

TAXICABS AND LIMOUSINES.

CHAPTER 27.

TAXICABS AND LIMOUSINES.

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Article I. General.

Sec. 27-1. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

(a) *Driver*. The operator of a taxicab licensed to operate in the Town of Westfield or the operator of a limousine or auto livery licensed by the town.

(b) *Owner*. The person, partnership, association, corporation or other legal entity who is registered as the owner of any taxicab or limousine in the State Division of Motor Vehicles or under this chapter.

(c) *Vehicle*. The word “vehicle” as used herein shall mean both a taxicab and a limousine unless they are specifically mentioned by name.

(d) *Taxicab*. Any automobile, cab, or other vehicle propelled by motor power engaged in the business of transporting passengers for hire or pay to and from points within the town, either operating from stands in the street or by telephone calls to the business office of the owner of the same, or in any other manner, it being the intent of this chapter to include in the definition of taxicabs all motor vehicles as defined under Title 39 of the Revised Statutes of New Jersey and all amendments or supplements thereto.

(e) *Limousine*. The word “limousine” as used herein shall mean and include any automobile or vehicle engaged in the business of carrying passengers for hire and operating from private property, either by trip, hour or day, or longer period of time, and which does not solicit passengers for hire upon the public streets of the town and which is intended to run primarily from points within the Town of Westfield to destinations in other municipalities. The term “limousine” shall also mean “auto livery” and “autocab” as defined in N.J.S.A. 48:16-13.

Article II. Taxicabs.

Sec. 27.2 License required by owner – form, qualifications, etc.

(a) License required. No person shall hire, keep, or use for hire or pay, or cause to be kept or used for hire or pay, any taxicab, without first having obtained a license for that purpose from the town clerk for each such taxicab, which license shall be known as a “Taxicab License.” Such license shall be for a term of one year and shall be renewable annually on October 1 of each year and shall not be transferable.

(b) To whom issued. Taxicab licenses shall be issued only to the following who have satisfied all requirements of this chapter:

(1) Individual citizens of the United States operating as a sole proprietorship or as a partnership who have been residents of the state for at least one year at the time of applying for the license, and who are at least eighteen years of age and of good moral character.

(2) Corporations incorporated in the state of New Jersey.

(c) Application for license – form and content. All applications for a taxicab owner’s license shall be made in writing in triplicate to the town clerk on forms supplied by the clerk on or before September 1 in each year for approval by October 1 shall be signed by the applicant, and shall contain the following information:

(1) Name, business address, home address, business telephone number, residence telephone number, and age, of an individual owner or of all partners, and if a corporation, the state of incorporation, name, business address, business telephone number, officers, directors, manager, and stockholders, owning more than ten percent of the stock of the corporation.

(2) For each vehicle to be licensed, the name, address, and telephone number of the insurance agent and insurance company that will provide the required insurance coverage.

(3) For each vehicle to be licensed, the name of manufacturer, body type, year, serial number, color, bill of sale number, state registration number and license number, if any.

(4) For each individual owner or partner and in cases where a corporation is the applicant, its president, manager and each stockholder holding ten percent or more of the capital stock of such corporation, a statement whether or not such persons have been convicted of a crime and if so the nature of the offense, where convicted and the date of each conviction.

Each application for a taxicab license shall be accompanied by a certificate of insurance from a company licensed to do business in the state of New Jersey, showing evidence of insurance for each vehicle to be licensed in the amount and type of coverage required by this chapter, and shall refer thereon to the vehicle to be insured by make, year, and serial number.

(d) Prerequisites. After completing and submitting the application as aforesaid, the following prerequisites shall be required before a license may be issued:

(1) Inspection. The applicant must submit each vehicle not previously licensed to the police department to be inspected as provided herein, and such vehicle must pass this inspection prior to being licensed.

(2) Fingerprinting. Every individual owner, or partner, and in cases where a corporation is the applicant, its president, manager, and each stockholder holding ten percent or more of the capital stock of such corporation applying for a taxicab license shall be fingerprinted by the police department as a prerequisite to the approval of such license by the town council or the issuance of such license by the town clerk. In the event that any such person has been convicted of any crime involving moral turpitude, violence, or threat of violence in this state or in any other state or territory of the United States, the town council shall refuse to issue a taxicab license to such individual applicant or corporate applicant and shall revoke same, after a hearing, upon the presentation of evidence of a prior or subsequent conviction of any such criminal offense.

(3) Compliance with all other provisions of this chapter.

(e) Form and contents of license. There shall be a separate license issued for each taxicab to be licensed. The license shall be in writing, numbered, in triplicate, signed by the town clerk, on a form provided by the town, and shall for each such license contain the following information: Name, business, address, business telephone of the owner; number of the license; make, model, year, serial number and license plate number of the vehicle; the name of the company supplying insurance coverage, the policy number and the name, address, and telephone number of the insurance agent.

(f) By whom issued. Taxicab licenses or any renewal thereof shall be issued by the town clerk only after approval by resolution of the town council after compliance by the applicant with all the requirements of this chapter including the payment of the required fee.

(g) Where displayed. One copy of the taxicab license when issued shall be retained by the town clerk. The applicant shall receive the original and one copy. This copy shall be displayed in the business office as provided by this chapter. The original taxicab license shall be displayed in the taxicab so licensed by attaching it to the right-hand visor so as to be visible to passengers.

(h) Renewal of license. All applications for renewal of taxicab licenses shall be in the same form as the initial application and be filed with the town clerk at least one month before the expiration date of the license being renewed. The requirements for vehicle inspection, other than the regular quarterly inspection, are not required if the vehicle is the same as that previously licensed. The requirements for fingerprinting shall not be required on renewal if there has been no change in the persons required by section 27-2(c)(4) to be shown on the initial application.

(i) Duty of police chief. The police chief shall review all applications for a taxicab license and shall inform the clerk if his records show any criminal violations of the type that would affect the issuance of this license.

(j) Limit on number of licenses issued. The number of taxicab licenses issued and outstanding at any one time shall be no greater than the proportion of one such license to each one thousand of population of the town; as shown by the last official United States census.

(k) Limit on ownership of licenses. No single person, whether owning such license as a sole proprietorship, a member of a partnership or as a stockholder in a corporation, shall be permitted to own or control or have a beneficial interest in more than twenty-five percent of the total available taxicab licenses. However, in the event that there have not been applicants for the total available taxicab licenses and in the opinion of the council, there is an inadequate number of taxicabs in operation in the town to provide satisfactory service, the council may authorize the town clerk to issue licenses in excess of the previously stipulated twenty-five percent to owners presently operating within the town for a period of one year. Renewal of licenses granted under this exception shall be separately considered by the council thirty days previous to their expiration. In no event, shall the total number of taxicab licenses issued be greater than that specified in subsection (j) hereof.

Sec. 27-3. License required by driver – Form, qualifications, etc.

(a) License required. No person shall operate or drive a taxicab for hire on the streets or roads of the town until he has procured and has been issued a taxi driver's license by the town clerk. No owner of a taxicab shall permit same to be operated or driven for pay or hire by anyone other than a driver so licensed. The town clerk shall file a monthly report listing the drivers' licenses issued, the fees received and applications denied with the reasons therefor. Such a license shall be for a term of one year and shall be renewable annually on October 1 of each year and shall be non-transferable.

(b) To who issued. Each applicant for a taxi driver's license must be at least eighteen years of age, must hold a driver's license issued by the state, must be of sound physical health and good moral character and shall have satisfied all the other requirements of this chapter, including the payment of the required fee.

(c) Application for license – form and content. All applications for a taxicab driver's license shall be made in writing, in triplicate to the town clerk on forms supplied by the clerk, shall be signed by the applicant and shall contain the following information:

(1) Full name and address of the applicant, the residence of the applicant for the past year, his age, the number of his state driver's license, the details of any service in the armed forces together with the date and nature of discharge therefrom, and the

recommendation of two residents of the state who have known him for at least one year prior to the date of making such application.

(2) Each application for a taxi driver's license shall be accompanied by two recent photographs of the applicant of a size two inches by two inches.

(3) All applications for a taxi driver's license shall state the owner for whom the applicant intends to drive and such owner shall endorse the application.

(4) A statement as to whether or not the applicant has been convicted of a crime in this or any other state and if so the nature of the offense, where convicted and the date of such conviction.

(5) A statement as to whether or not the applicant has been convicted of any traffic violation during the previous five-year period and if so the nature of the offense, where convicted and the date of such conviction.

(d) Prerequisites. After completing and submitting the application as aforesaid, the following prerequisites shall be required before a license may be issued:

(1) Fingerprinting. Every applicant for a taxi driver's license shall be fingerprinted by the police department. Upon refusal of such applicant to be fingerprinted, the town clerk shall refuse to license the driver.

(2) No more than two moving violations during the prior three years.

(3) No convictions for reckless driving, leaving the scene of an accident or operation of a motor vehicle under the influence of alcohol or a controlled dangerous substance during the prior five years.

(4) No convictions of a crime involving moral turpitude, violence or threat of violence in this state or any other state or territory of the United States.

(5) Satisfactory certificate from the physician and ophthalmologist required as aforesaid.

(6) Compliance with all other provisions of this chapter.

(e) By who issued. Taxicab driver's license or any renewal thereof shall be issued by the town clerk. No approval by the town council shall be required. The clerk shall refuse to issue such license under the following circumstances:

(1) The applicant has more than two moving traffic violations in the prior three years.

(2) Evidence of conviction of a motor vehicle offense during the prior five years involving reckless driving, leaving the scene of an accident or operation of a motor vehicle under the influence of alcohol or a controlled dangerous substance.

(3) The certificate from the physician or ophthalmologist is not satisfactory.

(4) Evidence of conviction of a crime involving moral turpitude, violence or threat of violence.

(5) Evidence that the application contains any materially false statements.

(6) Failure to comply with any other provisions of this chapter.

In the event that the application for a taxicab driver's license is refused by the town clerk, or revoked by the clerk as provided herein, the applicant shall have the right to appeal to the license committee for review. Such appeal shall be in writing and set forth the basis therefor and shall be made within sixty days of such refusal.

(f) Form and content of license. The license shall be in writing, numbered, in triplicate, and signed by the town clerk on a form provided by the town and shall contain

the following information: Name, address, taxicab, owner by whom employed, state driver's license number, and badge number.

(g) Where displayed. One copy of the taxicab driver's license when issued shall be retained by the clerk. The applicant shall receive the original which shall be displayed in the taxicab by attaching it to the right-hand visor so as to be visible by passengers. The other copy of the driver's license shall be forwarded to the taxicab owner or operator by whom the driver is employed and shall be displayed in the business office of the employer.

(h) Renewal of license. All applications for renewal of a taxicab driver's license shall be in the same form as the initial application and filed with the clerk at least one month before the expiration date of the license being renewed.

A photograph and fingerprinting shall not be required if already supplied.

(i) Change of address or employment. After the issuance of such license, each licensee and the owner shall within three days from the effective date of such change, notify the town clerk in writing of (1) any change of address from that given in the application for license or (2) any change of employment.

(j) Duty of police chief. The chief of police shall review all applications for taxi driver's license and shall inform the clerk if his records show any criminal violations of the type that would affect the issuance of this license or any traffic violations within three years.

(k) Revocation of license. The town clerk shall have the authority to revoke any issued taxi driver's license upon receipt of evidence of any fact that would have prohibited the issuance of such license. The license shall be automatically revoked if the holder thereof shall lose his driving privileges in any state or fail to renew his state driver's license. If the town driver's license is revoked, the holder thereof and the employer shall immediately surrender the original and copy to the clerk and the taxicab owner shall not permit such driver to operate a taxicab. In the event of such revocation, the licensee shall have the right to appeal such revocation to the license committee in writing within sixty days of such revocation.

(G.O. No. 1602, § I.)

Sec. 27-4. License fees.

The fees for the issuance of licenses required by this chapter shall be as follows:

(a) For each taxicab license, the sum of fifty dollars, for the period from the first day of October in any year to the thirtieth day of September in the following year, or any part of said period, except in the case of any taxicab license issued on or after the thirty-first day of March of each year hereafter, only one-half of the above fees shall be paid.

(b) For each taxi driver's license, the sum of five dollars, for the period from the first day of October in any year to the thirtieth of September in the following year, or any part of said period.

Each owner having a taxicab licensed for operation in the Town of Westfield shall maintain a local telephone number which will permit a person desiring cab service to reach the dispatcher and obtain such service.

Sec. 27-5. Local telephone required.

Each owner having a taxicab licensed for operation in the Town of Westfield shall maintain a local telephone number which will permit a person desiring a cab service to reach the dispatcher and obtain such service. (G.O. No. 1485, § I.)

Sec. 27-6. General requirements for taxicabs.

No vehicle shall be licensed or used as a taxicab unless mechanically safe to operate with brakes, lights, windshield wipers and signaling devices in good working order. The owner of each taxicab operating in the town shall keep his taxicabs in good running order so that they make a presentable appearance, are free from mechanical defects, loose fenders, dents, loose doors, broken or soiled upholstery and broken or cracked glass, or any other unsatisfactory condition, and will afford a comfortable, safe ride to passengers.

All cars placed in taxicab service hereafter shall have the following physical characteristics:

(a) All car bodies shall have four doors; two leading into the passenger compartment, so constructed that they may be opened from the inside and the outside. Each door shall be equipped with a safety lock which can be operated by the passenger.

(b) All upholstery covering or interior lining, except the roof lining of any taxicab shall be of a non-absorbent washable material.

(c) Floor mats shall be of removable rubber or other nonabsorbent material.

(d) An external rear view mirror mounted in the driver's side.

Sec. 27-7. Equipment required for taxicab.

All vehicles placed in taxicab service shall carry the following equipment and identification:

(a) A passenger compartment light adequate to illuminate the interior of the passenger compartment, which may be switched on or off by the driver at the passenger's request.

(b) An exterior dome light of a design approved by the police department, on both sides of which shall be placed the word "Taxi" in letters at least three inches in height.

(c) Seat belts in number and type as delivered by the manufacture of the vehicle.

(d) A flashlight which shall be kept in the glove compartment.

(e) At least three emergency road flares which shall be kept in the trunk.

(f) A sign indicating that smoking is not permitted, which is to be displayed in a manner and location readily visible to the passenger.

(g) Affixed on both sides of each taxicab, a sign with one of the words, "Taxi," "Cab" or "Taxicab" in letters at least three inches high, and the name of the licensed owner in letters at least one inch high followed or preceded by the word "Owner."

(G.O. No. 1602, § II.)

Sec. 27-8. Equipment required by the driver.

Each licensed driver when operating a cab shall carry the following equipment:

(a) A badge supplied by the town which shall contain a badge number to correspond with the number of the driver's license; such badge shall be worn and displayed conspicuously on the right side of his outer garment.

(b) A receipt book. When requested by a passenger, the driver shall issue a receipt to the passenger for his fare which shall show:

- (1) The driver's badge number.
- (2) The date and time of day.
- (3) Fare charged to the passenger.
- (4) The point of pickup and delivery.

This receipt shall be signed by the driver.

(c) A driver shall carry his state and town issued driver's license at all times while operating the vehicle. He shall show his state driver's license to any passenger upon request. A duplicate of his town issued license shall be displayed on the inside of the right visor of the vehicle and visible from the rear seat.

(d) Clothing worn by the driver shall be neat and clean and in good condition.

(e) Shoes must be worn that are safe for the operation of a vehicle. No bare feet are permitted, and all types of sandals are prohibited. While operating a taxicab, the driver shall not wear shorts or garments known as tank tops.

Sec. 27-9. Inspection requirements.

Each owner shall submit all of the vehicles owned by him and licensed under this chapter for an inspection by the police department quarterly. Such police inspections shall be made during the first fifteen days of January, April, July, and October, and shall be scheduled between the hours of 8:00 A.M. and 12:00 A.M. on two consecutive Saturdays during such period. Such inspection shall also be made by the police department prior to the initial licensing arrangement with the police department. The nature of this inspection shall be as follows:

(a) Required equipment. The inspector shall be assured that the cab contains all required equipment and signs and confirms in every respect to the requirements of this chapter.

(b) Condition of the body. The inspector shall be assured that the body of the taxicab is clean inside and out and does not contain loose fenders, major dents, loose doors, broken or soiled upholstery, or broken or cracked glass.

(c) Lights. The inspector shall be assured that all lights and signals required by the State Motor Vehicle Code and by this chapter are present on the vehicle and in good working order.

(d) Mechanical equipment. The inspector shall conduct a short test drive of the vehicle which shall include a close observation of steering and handling of the vehicle and an application of the regular and emergency brake to assure that these are in good working order.

(e) Tires. All tires shall be checked for condition and shall have a minimum tread depth of one-sixteenth of an inch, including the spare.

(f) Mirrors. All mirrors required shall be present and shall be in good condition.

In the event that such an inspection disclosed a vehicle to be in violation of any of the terms of this chapter, or the State Motor Vehicle Code, or in any way is found to be unsafe for the transportation of passengers, such taxicab shall not be licensed nor used for transportation of passengers until the necessary corrections, adjustments and repairs have been made to the satisfaction of the police department. In the case of minor defects in a vehicle already licensed which do not affect the safe operation of the motor vehicle, the operator may continue to operate same but must have the vehicle reinspected so that same passes inspection within ten days. For good cause, the chief of police may waive this requirement for reinspection within ten days so long as the safe operation of the vehicle is not affected.

The police department shall prepare a checklist form for such inspections in triplicate signed by the officer making such inspection and by the owner of the vehicle and after each inspection shall retain one completed copy in its own file for a period of one year after the inspection and shall forward a completed copy to the chairman of the license committee and shall give one completed copy of said form to the owner or operator of the licensed taxicab. Such inspection shall not serve to warrant the condition of any vehicle, and any subsequent injury to persons or property caused by an unsafe condition of the vehicle shall not impose liability on the Town of Westfield or the police officer making such inspection.

Sec. 27-10. Insurance requirements.

No taxicab license shall be issued until the owner of the vehicle shall have filed with the town clerk a public liability and property damage insurance policy in standard form which shall comply with the following requirements:

(a) An insurance policy issued by an accredited insurance company authorized to transact the business of casualty insurance in the state and acceptable to the town, covering each vehicle, which policy shall cover the period included in the license to be issued by the town. Each such policy shall run concurrently with the fiscal year for which a license has been issued.

(b) Such insurance policy shall insure the owner and driver of such vehicle with a minimum limit for each accident for bodily injury of \$100,000.00 to any one individual or total of \$300,000.00 for all persons injured with a property damage loss in the minimum amount of \$50,000.00. If said policy is a single limit policy, this single limit shall not be less than \$300,000.00.

(c) Each such insurance policy shall contain a provision to the effect that the same cannot be cancelled, except on at least thirty days' notice in writing by the insurance company to the town clerk of the intention of such insurance company to cancel the same.

(d) No insurance policy shall be acceptable if the insurance coverage is for private livery only, unless such policy expressly contains a waiver by the insurance company that if the vehicle insured is operated in violation of the coverage intended, the company will not claim such violation to avoid liability thereunder.

(e) In the event that any insurance policy covering any such vehicle used for the transportation of passengers for hire shall lapse or shall be cancelled by the issuing company, then the taxicab license issued by the town shall thereupon become void, and the owner of such vehicle shall be required to immediately turn such license in to the town clerk. (G.O. No. 1344, § 1.)

Sec. 27-11. Rates.

Notwithstanding any provision of this chapter to the contrary, duly licensed taxicabs shall be entitled to transport passengers from points in the Town of Westfield to other points in the Town of Westfield at a fee or rate to be established between the passenger and operator by mutual agreement prior to the ride commencing; however, if a fixed rate for this service has been established by the taxicab operator, it shall be posted in the vehicle. (G.O. No. 1602, § III.)

Sec. 27-12. Conduct of the driver.

Every licensed taxicab driver shall obey the following rules and regulations:

(a) When engaged by passengers in the operation of the taxicab, all taxicab drivers shall be neat in appearance, clean of body, and shall refrain from smoking, using profane, abusive or insulting language.

(b) A driver shall not consume any intoxicating liquors or any controlled dangerous substance while operating the vehicle, and a driver shall not operate a vehicle while under the influence of a controlled dangerous substance or intoxicating liquor to any degree.

(c) No driver shall convey more passengers at any one time than the seating capacity of the taxicab.

(d) A driver shall not solicit patronage or passengers at any locations except those provided for in this chapter.

(e) A driver shall thoroughly search the interior of the vehicle immediately after the termination of each trip and note if the passenger has left any article therein. Any property so found shall be taken to the police headquarters and turned in to the officer in charge within twenty-four hours.

(f) A driver shall not refuse service to any person unless he has previously been engaged, or unless the person seeking service is disorderly or under the influence of intoxicating drugs or liquors. When serving more than one passenger, the driver must serve the passenger requesting service first, unless mutually agreed with the first passenger to do otherwise.

(g) If the driver carries an A.M. or F.M. radio or tape player in the cab, as permanent equipment or otherwise, it shall not be played while conveying passengers unless the passenger requests that it be played.

Sec. 27-13. General regulations to be observed in the operation and use of taxicabs.

In addition to requirements of this chapter set forth in other sections, the following shall also supply to the operation and use of taxicabs in the Town of Westfield:

(a) There shall be no smoking by the driver or passenger when a vehicle is in use as a taxicab.

(b) Each owner and driver shall comply with this chapter and see that each taxicab at all times is in a neat and sanitary condition, safe to operate, and clean, inside and out.

(c) Taxicabs shall not be dispatched from the home of the owner or any driver but only from the business office.

Sec. 27-14. Taxi stations or stands.

(a) There are hereby established the following taxicab stands or stations which shall be for the exclusive use of licensed taxicabs during the periods indicated and no vehicle except licensed taxicabs shall occupy space in a designated taxi stand.

(1) Northside railroad station parking lot east of the station building – six spaces reserved for taxicabs twenty-four hours per day.

(2) Southside railroad station parking lot east of the station at the curb from 6:00 A.M. to 10:00 A.M. and 5:00 P.M. to 10:00 P.M. each day except Saturdays, Sundays and holidays.

(b) No taxicab owner or driver shall permit more than three taxicabs operated by that owner to occupy the northside railroad taxi stands at one time.

(c) For the purposes of soliciting passengers, taxi stands are also established at the regular street curbside at the following locations:

- a. All places of worship.
- b. All supermarkets.
- c. The senior citizen housing project.
- d. Any flea markets.
- e. All town parking lots.
- f. The Westfield Senior High School.
- g. The board of education administration building.

Taxicabs shall not have exclusive use of such locations but shall occupy them on an equal basis with the general public.

(d) Soliciting passengers at any of the above taxi stands is permitted. Soliciting passengers from any other location, or from the streets or in front of another taxicab office or from bus stops is prohibited. Cruising for passengers is prohibited.

(e) Nothing herein shall prohibit the loading or unloading of passengers at any location not otherwise prohibited. Designated loading zones may be utilized to load and unload passengers.

Sec. 27-15. Violations and penalties.

Any person, or persons, firms, corporations or other organizations found to be in violation of any of the provisions of this Article shall upon conviction thereof in municipal court pay a fine of not less than twenty-five dollars or more than fifty dollars for a first offense and for each subsequent offense, shall upon conviction pay a fine not to exceed one hundred dollars. Upon failure to pay such fine, such person shall be liable to imprisonment for a term not to exceed thirty days.

In addition to such penalties as aforesaid, every license granted in pursuance of this Article may be suspended or revoked by the license committee of the town council of the town, for the violation of any provisions of this Article, after a hearing. Upon revocation or upon expiration of such license, the owner or driver, as the case may be, shall immediately turn all copies of his license and/or badge to the town clerk.

The chief of police, in the interest of public safety, may temporarily suspend any license issued hereunder pending a hearing before the license committee as aforesaid. Such temporary suspension shall be promptly reported by the chief of police in writing to the town council.

The town clerk shall have the authority to revoke any issued driver's license as provided in section 27-3 and the holder thereof may appeal such decision in writing to the license committee within sixty days after such revocation.

Article III. Limousines.

Sec. 27-16. License required by owner – form.

(a) License required. No person shall hire, keep or use for hire or pay, or cause to be kept or used for hire or pay, any limousine utilizing the Town of Westfield as a principal place of business as expressed in N.J.S.A. 48:16-18 without having first obtained a license for that purpose from the town clerk for such limousine which license shall be known as "limousine license." Such license shall be for a term of one year from the date of issuance and shall be renewable annually and shall be nontransferable.

(b) Fee. The fee for the issuance of such license shall be fifty dollars for each limousine licensed. Each such vehicle used as a limousine shall be licensed separately.

(c) Qualifications. The town clerk shall issue such license after satisfactory compliance by the applicant with the provisions of N.J.S.A. 48:16-13 to 22 and the payment of the aforesaid fee.

(d) Form and content of license. There shall be a separate license issued for each limousine to be licensed. The license shall be in writing, numbered, in triplicate, signed by the town clerk on a form provided by the town, and shall contain the following information: Name, business address, business telephone number of the owner, number of the license; make, model, year, serial number and license plate number of the vehicle; the name of the company supplying insurance coverage; the policy number; and the name, address, and telephone number of the insurance agent.

(e) By whom issued. Limousine licenses or any renewal thereof shall be issued by the town clerk and no approval of the town council is required.

(f) Where displayed. One copy of the limousine license, when issued, shall be retained by the town clerk. The applicant shall receive the original and one copy. The original shall be kept in the limousine at all times.

(G.O. No. 1873, § I.)

Sec. 27-16A. Limousines permitted to transport passengers within the Town of Westfield under certain conditions.

Notwithstanding any provision of this chapter to the contrary, duly licensed limousines shall be entitled to transport passengers from points in the Town of Westfield to other points within the Town of Westfield at a fee or rate to be established between the passenger and operator by mutual agreement prior to the ride commencing; provided, the limousine or operator in question meets the following criteria:

(a) If a fixed rate of this service has been established by the limousine service it shall be posted in the vehicle.

(b) No limousine operator shall operate between points solely within the Town of Westfield unless or until such operator shall have filed with the town clerk a public liability and property damage insurance policy in standard form which shall comply with the following requirements:

(1) An insurance policy issued by an accredited insurance company authorized to transact the business of casualty insurance in the state and acceptable to the town, covering each vehicle so operated which policy shall cover the period included in the limousine license to be issued by the town. Each such policy shall run concurrently with the fiscal year for which a license has been issued.

(2) Such insurance policy shall insure the owner and driver of such vehicle with a minimum limit for each accident for bodily injury of \$100,000.00 to any one individual or total of \$300,000.00 for all persons injured with a property damage loss in the minimum amount of \$50,000.00. If said policy is a single-limit policy, this single limit shall not be less than \$300,000.00.

(3) Each such insurance policy shall contain a provision to the effect that the same cannot be cancelled, except on at least thirty days notice in writing by the insurance company to the town clerk of the intention of such insurance company to cancel the same.

(4) No insurance policy shall be acceptable if the insurance coverage is for private livery only, unless such policy expressly contains a waiver by the insurance company that if the vehicle insured is operated in violation of the coverage intended, the company will not claim such violation to avoid liability thereunder.

(5) In the event that any insurance policy covering any such vehicle used for the transportation of passengers for hire shall lapse or shall be cancelled by the issuing company, then the limousine license issued by the town shall thereupon become void, and the owner of such vehicle shall be required to immediately turn such license into the town clerk.

A limousine operated solely within the borders of the Town of Westfield shall not be deemed to be a taxicab and shall not be subject to the regulations and requirements of the ordinance regulating taxicabs and their licenses.

Operators of limousines offering point to point service within the Town of Westfield may post telephone numbers to be called to engage this service in permanent locations within the Town of Westfield where the public seeking such service would be likely to be present under the control of and pursuant to rules and regulations established by the town engineer. The Town of Westfield may assist such operation in posting and mounting the signs setting forth these telephone numbers. (G.O. No. 1523, § I.)

Sec. 27-17. Violations and penalties.

Any person or persons, firms, corporations or other organizations found to be in violation of any of the provisions of this Article shall upon conviction thereof in municipal court and in addition to the penalties provided by N.J.S.A. 48:16-22 pay a fine of not less than twenty-five dollars or more than fifty dollars for the first offense and for each subsequent offense, shall upon conviction pay a fine not to exceed one hundred dollars. Upon failure to pay such fine, such person shall be liable to imprisonment for a term not to exceed thirty days.

In addition to such penalties as aforesaid, every license granted in pursuance of this Article may be revoked by the town clerk upon evidence of failure to comply with any provision of N.J.S.A. 48:16-13 et seq. (G.O. No. 877, § 7; G.O. No. 987; G.O. No. 1263, § 2; G.O. No. 1273.)