

# MARTINEZ MUNICIPAL CODE

## TAXI CABS

### 5.60.010 Definitions.

Unless otherwise expressly stated, whenever used in this Chapter, the following term shall respectively be deemed to mean as follows:

A. **"Driver"** means every person in charge of, or operating, any taxicab, or rent car, as herein defined, either as agent, employee or otherwise under the direction of the owner, or as owner, as herein defined;

B. **"Owner"** means every person, firm or corporation having use or control of any taxicab or rent car, as herein defined, whether as owner, lessee or otherwise;

C. **"Rent car"** means every automobile or motor-propelled vehicle, excluding taxicabs, as herein defined, and operated, at rates per hour, or portion thereof, and not equipped with a taximeter, as herein defined, used for the transportation of passengers for hire over the public streets of the City, and not over a defined route, and irrespective of whether the operations extend beyond the boundary limits of the City, and such vehicle is routed as to destination under the direction of such passenger or passengers, or of such person hiring the same;

D. **"Street"** means any place commonly used for the purpose of public travel;

E. **"Taxicab"** means every automobile or motor-propelled vehicle operated at rates per mile or portion thereof, or for wait time, or for both, used for the transportation of passengers for hire over the public streets of the City, and not over a defined route, and irrespective of whether the operations extend beyond the boundary limits of the City, and such vehicle is routed as to destination under the direction of such passenger or passengers, or of such persons hiring the same;

F. **"Taximeter"** means any mechanical instrument, appliance, device or machine by which the charge for hire of a passenger-carrying vehicle is mechanically calculated, either for distance traveled or time consumed, or both, and upon the instrument, appliance, device or machine such charge is indicated by figures. (Prior code § 6200.)

### 5.60.020 License--Required--Nontransferable.

It is unlawful to operate a taxicab or rent car in the City unless the owner thereof shall apply for and obtain a license to do so, which license shall be applied for, granted and be in effect, all in compliance with the provisions of this Chapter. No license issued hereunder shall be transferable. (Prior code § 6201.)

### 5.60.030 License--Application.

A. The application for such owner's license shall be in writing, duly certified under oath, and it, together with a copy thereof shall be filed with the City Clerk, who shall forthwith transmit to the Chief of Police the copy, and each application shall set forth:

1. A full identification of the applicant and all persons, firms or corporations directly or indirectly interested in the license, if granted;

2. The residence and business address and the citizenship of the applicant, including all members of any firm, or partnership, or all officers and directors of any corporation applying;
3. The exact nature of the proposed business for which the license is requested, and the name under which it is to be operated;
4. Whether or not any license has been revoked, and if so, the circumstances of such revocation;
5. The number of vehicles proposed to be operated;
6. The complete description of the vehicles proposed to be operated and of the proposed operations;
7. The color scheme and characteristic insignia to be used to designate the vehicles of the owner;
8. The passenger seating capacity of each vehicle proposed to be operated;
9. The make and type of a taximeter if any intended to be installed on each taxicab for which application is made;
10. Such other relevant facts as the City Council may, prior to the filing of the application, determine by resolution as advisable or necessary.

B. Within 10 days after the filing of any such application for license, the City Clerk shall cause to be posted on the bulletin board at the City Hall, notice of the filing of such application setting forth in the notice, the name and address of the applicant, and the date of filing such application. (Prior code § 6202.)

#### 5.60.040 License--Issuance.

A. No license shall be granted within 40 days after the date of filing of the application with the City Clerk. The Chief of Police shall cause an investigation to be made of the application, and shall, within 30 days from the date of filing the application, report his findings in writing and file the same with the City Clerk. If the report of the Chief of Police finds:

1. That the vehicle, or its equipment, proposed to be operated is inadequate or unsafe;
2. That the applicant has been convicted of a felony or the violation of a narcotic law, or of any penal law involving moral turpitude, or during the previous 60 days of any provision of the ordinances of the City or law relating to traffic or use of streets in the City;
3. That the proposed color scheme or characteristic insignia will tend to confuse the identification of the vehicles proposed to be operated with those of another operator operating in the City; or
4. That the name under which the applicant proposes to operate will tend to cause confusion with that of another owner operating in the City, then the application shall be deemed denied.

B. It is provided, however, that in any such event, the applicant may, at any time within 40 days from the date of filing of the application with the City Clerk, as aforesaid, file in writing with the City Clerk an appeal to the City Council from the denial. In which case, at its next regular meeting, following the filing of the appeal, the City Council shall hear the appeal by the applicant, consider the written report of the Chief of Police and such other material evidence as may be presented. After due consideration, the City Council shall by resolution determine or not such application shall be granted or denied.

C. If, however, the report of the Chief of Police finds none of the objections to the granting of the application, any citizen of the City may, likewise, within the 40-day period file in writing with the City Clerk objections to the granting of the application, then at its next regular meeting after the filing, the City Council shall review the application, the report of the Chief of Police, the objections filed, and such other material evidence as may be presented. After due consideration, the City Council shall, by resolution, determine whether or not the application shall be granted or denied.

D. It is provided, however, that if the report of the Chief of Police finds none of the objections to the granting of the application and no written objections thereto are filed with the City Clerk as herein specified, or after hearing, in either event herein specified, the City Council determines that the application shall be granted, and 40 days have expired since the filing of the application, the License

Collector shall issue the license to the applicant upon the payment of the license fee set forth in Section 5.60.050. (Prior code § 6203.)

#### 5.60.050 License--Fee.

The owner, upon the issuance of a license for the operation of a taxicab or rent car hereunder, shall pay to the City thereof a license fee of \$100.00 annually in advance for one such vehicle and \$50.00 annually in advance for each additional vehicle so licensed. (Prior code § 6204.)

#### 5.60.060 License--Suspension or Revocation.

The City Council may, by resolution, and after ten days' written notice to an owner, and a public hearing at a regular meeting thereof following the notice, suspend or revoke an owner's license for any of the four grounds specified as grounds for denial as set forth in Section 5.60.040 of this Chapter, in event of a violation of any of the provisions of this Chapter, or for a failure to pay any judgment for damages arising from the operation of the vehicles, or any of them, for which the license was issued. (Prior code § 6205.)

#### 5.60.070 Change in Number of Vehicles.

A. Any owner holding a license to operate one or more taxicabs or rent cars as provided in this Chapter, who desires to add to the number of such vehicles, shall do so only upon obtaining license therefor, which shall be granted only upon application made in the same manner and under the same proceedings as are required in this Chapter in the instance of obtaining the original license and paying the license fee required for each additional vehicle;

B. Any owner holding a license to operate one or more taxicabs or rent cars, as provided in this Chapter, who desires to substitute a different vehicle for a vehicle operated under such license, shall do so only upon obtaining permission to do so from the City Council, which shall be granted only upon written application to the City Council filed with the City Clerk, setting forth the particulars of such proposed substitution and upon otherwise complying with the requirements of this Chapter; provided, however, the License Collector shall issue a temporary permit to make a substitution provided the written application has been filed, which temporary permit shall be valid only until the first regular meeting of the City Council next following the date of issuance. The City Council shall have the same authority in granting or denying the application for permission to add to or substitute, as is herein in this Chapter vested in it, in the matter of the original application when presented to it, and shall, by resolution, grant or deny the petition as it may determine advisable after due consideration of the application. (Prior code § 6206.)

#### 5.60.080 Liability Insurance--Required.

It is unlawful to drive or operate or cause or permit to be driven or operated any taxicab or rent car in the City, unless the owner thereof has obtained a motor vehicle liability insurance policy or policies from a responsible and solvent corporation, authorized to issue such policies under the laws of the State, insuring the owner and covering such taxicab or rent car, and also unless the owner files with the City Clerk the written certificate or certificates of such corporation, all as provided in this Chapter. In the event, during the term of such license, such liability insurance policy so filed becomes

ineffective by reason of its expiration or cancellation, or the corporation issuing the same becomes irresponsible or insolvent, the owner shall obtain a new policy or policies meeting the foregoing requirements to replace the ineffective policy, and file certificate thereof with the City Clerk, as aforesaid. The City Council may at any time require an owner to replace any such policy within 10 days from the date of notice requiring the same, with a policy and certificate thereof, both in accordance with the provisions of this Chapter, then, at the termination of the 10 days, the owner's license for the taxicab or rent car covered by such policy, shall be, by such failure, automatically suspended until such time as the requirement is complied with, or the license is revoked, whichever is sooner in event. (Prior code § 6207.)

#### 5.60.090 Liability Insurance--Terms of Policy.

Each motor vehicle liability insurance policy required under the provisions of Section 5.60.080 of this Chapter, in addition to the provisions required to be therein under the laws of the State, shall provide coverage under the National Standard Liability Form and shall also provide that such policy covers any and all taxicabs or rent cars which may be driven or operated by or for the owner insured under the policy and regardless of whether or not any license has been granted the insured under the provisions of this Chapter; such policy insures the owner, as defined in this Chapter, any other person driving, using or responsible for the use of any taxicab or rent car, covered by the policy, with the consent, express or implied, of the owner, and also the City, against loss from the liability imposed on any of them by law for injury to, or death of, the person or damage to property arising from or growing out of the maintenance, operation or ownership of any taxicab or rent car covered by the policy to the amount of limit of \$100,000.00 for injury to, or the death of, any one person in any one accident and \$300,000.00 for injury to, or the death of, two or more persons in any one accident and \$25,000.00 for damage to, or the destruction of property in any one accident. Such policy is a continuing liability up to the full amount thereof, notwithstanding any recovery thereon; such policy, in the event of the death of the owner, insures to, and is for the benefit and protection of, any person who sustains or suffers any damage or injury, or to the heirs, or legal representatives of any such person, as the case may be, who may be so damaged or injured or suffer death, by reason of the negligent operation of any taxicab or rent car covered by the policy during the period covered by the policy and the life of the owner, and any such person, or the heirs or legal representatives of any such person, as the case may be, may, in such event sue the insurance carrier, provided that any such action must be brought within the period of time that an action on the policy would have been brought against the owner if he had not died and that no recovery can be had in such action in excess of the limits of the policy, and further provided, that the payments required to be made, in such event, shall be made directly to any such person, or the heirs or legal representatives of any such person, as the case may be. (Ord. 813 C.S. § 3, 1975; prior code § 6208.)

#### 5.60.100 Liability Insurance--Certificate Required.

Each certificate required under the provisions of Section 5.60.080 of this Chapter shall certify that the issuer thereof has issued a motor vehicle liability insurance policy or policies insuring the owner named in the certificate, and that each of the policies contains each of the provisions required to be therein as provided by Section 5.60.090 of this Chapter and that none of the policies can or will be cancelled except upon 30 days' prior written notice thereof to the City Clerk. Each of the certificates shall be conclusive evidence against the issuer thereof that its contents are true and correct. All such certificates shall be subject to the approval of the City Attorney. (Prior code § 6209.)

#### 5.60.110 Bond in Lieu of Insurance.

A. Subject to the approval of the City Council, the owner of any taxicabs or taxicab or rent car or cars, operated under the provisions of this Chapter, may file a bond of a responsible and solvent corporation authorized to issue such bonds under the laws of the State, containing the conditions, and giving the protection required in the motor vehicle liability insurance policy required by Sections 5.60.080 and 5.60.090 hereof, in lieu of either, all or any part of the insurance coverage required by said Sections.

B. In view of the filing of a bond under the provisions of this Section, the applicable provisions of Sections 5.60.080, 5.60.090 and 5.60.100 hereof shall govern the furnishing and the contents of such bond and the owner filing it. (Prior code § 6210.)

#### 5.60.120 Driver's Permit--Required--Application.

It is unlawful for any driver to operate any taxicab or rent car in the City unless there exists a valid permit to do so as herein provided. The application for such driver's permit shall be in writing, duly certified under oath, and it, together with a copy thereof shall be filed with the City Clerk, who shall transmit the copy to the Chief of Police, who shall file the same. Each such application shall set forth the name, age and address of the applicant, his past experience in operating automobiles, the name, business and address of each of his employers, during the preceding period of 3 years, the number of existing operators' or chauffeurs' licenses, whether or not a chauffeur's license issued to him by the State or any state or governmental agency has ever been revoked, the name and address of the owner by whom he is to be employed as a driver (which owner shall endorse the application) and such additional information as the City Council, by resolution prior to the filing of the application, may require. (Prior code § 6211.)

#### 5.60.130 Driver's permit--Issuance--Nontransferable--Notice of Termination--Mandatory Controlled Substance and Alcohol Testing Certification Program.

A. Upon application for a driver's permit and before it shall be issued, the driver, whether the owner or otherwise, must (1) possess a valid, permanent California driver's license and must not have been convicted within the last five years of driving while under the influence of alcohol and/or drugs and (2) evidence a proficient knowledge of the traffic laws of the City and of the State, and demonstrate his ability to operate a taxicab or rent car, all to the satisfaction of the Chief of Police, who may issue such permit. Upon satisfying the foregoing requirements, the driver shall be fingerprinted by, and his record filed in the Police Department. The driver shall also file with his application two recent photographs (size 1 ½ inch by 1 ½ inch), one to be filed with his application and one to be permanently attached to his driver's permit when issued, which permit shall be in his possession while the driver is operating a taxicab or rent car, and shall be exhibited to any person on request. Every driver's permit issued hereunder shall set forth the name of the owner for whom the driver is authorized to operate a taxicab or rent car and shall be valid only so long as he continues in the employ of such owner. Upon the termination of such employment, the driver shall forthwith surrender his driver's permit to the Chief of Police. No such driver's permit shall be granted to any person under the age of 18 years, to any person who is not either employed as a driver within the City of Martinez or in possession of an offer of employment as a driver within the City of Martinez, to any person who has not complied with subsection D of this Section 5.60.130, or to any person who has been convicted of a violation, during the previous 60 days, of any provision of the ordinance of the City or law relating to traffic use of streets in the City. Such driver's permit may be denied upon

substantial evidence of the facts of either physical or moral deficiencies of the applicant which, in the sound discretion of the Chief of Police would render such applicant incompetent to operate a taxicab or rent car, and the Chief of Police may require an examination and report by an optometrist or physician as to possible physical defects before issuance of such permit.

B. No driver's permit issued hereunder shall be transferable in any event.

C. Upon the termination of the employment of any driver, the owner for whom such driver has been working shall immediately give the Chief of Police written notice of such termination.

D. All drivers shall comply with the mandatory controlled substance and alcohol testing certification program, as set forth below:

1. Drivers shall test negative for each of the controlled substances specified in Part 40 (commencing with Section 40.1) of Title 49 of the Code of Federal Regulations, before employment. Drivers shall test negative for these controlled substances and for alcohol as a condition of permit renewal. As used in this section, a negative test for alcohol means an alcohol screening test showing a breath alcohol concentration of less than 0.02 percent.

2. Procedures shall be substantially as in Part 40 (commencing with Section 40.1) of Title 49 of the Code of Federal Regulations, except that the driver shall show a valid California driver's license at the time and place of testing, and except as provided otherwise in this Subsection D of this Section 5.60.130 Requirements for rehabilitation and for return-to-duty and follow-up testing and other requirements, except as provided otherwise in this Subsection D of this Section 5.60.130, shall be substantially as in Part 382 (commencing with Section 382.101) of Title 49 of the Code of Federal Regulations.

3. A test consistent with subsection (D)(1) and (2) performed in a jurisdiction other than the City shall be accepted as meeting the same requirement in the City of Martinez. Any negative test result shall be accepted for one year as meeting a requirement for periodic permit renewal testing or any other periodic testing in the City of Martinez if the driver has not tested positive subsequent to the negative result. However, an earlier negative result shall not be accepted as meeting the pre-employment testing requirement for any subsequent employment or any testing requirements under the program other than periodic testing.

4. In the case of a self-employed independent driver, the test results shall be reported directly to the City, which shall notify the taxicab leasing company of record, if any, of positive results. In all other cases, the results shall be reported directly to the employing transportation operator, who may be required to notify the City of positive results.

5. All test results are confidential and shall not be released without the consent of the driver, except as authorized or required by law.

6. Self-employed independent drivers shall be responsible for compliance with, and shall pay all costs of, this program with regard to themselves. Employing transportation operators shall be responsible for compliance with, and shall pay all costs of this program with respect to their employees and potential employees, except that an operator may require employees who test positive to pay the costs of rehabilitation and of return-to-duty and follow-up testing.

7. Upon the request of a driver applying for a permit, the City shall give the driver a list of the consortia certified pursuant to Part 382 (commencing with Section 382.101) of Title 49 of the Code of Federal Regulations that the City knows offer tests in or near the City (Ord. 1255 C.S. § 1, 1998; prior code § 6212.)

#### 5.60.140 Driver's Permit--Suspension or Revocation.

A. The Chief of Police shall have the power to suspend or revoke any driver's permit issued hereunder for any of the reasons for which an application for such permit may be denied, or if the holder thereof shall be found guilty by any court, of reckless driving, or the violation of any other law.

The Chief of Police shall in writing forthwith report any such suspension or revocation to the City Council, stating the reasons for such action. The City Council may affirm or reverse, in whole or in part, any such order on a written appeal filed with the City Clerk by the driver within 10 days from the date of any such order, such action to be taken by the City Council by resolution after a hearing thereon to be had at its next regular meeting following the filing of the appeal.

B. In the event of such suspension or revocation of a driver's permit, such permit shall be, by the holder thereof, forthwith surrendered to the Chief of Police. (Prior code § 6213.)

#### 5.60.150 Driver's Permit--Owner's License--Term--Renewal.

A. Except as otherwise provided in this Chapter, each owner's license and driver's permit shall be issued for one year and shall expire at the end of the term for which issued, and may be renewed each year only on regular application made as required in this Chapter.

B. Any owner's license or driver's permit heretofore issued under the provisions of any ordinance of the City, and now in force and effect shall remain in force and effect until revoked or suspended as herein provided, or until one year after their issuance, whichever is sooner. (Prior code § 6217.)

#### 5.60.160 Vehicle and Equipment Specifications.

A. No vehicle shall, under the license to the owner, be operated as a taxicab or rent car unless it conforms with all of the provisions of this Chapter, or unless the vehicle has been operated under a license as a taxicab or rent car prior to October 15, 1965, in which latter event it may so operate only for the period of time for which the license was issued, except that it shall, in all events, conform to the provisions of Section 5.60.060 through 5.60.110 and 5.60.240 through 5.60.300 of this Chapter and all regulations subsequent hereto.

B. Taximeters placed upon taxicabs either in the first operation, or to replace broken or faulty meters, shall not be operated more than 24 hours prior to being inspected, tested, approved and sealed by an authorized representative of the City Council.

C. Each taxicab or rent car so licensed shall have on both sides and the rear of the vehicle the name of the owner or name under which operated, the word "Martinez" and the number assigned to such vehicle by the License Collector. The type, design and size required therefor shall be as may be designated by the City Council by resolution. At the time of the issuance of a license for the operation of any vehicle hereunder, the License Collector shall assign to, and for that vehicle, a number not in excess of the total number of licensed vehicles, keep a record of the number so assigned, and file a copy of the record with the Chief of Police.

The License Collector shall assign, record in his office, and file a copy in the same manner, to and for each such vehicle licensed to be operated under the provisions of this Chapter, and each owner, so licensed to operate that vehicle shall comply with all provisions of this Subsection as respects that vehicle including the number so assigned. (Prior code § 6215.)

#### 5.60.170 Inspection--Required.

Before a license is issued to any owner, the vehicle for which such license is required shall be delivered to a place designated by the City Council for inspection, and the City Council shall designate an agent or agents, to inspect such taxicab or rent car, its equipment and taximeter, if any, to ascertain whether such taxicab or rent car complies with the provisions of this Chapter. (Prior code § 6216(a).)

#### 5.60.180 Inspection--Failure to Pass.

Any taxicab or rent car which is found, after such inspection, to be in such violation shall be immediately ordered out of service, and before again being placed in service, shall be placed in a safe and proper condition. (Prior code § 6216(c).)

#### 5.60.190 Cleanup Required--Reporting Valuable Property Left In Vehicle.

The interior of each taxicab or rent car shall be thoroughly cleaned at least once in each 24 hours, and all property of value left in any such vehicle by a passenger shall be forthwith reported by the owner of the licensed vehicle to the Chief of Police, who shall keep a record thereof. (Prior code § 6216(d).)

#### 5.60.200 Taking Most Direct Route Required.

Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to his destination safely and expeditiously. (Prior code § 6216(e).)

#### 5.60.210 Failure To Pay Fare A Misdemeanor.

It is unlawful for any person to refuse to pay the lawful fare as fixed herein of any of the vehicles regulated by this Chapter after employing or hiring the same, and any person so doing is guilty of a misdemeanor. (Prior code § 6216(f).)

#### 5.60.220 More Than Allowable Number of Passengers Restricted.

No driver of any taxicab or rent car shall accept or take into his vehicle or transport any large number of passengers than the rated seating capacity of his vehicle, provided, however, that children under 12 years of age with an adult escort may be taken in addition thereto. (Prior code § 6216(g).)

#### 5.60.230 Driver's Log.

The driver of every vehicle covered by this Chapter shall keep a complete and accurate record of each trip upon a daily sheet showing the time and place of origin and the time and place of destination of the trip, the number of passengers carried, and the amount of fare collected. This record shall be signed by the driver and filed daily with the company by whom he is employed, which record shall be kept on file and made available for inspection by the Martinez Police Department upon request for a period of not less than 6 months. (Prior code § 6216(h).)

#### 5.60.240 Taximeter--Generally.

Taxicabs, duly licensed to operate in the City as in this Chapter provided, may be so operated, either



with or without a taximeter. If a taximeter is so installed, it shall be the duty of the owner operating such taxicab to keep such taximeter in perfect condition so that the taximeter will, at all times, correctly and accurately indicate the legal charge for the distance traveled and waiting time, and such taximeter shall, at all times, be subject to inspection by the Chief of Police, and the Chief of Police is authorized at his instance, or upon complaint of any person, to investigate or cause to be investigated such taximeter, and upon the discovery of any inaccuracy in the taximeter, to remove or cause to be removed such vehicle equipped with such taximeter from the streets of the City until such time as the taximeter has been correctly adjusted or the taximeter equipment has been removed from the vehicle. (Prior code § 6214(a).)

#### 5.60.250 Taximeter--Flag--Operation.

Every such taximeter shall register the charge to the nearest 100¢ and be equipped with a flag or other mechanical device with the words "For Hire" printed or stamped thereon, and the flag shall be so attached and connected to the mechanism of the taximeter as to cause the mechanism to operate when the flag is in a position other than upright and indicate that the taxicab is not for hire, and which flag shall, when moved forward or downward, start the operation of the taximeter so that the same will operate in the manner defined in this Chapter. (Prior code § 6214(b).)

#### 5.60.260 Taximeter--Flag--Unlawful Operation.

It is unlawful for any driver of a taxicab while carrying passengers to display the flag or device attached to such taximeter in such a position as to denote that such vehicle is for hire, or is not employed, or to have such flag or other attached device in such a position as to prevent the taximeter from operating and it is unlawful for any driver to throw such flag or other device of a taximeter into a position which causes the taximeter to record when such vehicle is not actually employed or to fail to throw the flag or other device on such taximeter into a nonrecording position at the termination of each and every service, provided that the foregoing shall not apply to trips to or from points outside the City where the charge is fixed on a trip basis. (Prior code § 6214(c).)

#### 5.60.270 Taximeter--Charges To Be Based On Taximeter.

All charges for transportation of passengers in taxicabs equipped with a taximeter, operated in the City, must be based on the charge indicated on the taximeters and it is unlawful for any owner, driver or operator of any such taxicab to charge any passenger or passengers any sum in excess of the sum indicated on the taximeter, provided that the foregoing shall not apply to trips to or from points outside the City where the charge is fixed on a trip basis. (Prior code § 6214(d).)

#### 5.60.280 Taximeter--Placement.

The taximeter shall be so placed in the taxicab that the reading dial showing the amount to be charged shall be well-lighted and readily discernable by the passenger riding in such taxicab. (Prior code § 6214(e).)

#### 5.60.290 Card Display and Information Required of Same.

There shall be displayed in the passenger compartment of each taxicab or rent car, in full view of the passenger, a card not less than 2 inches by 4 inches in size which shall have plainly printed thereon the name of the owner, or the fictitious name under which the owner operates, the business address and telephone number of the owner, and a correct schedule of the rates to be charged for conveyance in the vehicle. (Prior code § 6214(f).)

#### 5.60.300 Rate Schedule--Overcharging Prohibited--Submittal to Clerk--Fare Deductions for Disabled Vehicles.

A. It is unlawful, except for trips to or from points outside the City where the charge is fixed on a trip basis, for the owner or driver of any taxicab or rent car, as defined in Section 5.60.010 of this Chapter to fix or charge or collect a rate in excess of the rate schedule filed by the owner of the vehicle with the City Clerk. Before operation of such vehicle under any license issued under the provisions of this Chapter, the owner shall file with the City Clerk, in duplicate, a complete rate schedule to be charged to a passenger or passengers of such taxicab or rent car, and the City Clerk shall file a copy thereof with the Chief of Police and report to the City Council at its next regular meeting the rate schedule so filed. A changed rate schedule may likewise be filed from time to time by the owner but no charges shall be made thereon until consent to such new schedule has been given by resolution of the City Council.

B. In case any taxicab or rent car shall become disabled or break down, while conveying passengers for hire, the time of stoppage shall be deducted from the time charged for. (Prior code § 6214(g).)

#### 5.60.310 Penalties for Violations.

A. Any person violating any of the provisions of this Chapter is guilty of a misdemeanor, and upon conviction thereof shall be punishable by a forfeiture of his license or permit and by a fine not exceeding \$500.00 or by such forfeiture and imprisonment in jail for not more than 6 months or by both such forfeiture, fine and imprisonment.

B. For the purpose of this Chapter it shall be considered that each day during which any provision of this Chapter is violated shall constitute a distinct and separate offense. (Prior code § 6218.)

Note: The Martinez Municipal Code may be viewed in its entirety at [www.cityofmartinez.org](http://www.cityofmartinez.org)