



BOROUGH OF BOGOTA

ORDINANCE NO. 1621 PUBLIC HEARING OF & ADOPTION DATE: July 18, 2024

**AMENDMENT TO CHAPTER 8 OF THE BOGOTA
CODE, ENTITLED
AUTOCABS, LIMOUSINES AND LIVERY AND TAXIS**

WHEREAS, Chapter 8 of the Bogota Code regulates businesses within the Borough of Bogota that are engaged in providing autocab, limousine and taxi services in the Borough; and,

WHEREAS, the Mayor and Council wish to amend Chapter 8 to include revisions to the aforementioned regulations.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that Chapter 8 of the Bogota Code is hereby deleted in its entirety and replaced with the following:

§ 8-1. DEFINITIONS.

[Ord. #1128, S1]

For the purposes of this Chapter, the following words and terms shall be deemed to have the meanings herein given to them:

APPLICANT

Shall mean any person, co-partnership, association, corporation, or joint-stock company, their lessees, trustees or receivers appointed by any court whatsoever; who owns, operates or intends to operate an Autocab, Limousine, Livery, Taxi or Rideshare Service business in the Borough of Bogota, and is applying for a Certificate and License in accordance with these regulations.

AUTOCAB

Shall mean any automobile, van, bus, or motor car with a carrying capacity of not more than six (6) passengers, not including the driver, used in the business of carrying passengers for hire, which is held out, announced, or advertised to operate or run or which is operated or run over any of the streets or public highways of the borough and which is hired by charter or for a particular contractor by the day or hour or other fixed period or to transport passengers to a specified place or places or which charges a fare or price agreed upon in advance between the operator and the passenger. Nothing in this definition contained shall be construed to include hotel buses, charter buses or buses employed solely in transporting school children or teachers or autobuses which are



subject to the jurisdiction of the Board of Public Utilities to carry insurance against loss from liability imposed by law on account of bodily injury or death.

DRIVERS LICENSE

Shall mean a license issued by this State or any other jurisdiction to a person authorizing the person to operate a motor vehicle, along with having the proper endorsements on said license and in accordance with all New Jersey Title 39 laws.

LICENSE

Shall mean a license issued by the Borough of Bogota authorizing the person, business or owner of a business regulated by this Chapter to operate within the Borough of Bogota.

LIMOUSINE OR LIVERY

An automobile with a capacity of no more than 14 passengers (not including the driver) or stretched not more than 4 passenger seats more than originally manufactured, as stated on secondary manufacturer's plate used for charter at a premium fare.

LIMOUSINE OR LIVERY SERVICE

Shall mean the business of carrying passengers for hire by an autocab.

PERSON

Shall mean any individual, co-partnership, association, corporation, or joint-stock company, their lessees, trustees or receivers appointed by any court whatsoever.

STREET

Shall mean the entire width between the boundaries of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

TAXI

Includes all motor vehicles used for transportation of passengers for hire, excluding school buses, omnibuses, and limousine vehicles.

TAXI SERVICE

Shall mean any automobile commonly called a taxi engaged in the business of carrying passengers for hire which is held out, announced, or advertised to operate or run or which is operated or run over any of the street or public highways of this State, and particularly accepts and discharges such



persons as may offer themselves for transportation from points or places to points or places within or without the State, excluding school buses, omnibuses, and limousine vehicles.

RIDESHARE SERVICE

Shall mean a corporation, partnership, sole proprietorship, or other entity that is registered as a business in the State or operates in this State, and that uses a digital network to connect a transportation network company rider to a transportation network company driver to provide a prearranged ride.

§ 8-2. LICENSE REQUIRED FOR TAXIS, LIVERY, LIMOUSINES OR RIDESHARE COMPANIES.

All public hacks, cabs, omnibuses, automobiles, limousines or other vehicles used for the transportation of passengers for hire shall be licensed in accordance with the provisions of this Chapter. No person shall operate or drive or cause to be operated or driven any such public hack, cab, omnibus, automobile, limousine or other vehicle for such purpose, unless the same shall have been licensed in accordance with the provisions of this Chapter. The license required by this section shall be known as the "owner's license."

§ 8-3. CERTIFICATE OF COMPLIANCE REQUIRED FOR AUTOCABS, LIMOUSINE, LIVERY OR RIDE SHARE SERVICE.

It shall be unlawful for any owner of an autocab, limousine, livery or ride share service having its principal place of business in the Borough of Bogota to operate said service wholly or partly along any street in the Borough of Bogota without first obtaining a certificate of compliance from the Borough Clerk.

§ 8-4. APPLICATION; REQUIREMENTS

- a. Applications for certificates and licenses shall be made in writing, upon forms to be furnished by the Borough Clerk, signed by the applicant and filed with the Borough Clerk. Applications shall contain or be accompanied by the following information:
 1. The name, age, and residence of the applicant; if a partnership, the names, ages, and residences of all the partners, together with the business and address of the partnership; and if a corporation, the names, ages, and residences of the president, secretary and treasurer thereof and the period of residence in the State, County, and city.
 2. Copy of insurance policy complying with N.J.S.A. 48:16-14 or N.J.S.A. 48:16-3.



3. Name of insurance company, the number and the date of expiration of the policy or bond required by N.J.S.A. 48:16-14 or N.J.S.A. 48:16-3, and a description of every autocab, limousine, livery or taxi insured thereunder and the registration number of the same.
4. No owner's license shall be issued to anyone until there has been filed with the Borough Clerk a policy of insurance with the premium prepaid thereon of a company duly licensed to transact business under the insurance laws of the State of New Jersey in the sum of \$500,000 against loss from liability imposed by law upon the owner for damages on account of bodily injury or death suffered by one person; and in the sum of \$1,000,000 against loss from liability imposed by law upon the said owner for damages on account of bodily injury or death suffered by more than one person as a result of an accident occurring by reason of the ownership, maintenance or use of the vehicle so licensed within the Borough, and the sum of \$50,000 against loss from liability imposed by law upon the said owner for personal property damage suffered by any person or persons as a result of an accident occurring by reason of ownership, maintenance or use of the vehicle so licensed and such permit to continue effective and operative only as long as the insurance policy shall remain in force and effect, and the full amounts payable thereunder shall remain collectible. The insurance policies shall name the Borough of Bogota as an additional insured, and provide for the payment of any final judgment received by any person or persons on account of the ownership, maintenance and use of the vehicle or any fault in respect thereto and shall be for the benefit of any person suffering loss, damage or injury as aforesaid, and shall recite on its face that it is issued in pursuance with this Chapter.
 - b. Applications made by corporations shall be signed in the name of the corporation by the president and attested by the secretary. A certified copy of a corporate resolution authorizing the application shall be attached.
 - c. Said application shall be duly verified by the applicant before a notary public or some other person duly authorized to administer oaths.
 - d. Each such application shall be accompanied by the full amount of the license fee hereinafter prescribed.
 - e. The applicant shall execute a power of attorney, by which the applicant shall appoint the chief fiscal officer of the Borough as the true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy referred to above.
 - f. The applicant shall allow the Borough Clerk or his/her designee to inspect all vehicles to be operated in the fleet to ensure that the vehicles are properly functional and within New Jersey Motor Vehicle Inspection compliance.



g. No vehicle owned or operated by the licensed business shall be operated or used in any way for the carrying or transport of passengers if the vehicle does not comply with inspection standards determined by the Borough Clerk or his/her designee.

§ 8-5. FEE REQUIREMENTS

- A. A non-refundable fee of fifty (\$50.00) dollars shall be paid for a certificate per annum.
- B. A non-refundable fee of one hundred (\$100.00) dollars shall be paid for a license per annum
- C. A non-refundable fee of fifty (\$50.00) dollars shall be paid for administrative fees per annum.

§ 8-6. CERTIFICATE; CONTENTS, FILING AND POSTING.

[Ord. #1128, S1]

a. The Clerk upon the approval of an application of an autocab, limousine or livery service, shall issue a certificate, in duplicate, showing that the owner of the autocab, limousine or livery service has complied with the terms and provisions of this chapter and N.J.S.A. 48:16-13 et seq.

b. The certificate shall recite the name of the insurance company, the number and date of expiration of the policy or bond, a description of every autocab, limousine or livery service insured thereunder and the registration number of the same.

c. The duplicate certificate shall be filed with the Division of Motor Vehicles before any such car is registered as an autocab, limousine or livery service.

d. The original certificate shall be posted in a conspicuous place within the autocab, limousine or livery service.

e. The insurance provisions of this section may be waived only in compliance with N.J.S.A. 48:16-19 to 20.

§ 8-7. LICENSE CONTENTS FOR TAXIS, LIVERY, LIMOUSINE OR RIDESHARE SERVICES.

[Ord. #1128, S1]

a. The Borough Clerk, upon the approval of a license application by the mayor and council shall issue a license for one (1) year, or until the insurance policy required by N.J.S.A. 48:16-3 ceases to be in full force and effect, in the required amounts. The license shall show the owner of the



business and shall state that the owner has complied with the provisions of this Chapter and N.J.S.A. 48:16-1 et seq.

b. The license shall recite the name of the insurance company, the number and date of expiration of the policy or bond, a description of every taxi insured thereunder, and the registration number of the same.

c. The duplicate license shall be filed with the Division of Motor Vehicles before any such car is registered correctly and in accordance with New Jersey Motor Vehicle Laws.

d. The original certificate shall be posted in a conspicuous place within the business.

e. The insurance provisions of this section may be waived only in compliance with N.J.S.A. 48:16-8 and 9.

f. The Borough Clerk shall keep a register of all licenses granted under the provisions of this Chapter, which register shall show the character of the license, its number, date of issue, name of person licensed. The Clerk shall also keep all applications, and upon those which may be granted, he shall endorse the number of the license issued in pursuance thereof.

§ 8-8. REVOCATION OF LICENSE.

[Ord. #1128, S1]

Any license granted pursuant to this Chapter or a certificate of compliance granted pursuant to this Chapter, may be revoked by the mayor and council, after notice to the licensee and a hearing, if it shall appear that the licensee has failed to keep in full force and effect the insurance policy, bond, or power of attorney required by this Chapter and the applicable State laws, or to comply with the terms and conditions of any license.

§ 8-9. TRANSFER OF LICENSES; FEES

A taxicab, livery, limousine or rideshare service license may be sold, assigned or otherwise transferred with the consent of the Borough Council and upon the filing of an application as provided in this Chapter. A transfer fee of fifty (\$50.00) shall be paid to the Borough Clerk.

§ 8-10 POSSESSION OF LICENSE REQUIRED; DUPLICATE FOR LOST LICENSE AND FEES

Every holder of a driver's license when driving or operating any vehicle herein required to be licensed shall have in their possession the license issued to them. In case any such licensee shall lose such license, he may procure a duplicate thereof from the Borough Clerk, upon the payment of the sum of ten (\$10.00) for the reissuance.



Any licenses that have been lost shall be reported to the Bogota Police Department and the Bogota Borough Clerk immediately.

§ 8-11 RULES AND REGULATIONS

The Borough of Bogota is hereby authorized, empowered and directed to make and adopt regulations respecting the use of vehicles licensed hereunder, the number of licensed vehicles which may stand in any one place at the same time, as to the form and contents of applications for licenses, for the inspection of vehicles licensed and to be licensed hereunder, for the inspection of drivers licensed hereunder and such other regulations as may promote the public convenience

The Borough of Bogota is hereby authorized and empowered to revoke any license issued hereunder for the violation of any law of the State of New Jersey, or the violation of any of the provisions of this Chapter; or for the violation of any of the rules and regulations made, adopted and promulgated by the Borough of Bogota in accordance with the provisions hereof.

An owner's license may be revoked for misconduct of the driver of the licensed vehicle, if it appears that the owner of such vehicle had knowledge of such misconduct. No license shall be revoked until after the holder thereof shall be given a hearing by the Borough of Bogota of which hearing at least 24 hours' written notice must be given to the holder of such license. The action of the Borough of Bogota in granting or refusing to grant licenses or in revoking licenses may be appealed.

§ 8-12 INSPECTION OF VEHICLES

- A. No owner's license shall be granted for any vehicle which is not strong, clean and in good repair, and it shall be the duty of the Borough Clerk or his/her designee to cause an inspection of the licensed vehicle to be made at least once every year, and in case any vehicle so licensed becomes unfit or unsuited for the transportation of passengers, the Borough of Bogota shall cause such license to be revoked.
- B. No vehicle herein required to be licensed shall be used or operated for the carrying of passengers, unless such vehicle is clean and in good repair.
- C. All vehicles for hire shall contain no fewer than four doors, commonly known as a "four-door sedan" or "station wagon." "SUV" In addition, all vehicles shall be equipped with a properly charged, labeled and certified fire extinguisher.

§ 8-13 VEHICLE MARKINGS

- A. Every taxi service vehicle licensed hereunder having a seating capacity of not more than seven persons shall at all times bear upon both sides of such vehicle, in such places as



designated by the Police Department, the words "BOGOTA LICENSED" in letters of such character that the same may be easily distinguishable.

- B. Every limousine, livery or ride share service shall have the name of the company displayed, clearly and easily viewed from the outside of the vehicle.
- C. Every vehicle licensed hereto shall have fastened in a conspicuous place therein a printed card showing the rates herein provided for in letters and figures of not less than 3X5 inch card, which card shall also bear the license number of such vehicle and also the name of the owner thereof.

§ 8-14 PUBLIC STANDS

- A. There shall be no public stands, waiting areas, pick up or dropoff designated locations within the Borough of Bogota. All Taxi, Limousine, Livery or Rideshare service shall be on an as need basis by the customer, and the business shall pick up on the customer/business agreed upon or requested location.
- B. No Taxi, Limousine, Livery or Ride Share Service shall allow any vehicle at any time to remain idled for longer than fifteen (15) minutes.

§ 8-15 VIOLATIONS AND PENALTIES

Any person violating any provisions of this Chapter shall, upon conviction, pay a fine not exceeding two hundred (\$200.00) or have their business license suspended for 90 days, or both, in the discretion of the Municipal Judge before whom such person shall be convicted, and who shall have the power to impose any fine or term of suspension(s), or both, not exceeding the maximum herein fixed. In default of the payment of any fine imposed upon any person convicted hereunder, such person may, in the discretion of the Judge, be imprisoned in the county jail for any term not exceeding 30 days.



BOROUGH BOGOTA
ORDINANCE NO. 1621 PUBLIC HEARING OF & ADOPTION **DATE: July 18, 2024**

AUTOCABS, LIMOUSINES AND LIVERY AND TAXIS

PUBLIC HEARING OPEN

Councilperson	Motion	Second	Yes	No	Absent	Recuse	Abstain
Council President Carpenter			✓				
Councilwoman Kohles			✓				
Councilman McHale			✓				
Councilman Mitchell	✓		✓				
Councilman Robbins		✓	✓				
Councilwoman Vergara			✓				

COMMENTS: *Borough Attorney summarized the purpose of the ordinance.*

PUBLIC HEARING CLOSED

Councilperson	Motion	Second	Yes	No	Absent	Recuse	Abstain
Council President Carpenter	✓		✓				
Councilwoman Kohles			✓				
Councilman McHale		✓	✓				
Councilman Mitchell			✓				
Councilman Robbins			✓				
Councilwoman Vergara			✓				


ADOPTION: July 18, 2024.

Councilperson	Motion	Second	Yes	No	Absent	Recuse	Abstain
Council President Carpenter	✓		✓				
Councilwoman Kohles			✓				
Councilman McHale			✓				
Councilman Mitchell			✓				
Councilman Robbins		✓	✓				
Councilwoman Vergara			✓				

CERTIFICATION

✓
ATTEST:


 Borough Clerk

APPROVED:


 Mayor

I, Yenlys Flores-Bolivard, Municipal Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance adopted by the Borough of Bogota at a meeting held on July 18, 2024.