



TOWN OF DOVER

MAYOR & TOWN COUNCIL

ORDINANCE NO. 07-2024

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DOVER AMENDING CHAPTER 349 TAXICABS AND LIMOUSINES

Chapter 349. TAXICABS AND LIMOUSINES

Article I. Taxicabs

§ 349-1. Definitions.

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

Holder shall mean a person to whom a taxicab license has been issued.

Law Enforcement shall mean any member of the Dover Police Department and/or the Dover Licensing Inspector if applicable.

Owner shall mean any person who holds legal title to any taxicab, any conditional vendee or lessee, or any other person having an interest in a taxicab which shall entitle him to the immediate possession thereof.

Owner-operator shall mean, in the case of an individual, the person to whom the taxicab license is issued and who drives the taxicab exclusively or in the case of a corporation, the person who holds a minimum of fifty-one (51%) percent of the voting shares or interest in the corporation and to whom a minimum of fifty-one (51%) percent of the net profit or loss is attributable.

Person shall mean and include any individual, partnership, company, association, corporation or joint stock company, their lessees, trustees, or receivers appointed by any court whatsoever.

Principal place of business shall mean the place or places of business of a taxicab service or the location or locations where taxicabs are parked when not in operation or from which taxicab dispatching operations are conducted or to which taxicab drivers report for duty.

Street shall mean and include any street, avenue, park, parkway, highway, or other public place which is used for vehicular travel.

Taxicab (or "Regulated Vehicle") shall mean a motor vehicle commonly called "taxi" which is:

1. Constructed so as to comfortably seat not less than four (4) passengers exclusive of the driver; and
2. Engaged in the business of carrying passengers for hire; and
3. Held out, announced, or advertised to operate on and over the public streets of the Town of Dover; and
4. Accepts persons who may offer themselves for transportation from a place within the Town of Dover; and
5. Not operated over a fixed route; and
6. Not more than fifteen (15) years old or one hundred eighty (180) months of age according to the model year within the Vehicle Identification Number at the time it first becomes engaged in the taxicab business

within the Town of Dover. Taxicabs shall be removed from service prior to the final inspection of each calendar year.

Taxicab Driver's License shall mean the permission granted in accordance with the provisions of this Section which authorizes a person to drive upon the streets of the Town of Dover a licensed taxicab owned and/or operated by the holder of a taxicab license. The term "driver's license" shall not be construed to mean a driver's license issued by the State of New Jersey Motor Vehicle Commission.

Taxicab License shall mean the permission granted in accordance with the provisions of this Section to conduct a taxicab operation upon the streets of the Town of Dover by the use of vehicles which have been issued taxicab vehicle licenses and which are driven by persons who have been issued taxicab driver's licenses by the Town.

Taxicab Vehicle License shall mean the permission granted in accordance with this Section to the holder of a taxicab license to conduct a taxicab operation on the streets of the Town of Dover by use of the vehicle so licensed as long as such vehicle is being driven by a person who is authorized to operate such vehicle by the Town.

Taxicab Operation shall mean conducting a taxi service in the Town of Dover which shall include receiving passengers in the Town of Dover and regularly discharging passengers, whose ride(s) may originate in other jurisdictions, in the Town of Dover.

Taxicab Operator shall mean any person who owns, directs, conducts or is in charge of any taxicab business or of any taxicab either as an owner, manager, driver or otherwise.

Town shall mean the Town of Dover.

Transfer shall mean to sell, transfer or in any other manner dispose of a taxicab license. Where the license is in the name of a corporation or other legal entity, any change in the majority ownership of the corporation or other legal entity shall constitute a transfer of the taxicab license held in the name of the corporation or other legal entity.

§ 349-2. TYPES OF TAXICAB LICENSES

License required.

No person shall conduct or cause to be conducted any taxicab operation upon the streets of the Town of Dover without first having obtained the taxicab licenses required by Article I of this Chapter. There are hereby established three (3) classes of taxicab licenses, a "Taxicab Operation License", a "Taxicab Vehicle License", and a "Taxicab Driver's License".

§ 349-3. Term of license.

All licenses shall be valid from the day of issuance and shall expire the 31st day of December thereafter. Renewed licenses shall be valid from January 1 through December 31 of the calendar year unless suspended or revoked.

§ 349-4. Fees.

Owners or operators shall be required to pay the following license and inspection fees:

- A. Taxicab Operation License: \$500.00 per annum January 1 through December 31.
- B. For each regulated vehicle having a seating capacity of not more than five persons, including the driver: \$150.00 per vehicle per annum.
- C. For each vehicle having a seating capacity of more than five persons: \$250.00 per vehicle per annum.
- D. For each driver license issued to a driver of a regulated vehicle: \$100.00 per annum for a new or renewal of license.
- E. For any replacement of a lost license or for a revised license: \$40.

§ 349-5. Issuance of licenses; limit on regulated vehicles; maximum age of regulated vehicle.

A. The Municipal Clerk or designee is hereby authorized to issue said licenses for regulated vehicles and drivers of regulated vehicles upon receiving notice of approval of the application therefor by the Mayor and Town Council. Each regulated vehicle license shall set forth the dates said license will remain effective and the maximum number of passengers permitted in the vehicle (the maximum number will be determined by allowing one passenger in the front seat and two or three passengers in each additional row of seating depending upon the type of seating available and number of seat belts). Each driver license shall set forth the dates such license will remain effective and shall include a current and clear picture of the driver, the driver's full name, the operator's business name and a brief description of the driver, including his or her age, height, weight, complexion, color of hair and color of eyes. In the event a driver changes employment to a new company, a revised license must be obtained for the unexpired term of the original license. The cost for a revised license shall be the same as for a lost license.

B. A taxicab application will not be deemed complete and a license will not be issued until the following are received:

1. Completed Application; and
2. Insurance Policy and Power of Attorney as set forth in § 349-6; and
3. Vehicle Title (Company Owner's Name); and
4. Vehicle registration (Company Owner's Name); and
5. Storage letter which shall include written approval from the owner or renter of said private property must be provided to the Municipal Clerk as set forth in § 349-7; and
6. All required supporting documentation must be submitted within twenty-one days (21) of the initial application submission. In the event that all required documentation is not submitted within twenty-one (21) days of the date of submission, the Application will be deemed expired. Any and all fees paid as part of the application shall not be refunded.

C. No more than eighty (80) licenses for regulated vehicles shall be issued in the Town of Dover. No one owner or operator shall be permitted more than twenty (20) licenses for regulated vehicles. Owners or operators shall not hold any ownership interest in more than one business which operates or owns regulated vehicles in the Town of Dover.

D. No regulated vehicle shall be older than fifteen (15) years on the date of the application for a license or renewal of a license.

§ 349-6. Insurance and power of attorney requirements.

Upon applying for a regulated vehicle license, owners or operators shall furnish proof of an insurance policy covering each regulated vehicle in accordance with N.J.S.A. 48:16-1 et seq., as amended and supplemented from time to time. However, minimum coverage requirements for each regulated vehicle are \$100,000 per occurrence. Operators must produce proof that the required insurance policy will be in effect and has been prepaid for the entire period the requested license will be effective (usually January through December 31). Each owner shall also execute and deliver to the Municipal Clerk the required power of attorney in accordance with N.J.S.A. 48:16-5, as may be amended and supplemented from time to time.

§ 349-7. State inspection; semiannual inspection; parking and sign requirements.

A. Owners or operators must provide proof that each regulated vehicle has been inspected when due by a state-operated inspection facility for all required inspections. State-authorized private inspection facility inspections are not acceptable. A copy of the state inspection report shall be submitted to the Chief of Police and Municipal Clerk or designee for every regulated vehicle, within thirty (30) days of the inspection. Failure of the state inspection shall be deemed an automatic revocation of the regulated vehicle's license to operate under this Chapter. Such revocation shall continue until the state inspection is passed and proof of same is provided to the Municipal Clerk.

B. Owners or operators must submit each vehicle for inspection by the Chief of Police, his designee or the Licensing Inspector semiannually, except if a state inspection is performed within such six-month time period. The six-month time periods for inspection shall be January through June and July through December. The purpose of this inspection is to ensure full compliance with all of the requirements of municipal and state laws, rules and regulations. If any violations are found, the Police Department shall inform the Municipal Clerk that the license issued shall be revoked if the violation is not corrected within ten (10) days of the inspection. Under such circumstances, the Police Department will inform the applicant what repairs need to be completed to prevent the revocation of the license. In no way should the provisions of this Chapter be interpreted as to prohibit an applicant from having a previously rejected vehicle reinspected after the required repairs are completed. An applicant aggrieved by any provision of this section has an immediate right of appeal to the Mayor and Town Council. The Police Department shall randomly select the time period within each six-month inspection period when a regulated vehicle must be presented itself for inspection.

C. No more than one regulated vehicle shall be stored on private property with the exception of overnight parking. No regulated vehicle may be parked on a public street overnight.

D. In addition to the requirements, of N.J.S.A. 48:16-2.4, All regulated vehicles must have permanently affixed signs on the driver and passenger doors setting forth the owner's business name, the maximum number of passengers allowed by said license, and the business office telephone number. The letters and numbers on said signs must be at least three inches tall and two inches wide and must be clearly visible from a distance of fifty (50) feet. The color of the letters must contrast with the color of the regulated vehicle so as to be easily read. The vehicle number issued by the Town must also be displayed on the driver's door of the vehicle and rear left of the vehicle on the trunk so as to be clearly visible to the public.

E. The schedule of fares to be charged shall be clearly and prominently displayed in each regulated vehicle in English and Spanish.

§ 349-8. Business office to be maintained.

All owners or operators, upon applying for one or more regulated vehicle licenses, shall be required to maintain a business office. The address and telephone number of said office must be listed on all regulated vehicle license applications.

§ 349-9. Photographs and fingerprints; age requirements for license.

A. Each applicant for a regulated vehicle driver license shall, upon making application therefor, furnish his or her existing driver's license and fingerprints for a record check and three recent photographs of passport size. One shall be retained by the Municipal Clerk, another shall be affixed to the driver's license, and the third shall be affixed to a card, suitably framed under any transparent covering approved by the Police Department and displayed in a prominent place mounted as close as possible to the center of the front dashboard of the regulated vehicle so that it is plainly visible to passengers. Said card must also contain a description of the licensed driver, which shall include his or her age, height, complexion, color of hair and color of eyes. Each applicant shall submit to the Town Police Department his or her driver abstract from the Division of Motor Vehicles.

B. No license to drive a regulated vehicle shall be granted unless the applicant meets the following requirements:

- (1) Have a valid New Jersey driver's license.
- (2) State the name of the taxicab company with whom he or she shall be employed.
- (3) Each applicant for a license shall provide proof that he or she is at least twenty-one (21) years of age.
- (4) The applicant must be either a citizen of the United States or a legal resident alien.

(5) If the applicant is a corporation, the corporation must either be incorporated in the State of New Jersey or authorized to do business in this state. Said Corporation must provide the Municipal Clerk with Good Standing Certificate issued by the State of New Jersey.

(6) The applicant shall not have been convicted of any crime and/or disorderly persons offense within ten (10) years next preceding the date of application for license. If the applicant is a partnership, then no partner may have such criminal record. If the applicant is a corporation, then neither the corporation nor any officer or director thereof may have such criminal record.

(7) Prior license revocations. The applicant must have no record of prior revocation(s) by any jurisdiction of a license related to the taxicab business. If the applicant is a partnership, then no partner may have such record. If the applicant is a corporation, then neither the corporation nor any officer or director may have such record.

(8) The applicant must have complied with the insurance provisions contained in this Chapter. In the event of the cancellation of licensee's insurance, the license shall terminate upon the effective date of the cancellation, unless prior thereto the insurance has been reinstated by withdrawal of the cancellation or issuance of a new policy of insurance, a copy of which shall be delivered to the Municipal Clerk for the remainder of the license year.

(9) The applicant must certify that all child support obligations are current pursuant to the standard set forth in N.J.S.A. 2A:17-56.41.

(10) The applicant must be tested for the presence of controlled dangerous substances, as defined in N.J.S.A. 2C:35-2 pursuant to New Jersey Department of Transportation (NJDOT) (49CFR Part 40 Subpart F) within thirty (30) days of the filing of his or her application. Such testing shall take place at a facility to be designated by the Town of Dover. The results shall be provided to the Municipal Clerk and shall show the applicant to be free of controlled dangerous substances. The same test shall be required for license renewal. The applicant shall assume the cost of all testing. Operators shall also be subject to testing for controlled dangerous substances in the event of an accident by the operator or the observance of an operator driving a regulated vehicle in a careless, reckless, or suspicious manner.

C. All applicants must complete and sign Form SBI-212B, Request for Criminal History Record Information for a Noncriminal Justice Purpose, for a criminal history name search identification check pursuant to N.J.S.A. 53:1-20.5 et seq. The applicant shall submit payment for same drawn on a United States bank in the amount required by the State of New Jersey approved fingerprinting agency, for the criminal history name search. If the applicant is a corporation, then this requirement shall apply to the officers of the corporation. The fully executed form and the applicant's check or money order must be submitted along with the application for a taxicab license.

Each applicant shall be fingerprinted for a criminal history background check at the time of the initial application and annually with each license renewal, any costs associated with same shall be paid by the applicant.

§ 349-10. Maintenance of regulated vehicles.

Every regulated vehicle licensed pursuant to this Chapter shall be properly maintained and equipped at all times in accordance with the manufacturer's recommendations and the standards and regulations of the New Jersey State Motor Vehicles and Traffic Regulation Act and shall further comply with the following additional requirements:

A. The interior shall be clean and sanitary, meaning that the upholstery and carpeting shall be reasonably free from debris, tears, holes, cuts, and stains. Maintaining the regulated vehicle in a sanitary condition means keeping the regulated vehicle free from defects which could adversely affect the health of passengers, such as the presence of volatile fumes, spoiled food or garbage, blood stains or any other items which could affect the health of passengers or the driver.

B. All doors shall open easily and close firmly. This provision requires the immediate repair of doors which cannot be closed by the standard handle for said door (i.e., closing the door with a piece of rope or wire). Furthermore, the door must not be able to be opened without using the door handle, and all locks on the vehicle must operate such as to prohibit the opening of any door while the lock is engaged.

C. Seat belts shall be fully functional and available for the driver and all passengers. Torn, damaged or missing seat belts must be immediately replaced.

D. The exterior shall be clean and free from rust and peeling paint, and all wheels shall be covered by hubcaps.

E. Dents shall not be larger than those that normally occur as a result of parking next to other vehicles. All dents larger than three inches must be repaired promptly. Dents shall be construed to cover damage on any portion of the regulated vehicle, including bumpers and any other exterior facets.

F. Each regulated vehicle in operation must be kept in proper operating condition at all times, including but not limited to a properly functioning muffler and emissions system, a clear and undamaged windshield, and windows (no tinting of windows shall be permitted unless factory original equipment from the manufacturer). The Police Department of the Town of Dover may request an inspection or emissions test for any regulated vehicle if, in its sole discretion, cause exists to believe said regulated vehicle is not in compliance with the maintenance requirements set forth herein.

G. Every regulated vehicle is required to have at least one approved child safety seat which must have permanently affixed thereto the name of the taxicab company or operator and the number assigned by the municipality to such regulated vehicle. The original manufacturers' label must be legible on the child safety seat.

§ 349-11. Schedule of fares.

A. The fare to be charged for the transportation of passengers from anywhere within the Town of Dover to another location within the Town of Dover shall be not greater than the following:

- (1) For one (1) or two (2) passengers: the sum of \$7.00 per trip.
- (2) For each additional passenger over two (2): the sum of \$1.00.
- (3) Waiting time:
 - (a) First five (5) minutes: free.
 - (b) Five (5) minutes to thirty (30) minutes: \$0.40 per minute.
 - (c) Thirty (30) minutes to sixty (60) minutes: \$0.50 per minute.

(4) For one (1) or two (2) passengers sixty-two (62) years of age or older: the charge shall not be more than the sum of \$4.50 per trip.

- (5) No extra fee shall be charged for a wheelchair or any other apparatus used by a handicapped person.

B. The fare to be charged for the transportation of passengers from anywhere within the Town of Dover to a location outside the Town of Dover or from a location outside the Town to a location within the Town must be clearly agreed upon with all passengers prior to leaving the pickup location.

§ 349-12. Record of trips.

The drivers of all regulated vehicles must keep a written record of each trip, on a form to be approved by the Town, including the date and exact time the trip commenced and ended and the number of passengers carried. Trip records must be maintained by the operator for at least three (3) years and must be made available for inspection by any law enforcement officer of the Town of Dover upon request. In addition, the owner or operator shall submit to the Municipal Clerk or his designee within ten (10) days of the end of the quarter all records of trip reports. The quarters are designated as follows: January through March, April through June, July through September, and October through December.

§ 349-13. Traffic and other regulations.

A. All drivers will be held fully responsible for compliance with all traffic, parking and safety regulations on the road. In addition, all passengers will be required to enter and exit all regulated vehicles through the door or doors closest to the curb where said passengers are waiting for pick up or are being dropped off.

B. Regulated vehicles that are registered with the state solely as limousines shall not be allowed to solicit fares on the road and may only pick up passengers who have prearranged said limousine transportation.

- C. The pickup or discharge of passengers shall not impede the flow of traffic.
- D. Each regulated vehicle shall maintain a first aid kit and fire extinguisher, which must be inspected annually.
- E. Taxicab drivers will not sound their horns except in the case of an emergency consistent with existing laws. The use of a vehicle horn to signal the arrival of a taxicab at a fare's pickup point will be considered a Town nuisance and an offense against the peace and harmony of the citizens. The vehicle owner shall be responsible for all fines against the peace and harmony of the citizens.
- F. All drivers shall possess a working knowledge of the roadway system and significant points of interest within Morris County, including but not limited to municipal offices and facilities, hospitals, train stations, and the like, a street map of Morris County or an operational GPS device is required to be kept in all taxicabs at all times.
- G. Any change of address of any owner or operator licensed under the provisions of this Chapter must be reported, in writing, to the Municipal Clerk or Licensing Inspector within seventy-two (72) hours of such change. The loss of the license required to be kept by any licensed owner or operator must be reported to the Municipal Clerk or Licensing Inspector, in writing, within seventy-two (72) hours of such loss.
- H. No licensee of any taxicab shall use thereon or thereabout any imitation of any color scheme, monogram or insignia previously adopted or used by any other licensee of a taxicab licensed under the provisions of this Chapter.
- I. No operator of a taxicab shall induce any person to employ him/her by knowingly misinforming or misleading such person either as to the time or place of the arrival or departure of any train, omnibus, boat, aircraft or other means of public transportation or as to the location of any point of destination, nor shall any operator deceive any person or make any false representation to him/her in respect to the transportation or prospective transportation of any passenger, or convey any passenger to any other place or over any other route than that to which or over which such passenger may have instructed the operator to go. Unless otherwise ordered, operators shall convey passengers by the most practical direct routes to their destinations.
- J. No taxicab driver shall solicit additional passengers at the point of origin, and no additional passengers may be picked up en route.
- K. No person other than the licensed operator of the taxicab, excepting a fare occupying the auxiliary seat, shall ride, or sit in the compartment of a taxicab reserved for the operator.
- L. Every operator of a taxicab shall, immediately at the end of his/her shift, carefully search the taxicab for any property lost or left therein and shall, immediately after finding any property, deliver the property to police headquarters.
- M. All taxicab licensees or their representatives shall answer all calls received for taxicab service inside the municipality limits without unreasonable delay. If such service cannot be rendered within a reasonable time, they shall notify the prospective passenger as to how long it will be before the call can be answered and give the reason.
- N. All licensees under this Chapter shall cooperate with law enforcement officers in the performance of their duty. No licensee shall conceal evidence of a crime or voluntarily aid violators to escape arrest. A licensee shall report immediately to the police any attempt to use his/her vehicle to commit a crime or escape from the scene of a crime.
- O. Licensed operators, while engaged in the operation of a taxicab, shall behave in a civil and orderly manner and shall not use any indecent, profane or abusive language.
- P. No operator or passenger shall smoke or possess lighted tobacco products in a licensed vehicle.
- Q. No operator of a taxicab shall operate his/her vehicle in a manner to endanger a passenger or any other person.
- R. Every owner of a licensed taxicab which is involved in an automobile accident shall provide the Municipal Clerk with a copy of the accident report within five (5) working days of the accident. The Municipal Clerk shall inform the taxicab owner of any and all repairs that may be necessary. Any taxicab owner who fails to comply with the terms of this section shall be in violation of this Chapter and subject to suspension of taxicab license.

S. No licensee under this Chapter shall display any advertising on his/her vehicle which obstructs the vision of the operator, including the operator's vision to the rear.

T. No person shall charge or attempt to charge any taxicab passenger a greater rate of fare than that to which the operator is entitled under the provisions of this Chapter.

U. No taxicab operator licensed by the municipality, and who is on duty, shall unreasonably refuse to carry any orderly person applying for a taxicab who agrees and, upon reasonable request, demonstrates ability to pay the proper rate of fare. A refusal to carry an orderly passenger shall be presumptively unreasonable where the refusal is based on the amount of money the operator expects to receive or is based upon the race, sex, religion, physical disability or ethnic background of the passenger.

V. The operator of any taxicab shall, upon demand by any passenger, render to such passenger a receipt for the amount charged, on which shall be the name of the owner of the taxicab, the name of the operator, the date and time of the transaction and the amount of the fare.

§ 349-14. Refusal to issue license; suspension or revocation.

A. The Mayor and Town Council may refuse to issue a license or suspend any license or revoke any license after notice and hearing if:

(1) This Chapter is violated in any particular.

(2) The operator or driver has been convicted of a felony, driving under the influence, refusal to submit to a test for driving under the influence or has had his or her driver's license suspended. The Chief of Police may suspend the license of an operator or driver upon written notice for violations of this section pending a hearing to be conducted in front of the Mayor and Town Council within five (5) days of the operator or driver requesting a hearing in writing.

(3) The driver, while driving a regulated vehicle, has contributed to injury to person or property or for other good cause.

(4) The regulated vehicle has become unsafe or unsanitary as set forth in §349-10.

B. The license to operate a regulated vehicle shall be automatically suspended in the event of a lapse in insurance coverage, and such suspension shall continue until adequate verifiable proof of insurance coverage has been provided to the Municipal Clerk.

§ 349-15. Failure to pay fare.

Any passengers who shall, within the limits of the Town of Dover, engage a regulated vehicle for transportation and who shall refuse to pay some or all of the fare permitted by this Chapter may be found guilty of a disorderly persons offense by the Municipal Court and, for every conviction hereunder, shall be subject to the fines and penalties as set forth in §1-15 (General Penalty) of the Code of the Town of Dover.

§ 349-16. Violations and penalties.

A. Except as required by N.J.S.A. 48:16-1 et seq., any operator and/or driver found to have violated the provisions of this Chapter may have his or her license issued hereunder suspended or revoked either by Chief of Police or by the Mayor and Town Council, and repeat offenders are subject to revocation of all their licenses issued hereunder. Furthermore, upon conviction of said violations by the Municipal Court, any operator and/or driver shall be subject to the fines and penalties as set forth in §1-15 (General Penalty) of the Code of the Town of Dover.

B. In addition to Subsection A above, three (3) or more violations within a thirty (30) day period may be cause for the taxicab-business owner's Town license to be suspended for a period of up to sixty (60) days, and six (6) or more offenses within a twelve (12)month period may be cause for the permanent revocation of his or her Town taxicab license.

Article II. Limousines

§ 349-17. Definitions.

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

CRUISING

Shall mean the driving of a limousine on the streets or public places of the town in search of or soliciting prospective passengers for hire.

LAW ENFORCEMENT

Shall mean any member of the Dover Police Department and/or the Dover Licensing Inspector.

LIMOUSINE (or REGULATED VEHICLE)

Shall mean and includes any automobile or motor car used in the business of carrying passengers for hire to provide prearranged passenger transportation at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route and with a seating capacity in no event of more than fourteen (14) passengers, not including the driver, provided that such a vehicle shall not have a seating capacity in excess of four passengers, not including the driver, beyond the maximum passenger seating capacity of the vehicle, not including the driver, at the time of manufacture. Nothing in this article contained shall be construed to include taxicabs, hotel buses, buses employed solely in transporting school children or teachers, vehicles owned and operated directly or indirectly by businesses engaged in the practice of mortuary science when those vehicles are used exclusively for providing transportation related to the provision of funeral services, autobuses which are subject to the jurisdiction of the Department of Transportation, or interstate autobuses required by federal or state law or regulation of the Department of Transportation to carry insurance against loss from liability imposed by law on account of bodily injury or death.

LIMOUSINE OR LIVERY SERVICE

Shall mean and includes the business of carrying passengers for hire by limousines.

LIMOUSINE OPERATOR

Shall mean a person who provides prearranged passenger transportation, for consideration, not on a scheduled, regular route, and not in connection with mortuary and funeral services.

LIMOUSINE OPERATOR ADMINISTRATIVE FEE

Shall mean a fee charged for the administrative paperwork necessary for all limousine operators who are employed by Town of Dover limousine companies.

PERSON

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

PRINCIPAL PLACE OF BUSINESS

Shall mean the location of the main place of business of the limousine service in the Town of Dover where limousine service is conducted, where limousines are dispatched from, or where limousine drivers report for duty.

STREET

Shall mean and includes any street, avenue, park, parkway, highway, or other public place.

§ 349-18. Insurance; amount and Power of Attorney.

Except for limousines registered in other states pursuant to N.J.S.A. 48:16-22.4, no limousine shall be operated wholly or partly along any street in the Town of Dover until the owner of the limousine shall have filed with the Municipal Clerk of the municipality in which the owner has his, her or its principal place of business an insurance policy of a company duly licensed to transact business under the insurance laws of New Jersey in the sum of \$1,500,000 against loss by reason of the liability imposed by law upon every limousine owner for damages on account of bodily injury or death suffered by any person as a result of any accident occurring by reason of the ownership, maintenance or use of the limousine upon any public street. Such operation shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amount of \$1,500,000. The insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and use of such limousine or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage, injury aforesaid. Each owner shall also execute and deliver to the Municipal Clerk the required power of attorney in accordance with N.J.S.A. 48:16-14, as may be amended and supplemented from time to time.

§ 349-19. Parking and Storage of Vehicles

No more than one regulated vehicle shall be stored on private property with the exception of overnight parking. No regulated vehicle may be parked on a public street overnight.

§ 349-20. Certificate of compliance; contents; filing and posting.

Upon the filing of the required insurance policy by an owner having its principal place of business in the Town of Dover of a limousine or livery service, the Municipal Clerk, upon the payment of a fee of \$50, shall issue in duplicate a license to operate showing that the owner of the limousine has complied with the terms and provisions of N.J.S.A. 48:16-14. The license shall recite the name of the insurance company, the number and date of expiration of the policy, a description of every limousine insured thereunder and the registration number of the same. The duplicate license shall be filed with the Division of Motor Vehicles before any such car is registered as a limousine. The original license shall be retained within the limousine and shall be available for inspection by any law enforcement officer of the Town of Dover or police officer in the state. In lieu of the recital of insurance information required on the license, pursuant to this section, the owner of the limousine may affix to the original license retained within the limousine a notarized letter from an insurance company containing the same insurance information required in the recital, which shall constitute proof of insurance coverage, and which shall also be available for inspection by any law enforcement officer of the Town of Dover or police officer in the state.

1. Completed Application; and
2. Insurance Policy and Power of Attorney as set forth in § 349-18; and
3. Vehicle Title (Company Owner's Name); and
4. Vehicle registration (Company Owner's Name); and
5. All required supporting documentation must be submitted within twenty-one days (21) of the initial application submission. In the event that all required documentation is not submitted within the twenty-one (21) days of the date of submission, the application will be deemed expired. Any and all fees paid as part of the application shall not be refunded.

§ 349-21. Certain license or permit required for limousines providing intra-municipal point-to-point service.

Notwithstanding any other provisions of law to the contrary, the Town of Dover requires a limousine service to obtain a corporate license, permit, certificate, or other form of authority if the limousine service is providing service on an intra-municipal point-to-point basis within the Town of Dover. The fee for the issuance of this license is \$50 (which is addition to any other fee), which applies to all limousines operated by a limousine service providing such intra-municipal point-to-point service within the Town of Dover.

§ 349-22. Limousine licensing.

No limousine shall be operated on the highways of the State of New Jersey unless it has a license issued pursuant to N.J.S.A. 48:16-17 and a limousine is equipped in accordance with the minimum standards established by the director of the Division of Motor Vehicles and the Department of Transportation with:

- A. A two-way communication system, which, at a minimum, shall provide for communication to a person outside the vehicle for a distance of not less than one hundred (100) miles and which requirement may be satisfied by a mobile telephone;
- B. A removable first aid kit and operable fire extinguisher, which shall be placed in an accessible place within the vehicle;
- C. Sideboards attached to the permanent body construction of the vehicle if the height of the vehicle floor is 10 inches or more above ground level.
- D. Daily log of vehicle condition as follows:
 - 1. Tires
 - 2. Windshield wipers
 - 3. Horn
 - 4. Condition of front, rear and side windows and windshields
 - 5. Front and rear lights
 - 6. Fluid levels
 - 7. Brakes
 - 8. Condition of two-way communication system
 - 9. Inspection of vehicle or, if on an off-year, proof that limousine was inspected by a person qualified to do such examination of the mechanical and operating condition of the limousine including:
 - a. Brakes
 - b. Exhaust system
 - c. Tires
 - d. Function of front and rear lights
 - e. Operation of fan belts
 - f. Other belts in the engine of the vehicle

§ 349-23. Limousine Operator Requirements.

- 1. Completed application.
- 2. Have a valid New Jersey driver's license.
- 3. Limousine Operator Administrative Fee of \$100.00
- 4. Letter from the Chief Administrator of the New Jersey Motor Vehicle Commission stating the applicant is qualified for employment.
- 5. State the name of the /limousine company with whom he or she shall be employed, the owner must sign the application.
- 6. Each applicant for a limousine operator shall provide proof that he or she is at least 21 years of age.
- 7. The applicant must be tested for the presence of controlled dangerous substances, as defined in N.J.S.A. 2C:35-2, pursuant to New Jersey Department of Transportation (NJDOT) (49CFR Part 40 Subpart F) within thirty (30) days of the filing of his or her application. Such testing shall take place at a facility to be designated by the Town of Dover. The results shall be provided to the Municipal Clerk and shall show the applicant to be free of controlled dangerous substances. The same test shall be required for license renewal. The applicant shall assume the cost of all testing. Operators shall also be subject to testing for controlled dangerous substances in the event of an accident by the operator or the observance of an operator driving the regulated vehicle in a careless, reckless, or suspicious manner.

Any owner, operator or driver shall comply with N.J.S.A. 48:16-13 et seq. and any regulation enacted therefrom.

§ 349-24. Cruising Prohibited

No person shall drive or cause or allow a limousine to be driven on the streets or public places of the Town of Dover in search of or soliciting prospective passengers for hire. For the purposes of this section "in search of or soliciting of prospective passengers" shall mean picking up a passenger or attempting to pick up a passenger who has not previously made arrangements by telephone or other communication for a limousine pickup at a specific time and location. Limousines shall return to their principal place of business where limousines are dispatched from to wait for their next prearranged transportation.

§ 349-25. Violations and penalties.

Any person who shall operate a limousine service in any street in the Town of Dover without complying with the provisions of this article and with the provisions of N.J.S.A. 48:16-13 et seq. shall be subject to the fines and penalties set forth in N.J.S.A. 39:5G-1, as follows:

(1) For operating a limousine without a license issued by a municipality pursuant to N.J.S.A. 48:16-17, knowingly permitting a driver to operate a limousine without a validly issued driver's license or a validly issued commercial driver license if required pursuant to N.J.A.C. 13:21-23.1, failure to have filed an insurance policy in the amount of \$1,500,000 which is currently in force as provided in N.J.S.A. 48:16-14 or in the amounts required pursuant to section 14 of N.J.S.A. 48:16-22.4, operating a limousine in which the number of passengers exceeds the maximum seating capacity as provided in N.J.S.A. 48:16-13 or section 2 of N.J.S.A. 48:16-13.1: a fine of \$2,500.00 for the first offense and a fine of \$5,000.00 for the second or subsequent offense;

(2) For operating a limousine without the special registration plates required pursuant to section 12 of N.J.S.A. 39:3-19.5, or operating a limousine without the limousine being properly inspected as provided in N.J.S.A. 39:8-1: a fine of \$1,250 for the first offense and a fine of \$2,500 for the second or subsequent offense;

(3) For operating a limousine without the attached sideboards required by section 11 of N.J.S.A. 48:16-22.1, failure to retain within the limousine appropriate proof of insurance pursuant to N.J.S.A. 48:16-17 or failure to execute and deliver to the power of attorney required pursuant to N.J.S.A. 48:16-16: a fine of \$250.00 for the first offense and \$500 for the second and subsequent offense;

(4) For failure to be equipped with a two-way communications system, a removable first-aid kit and an operable fire extinguisher as required by section 11 of N.J.S.A. 48:16-22.1, or any other violation of the provisions of article 2 of chapter 16 of Title 48 of the Revised Statutes other than those enumerated in this subsection: a fine of \$50.00 for the first offense and \$100.00 for the second and subsequent offense.

Attest:


Tara M. Pettoni, Municipal Clerk


James P. Dodd, Mayor

INTRODUCED: 3/26/2024

ADOPTED: 4/30/2024