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New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

05 of the year 20 26

Local Law Title: REVISING Chapter 270 (Taxicabs) of the General Code of the Village of Massena

Be it enacted by the Village Board of Trustees of the
(Name of Legislative Body)

☐ County ☐ City ☐ Town ☒ Village
(Select one)

of Massena as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Chapter 270

TAXICABS

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| | § 270-19. Non-Emergency Medical Transportation (NEMT) Services. |

[HISTORY: Adopted by the Board of Trustees of the Village of Massena 9-22-1969 as Ch. 73 of the 1969 Code; amended in its entirety 4-4-2017 by L.L. No 2-2017. Subsequent amendments noted where applicable.]

§ 270-1. Definitions.

Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meanings given to them by this section:

DRIVER – Any person licensed to operate a taxicab within the Village of Massena.

OWNER – Any person who, as owner of any motor vehicle, causes or permits the same to be used as a taxicab within the Village of Massena.

PERSON – In the case of a taxicab driver, a "person" must be an individual. In the case of a taxicab owner, a "person" shall include any individual, partnership, corporation or other business entity.

STREET – Any public street, highway, road, avenue, alley or place in the Village of Massena.

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. Excepted from this definition are ambulances, vehicles subject to the provisions of the Transportation Corporations Law and those used by undertakers in carting on their business.

NON-EMERGENCY MEDICAL TRANSPORTATION (NEMT) - The business of transporting passengers to or from hospitals, physicians' offices, clinics, dialysis centers, rehabilitation facilities, nursing homes, pharmacies, or other healthcare-related destinations for non-emergency medical purposes. Such transportation is prearranged and provided to individuals who are medically stable and do not require emergency medical services during transport.

§ 270-2. General requirements.

The operation or running of taxis for the transportation of persons for hire over and upon the streets of the Village of Massena, New York, or the use of such vehicles for soliciting fares within or upon the public streets or public places in the Village of Massena, the operation thereof for or on behalf of any hotel, lodging house or garage, either on private or public highways within said Village, and regardless of whether such operation extends beyond the boundaries of the Village of Massena, is hereby prohibited unless carried on pursuant to Village license as hereinafter provided.

§ 270-3. Driver's license required.

- A. No person who is the owner of the motor vehicle shall permit said motor vehicle to be operated as a taxicab within the Village of Massena unless the owner of said motor vehicle shall have obtained and have in force a valid taxicab license issued under the provisions of this chapter.
- B. No person shall drive a taxicab or permit any other person to drive a taxicab upon any street within the Village of Massena without such driver having obtained and having in force and effect a taxicab driver's license issued under the provisions of this chapter.

§270-4. Application for driver's license.

Applications for the issuance or renewal of a taxicab owner's license and taxicab driver's license shall be made in writing by the applicant, on forms furnished by the Village of Massena as prescribed by the Chief of Police.

- A. Each applicant must comply with the following to the satisfaction of the Chief of Police or their designee.
 - a. Must first have obtained a New York State chauffeur's license.
 - b. Be of the age of 21 years or older.
 - c. Be of sound physique with good eyesight and not subject to epilepsy, vertigo, heart trouble or any other infirmity of body or mind which might render him/her unfit for the safe operation of a vehicle.
 - d. Be able to read and write the English language.
 - e. Be clean in dress and person and not addicted to the use of intoxicating liquors or drugs.
 - f. Fill out, upon a blank form to be provided by the Village Clerk, a statement giving his/her full name, residence, age, height, color of eyes and hair, whether a citizen of the United

States, places of previous employment, whether (s)he has ever been arrested or convicted of a felony or misdemeanor, whether (s)he has been previously licensed as a driver or chauffeur, and if so, whether his/her license has ever been revoked, and for what cause, and the number of the chauffeur's license issued by the state, which statement shall be signed and sworn to by the applicant and filed with the Village Clerk as a permanent record. The Chief of Police or their designee is hereby authorized and empowered to require such additional information as (s)he may deem necessary.

- g. Presents to the Chief of Police or their designee a statement of any physical conditions or impairments or any regularly prescribed medication. For any such condition, impairment or medication, the applicant shall submit a physician's certification that such conditions, impairments or medications do not impair the applicant's ability to operate a motor vehicle.
- h. Is not disqualified pursuant to the provisions of § 270-7 of this chapter.
- i. Has tendered with his or her application the license fee prescribed pursuant to § 270-8 of this chapter.
- j. The drug screening test must be performed within five days of the application submission and preapproval by the Chief of Police or their designee. Drug testing is to be submitted to a laboratory certified to perform toxicology tests and certify the results whereof by the New York State Department of Health and which performs drug abuse testing, indicating the applicant does not use amphetamines, barbiturates, benzodiazepines, benzoylecgonine, ethanol, fentanyl, methadone, opiates, phencyclidine, propoxyphene, and tricyclic antidepressants, unless prescribed by a licensed health care provider who attests, in writing, that such drug, when consumed by the applicant, in no way impairs the applicant's ability to operate a motor vehicle. The owner/employer shall be responsible for all costs associated with the test required for application, renewal or as required by the Chief of Police. Results must be given to the Chief of Police or their designee within five days of completing the drug screening.

§ 270-5. Issuance of license.

- A. All licenses shall pertain not only to taxicabs which are in operation at the time of the passage of this chapter, but shall also pertain to any replacement of such taxicabs, provided that such replacement complies with the provisions of this chapter and the regulation of the Police Department, and further provided that, prior to the granting of a license for any such replacement, the owner thereof shall file application for such replacement on forms to be provided by the Village Clerk for such purpose.

§ 270-6. Forms and terms of taxicab license.

- A. Upon satisfactory compliance with the foregoing requirements, there shall be issued to the applicant a license stamped with the Seal of the Village of Massena, which shall be in such form as to contain

- the signature of the licensee, a copy of his/her most recent New York State driver's license photograph, and blank spaces upon which a record may be made of any arrests of or serious complaints against him/her.
- B. All licenses shall be numbered in the order in which they are issued and shall contain the name and place of residence of the licensee and the dates of issuance and expiration of the license.
 - C. Any licensee who defaces, removes or obliterates any official entry made upon his license shall be punished by the revocation of his license.
 - D. Taxicab driver's licenses shall be issued as of May 1 in each and every year and shall be valid to and including the last day of April next succeeding, unless previously suspended or revoked.
 - E. No temporary permit shall be issued except when an extraordinary public emergency arises affecting transportation of the public upon the streets within the Village of Massena. Such temporary permits, when issued, shall be upon such terms and conditions as the Chief of Police or their designee shall provide, but such temporary permits shall in no event be granted for a longer period than 20 days and may be renewable for a similar period, from time to time as may be necessary, only upon the written recommendation of the Chief of Police made to the Board of Trustees and approved by it. The fee for such temporary permits shall be \$1.
 - F. Such license or permit shall be carried by the licensee at all times when operating or in charge of any vehicle for hire.

§ 270-7. Renewal of taxicab license.

- A. The Village Clerk may renew a driver's license from year to year upon review and approval by the Chief of Police or their designee.
- B. A driver will be disqualified to operate a taxicab in the Village of Massena if (This list is not inclusive of all the determining factors to be considered by the Chief of Police or their designee for disqualifying an applicant.):
 - a. He or she has been convicted of, pleaded guilty to, or forfeited bond or collateral for any felony offense by New York State statute or for any offense committed in another state which would constitute a felony in the State of New York.
 - b. He or she has accumulated, within the past 24 months, eight or more points on his or her driver's license (points as determined by the Department of Motor Vehicles of the State of New York or the state in which the offense was committed).
 - c. He or she, within the past two years, had his or her license to operate a vehicle for hire in the Village of Massena revoked pursuant to the provisions outlined in this chapter.
 - d. He or she fails to maintain the insurance required by § 270.11A(f) below.
 - e. He or she fails the drug screening required by § 270.4A(j).

§ 270-8. Fees for taxicab driver's license.

The following license fee shall be paid for a driver's license of renewal thereof: \$20.00.

§ 270-9. Suspension or revocation of taxicab driver's license or permit.

A taxicab driver's license or permit may at any time be suspended for a period not to exceed three months or revoked for cause after a hearing by the Chief of Police. Any such suspension shall be noted on the license, together with a statement of the reasons therefor, and the driver shall be deprived of his license by the official suspending or revoking such license. When the license or permit is suspended or revoked, a note of the revocation or suspension shall be forthwith sent to the Village Clerk, the license to be returned at the expiration of the period for which the license was suspended. A second suspension for the same reason or, in any case, a third suspension of a driver's license shall revoke the license. No driver whose license or permit has been revoked shall be again licensed as a taxicab driver in the Village of Massena unless upon the presentation of reasons satisfactory to the Board of Trustees. The Police Department shall notify the Village Clerk whenever such a license or permit is suspended or revoked.

§ 270-10. Record of taxicab driver's license and permits.

There shall be kept, in the office of the Village Clerk, a complete record of each license or permit issued to a driver, and of all renewals, suspensions and revocations thereof, which record shall be kept on file with the original application of the driver for a license.

§ 270.11. Taxicab registration license; application.

- A. It shall be unlawful for any person to operate or permit to be operated a taxicab upon the streets of the Village of Massena without first having obtained therefor a taxicab registration license under the provisions of this chapter from the Village Clerk. Such license shall be issued as of May 1 and shall expire on the last day of April next succeeding unless sooner suspended or revoked. Application for a taxicab registration license shall be made by the owner upon blank forms furnished by the Village Clerk. Such application shall contain:
- a. The name and age and residence of the person applying for the license and what, if any, previous experience (s)he has had in such business.
 - b. The name, age and residence of the person to be in immediate charge of any such taxicab.
 - c. The type of motor car to be used, the horsepower, the factory number, the state license number, the number of years the vehicle has been driven, and the seating capacity according to its trade rating.
 - d. Whether previously licensed to operate a taxicab and, if so, where.
 - e. Whether license to operate a taxicab has even been revoked and, if so, for what cause.
 - f. Acceptable certificate of automobile insurance issued by a carrier and with such liability limits as are acceptable to the Village of Massena; New York State statutory workers' compensation, unemployment registration number and disability insurance for each driver employed by the applicant; and commercial automobile livery and taxi insurance in the amount mandated by New York State law. A valid copy of all documents must be forwarded to the Village Clerk and approved by the Village Attorney.

- g. It shall be the duty of the owner and/or the registrant to immediately report to the Clerk any cancellation or revocation of insurance, or any change in the availability of the licensed vehicle to operate as a taxicab, or any change in the company dispatching said vehicle.
- h. A licensed vehicle owner may replace the licensed taxicab with another vehicle if the taxicab shall become disabled, disqualified for service, or the like, provided that the license holder makes prior application to the Clerk, and that said replacement vehicle complies with the requirements of this chapter, and makes payment of a fee in the amount as set forth from time to time by resolution of the Board of Trustees.

§ 270.12. Inspection of Vehicles

No vehicle shall be licensed until it has been thoroughly inspected and examined and found to be in a safe condition for the transportation of passengers, clean, fit for service, and of good appearance.

A. Mechanical and Physical Inspection.

Each vehicle shall undergo an independent mechanical and physical inspection conducted by a qualified inspection facility. Proof of a passed inspection, including a copy of the inspection report, shall be submitted to the Village Clerk's Office prior to the issuance or renewal of a license.

§ 270-13. Taxicab registration license card.

If, upon inspection, a taxicab is found to be of lawful construction and in proper condition, in accordance with the provisions of this chapter, and upon the approval of the application and the payment of the license fee hereinafter set forth, the same shall be licensed by delivering to the owner a card of such size and form as may be prescribed by the Village Clerk. The card shall contain the official license number of the taxicab, and the name and address of the licensed owner thereof, together with the date of inspection of the vehicle and a statement to the effect that in case of any complaints, the Village Clerk shall be notified giving the license number of the vehicle. Such card shall be signed by the licensing official. Such license card shall be conspicuously posted in the cab so that the same is visible to any passengers in said cab.

§ 270-14. License fees for taxicab.

The following license fee shall be charged: \$25.00 for each car licensed. No license fee shall be prorated for a period of less than six months.

§ 270-15. Suspension or revocation of taxicab registration license.

Taxicab registration licenses may be revoked or suspended at any time for cause after a hearing by the Chief of Police if the vehicles shall be used for immoral or illegal business or purpose, for a violation of any ordinance or state law governing the operation of motor vehicles, for a lapse in the insurance requirements

set forth in § 270-11A(f) above, or for other good cause. When the license is suspended or revoked, the same shall be retained by the Village Clerk and shall be returned only after the expiration of the suspension period.

§ 270-16. Register of licensed taxicab.

- A. The Village Clerk shall keep a register or card index of the name of each person owning or operating a taxicab licensed under this chapter, together with the license number and the description and make of such vehicle, with the date and complete record of inspection made of it. Such record shall be open to the inspection of the public at all reasonable times.

§ 270-17. Transfer of license and permit.

A. Any licensee who unlawfully permits his license or permit to be used by any other person, and any person who unlawfully uses such license or permit granted or given to any other person, shall each be guilty of a violation of this chapter. Whenever a license or permit shall be lost, stolen or destroyed, without fault on the part of the holder, his agent or employee, a duplicate in lieu thereof under the original application may be issued by the Village Clerk upon the filing of a sworn statement containing the facts of such loss or theft.

B. Taxicab registration licenses may be transferred and assigned to any person who does not hold any taxicab registration license, provided application shall be made to the Board of Trustees and said Board consents to such transfer and assignment.

§ 270-18. Penalties for offenses.

- A. Any owner or driver of a taxicab not licensed or equipped in accordance with the provisions of this chapter, or of a taxicab license of which has been suspended or revoked, who engages in the business of a driving a taxicab as defined herein, or attempts to engage in such business, or solicits passengers for hire, or any person not having been duly licensed as a taxicab driver, or any person whose license as such driver has been revoked, or any person whose license has been suspended, and who, during the term of suspension, drives for hire a taxicab upon the streets shall, upon conviction, be liable to a penalty of not more than \$250 for each offense or by imprisonment for not more than 15 days, or both.
- B. Suspension and revocation of license. In addition to the fine and imprisonment, or both, authorized by this chapter, any licensee shall be subject to the suspension or revocation of his/her license upon conviction for any violation of this chapter. The Chief of Police or their designee may, in his/her discretion, suspend or revoke a license granted under any provisions of this chapter, pending or in advance of the criminal prosecution of the licensee.

§ 270-19. Non-Emergency Medical Transportations (NEMT) Services.

A. Exemptions

- a. Any person, firm, corporation, or other entity providing Non-Emergency Medical Transportation services within the Village of Massena shall be exempt from the licensing, permitting, registration, and operational requirements of this chapter, provided that such provider is duly authorized, licensed, registered, approved, or otherwise permitted to operate by the State of New York or the State agency having jurisdiction over Non-Emergency Medical Transportation services.

§ 270-20 Effective Date: This local law shall take effect immediately upon filing with the Secretary of State.

(End)

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number 05 of 2026 of the (County)(City)(Town)(Village) of Massena was duly passed by the Board of Trustees on June 16 2026 in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 ____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 ____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph 1 above.

(Seal)



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

June 23, 2024

(Date)