

**Borough of Hightstown
County of Mercer, New Jersey**

Taxi Company Application

Fees: \$100.00 per vehicle per year or portion thereof

Term: January 1st – December 31st for the licensing year _____

Fee Received: _____

Date Received: _____

Instructions

This application must be filled out in full and signed by the applicant.

Please type or print clearly all information. Any false statement is sufficient cause for exclusion of the applicant from consideration of licensing. Read each question carefully and answer all that is asked.

OWNERS: All applications must be accompanied by:

- a schedule of fees,
- a copy of vehicle(s) registration, and
- A certificate of insurance for each vehicle.
- Proof of fingerprinting. Fingerprints are taken by our Borough Police Department and forwarded to the New Jersey State Police. Contact the PD for an appointment and the fees.

Upon completing this application, take it to a notary public and all applicants must sign the application in the presence of the notary testifying that the statements on the application are true to the best of your knowledge.

Approval of all applications is subject to review by the Borough of Hightstown Police Department.

THERE MAY BE AMENDMENTS TO THE CURRENT TAXI ORDINANCE THAT YOU WILL HAVE TO FOLLOW IN ORDER TO KEEP YOUR APPROVED LICENSE.

This application is limited to a maximum of five (5) Taxi companies. The licenses shall be awarded on a first come first serve qualifying basis.

SIGN HERE TO ACKNOWLEDGE YOU HAVE READ AND UNDERSTOOD THE ABOVE INSTRUCTIONS

Applicant: _____

Please be advised that the attached applicant has been fingerprinted and has been cleared with the New Jersey State Bureau of Identification. I have examined the foregoing application and find no police record.

Police Department: _____

OWNERS INFORMATION – Print or Type all information

Name of Applicant: _____

Company Name: _____

Company/Corporation/Partnership/Individual permanent address: _____

Telephone number: _____

If applicant is a corporation, give name and address of registered agent and Employer Identification Number (EIN #). If applicant is a partnership, give names and addresses of all partners: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when you are not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

VEHICLE INFORMATION

Make and Model of Vehicle: _____

Color _____ Year _____ License Plate # _____

VIN Number: _____

Address where this vehicle will be kept when not on duty: _____

NOTICE TO ALL PERSONS SIGNING THIS FORM:

The Borough of Hightstown reserves the right to prosecute any false statement made on this form to the fullest extent of the law against the signer(s).

Be on notice that any person who includes false statement in this form (whether by omitting requested information, or by including information that is false), and then signs the form, will be subject to punishment. Pursuant to N.J.S.A. 2C:28-3(a), it is a crime of the fourth degree to make a false written statement on this form which the signer does not believe to be true. Pursuant to N.J.S.A. 2C:28-2(a), it is a crime of the fourth degree to make a false statement under oath or equivalent affirmation.

By my signature below, I hereby swear and affirm that:

- I am at least twenty-one (21) years of age.
- I am (check one) a United States citizen or a legal resident alien.
If a resident alien, a copy of the alien registration card or work permit must be submitted with this application.
- I possess a current and valid New Jersey driver's license.
A copy of your NJ Driver's License must be submitted with this application.
- I am not addicted to the use of narcotics or intoxicating liquors.
- I am able to read, speak and understand the English language.
- I have not been convicted of any crime involving moral turpitude.

- I have taken the time to study state and local motor vehicle laws, rules, and regulations. I have also made sure that I am fully informed of the geography of the Borough of Hightstown, Mercer County, and key locations (such as airports and train stations) in the State of New Jersey.
- I have not been convicted, within the three years prior to the date of the application, of reckless driving, driving while intoxicated, leaving the scene of an accident or driving more than 30 miles an hour above the speed limit.
- At the time of this application, I have no more than eight (8) New Jersey State Division of Motor Vehicle points on my driving record, or the equivalent if licensed in any other state.

I agree that I will inform the Borough of Hightstown in writing WITHIN THREE DAYS of any change in, or addition to, the information set forth above in this application.

I am the Owner of the above named company; that the questions are answered by me and that the statements of facts contained in the forgoing application are true to the best of my knowledge, information and belief.

Company Owner's name (printed) _____

Company Owner's signature _____

State of New Jersey

County of Mercer

Subscribed before me on this _____ day of _____ year _____.

Notary Public

Ordinance 2012-09

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 4-21,
ENTITLED "TAXICAB LICENSING," OF THE "REVISED GENERAL
ORDINANCES OF THE BOROUGH OF HIGHTSTOWN,
NEW JERSEY."**

WHEREAS, the Mayor and Council wish to amend certain provisions contained within Section 4-21 of the Borough Code relating to Taxicab Licensing as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Section 4-21 of the "Revised General Ordinances of the Borough of Hightstown, New Jersey" is hereby amended and supplemented as follows:

Section 4-21

TAXICAB LICENSING

4-21.1 Definitions.

As used in this section, the following terms shall have the meanings indicated:

Borough shall mean the Borough of Hightstown.

Driver shall mean any person who operates a taxicab within the Borough, whether or not such person is also the owner thereof.

Operation of a taxicab shall mean transporting in a taxicab one (1) or more persons for hire. Accepting a passenger to be transported for hire from a point of departure within the Borough to a destination within or without the Borough shall be considered "operation of a taxicab" within the Borough. The "operation of a taxicab" by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxi. The transportation of any person other than the owner or driver in any motor vehicle bearing a sign using the words "taxi," "taxicab," "cab" or "hack" shall be prima facie evidence of operation.

Owner shall mean any person, business entity, association or other legal entity in whose name title to any taxicab is registered with the New Jersey Division of Motor Vehicles or

who appears in the Division's records to be a conditional vendee or lessee or has any other proprietary interest in a taxicab.

Police Commissioner shall mean the member of the Borough Council designated as such on an annual basis by the Mayor, pursuant to Subsection 2-19.3 of the Borough Code.

Police Director shall mean the person appointed by the Governing Body to serve as the executive head of the Police Department, in accordance with Subsection 2-19.4 of the Borough Code.

Taxicab or *taxi* or *cab* shall mean a motor vehicle used to transport passengers for hire or compensation which does not operate over a fixed route and is not hired by the day or hour.

4-21.2 Licenses Required.

No person shall operate a taxicab within the Borough unless both the owner and the driver of the taxicab are licensed under this section.

4-21.3 Types of Licenses.

- a. Taxicab Driver's License. The holder of a taxicab driver's license shall be entitled to operate within the Borough any taxicab whose owner has been licensed under this Section.
- b. Taxicab Owner's License. The holder of a taxicab owner's license shall be entitled to operate a taxicab owned or leased by the licensee within the Borough, provided that the person driving the cab holds a valid taxicab driver's license.

4-21.4 Licensing of Taxicab Owners.

- a. The Borough will make available on an annual basis a maximum of five (5) taxicab owner's licenses, subject to the provisions of sub-paragraph "b" below. Licenses shall be awarded on a first come, first served qualifying basis. Those licensees that have been previously licensed by the Borough during the prior year and who remain in good standing and who have submitted their statement for renewal (per the provisions of sub-paragraph "i" below) prior to January 1st, shall be afforded the first opportunity for re-licensing. All other applicants shall be afforded the opportunity to obtain a taxicab owner's license after January 1st.
- b. Should the Borough determine to authorize the issuance of one or more new or additional taxicab owner's licenses beyond the maximum number referenced in sub-paragraph "a" above, then such issuance shall be authorized by future Ordinance of the Governing Body.
- c. Application Information.

1. Application for a taxicab owner's license above shall be made to the Borough Clerk on forms provided by the Borough Clerk's Office.
2. Applications shall be signed and verified by oath or affirmation by the applicant. Applications by a partnership shall give the information required for each partner and shall be signed and verified by all partners. Applications by a corporation shall give the information required for and be signed and verified by all officers and directors and all persons holding more than ten (10%) percent of the corporation's common stock, as well as by a person duly authorized to act for the corporation itself.
3. *Insurance requirements.* Applications must be accompanied by proof of automobile liability insurance coverage which is in effect and issued by a company licensed and admitted to transact business in the State of New Jersey, and acceptable to the Borough, indicating limits of liability in amounts not less than the following: \$50,000 per person and \$100,000 per accident for bodily injury or death and \$50,000 per accident for property damage. Proof of insurance must also indicate that insurance coverage applies to all owned or leased vehicles of the applicant or must specify by description all of the vehicles to which the coverage applies. Said proof of insurance must also indicate that the Borough shall receive advance written notice of at least thirty (30) days prior to any cancellation or non-renewal thereof, except that no less than ten (10) days advance written notice shall be provided for non-payment of premium. The insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance, or use of the vehicle(s) of the applicant, or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid. The Borough of Hightstown shall be named as an additional insured on any insurance policy submitted in accordance with the requirements of this section. If the taxicab owner's application for license applies to more than one vehicle, the taxicab owner may satisfy the insurance requirements specified herein through the submission of a blanket bond or insurance policy which meets the criteria specified in *N.J.S.A. 48:16-4*.
4. Information about each taxicab vehicle to be operated under the taxicab owner's license shall be provided, including the following:
 - a. Vehicle year, make, model and color of vehicle.
 - b. Vehicle identification number.
 - c. New Jersey State license plate number.
 - d. Passenger capacity.

- e. Insurance company, policy number and expiration date.
 - f. Name and address of vehicle owner if different than applicant.
5. Any person who shall make a false statement in any license application or in any record or certificate that is required to be filed or maintained shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Code.
- d. Investigation; Grant or Denial of License. The Police Director or his designee shall investigate all applications. A copy of the application shall also be provided to the Zoning Officer for review and for a determination that the proposed location of the taxi operation does not violate applicable zoning regulations. A report containing the results of the Police investigation and evaluation, a recommendation by the Police Director or his designee that the license be granted or denied, and the reasons for such recommendation shall be forwarded to the Police Director (i.e., in cases where the investigation is performed by the Police Director's designee) and the Police Commissioner. A report regarding the Zoning Officer's findings shall also be provided to the Police Director and the Police Commissioner. The Borough Clerk shall ensure that copies of these reports are also made available to the applicant. Based upon the findings set forth in the reports, the Police Director shall determine whether to grant or deny the license. Said determination shall be rendered in writing and shall be provided to the applicant.
 - e. Factors Considered. In determining whether to grant or deny the license, the Police Director shall take into consideration the following factors:
 - 1. The character, business and financial responsibility and experience of the applicant and the probability that, if granted a license, the applicant will operate his taxicab(s) in accordance with the provisions of this section.
 - 2. Any other factors directly related to the granting or denial of the license which would substantially affect the public safety or convenience.
 - f. Issuance of License. If the application is approved by the Police Director, the Police Department shall issue the license.
 - g. License Term; Fees.
 - 1. A taxicab owner's license shall be valid for the remainder of the calendar year for which it is issued, expiring on December 31st of said year.

2. The license fee shall be one hundred (\$100.00) dollars per year or portion thereof per vehicle and shall be nonrefundable in the event that the application is denied. For licenses issued in 2012, the license fee shall be pro-rated. For licenses issued in 2013 and thereafter, all applicants shall be charged the full nonrefundable license fee amount.
- h. In those cases where the license has been denied, the applicant shall be afforded the opportunity for a hearing before the Police Commissioner. Any request for a hearing must be made within ten (10) days of the applicant's receipt of written notice of denial from the Police Director. At the hearing, the applicant shall have the right to be represented by counsel and will be afforded the opportunity to testify himself or to present witnesses in support of his position, to cross-examine opposing witnesses and, at his own expense, to have a stenographic record made of the proceedings. Following the hearing, the Police Commissioner's determination shall be final.
 - i. Renewals. A taxicab owner's license shall be renewed by the Police Director upon the licensee's filing with the Police Director or his designee a sworn notarized statement certifying that there have been no changes in the information contained in the initial application and upon the completion of the investigation set forth in paragraph (d) above indicating results that are satisfactory to the Police Director.
 - j. Any change(s) in the information contained within the owner's license application shall be reported to the Borough Clerk within three (3) business days thereof. A charge in the amount of twenty-five (\$25.00) dollars shall be levied for each business day after three days that any such changes are not reported to the Borough.

4-21.5 Licensing of Taxicab Drivers.

- a. Applications.
 1. Application for a taxicab driver's license shall be made annually to the Borough Clerk upon forms provided by that office, and shall be forwarded to the Police Director for processing, screening and determination. Applications shall be taken in the Clerk's office only, during days and hours established by the Clerk. Except as hereinafter provided, applicants shall have the following minimum qualifications:
 - (a) Applicant must be over twenty-one (21) years of age.
 - (b) Applicant must be a United States citizen or a legal resident alien. A copy of the alien registration card or work permit must be submitted with the application.
 - (c) Applicant must possess a valid New Jersey driver's license.

- (d) Applicant must supply a certification from a licensed physician, on a form to be provided by the Borough Clerk, indicating that the applicant has been examined within the past sixty (60) days and is in sound physical condition, has eyesight corrected to 20/20 vision and is not subject to any infirmity of body or mind which might render the applicant unfit for safe operation of a vehicle for hire.
- (e) Applicant must certify that he/she is not addicted to the use of narcotics or intoxicating liquors.
- (f) Applicant must be able to read, write and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records.
- (g) Applicants must be fingerprinted by the Police Department and submit to the performance of a criminal history record background check (both State and Federal). All costs associated with administering and processing the background check(s) shall be paid by the applicant. An applicant shall be disqualified from operating or driving a taxi within the Borough, and shall not be issued a taxicab driver's license, if a criminal history record background check reveals a record of conviction of any of the following crimes as having been committed by the applicant in New Jersey or elsewhere, or a record of conviction of a crime in another jurisdiction in the world which, in that jurisdiction, is comparable to any of the following crimes:
 - (1) Aggravated assault;
 - (2) Arson;
 - (3) Burglary;
 - (4) Escape;
 - (5) Extortion;
 - (6) Homicide;
 - (7) Kidnapping
 - (8) Robbery;

- (9) Aggravated Sexual assault;
- (10) Sexual assault;
- (11) Endangering the welfare of a child pursuant to *N.J.S.A. 2C:24-4*, whether or not armed with or having in his possession any weapon enumerated in subsection “r.” of *N.J.S.A. 2C:39-1*; or
- (12) A crime pursuant to the provisions of *N.J.S.A. 2C:39-3*, *N.J.S.A. 2C:39-4* or *N.J.S.A. 2C:39-9*, or other than a disorderly persons or petty disorderly persons offense for the unlawful use, possession or sale of a controlled dangerous substance as defined in *N.J.S.A. 2C:35-2*.

The above automatic disqualification shall not apply, however, to those applicants who were convicted of any of the above crimes *prior to the effective date of this Ordinance* and who had previously received the consent of the Borough to operate a taxicab within the Borough and who had a valid taxicab driver’s license issued and in effect by the Borough as of the effective date of P.L. 2011, c.135.

Additionally, if a person who has been convicted of one of the crimes listed above can produce a certificate of rehabilitation issued pursuant to *N.J.S.A. 2A:168A-8* or, if the criminal offense occurred outside of New Jersey, an equivalent certificate from the jurisdiction where the criminal offense occurred, then the criminal offense shall not disqualify the applicant from operating or driving a taxicab within the Borough.

- (h) Applicant must not have been convicted, within the three (3) years prior to the date of the application, of reckless driving, leaving the scene of an accident or driving more than thirty (30) miles an hour above the speed limit, and applicant must not have been convicted, within the five (5) years prior to the date of the application of driving while intoxicated.
- (i) At the time of application, applicant must have no more than six (6) New Jersey State Division of Motor Vehicle points on his or her driving record, or the equivalent if licensed in any other state.
- (j) Requirements (d) and (g) above, regarding physician’s certification and fingerprinting, shall not apply to any taxicab driver who holds a valid taxicab driver’s license in any other Mercer County municipality which is compliant with P.L. 2011, c.135 and whose

firm is licensed in and operating out of said municipality. Such person(s) shall be qualified to obtain a taxicab driver's license in Hightstown upon completion of the application form, payment of the required fee and submission of the following documentation:

- (1) Certification by the applicant that he or she meets all of the requirements set forth in sub-paragraph "a(1)" of Subsection 4-21.5 above.
 - (2) If not a United States citizen, a copy of alien registration card or work permit.
 - (3) Current valid taxicab driver's license from any other Mercer County municipality.
 - (4) Valid New Jersey's driver's license.
2. The application shall be accompanied by a fee of fifty (\$50.00) dollars for the license period, subject to pro-ration in 2012 in accordance with the provisions of sub-paragraph "d" below.
 3. The application shall be accompanied by two (2) un-mounted, un-retouched glossy photographs of the face of the applicant taken within thirty (30) days preceding filing of the application. Photographs shall be two and one-half inches (2 1/2") by two and one-half inches (2 1/2") in size and shall be passport picture quality. New photographs shall be submitted whenever the licensee's appearance changes significantly.
 4. Any person who shall make a false statement in any license application or in any record or certificate that is required to be filed or maintained shall be subject to rejection of the application submitted and/or to appropriate disciplinary sanctions, including license suspension or revocation, in addition to any penalty provided under the New Jersey Criminal Code.
- b. Investigation; Grant or Denial of License. The Police Director or his designee shall investigate the application and shall report the results to the Police Director (i.e., in cases where the investigation is performed by the Police Director's designee) and the Police Commissioner within a reasonable time. The report shall include a recommendation that the license be granted or denied and the reasons therefor. The Borough Clerk shall ensure that a copy of the report is made available to the applicant. Based upon the findings set forth in the report, the Police Director shall determine whether to grant or deny the license.
 - c. Issuance of License; Contents. Upon approval of the application by the Police Director, the Police Department shall immediately issue the applicant a taxicab

driver's license. The license shall contain the licensee's name and address, physical description, signature and photograph.

- d. Term of License; Fees; Renewal. An initial license to drive a taxicab shall be valid for the remainder of the calendar year in which it is issued, expiring on December 31st of said year. Licenses issued in 2012 shall be subject to a fee of fifty (\$50.00) dollars per license, which shall be pro-rated. Such fee shall be nonrefundable in the event that the application is denied. Licenses issued in 2013 and thereafter shall be subject to a nonrefundable non-prorated fee of fifty (\$50.00) dollars per license. A taxicab driver's license may be renewed annually thereafter, unless it has been revoked or suspended, upon the payment of a renewal fee of fifty (\$50.00) dollars per year, and processing, screening and determination of the application in accordance with all of the procedures set forth above.
- e. Use of License. Taxicab driver's licenses are valid for use with any licensed taxi within the Borough of Hightstown.
- f. In those cases where the Police Director has denied the license, the applicant shall be afforded the opportunity for a hearing before the Police Commissioner. Any request for a hearing must be made within ten (10) days of the applicant's receipt of written notice of denial from the Police Director. At the hearing, the applicant shall have the right to be represented by counsel and will be afforded the opportunity to testify himself or to present witnesses in support of his position, to cross-examine opposing witnesses and, at his own expense, to have a stenographic record made of the proceedings. Following the hearing, the Police Commissioner's determination shall be final.
- g. Any change(s) in the information contained within the driver's license application shall be reported to the Borough Clerk within three (3) business days thereof. A charge in the amount of twenty-five (\$25.00) dollars shall be levied for each business day after three days that any such changes are not reported to the Borough.

4-21.6 Display of Licenses.

- a. The taxicab owner's license and driver's license (with photo) shall be displayed prominently in the interior of each cab.
- b. The taxicab driver's license must also be conspicuously displayed on the driver's outer garment when the driver is on duty and presented for confirmation when requested by the passenger.

4-21.7 License Regulations.

- a. Licenses issued pursuant to this section are not transferable.

- b. A driver shall immediately surrender his or her taxicab driver's license to the Borough upon the suspension or revocation of his or her New Jersey driver's license.

4-21.8 Suspension or Revocation of Licenses.

- a. In the case of an emergency, licenses may be temporarily suspended for not more than seven (7) days by the Police Director.
- b. In all other cases, licenses may be suspended or revoked, for cause, by the Borough Council after reasonable notice and a hearing. At said hearing, the licensee shall have the right to be represented by counsel and will be afforded the opportunity to testify himself or to present witnesses in support of his position, to cross-examine opposing witnesses and, at his own expense, to have a stenographic record made of the proceedings. At the conclusion of the hearing, the Council will determine whether to suspend the license or to permanently revoke the license. Any license so suspended or revoked shall not be re-issued except for good reasons shown.
- a. In addition to the causes for revocation of a license set forth in Subsection 4-1.10, any license issued under this section may be revoked or suspended by the Borough Council, or any application for the issuance or renewal of a license denied, for any of the following reasons:
 - 1. Failure to render reasonable, prompt, safe and adequate taxicab service.
 - 2. The existence of a judgment unsatisfied of record against the licensee or applicant in any suit arising over the operation of a motor vehicle.
 - 3. Permitting any taxicab owned or driven by the licensee to become unsafe, unsanitary or dirty.
 - 4. Failure to comply with all applicable laws of the State of New Jersey, the ordinances of the Borough or the rules and regulations adopted in accordance with this section.
 - 5. Where taxicab vehicles are found to be used for any improper, immoral or illegal business or purpose or for the violation of any federal or state statute or for the violation of any of the provisions of this section.
 - 6. Failure to maintain the proper amount of insurance on licensed taxicab vehicles pursuant to valid and effective insurance policies, as required by this section.
- c. Drivers. If the licensee is a driver, his license may also be revoked or suspended by the Borough Council for the following reasons:

1. Revocation or suspension of his New Jersey motor vehicle operator's license.
2. Contraction by the licensee of a communicable or contagious disease.
3. Operating a taxicab in a reckless or grossly negligent manner or habitually operating a taxicab in a negligent manner.
4. Conviction of one of the crimes listed in Subsection 4-21.5a1(g) above, in New Jersey or elsewhere.

4-21.9 Complaints; Enforcement.

- a. All complaints shall be submitted to the Hightstown Police Department.
- b. Enforcement of Section 4-21 shall be the responsibility of the Hightstown Police Department or authorized persons designated by the Police Director.

4-21.10 Violations and Penalties.

- a. Licenses issued pursuant to this section may be suspended or revoked in accordance with Subsection 4-21.8 for the reasons set forth therein.
- b. For other violations of this section, any person convicted thereof shall be subject to the penalties set forth in Section 1-5 of the Borough Code.

BE IT FURTHER ORDAINED, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies; and

BE IT FURTHER ORDAINED, that in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect on upon final passage and publication in accordance with the law.

Ordinance 2012-10

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 7, ENTITLED “TRAFFIC,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY,” RELATING TO TAXICAB ISSUES.

WHEREAS, the Borough Council (the “Borough Council”) of the Borough of Hightstown, New Jersey, wishes to amend various sections of Chapter 7 of the Borough Code relating to taxicab issues, as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

1. That Section 7.1, entitled “Definitions,” of Chapter 7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented at Subsection 7-1.1 thereof, entitled “Words and Phrases,” in the following respects:

7-1.1 Words and Phrases.

Whenever any words and phrases are used in this chapter, the meaning respectively ascribed to them in N.J.S. 39:1-1 shall be deemed to apply to such words and phrases used herein.

In addition, the following terms shall have the meanings indicated:

Cruising shall mean the driving of an empty taxicab along a public street at a slow rate of speed for the obvious purpose of soliciting passengers.

Taxicab or *taxi* or *cab* shall mean a motor vehicle used to transport passengers for hire or compensation which does not operate over a fixed route and is not hired by the day or hour.

Taxi Stand shall mean a section of a public street or of a public place, or a section of private property with the express written consent of the property owner or other authorized representative, set apart for the exclusive use of a taxicab or a limited number of taxicabs when such section is distinctly marked as such by an appropriate sign attached to a stanchion on the curb or other conspicuous place, or by clearly visible marks upon the surface of the street or other public or private

place, or by other clearly visible markings that are approved by the Hightstown Borough Police Department.

2. That Chapter 7, "Traffic," of the "Revised General Ordinances of the Borough of Hightstown, New Jersey" is hereby amended and supplemented in order to *establish* a new Section thereof, located at Section 7-16, to be entitled "Taxicab Regulations," as follows:

7-16 TAXICAB REGULATIONS.

7-16.1 Exterior Taxicab Identification Required.

- a. Identification Required. All taxicabs shall display on the body of the vehicle the taxi license number issued to that vehicle pursuant to Section 4-21 of the Borough Code, along with a listing of each municipality that has issued a taxi license to that taxicab. The taxi license number shall be three (3) inches in height and must be located in the center of the rear quarter panels on the driver and passenger sides as well as the rear center line of the trunk of the vehicle. The list of each municipality shall be displayed on each rear door in letters three (3) inches in height.
- b. Imitation of Color Scheme or Insignia. No taxicab operated in the Borough shall imitate the color scheme or any identifying design or insignia of another taxicab lawfully operating in the Borough, nor shall one taxicab have a color scheme or identifying design or insignia which is so similar to that of another taxicab as to be likely to have a tendency to mislead the public. The person first using a particular color scheme or identifying design or insignia for his taxicab shall have the prior right to it.

7-16.2 Rates of Fare.

- a. Fares shall be conspicuously displayed in each taxicab.
- b. The driver of a taxicab, upon request, shall give the passenger a receipt for the amount charged. The receipt shall show the name of the owner, the license number of the taxicab, the amount of the fare and the date of the transaction.
- c. No person, after hiring a taxicab, shall refuse to pay the legal fare, nor shall any person hire a taxicab with the intent not to pay the legal fare.

7-16.3 Operational Regulations.

- a. All taxicab owners and drivers shall be licensed pursuant to Section 4-21 of the Borough Code.

- b. No taxicab shall stop, stand or remain idle on a public roadway or other public property within the Borough for a period of time in excess of fifteen (15) consecutive minutes without the prior approval of the Borough, unless said location has been properly designated as a taxi stand pursuant to Section 7-26 of this Chapter. Taxicabs while out of service (with an appropriate sign posted), or while parked by the owner or driver at their place of residence, shall be exempt from this regulation.
- c. No taxicab shall be parked or shall remain standing idle on any commercial property for the purpose of utilizing said property as a taxi stand without the express written consent of the property owner or other authorized representative, and the proper designation of said property as a taxi stand by the Borough pursuant to Section 7-26 of this Chapter.
- d. No taxicab shall remain “idling” with the engine running for more than three (3) consecutive minutes on any public roadway or other public property within the Borough, or on any private property within the Borough.
- e. Cruising is prohibited within the Borough.
- f. No person, while operating or attending a taxicab for hire, shall:
 - 1. Obstruct any sidewalk; or
 - 2. Knowingly misinform or mislead any person as to the location of a destination.
- g. Any motor vehicle accident involving a taxicab and causing injury to a person or damage to property in excess of \$500.00 shall be reported immediately to the Hightstown Borough Police Department and a copy of the police report for such accident must be given to the Hightstown Police Department within fourteen (14) days of the accident. Such information shall be placed in the Borough’s records regarding the taxicab owner and taxicab driver.
- h. All taxicab owners shall keep trip records and receipt books for six (6) months, which shall be kept current and shall be displayed when so requested by authorized Borough officials appointed by the Police Director. Trip records shall show, at a minimum, the date, time, pick-up location, destination, number of passengers and fare charged.
- i. All taxicab vehicles shall be kept clean and free of debris.
- j. Each licensed taxicab driver shall be clean in person and fully dressed while on duty, including shirt, pants and shoes.

- k. Taxicab drivers and passengers shall refrain from smoking within the taxicab vehicle while a hired trip is in progress. This prohibition shall be conspicuously posted in each Borough licensed taxicab vehicle.
 - l. No driver shall operate a taxicab after fourteen (14) consecutive working hours without an eight (8) hour rest period.
 - m. Taxicab drivers shall, immediately after the conclusion of their on-duty time, carefully search the taxicab for any property lost or left therein, and shall, within twenty-four (24) hours after finding any such property, advise the Hightstown Borough Police Department of the nature of the property and where it may be collected.
 - n. Taxicabs shall be used exclusively for purposes of transportation of passengers and their baggage.
 - o. No owner or driver of a taxicab shall be obliged to transport any person who is not orderly.
 - p. Taxicab drivers who are on-duty and available for hire shall not refuse to offer their services to potential patrons who are disabled, on the basis of said disability.
3. That Section 7.26, entitled “Taxi Stands,” of Chapter 7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented at Subsection 7-26.1 thereof, entitled “Taxi Stands,” in the following specific respects (additions are shown with underline; deletions are shown with ~~strikeout~~):

7-26.1 Taxi Stands.

- a. The locations described are hereby designated as ~~T~~taxi ~~S~~stands. No vehicle other than a taxi ~~shall~~ currently licensed by Hightstown Borough pursuant to Section 4-21 of this Chapter shall be permitted to occupy these locations during the times indicated.

Street	Location	Hours
Intersection of Railroad Avenue and Rogers Avenue	Municipal Parking Lot (First two spaces closest to Rogers Avenue)	All
Intersection of Broad Street and Franklin Street	Northwest corner (Two parking spaces)	All

Stockton Street

Cut-out by Railroad Avenue
on south side (Two parking spaces)

All

- b. In order for any portion of private property to be utilized as a taxi stand, the property owner or other authorized representative must file its express written consent for same with the Borough Clerk and the Hightstown Borough Police Department.
 - c. No more than one (1) taxicab vehicle from the same taxicab owner's company shall be permitted to be parked, or to otherwise occupy, the same taxi stand at the same time (i.e., simultaneously).
 - d. No taxicab shall remain "idling" with the engine running for more than three (3) consecutive minutes at any taxi stand.
 - e. Every taxicab, while occupying space at a taxi stand, shall be immediately available for hire.
 - f. Only a taxicab licensed by Hightstown Borough may occupy or deliver a passenger to a taxi stand in the Borough.
 - g. Each taxi stand shall be marked with a statement that the stand is reserved for taxicabs licensed by Hightstown Borough only.
 - h. No person operating a taxi shall perform maintenance of any kind while occupying space at a taxi stand.
 - i. No taxicabs shall be permitted to be parked, or to otherwise occupy, any taxi stand during times of emergency or during a snow event, as directed by the Hightstown Borough Police Department.
4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
 5. That in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.
 6. That this Ordinance shall take effect upon final passage and publication in accordance with the law.