.00	SC
A2 Operation of a Taxicab by an unlicensed Driver	Ord. 4.1 d.	\$200.00	SC
A3 Violations of MAC Ordinance Not Specifically Mentioned	All	\$200.00	SC
A4 Operation of an uninsured Taxicab	Ord. 4.2 l.	\$500.00	SC
A5 Voucher Violation	Ord. 4.2 j.	\$500.00	SC
A6 Wheelchair Accessible Taxicab Violation	Ord. 4.2 n.	\$500.00	SC
A7 Background Check Violation	Ord. 6.2 b.	\$500.00	SC

Schedule III is subject to change by Commission action according to Section 12.1(b).