

## LOCAL LAW NO “J” FOR 2012

### A LOCAL LAW OF THE COUNTY OF ALBANY ESTABLISHING TAXICAB PASSENGER’S AND DRIVER’S BILL OF RIGHTS

Introduced: 8/13/12

By Mr. Crouse:

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ALBANY AS FOLLOWS:

#### **Section 1: TAXICABS**

##### **Applicability**

This chapter shall apply to all taxicabs, as defined herein, which nonexclusively load or discharge passengers in the County of Albany and the taxicab drivers and operators of those vehicles. For purposes of this chapter, the actions of taxicab drivers shall be treated as actions of the owner of said vehicles.

#### **Section 2: DEFINITIONS**

**COUNTY** – The County of Albany, New York.

**CONSUMER AFFAIRS** – The Department of Consumer Affairs of the County of Albany.

**EXEMPT VEHICLE** – Any motor vehicle which is used for commercial transportation purposes for charge or hire by paying passengers or persons for whom a fare has been paid but which is, or is being used as an ambulance, a truck carrying freight or otherwise engaged in interstate commerce; a van or other like vehicle used for transportation of disabled, frail or elderly persons; a bus or van used for school or educational purposes; a bus or other vehicle used for mass transit; or a vehicle being used in a funeral or for such other purpose as the law; or any vehicle classified as a limousine; or any vehicle Consumer Affairs may determine to be exempt from the provisions of this chapter.

**FARE** – Either a customer or passenger paying or for whom a charge has been paid to hire a lawfully licensed taxicab for transportation services under this chapter; or the charge so levied and lawfully incurred by such passenger.

**LIMOUSINES** – A luxury passenger sedan usually with an extended wheelbase driven by a chauffer.

**OWNER** – Any person owning or having control of the use of one or more taxicabs used for hire upon the streets of the County or engaged in the business of operating a taxicab or a taxicab company in the County of Albany.

**STREET** – Includes any street, alley, avenue, thoroughfare, court, bridge, lane, road or other public place in the County.

**TAXICAB** – Any motor vehicle engaged in the business of carrying persons for hire, whether the same is operated from a street stand or subject to calls from a garage or otherwise operated for hire, except vehicles subject to the provisions of the Transportation Law and exempted thereby from the provisions of this Local Law or used by funeral homes or undertakers in carrying on their business. A taxicab shall not include any exempt vehicles as defined herein.

**TAXICAB DRIVER** – Any person who drives a taxicab available for hire or under hire, whether such person is the owner or lessee of such taxicab or employed by or in contract with a taxicab owner, operator or lessor.

### **Section 3: REQUIREMENTS**

#### **A. Display of Taxicab Passenger’s and Driver’s Bill of Rights**

All taxicabs must display, where it can be readily seen by the riding public, and in a format approved by Consumer Affairs, a copy of the following Taxicab Passenger’s and Driver’s Bill of Rights, described in subsections (B), (C), and (D) below.

#### **B. The Taxicab Passenger’s and Driver’s Bill of Rights**

As a taxicab passenger, you have the right to:

- Go to any destination in the Capital Region
- Direct the route taken: the most direct route or one of your choice;
- A safe and courteous driver who obeys all traffic laws;
- A knowledgeable driver who speaks English and knows Capital Region geography;
- Air conditioning or heat upon request;

- A noise free trip: no horn honking or radio;
- Clean air: smoke and scent free;
- Working seatbelts for all passengers;
- A clean taxicab: interior, exterior and partition;
- Be accompanied by a service animal;
- A driver who does not use a cell phone while driving a taxicab unless he/she is using a hands-free device for taxicab business only (radio dispatch is acceptable)
- A receipt with the correct cab company information upon request
- Decline to tip for poor service.

Your taxicab driver also has rights that you should respect and abide by, including the following:

- Customers should be courteous, orderly and obey all laws or service may be refused;
- Refrain from smoking;
- Drinking and eating are allowed as long as the drink has a lid and the food is not dropped in the taxicab;
- Do not distract or otherwise prevent the taxicab driver from focusing on driving the taxicab;
- Pay the fare as requested by the driver either when entering the taxicab or when you have reached your destination. Should you dispute the fare, you should talk to the driver first and then request to speak to the local dispatcher/manager;
- Understand that if you trash or get sick in this vehicle, particularly from drinking alcohol, a fee to clean the vehicle may be automatically added to the fare and will appear as a separate charge on your receipt;

C. For reference the following will be used and added to the displayed Bill of Rights:

THIS TAXICAB LICENSE PLATE NUMBER IS:\_\_\_\_\_

D. To assist passengers, the following will be added to the displayed Bill of Rights: All complaints or comments may be reported to Consumer Affairs at 518-447-7581 or via the Albany County website [www.albanycounty.com](http://www.albanycounty.com)

#### SECTION 4: Penalties

Failure to comply with the requirements of this local law to post the above described Bill of Rights is a violation and shall subject the owner of the taxicab to a fine not to exceed One Hundred Dollars (\$100). A violation may be charged for each day the taxicab is improperly posted.

### **Section 5. Severability**

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

### **Section 6. Effective Date and Applicability**

This local law shall be effective ninety (90) days subsequent to filing in the Office of the Secretary of State and shall apply to all transactions occurring on or after the effective date of this local law.

*Referred to Law Committee. 8/13/12*