

**Chapter 5.56**  
**PUBLIC TRANSPORTATION VEHICLES<sup>1</sup>**

Sections:

- 5.56.010 Definitions. (Repealed)
- 5.56.020 Permit requirements. (Repealed)
- 5.56.030 Permit application. (Repealed)
- 5.56.040 Issuance of Permits. (Repealed)
- 5.56.045 Fleet permits. (Repealed)
- 5.56.050 Enforcement. (Repealed)
- 5.56.060 Permit revocation. (Repealed)
- 5.56.070 Insurance. (Repealed)
- 5.56.080 Insurance cancellation - Permit revoked. (Repealed)
- 5.56.090 Insurance Provisions. (Repealed)
- 5.56.100 Insurance deposit. (Repealed)
- 5.56.110 Liability requirements. (Repealed)
- 5.56.120 Insurance deductible specifications. (Repealed)
- 5.56.130 Insurance termination notice. (Repealed)
- 5.56.140 Liability of owner. (Repealed)
- 5.56.150 Vehicle identification specifications. (Repealed)
- 5.56.155 Livery vehicles. (Repealed)
- 5.56.160 Vehicle structure specifications. (Repealed)
- 5.56.170 Passengers carrying for hire by other vehicles prohibited. (Repealed)
- 5.56.180 Vehicles from other cities. (Repealed)
- 5.56.190 Public vehicle stands and parking. (Repealed)
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- 5.56.300 Definitions.
- 5.56.301 Taxicab License Required.
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- 5.56.310 Taxicab license; Grounds for suspension or revocation.
- 5.56.311 Enforcement.

**5.56.010 Definitions.**

Repealed.

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<sup>1</sup> For the statute that declares that the power and authority of cities to control and regulate all public utilities and common carriers situated and operated wholly or principally within [a] city, see K.S.A. 66-104; for provisions regarding issuance of a chauffeur's license, see K.S.A. 8-235.

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(History: Ord. PT-1375 §2, 86; PT-1298 §1, 85; PT-742 §1; PT-661)

### **5.56.020 Permit requirements.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-742 §2, 73; PT-661 §2, 71)

### **5.56.030 Permit application.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-1298 §2, 85; PT-742 §3; PT-661)

### **5.56.040 Issuance of permits.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §4, 71)

### **5.56.045 Fleet permits.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-742 §5, 73; PT-661 §24, 71)

### **5.56.050 Enforcement.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §5, 71)

### **5.56.060 Permit revocation.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §6, 71)

### **5.56.070 Insurance.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §7, 71)

### **5.56.080 Insurance cancellation - Permit revoked.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §8, 71)

### **5.56.090 Insurance provisions.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §9, 71)

### **5.56.100 Insurance deposit.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §10, 71)

### **5.56.110 Liability requirements.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §11, 71)

**5.56.120 Insurance deductible specifications.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §12, 71)

**5.56.130 Insurance termination notice.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §13, 71)

**5.56.140 Liability of owner.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §14, 71)

**5.56.150 Vehicle identification specifications.**

Repealed.

(History: Ord. PT-1375 §2, 86; Ord. PT-1298 §3, 85; PT-742 §4, 73; PT-661 §15)

**5.56.155 Livery vehicles.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-1298 §4, 85)

**5.56.160 Vehicle structure specifications.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-1298 §5, 85; PT-661 §16, 71)

**5.56.170 Passengers carrying for hire by other vehicles prohibited.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §17, 71)

**5.56.180 Vehicles from other cities.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §18, 71)

**5.56.190 Public vehicle stands and parking.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §19, 71)

**5.56.200 Operation without permit - Penalty.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §20, 71)

**5.56.210 Violation - Penalties.**

Repealed.

(History: Ord. PT-1375 §2, 86; PT-661 §21, 71)

**5.56.300 Definition.**

As used in this chapter, the word "taxicab" shall mean any public passenger motor vehicle which is for hire by a passenger for a fee, except that the following shall not be considered to be taxicabs:

- A. Vehicles for hire operating generally within the City under franchise or permits issued by the City or by the Kansas Corporation Commission.
- B. Vehicles operated by tax levying boards or relief organizations.
- C. Vehicles exclusively licensed or regulated by the United States of America or the State of Kansas.
- D. Motor buses operated by the Kansas City Area Transportation Authority or motor buses operated by the City of Overland Park, Kansas, or Johnson County, Kansas.
- E. Motor buses and motor vehicles engaged exclusively in the transportation of students to and from school, commonly known as school buses.
- F. Motor buses engaged exclusively in interurban service under a certificate of convenience and necessity issued by the Kansas Corporation Commission or the Public Service Commission of Missouri.
- G. Motor buses engaged primarily in interstate service under certificates of convenience and necessity issued by the Interstate Commerce Commission.
- H. Vehicles operated by a person or company and used to transport person who are the employees, patrons, guests, residents or customers of the person or company and where the provision of such transportation is incidental to the business of such person or company.
- I. Group riding, or an arrangement between individuals whereby they pool their private transportation resources, either by using the personal automobile of one member of the group with the others contributing to the costs of operating same, or by rotating the use of their personal automobiles with joint contributions to the cost by the other members of the group, or when any employer provides transportation for his employees, and for none other, for a charge.

(History: Ord. PT-1375 §1, 86)

**5.56.301 Taxicab License Required.**

No person, firm, corporation, partnership, association or business organization shall own or operate or permit to be operated upon the streets of the City any vehicle as a taxicab unless a proper license has been issued for each such vehicle. Such license shall be required for the operation of any taxicab for which passengers are solicited within the City limits by any means, including but not limited to direct solicitation of passengers by words or actions, cruising, and occupying taxicab stands or zones and for every taxicab providing transportation for hire between two points when the point of origin is within the City limits.

(History: Ord. PT-1375 §1, 86)

**5.56.302 Application for Taxicab License.**

An application for a taxicab license shall be filed with the City Clerk upon forms provided by the City. The application shall furnish such information as the City Clerk may require including, but not limited to, the following:

- A. The name of the titleholder and, if applicable, the leaseholder of each taxicab, the residence and business address of each titleholder, and if applicable, the leaseholder, and if the titleholder or the leaseholder is a firm, corporation, partnership, association or business organization, the members and managers of such firm, association, or business organization, the partners and managers of such partnership or the principal shareholders, directors, officers and managers of any such corporation;
- B. The name of the firm, corporation, partnership, association or business organization, the members and managers of such firm, association, or business organization, the partners and managers of such partnership. or the principal shareholders, directors, officers and managers of any such corporation under whose agency any taxicab shall be operated if different from the titleholder or leaseholder;
- C. A complete description of each vehicle including the number of persons it is constructed to carry, the make, the model, the year, the vehicle identification number and the state vehicle registration number;
- D. The name of any vehicle liability insurance company to whom application has been made for vehicle liability insurance coverage.

(History: Ord. PT-1375 §1, 86)

**5.56.303 Criteria for issuance of taxicab license.**

A license to operate a vehicle as a taxicab shall be issued or reissued by the City Clerk to the titleholder or leaseholder of the taxicab or, if the taxicab is to be operated under the agency of a person or entity other than the titleholder or leaseholder, to that person or entity, if the City Clerk or his or her designee determine that the following conditions have been and will be met:

- A. The titleholder or leaseholder of the taxicab, if a corporation, is authorized to do business in Kansas;
- B. A policy of liability insurance meeting the standards and limits set out in Section 5.56.304 of this chapter is in effect on the taxicab and a fully executed certificate of liability insurance provided by the City confirming such coverage, or a true copy of the policy, has been approved by the Risk Manager of the City and is on file with the City Clerk;
- C. The vehicle has been properly registered and bears proper state license tags.

(History: Ord. PT-1375 §1, 86)

**5.56.304 Liability insurance; Required; Amount; Conditions.**

It shall be unlawful to operate a taxicab, or permit the same to be operated without proof of continuing public liability protection for each taxicab to be operated being on file in the office of

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the City Clerk. The requirement for liability protection shall be satisfied by the following method:

1. The licensee or applicant shall maintain commercial automobile liability insurance on each taxicab with liability limits of at least \$60,000 Combined Single Limit for injury to, or death of, one or more persons, and for damage to property, including baggage or other property of a passenger carried in or on said taxicab, resulting from any single accident, by reason of the carelessness or negligence of the driver or operator of such taxicab, with a property damage deductible, if any, not to exceed \$500 above which all claims shall be referred to the insurance company for handling.
2. The commercial liability insurance required to be maintained under the provisions of this section shall be issued by an insurance carrier who offers proof that it (1) is authorized and licensed to do business in the State of Kansas and has and maintains a local office or agent in the State of Kansas upon whom service of process may be had; (2) carries a Best's policy holder rating of A or better; and (3) carries at least a class X financial rating; or (4) is a company mutually agreed upon by the City and the licensee.
3. The commercial liability insurance required to be maintained under the provisions of this section shall be a policy of insurance under which the insurance company obligates itself to handle claims under the coverage thereof and to indemnify the licensee, owner, lessee, operator, and driver, as applicable, and pay to the claimant all amounts which the insured becomes legally obligated to pay under the policy in excess of any applicable deductible. A certificate of insurance reflecting all endorsements shall be filed with the City Clerk. The City's Risk Manager shall have the authority to require a true copy of the insurance policy if he has evidence that further proof of coverage is needed under the circumstances.
4. The liability insurance policy shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon. If, at any time, in the judgement of the Risk Manager, such policy is deemed insufficient for any cause, the City Clerk may require the licensee to replace such policy with another, to be approved by the Risk Manager.
5. The liability insurance policy shall contain a separate endorsement requiring the insurance company to notify the City Clerk in writing of any change in coverage, or cancellation of said policy at least ten (10) days prior thereto.
6. The liability insurance policy shall list each and every taxicab to be insured under the policy.
7. Nothing contained in the policy or any endorsement thereof shall release the company from liability for payment of any judgment due to any violation on the part of the insured of the provisions of the policy.

(History: Ord. PT-1375§ 86)

### **5.56.305 Term of taxicab licenses.**

Licenses for the operation of taxicabs shall be of one-year duration. Licenses in good standing on the date of their expiration shall be eligible for renewal. Licenses shall expire on October 31

of each year. All vehicles for which new or renewed licenses are sought must be found to be in compliance with the requirements of this chapter before the issuance or renewal of such license. (History: Ord. PT-1375 §1, 86)

**5.56.306 Taxicab License Fees.**

The annual fee, payable in advance, for such taxicab licenses shall be \$25.00 for each taxicab operated. Whenever the number of taxicabs so operated shall be increased during the license year, the licensee shall notify the City Clerk of such change and shall pay the additional fee. Such license fee shall not be prorated nor any refund given during the license period, except, however, that if a licensed taxicab is taken out of service and another taxicab is substituted, upon surrender of the original license and upon payment of a substitute license fee of \$5.00, a new license shall be issued for such substituted taxicab, which new license shall expire at the end of the license period as hereinabove provided. Upon proof satisfactory to the City Clerk or his or her designee that a taxicab license has been lost, a duplicate license shall be issued by the City Clerk upon the payment of a fee of \$5.00.

(History: Ord. PT-1375 §1, 86)

**5.56.307 Transfer of taxicab licenses.**

There shall be no transfers or assignments of taxicab licenses from one person or entity to another. A change in the stock ownership of ten percent or more of the outstanding stock, or any change in the corporate structure of a corporation holding a license hereunder, including a change effected by a merger, consolidation or reorganization shall require submission of a new application pursuant to 5.56.302 along with applicable license fees.

(History: Ord. PT-1375 §1, 86)

**5.56.308 Taxicab license stickers.**

The City Clerk shall issue a suitable tag or sticker for each taxicab that is licensed hereunder. Such tag or sticker shall be displayed in the lower left hand corner of the rear window on each taxicab while it is in use except that on vehicles equipped with electric rear window defrosters or equipped with one-way glass or adhesive film or other glaze or application on the rear window which inhibits or substantially impairs the ability to see into the vehicle through such window, such sticker shall be placed in the lower portion of the driver's side of the front windshield.

(History: Ord. PT-1422 §1, 87; PT-1375 §1, 86)

**5.56.309 Conditions to issuance of taxicab licenses.**

Every taxicab licensee agrees, as a condition precedent to the privilege of holding such a license, that the City Clerk or his or her designee shall have the right and privilege to require such licensee to produce for the purpose of inspection, all records as required by this chapter for the purpose of ascertaining compliance by said licensee with the provisions hereof at any time.

(History: Ord. PT-1375 §1, 86)

**5.56.310 Taxicab license; Grounds for suspension or revocation.**

Taxicab licenses shall be automatically suspended by the City Clerk for any period that required insurance is not maintained in accordance with 5.56.304, above.

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(History: Ord. PT-1375 §1, 86)

**5.56.311 Enforcement.**

The enforcement of Section 5.56.301 of this ordinance shall be the responsibility of the police department.

(History: Ord. PT-1375 §1, 86)

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