

## **Taxi Licensing Board Administrative Rules**

**Rule 101:** The Taxi Administration Office or The Taxi Licensing Board may on its own motion propose administrative rules to the Board that further the efficient administration of the Vehicle for Hire Ordinance. Upon consideration and a majority vote of the Board in favor of the rule, the rule shall be adopted and included herein. *(adopted on August 10, 2011)*

**Rule 102:** The Taxi Licensing Board designates the director/manager of the Taxi Administration Office, or his or her designee, as the ex-officio, nonvoting member of the Taxi Services Advisory Committee. *(adopted on August 10, 2011).*

**Rule 103:** A Chairperson and Co-Chairperson for the Taxi Licensing Board and the Taxi Services Advisory Committee shall be selected by July 1 of each year. *(adopted on August 10, 2011).*

**Rule 104:** The Taxi Services Advisory Committee shall submit a report to the Taxi Licensing Board regarding taxi services on January 1 and July 1 of each year. *(adopted on August 10, 2011).*

**Rule 105:** Findings, conclusions and orders issued by the Taxi Licensing Board shall be signed by the chair or co-chair. Counsel for the Board may sign, with permission, on the Board's behalf when the chair and co-chair are not available. *(adopted on August 10, 2011).*

**Rule 106:** The Taxi Administration Office shall maintain a file on every applicant, licensee or permittee. The file shall contain all documents and communications related to that person. The file may be electronic, but must be readily available and accessible to the Taxi Licensing Board and the public as may be required by law. *(adopted on August 10, 2011) (amended August 17, 2011)*

**Rule 107:** Conditional employment letter must be on the letterhead of the business licensee or on a form provided by the Taxi Administration Office.

**Rule 108:** No criminal background check, criminal conviction report or motor vehicle record check submitted pursuant to 30-28 will be accepted if it is over 90 days old. *(adopted on August 10, 2011)*

**Rule 109:** A national or Vermont criminal background check and/or motor vehicle check completed by an employer for licensing may be accepted in lieu of completing an additional background check provided that the background check is less than 90 days old; the record check is from an approved company; the employer certifies in writing that said criminal background check is the true and accurate copy of the criminal background check and/or motor vehicle check received by the employer; the employer has no knowledge of charges or convictions not contained in the record check; and the record check(s) contains all information needed by the Taxi Administration Office or Taxi Licensing Board. *(adopted on August 10, 2011)*.

**Rule 110:** Complainants may participate by telephone with the prior approval of the Chair or Co-Chairperson of the Taxi Licensing Board. *(adopted on August 10, 2011)(amended August 17, 2011)*.

**Rule 111: Copies of Record Checks or Reports**

A copy of a Licensee's or Permittee's background checks or reports will be available within 3 business days of a written request. The background checks or reports may only be given directly to the Licensee. They may not be mailed or given to a third-party. The Taxi Administration Office is not obligated to issue more than one copy of the background checks or reports per licensing season. *(adopted August 17, 2011)*

**Rule 112: Informal Complaint Process**

The informal complaint process set out below may be used to resolve non-safety related complaints in lieu of sending the complaint directly to the Board where the respondent/licensee has had no more than 2 complaints resolved through the Informal Complaint Process within the licensing year. Non-safety complaints are those that do not pose a risk to the public safety. These shall include, but are not limited to issues related to non-violent or non-threatening licensee conduct or behavior, licensee personal hygiene, non-safety related vehicle deficiencies, and fee or fare disputes.



1. Upon receipt of an eligible complaint, the Director of Airport Operations or his or her designee may issue a Notice of Complaint to the licensee advising such person of the allegations made in the complaint.
2. The Notice of Complaint shall advise the licensee that he or she has 10 calendar days, except where an extension has been granted, from the date of the Notice of Complaint to provide a written response to the complaint. The Director or his or her designee shall investigate the claims in the complaint and the response.
3. The Director, or his or her designee, shall determine if there is sufficient evidence to conclude that the complaint is valid. Failure to respond to the complaint by the licensee may be considered in determining the validity of the complaint.
4. The Director or his or her designee shall notify the licensee of his or her determination. If there is a determination that the complaint is valid, the Director, or his or her designee, may offer a resolution to the matter. The resolutions that may be offered are a written warning, a written apology to the complainant, reimbursement of any fee or fare overcharges, resolution of the hygiene or vehicle issue as directed, removal from the queue line for no more than 1 day, cessation of the behavior, and/or a fine of no more than \$100.
5. If the licensee accepts the proposed resolution, a written agreement shall be signed by the licensee. The full record of the matter and the signed agreement shall be forwarded to the Board for approval.
6. If the licensee chooses not to accept the proposed resolution, the Director shall have the matter scheduled for a hearing before the Appeals Panel.

*(adopted on August 10, 2011)*

**Rule 113: Background Check Grandfathering Provision** The City Attorneys' Office is not required to refer applications to the Board where an applicant with prior criminal or motor vehicle history, whose license has not expired at the time of application, and he or she has no new charges of any kind since his or her last application. (adopted on August 10, 2011).

**Rule 114: Age limit of taxi cabs.**

1. The Chairperson of the Taxi Licensing Board or his or her designee on the Taxi Licensing Board pursuant to B.C.O §30-102 shall be authorized to review inspection reports of all vehicles over 10 years old and determine if they may be granted an exception from §30-102. If no exception is granted, the applicant may request a hearing before the full Board.

2. Any vehicle that is not over 10 years at application or renewal, but is over 10 years before the current licensing period ends, will not be subject to review until the following licensing period.

(adopted August 17,2011)

**Rule 115: Conditional Licenses**

A conditional license may only be granted to current licensees where the issue of concern with a background check has been determined by the City Attorneys' Office to be minor and not an issue that would pose a risk to the public safety. In cases, where the City Attorney's Office finds de minimus background history concerns and recommends the issuance of a conditional license, a conditional license may be issued.

(adopted December 14, 2011)

**Rule 116: Licenses & Permits: Suspension, Revocation or Expiration**

All licenses and permits issued pursuant to the Vehicle for Hire Ordinance shall remain the property of the City of Burlington and the licensee or permittee shall not acquire any property right or interest therein. Upon the license(s) or permit(s) suspension, revocation or expiration said license(s) or permit(s) shall be returned to the Taxi Administration Office.

(adopted November 14, 2012)

**Rule 117: No License Applications Accepted within 30 days of the Last Day of the License Year**

No new license applications will be accepted within 30 days of the end of the taxi licensing year, except in the case of attrition for validly licensed business licensees. (adopted October 17, 2012)•••