03-O-1044

AN ORDINANCE
BY COUNCILMEMBERS H. LAMAR WILLIS AND C.T. MARTIN

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 162, ARTICLE 2, SECTION 162-61(a) AND CHAPTER 162, ARTICLE 2, SECTION 162-34(f) TO ALLOW SHORT BREAKS IN SERVICE FOR TAXICABS; TO ALLOW THE CHIEF OF POLICE OR HIS DESIGNEE, DISCRETION TO GRANT FURTHER EXTENSION FOR CORRECTION SLIP MATTERS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public health, safety and welfare; and

WHEREAS, pursuant to its police powers the City of Atlanta is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including businesses which involve Vehicles for Hire.

WHEREAS, drivers of vehicles for hire are sometimes required to be away from their occupation for short periods of time.

WHERAS, drivers sometimes need an additional period of time to correct items that the Bureau has noted as deficiencies in the inspection process.

NOW THEREFORE, the Council of the City of Atlanta, Georgia hereby ordains as follows:

SECTION 1. That Chapter 162, Article 2, Section 162-61(a) of the City of Atlanta Code of Ordinances is hereby amended to delete the third paragraph of the subsection and to insert in lieu thereof the following language, so that said subsection shall read as follows.

(a) As of August 15, 2001, no new or replacement taxicab vehicle may be operated as a taxicab in the city if such vehicle is greater than five years old. However, any such new or replacement vehicle for which a CPNC is obtained may continue to be operated as a taxicab through that vehicle's eighth model year provided that the vehicle continues to be in compliance with all other provisions of the City Code which pertain to the regulation of taxicabs licensed to operate in the city. For purposes of the preceding sentence, a vehicle that has been operated as a taxicab continuously beyond five years shall not be deemed to be out of compliance with any

provision of the City Code pertaining to the regulation of taxicabs licensed to do business in the city if such vehicle is not operated as a taxicab and is not insured pursuant to the requirements of this ordinance for a period not to exceed ninety days, and the taxicab company or CPNC holder has provided the Bureau with notice that such vehicle will not be in service and such notice shall be provided contemporaneously with the submission of the required information to replace a vehicle for which a CPNC has been issued, pursuant to Section 162-59. Further, such vehicle shall not be placed back in service as a vehicle for hire until it has been submitted for and passed an inspection by the Bureau.

SECTION 2. That Chapter 162, Article 2, Section 162-34(f) of the City of Atlanta Code of Ordinances is hereby amended to delete the current language and to insert in lieu thereof the following language, so that said subsection shall read as follows.

(f) If a vehicle for hire fails to pass the requirements of the bureau's inspection, a correction slip shall be issued to the driver, listing the items that need correction and showing the status of the inspection. The vehicle shall not be operated as a vehicle for hire until it successfully passes inspection; provided that the police chief or the chief's designee, in the chief's discretion, for two periods not to exceed 15 days each, may allow the continued use of a vehicle for hire which substantially complies with the inspection requirements. The police chief shall forward to the company holder a copy of the correction slip.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.