



Legislation Text

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AN ORDINANCE AMENDING SECTION 47-20 OF THE DULUTH CITY CODE TO AUTHORIZE TAXI VEHICLE INSPECTION BY ANY NATIONAL INSTITUTE FOR AUTOMOTIVE SERVICE EXCELLENCE (ASE) -CERTIFIED MECHANIC.

BY COUNCILOR HOBBS AND COUNCILOR SIPRESS:

The city of Duluth does ordain:

Section 1: That Section 47-20 of the Duluth City Code is hereby amended to read as follows:

Sec. 47-20. Vehicle standards and inspection.

(a) Original inspection. No person shall operate or permit the operation of a vehicle as a taxicab and the city clerk shall not issue a taxicab vehicle license for any vehicle until such vehicle has been inspected by an ASE (National Institute for Automotive Service Excellence) certified mechanic to ensure compliance with the requirements of this Article. ~~of an authorized service station or garage.~~ ~~The chief of police shall designate and authorize two service stations or garages within the city of Duluth to conduct the inspections.~~ ~~The authorized service stations or garages shall meet minimum standards for equipment and personnel. Only qualified and ASE certified mechanics employed by an authorized service station may conduct the inspections.~~ A taxicab vehicle license shall not be issued unless the vehicle has been properly inspected and found to be in compliance with all laws respecting motor vehicles which are in force in the city of Duluth and with all rules and regulations prescribed by the chief of police (hereinafter "be found in compliance"). All vehicles shall comply with the following:

(1) Be in a thoroughly safe condition for the transportation of passengers. Every vehicle shall comply with all local, state and federal regulations relating to vehicle equipment, maintenance and safety. Further, all vehicles shall have a model year of 15 years or less;

(2) Be well painted in uniform company colors utilizing the color scheme described by the applicant in the license application;

(3) Be equipped with an identifying top light on the roof of the vehicle. Such top light shall be illuminated with a steady beam of light when the vehicle is in service and available to receive passengers. Such light shall be visible from all directions;

(4) Be equipped with at least five doors including the trunk;

(5) Be maintained in a clean and sanitary condition with regard to both the interior and exterior of the vehicle;

(6) Be substantially free from damage, dents, defects or unpainted or rusted metal. Any vehicle that is damaged, whether due to negligence, intentional conduct or other event, shall within thirty (30) days of such damaging event, be repaired and restored to the standards set forth herein;

(7) Be equipped with windows in the rear and side of the vehicle sufficient in number and of such size, dimensions and clarity that all occupants may be readily seen and identified through the windows;

(8) Be equipped with seat belts for all seating positions, which seat belts shall be openly displayed and readily available for use by occupants; and

(9) Be equipped with a taximeter as required by section 47-31 of this Article;

(b) Rules. The chief of police is hereby authorized to adopt such reasonable rules and regulations regarding safety equipment, regulatory devices and sanitary conditions as he shall deem necessary in order to ensure that only safe and sanitary taxicabs are in operation in the city of Duluth. Further, the chief of police may adopt a taxicab inspection report to be used in the inspection of the taxicabs and may designate a category of equipment and body defects as “out of service” defects. Taxicabs with “out of service” defects shall be ordered out of service and shall remain out of service until the defects have been corrected. In addition, the inspection report shall include a rating for the seating capacity of each taxicab and such rating shall be included in the report;

(c) Annual and periodic inspections. Every taxicab shall be annually inspected by an ASE certified mechanic in order to determine continued compliance of such taxicab with all laws and rules and regulations respecting taxicabs. Such annual inspections shall be completed prior to the issuance of a renewal taxicab license. In addition, the chief of police may require, as often as may be necessary, the inspection of any vehicle upon the complaint of any citizen. All persons holding taxicab licenses shall comply with all requests of the chief of police regarding the time and place of such inspections. If at any time a taxicab does not comply with the required laws and rules and regulations including but not limited to regulations regarding the posting of rates, shall be ordered out of service, and shall remain out of service until such time as the vehicle has been inspected by an ASE certified mechanic and found to be in compliance. The purpose of the inspections is to enforce a public policy and the city shall not be liable to any individual as a result of conducting or failing to conduct the inspection;

(d) Cost of inspections. The taxicab licensee shall be responsible for the cost of all inspection required hereunder.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: The purpose of this ordinance is to authorize taxi vehicle inspections to be conducted by any National Institute for Automotive Service Excellence (ASE)-certified mechanic rather than requiring the chief of police to designate two service stations to conduct all such inspections.