



# TAXICAB REGULATIONS

ISSUED BY THE

TOWN OF BROOKLINE  
TRANSPORTATION BOARD

In cooperation with the

BROOKLINE DEPARTMENT OF PUBLIC WORKS  
BROOKLINE POLICE DEPARTMENT  
BROOKLINE HEALTH DEPARTMENT

Effective July 1, 2015

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## Brookline Police Department

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## I. AUTHORITY AND PURPOSE

### A. Authority

These Taxicab Regulations are promulgated under the authority vested in the Brookline Transportation Board by the Commonwealth of Massachusetts in Chapter 317 of the Acts of 1974.

### B. Purpose of Regulations

1. It is the purpose of these regulations to provide for the safe, fair, and efficient operation of taxicabs in the Town of Brookline, and to promote competition among taxicab companies for the benefit of the public. As “common carriers,” taxicabs are required to serve everyone who is able to pay and to satisfy specific service standards. Standards are established in the following regulations for the licensing and inspection of taxicabs, the inspection of taximeters, the examination of applicants for a license to drive such taxicabs, the licensing of taxicab drivers, and the permitting of taxicab dispatch services. These Taxicab regulations are promulgated to ensure that the public health, safety and welfare is protected, public needs are provided for, and public convenience is promoted in the Town of Brookline.
2. Among other service standards, these Taxicab regulations are promulgated in pursuit of the following response time goals:
  - A. 70% of the time, taxicabs will arrive within 10 minutes of the service call.
  - B. 80% of the time, taxicabs will arrive within 15 minutes of the service call.
  - C. 99% of the time, taxicabs will arrive within 30 minutes of the service call.

### C. Applicability

The following vehicles and operators are exempted from these Taxicab regulations:

- A. Vehicles and drivers under the jurisdiction of the Department of Public Utilities except Transportation Network Companies with respect to E-Hail Dispatch License;
- B. School buses under the jurisdiction of the Registry of Motor Vehicles;
- C. Driving School vehicles and operators under M.G.L. Chapter 90, Section 34G;
- D. Ambulances and operators.
- E. Livery vehicles covered under the Public Automobile for Hire Regulations
- F. Vehicles owned and operated by the Town of Brookline.

## II. DEFINITIONS

For the purposes of these regulations, the words and phrases shall have meanings as defined herein or in the Traffic Rules and Regulations issued by the Town under authority of Charter 631 of the Acts of 1960, Chapter 375 of the Acts of 1968, or Chapter 317 of the Acts of 1974. The following definitions relate specifically to the regulation of taxicabs except in those rare instances where the context clearly indicates a different meaning.

“**Affiliated Operator**” refers to a Brookline licensed taxicab driver who enters a contractual agreement with a Taxi Business License Holder to lease up to 3 said company’s hackney certificate and use said company’s dispatch service, and distinctive color scheme. Said operator shall be a licensed taxicab driver and operate one cab for at least 50% of the time in which it is in service as a taxicab.

**“Chief of Police”** refers to the Chief of the Brookline Police Department.

**“Commonwealth of Massachusetts Inspection Sticker or Certificate of Inspection”** refers to a serially numbered, adhesive sticker, device, or symbol, as may be prescribed by the Registrar of Motor Vehicles, indicating a motor vehicle has met the inspection requirements established by the Registrar of Motor Vehicles for issuance of a certificate.

**“Dispatch License”** is the license issued by the Transportation Board indicating that the telephone answering and dispatch service provider complies with all of the dispatch requirements of these Taxicab regulations.

**“Dispatch License Holder”** means any person, partnership or corporation licensed by the Transportation Board to provide telephone answering and radio dispatch service to any Brookline licensed taxicabs.

**“E-Hail Dispatch”** is a software program, not affiliated with an entity holding a Brookline issued Dispatch License, licensed by the Transportation Board, residing on a smartphone or other electronic device which performs one or more of the following functions:

- 1) allows a passenger to identify the location(s) of available Taxicabs in a given area and allows a Taxicab Driver to identify the location of a passenger who is currently ready to travel;
- 2) allows a passenger to Hail a Taxicab via the electronic device;
- 3) allows a Taxicab Driver to receive a Hail request from such a passenger if the application provides for connecting a passenger to a Taxicab Driver; or
- 4) E-Hail Payment.

**“Found Property”** is defined as anything found in or about a taxicab, which is either currency or is an item whose characteristics, markings, etc. can be specifically identified by its owner.

**“Hackney Division”** refers to the enforcement unit designated by the Chief of Police to enforce these regulations.

**“Hackney Officer”** refers to any and all police officers authorized by the Chief of Police to act on his or her behalf with regard to the issuance of taxicab driver licenses and enforcement of these Taxicab regulations.

**“Highway Division”** is the organizational unit within the Brookline Department of Public Works having responsibility for the inspection of all vehicles authorized to operate under each taxi license issued by the Transportation Board.

**“Model Year”** as used in these Taxicab Regulations means the year model designated at the time of manufacture of first assembly as a completed vehicle (e.g., if a vehicle is produced in 1997, but is designated for sale as 1998 model, the vehicle shall be considered a 1998 “Model Year.”)

**“New Motor Vehicle”** refers to a motor vehicle which is 4 or less model years old with a maximum of 75,000 miles and is a make and model vehicle that appears on the approved taxicab vehicle list as approved by the Transportation Board and maintained by the Transportation Division.

**“Principal Place of Business”** refers to the location where taxicab drivers report for work and shift changes occur; where revenues are exchanged; where waybills are turned in and stored; where the public can file complaints; and where the Town of Brookline can inspect upon demand any and all records pertaining to the operation of the taxi company or independent taxicab operator.

**“Ramped Taxicab”** for the purpose of these regulations is a vehicle (minivan or similar vehicle) that has been equipped with a taximeter and has been specially equipped with a ramp or lift capable of allowing persons using a wheelchair to enter the vehicle without exiting the wheelchair.

**“Shift”** refers to a period of time, typically twelve hours, for which a taxicab is rented to a Licensed Taxicab Driver.

**“Shifted”** refers to a business structure in which a License Owner rents a License and taxicab to Licensed Taxicab Drivers for a shift or series of shifts.

**“Taxi Business License”** is the license issued by the Transportation Board, and renewed annually, which authorizes the holder to operate a specific number of taxicabs in the Town of Brookline.

**“Taxicab Driver License”** refers to the license issued by the Hackney Division, and renewed annually, authorizing a person to operate a taxicab in the Town of Brookline.

**“Taxicab”** refers to a vehicle available for hire that has been equipped with a taximeter and which satisfies all of the vehicle operation and equipment requirements specified in these Taxicab regulations.

**“Taxicab Association”** means any person, partnership or corporation organized for the purpose of benefiting a group of not less than 20 taxicabs by providing for its members: dispatching services, a uniform and distinct color scheme, and collection and maintenance of operating records.

**“Taxicab Driver”** refers to any individual licensed by the Hackney Division to operate a taxicab in the Town of Brookline.

**“Taxicab Driver’s File”** refers to a file maintained at the Hackney Division that includes the individual’s application for a Taxicab Driver’s License, any subsequent application(s), as well as a record of the Taxicab Driver’s disciplinary and License history

**“Taxicab Stand”** refers to that place on a public way designated by the Transportation Board where taxicabs may stand while waiting, ready to be hired.

**“Taximeter”** is an electric/mechanical device by which the charge for hire is calculated whether for distance traveled, or for waiting time, or for both, and upon which such charge is displayed by means of figures.

**“Town of Brookline Department of Weights and Measures”** A Division of the Town of Brookline that enforces Massachusetts General Law relating to the inspection of commercial weighing and measuring devices.

**“Transportation Board”** is a volunteer Board of six citizens appointed by the Board of Selectmen, with the exclusive authority to adopt, alter or repeal rules and regulations relative to the operation of motor vehicles in the Town, in accordance with Chapter 317 of the Acts of 1974.

**“Transportation Division”** is the organizational unit within the Brookline Department of Public Works having responsibility for the administrative implementation of these Taxicab regulations.

“Waybill” is a form approved by the Transportation Division on which the taxicab driver of a taxicab is required to record all trips. The waybill record shall identify the taxicab number, the taxicab driver’s name and license number, the date of each hire, the method of hire (e.g., radio dispatch, cruising, cab stand), the exact time of day the service order is received, the exact time of departure and address/location of each trip origin (pick-up), the exact time of arrival and address/location of each trip destination (drop-off), and the exact fare paid.

“Wheelchair Accessible Vehicle (WAV)” is a taxicab that provides taxicab service in compliance with the Americans with Disabilities Act and meets the vehicle standards required in Article III Section L.8 of these regulations.

### III. TAXI LICENSE REQUIREMENTS

#### A. Application Requirements for New Taxi Business License

1. Applications for a new Taxi Business License shall be made to the Transportation Board upon a form provided by the Transportation Division. The application shall include:
  - A. The name, home address, home phone number, business address and business phone number of the applicant.
  - B. Trade or company name under which the applicant proposes to do business; type of business entity; state of incorporation or organization; names and addresses of corporate officers.
  - C. A description of the number of Hackney Certificates being sought and the age and model year of the motor vehicle(s) to be used in the operation of the business.
  - D. A description of the proposed location of the principal place of business and dispatch service. The business location and dispatch service locations must be consistent with paragraph III.F.1 and all other requirements of these regulations.
  - E. A description of the facility to be used for the maintenance and repair of all licensed taxicabs.
  - F. A statement indicating whether the applicant proposes to hire taxicab drivers as employees, to lease its vehicles or services to self-employed independent contractors, or both.
  - G. If the license holder will be a corporation, the name of the responsible manager who, by written delegation of authority, shall have full authority and control of the licensed taxi business as the licensee could in any way have and exercise.
2. The Transportation Board will maintain applications for new Taxi Business Licenses in the chronological order in which they are received and deemed to be complete by the Transportation Division. An application will not be considered complete until all of the required information has been provided to the Town and the appropriate fee has been paid. The Transportation Division will maintain an up-to-date chronological list of the applications it receives for Taxi Business Licenses and make it available for public review at any time. Any application may be rejected or denied if it contains false information or is otherwise deemed incomplete.
3. Every application for a new Taxi Business License will be considered active for a period of one (1) year from the filing date of the application. If the Transportation Board has not acted upon an application prior to the one-year anniversary date of its filing, and the Transportation Division has not received a complete and updated application from the same applicant, the application will no longer be eligible for consideration. If the Transportation Division receives an updated application from the same applicant for a new Taxi Business License prior to the annual anniversary date of the application’s previous filing, said applicant and application will continue to be maintained in the chronological order in which it was

originally received. If the Transportation Division does not receive an updated application from the same applicant for a new Taxi Business License prior to the anniversary date of its previous filing, said application will be considered a first-time application and be placed in the chronological order based on its most recent date of filing.

4. The determination as to the availability of a New Taxi Business License shall be entirely within the discretion of the Transportation Board based upon the best interests of the Town. Among other things, the Transportation Board may consider factors such as the size and type of passenger market(s) being serviced, the number of existing Taxi Business Licenses, the number of taxicab companies, the number of existing Hackney Certificates, and the availability of qualified taxicab drivers in making its determination of availability. The filing of an application for a New Taxi Business License or the consideration of such an application by the Transportation Board does not guarantee that a New Taxi Business License will be issued to the applicant or that one will become available or that a particular number of Hackney Certificates will be issued to the applicant.
5. If (a) the Transportation Board denies an applicant's request for a new Taxi Business License, (b) the Transportation Board denies an existing Taxi Business License Holder's request for renewal of an existing Taxi Business License, or if (c) an application is withdrawn; the applicant declines, refuses or otherwise fails to go forward on its application; or if the applicant declines to accept a Taxi Business License made available or granted by the Transportation Board, the Applicant may submit a new application to be placed in the chronological order in which it is then received and deemed complete by the Transportation Division unless the Transportation Board determines otherwise.
6. No application shall be deemed complete until the applicant has paid to the Town the appropriate application fee established by the Transportation Board.

#### **A. Renewal of Existing Taxi Business License**

1. If an existing Taxi Business License holder desires to renew said license, an application must be submitted to the Transportation Board at least 60 days prior to the expiration date of said license on a form provided by the Transportation Division. Said application for renewal must describe the present utilization pattern of the taxicab(s) currently in operation under the existing Taxi Business License, and explain why the renewal of said license is essential to meeting the transportation needs of the citizens of Brookline. If the renewal of the Taxi Business License seeks an increase in the number of Hackney Certificates allowed, the applicant must indicate the number of additional Hackney Certificates desired and describe the existing or projected geographic and passenger market(s) that would be serviced by the additional taxicabs.
2. When determining whether to renew an existing Taxi Business License, or to increase or decrease the number of Hackney Certificates issued under said License, the Transportation Board may consider, among other things: (a) the number of Code 4 safety violations found to exist on the taxicabs owned by the Taxi Business License holder during the most recent taxicab safety inspection; (b) the number of taxicabs the Taxi Business License holder has placed into operation during the previous year in comparison with the number of Hackney Certificates issued to the Taxi Business License holder; (c) the type and characteristics (e.g., fuel-efficient, low emissions) of the vehicle(s) the applicant proposes to place into service; (d) the number and type of citizen complaints received during the previous year by the Transportation Division or Hackney Officer involving taxicabs owned by the Taxi Business License holder; (e) the behavior of taxicab drivers employed by the Taxi Business License holder as reported by the Hackney Officer; or (f) the responsiveness of the Taxi Business License holder to complaints or information requests as reported by the Transportation Division.

3. The Transportation Board or the Transportation Division may request such other information as it deems necessary to make its determination on the renewal of a Taxi Business License or increases and decreases in the number of Hackney Certificates.

**C. Limits on Total Number of Taxi Business Licenses and Hackney Certificates**

1. No more than two (2) Hackney Certificates shall be issued for each population unit of one thousand (1,000) or additional fraction thereof, except that if a greater number of such Certificates shall have been granted, issued or were in force as of July 1, 2015 than would be permissible under said limitation, such Certificates shall remain in full force and effect and no subsequent requests for renewals of such Certificates by those persons holding such Certificates as of July 1, 2015 shall be denied solely for reasons of declining population. If the number of Hackney Certificates outstanding as of July 1, 2015 exceeds the limitation set forth herein, no further Certificates shall be issued or granted until the number of Certificates outstanding shall have been reduced, by cancellation, revocation, failure to renew, or otherwise, to an amount less than that permitted by the limitation of this section, and, thereafter, Certificates may be issued only as provided herein.
2. Notwithstanding the provisions of Section C.1 of this Article, the Transportation Board, in its discretion, after notice and hearing, may grant additional Hackney Certificates if it is determined that such an increase is in the best interests of the Town. Reasons for increasing such Certificates may include, among other things, better service to a specific geographic or passenger market(s) or the promotion and maintenance of competition among Taxi Business License holders.
3. Notwithstanding the provisions of Section C.1 of this Article, The Transportation Board may also decrease the total number of Hackney Certificates issued at any time when, after notice and hearing, it is determined that such a decrease is in the best interests of the Town. Reasons for decreasing the number of said Certificates may include, among other things, ensuring the safe, fair, and efficient use of taxicabs in the Town and maintaining the economic well-being of the taxi industry in the Town.
4. The Transportation Board may establish, increase, or decrease the total number of Taxi Business Licenses issued in the Town of Brookline. The Transportation Board may increase said total number of Taxi Business Licenses at any time when, after notice and hearing, it is determined that such an increase is in the best interests of the Town. Reasons for increasing such Licenses may include, among other things, better service to a specific geographic or passenger market(s) or the promotion and maintenance of competition among Taxi Business License holders. The Transportation Board may also decrease the total number of Taxi Business Licenses issued at any time when, after notice and hearing, it is determined that such a decrease is in the best interests of the Town. Reasons for decreasing the number of said Licenses may include, among other things, ensuring the safe, fair, and efficient use of taxicabs in the Town and maintaining the economic well-being of the taxi industry in the Town.
5. When the Transportation Board determines that a new Taxi Business License is available and that, in the best interests of the Town such a License should be issued, the Transportation Board will consider the first application that appears on the chronological list of license applications maintained by the Transportation Division. Consideration of an application by the Transportation Board does not entitle the applicant a Taxi Business License or a particular number of Hackney Certificates. The Transportation Board's consideration of an application for a Taxi Business License or the granting of a Taxi Business License does not entitle the applicant to all of the Hackney Certificates being sought and requested by said applicant in his or her Taxi Business License application and the issuance of a Taxi Business License or Hackney Certificates shall be subject to such conditions as the Transportation Board may establish. If

an application is withdrawn; the applicant declines, refuses or otherwise fails to go forward on its application; or if the applicant declines to accept a Taxi Business License made available or granted by the Transportation Board, including such conditions as the Board may place on the License, including the number of Hackney Certificates to be issued under the License, the Transportation Board will consider the next applicant on the chronological list of license applications if it decides to consider any further applications at all.

6. If the Transportation Board determines that one or more Hackney Certificates are available in accordance with Section C.1 or C.2 of this Article, the Transportation Board may, within its discretion, decide whether and how many such Hackney Certificates should be allotted to existing Taxi Business License holders who have applied for additional Hackney Certificates, or to applicants for new Taxi Business Licenses. At no time, however, shall the number of Hackney Certificates issued to all Taxi Business License holders in the Town of Brookline exceed any limit or cap established by the Transportation Board at that time.

#### **D. Nontransferability**

1. No Taxi Business License or Hackney Certificate issued under these Taxicab regulations shall be sold. No Taxi Business License shall be assigned or transferred without the approval of the Transportation Board. Taxi Business Licenses or Hackney Certificates granted under these taxicab regulations shall be immediately surrendered to the Transportation Board during a period of suspension, after revocation, or if the taxicab company ceases to operate.
2. No Taxi Business License or Taxicab Dispatch Permit held by a corporation, association, partnership, individual, or other entity shall be transferred to another individual or entity except in accordance with the following procedure:
  - A. An application for approval of the transfer of a Taxi Business License or Taxicab Dispatch Permit, and payment of the application fee, shall be filed with the Transportation Board prior to any transfer.
  - B. The application for transfer shall include a new Taxi Business License or Taxicab Dispatch Permit application, with the application fee, as outlined in these regulations.
  - C. Approval of the proposed transfer of the License or Permit will be contingent upon approval of the transfer application and a finding of applicant suitability and fitness by the Transportation Board.
  - D. Any Taxi Business License or Taxicab Dispatch Permit transferred other than in accordance with this section shall be void and the Taxi Business License and Hackney Certificates surrendered at once to the Transportation Board.

#### **E. General Rules and Requirements**

1. No person, partnership, corporation, or other entity shall engage in the business of transporting persons for hire in a taxicab within the limits of the Town of Brookline without having filed a completed and approved application and having obtained a Taxi Business License from the Transportation Board to engage in such business. A Taxi Business License shall be denied to the following persons:
  - A. To a corporation which is not licensed or registered to do business in Massachusetts.
  - B. To a corporation or individual who's mailing address is not within the Town of Brookline.
2. Every Taxi Business License Holder shall comply with the provisions of all federal, state and local laws including, without limitation, the Town of Brookline General Bylaws; Town of Brookline Zoning Bylaw;



Town of Brookline Traffic Rules and Regulations; Massachusetts Registry of Motor Vehicle Regulations; Massachusetts General Laws, Chapter 98, relating to Weights & Measures; Massachusetts Workers Compensation Laws; and these Taxicab Regulations.

3. Every applicant for a new Taxi Business License, or the renewal of an existing Taxi Business License, must demonstrate to the satisfaction of the Transportation Board that the best interests of the Town will be served by the (re)issuance of the license. Demonstration of need will at a minimum involve consideration of the following items:
  - A. The applicant must demonstrate that he or she has sufficient financial resources and management experience to be able to meet the requirements established by these Taxicab regulations.
  - B. The applicant must demonstrate knowledge of the requirements of these taxicab regulations.
  - C. The applicant must describe the existing or projected geographic and passenger market(s) to be serviced by the requested number of taxicabs, the daily hours of operation or availability of the services to be provided, and the method(s) of passenger contact and/or vehicle dispatch to be employed.
  - D. The applicant must disclose all ownership interests in the License in order to allow the Transportation Board to determine a License Owner's suitability, adequately perform their rate setting function, and properly regulate the Taxi industry in the Town of Brookline.
  - E. The applicant must have no outstanding fees, taxes, fines, etc. owed to the Town of Brookline.
4. All Taxi Business licenses issued under these Taxicab regulations shall be valid from July 1 through June 30 of the following year, unless sooner revoked, suspended, or surrendered. All application and other associated fees will not be prorated and are non-refundable.
5. Every Taxi Business License Holder shall at all times cooperate with the Transportation Administrator, Chief of Police, or his or her designee, on all matters relating to compliance with these taxicab regulations. Every Taxicab Business License holder shall respond immediately to all Town inquiries.
6. Every Taxi Business License Holder shall ensure that all of their taxicabs and business operations adhere to all of the requirements set forth in these Taxicab regulations. Failure to comply may be cause for the Transportation Board to modify, revoke, suspend or take other action with respect to said taxi business license, including limiting the number of Hackney Certificates allowed under said license.
7. Every Taxi Business License Holder shall ensure that all taxicabs authorized for operation under said license are placed into service within 2 months of the receipt of said license. Failure to place all taxicabs for which a Taxi Business License Holder holds Hackney Certificates in service within this period may be cause for the Transportation Board to modify, revoke, suspend, or take other action with respect to said Taxi Business License, including reducing or otherwise limiting the number of Hackney Certificates allowed under said License.
8. Every Taxi Business License Holder shall be responsible for compliance of these Taxicab regulations by all vehicles covered by said taxi license and therefore liable for all forfeitures and penalties contained in these Taxicab regulations.
9. Every Taxi Business License Holder shall ensure that the taximeter in the taxicab allowed under its license conforms to all provisions of Massachusetts General Laws, Chapter 98, and these Taxicab regulations. No Taxi Business License Holder shall at any time permit his taxicab to be used for the

conveyance of passengers for hire with a taximeter that has not been sealed by the Town of Brookline Department of Weights and Measures.

10. Every Taxi Business License Holder shall ensure that no person other than a taxicab driver duly licensed in accordance with the requirements of these Taxicab regulations is allowed to drive a taxicab for which it has a hackney certificate.
11. Every Taxi Business License Holder shall agree to participate in the Brookline Elder Taxi System (BETS) program and thereby provide discounts to income-eligible, elderly Brookline residents.
12. Every Taxi Business License Holder shall subscribe to a Brookline licensed Taxicab Dispatch Association and cause to be published in a commercial telephone listing having general circulation in the Town of Brookline the name of the company under which its taxicab services are provided and the telephone number to which requests for services and inquiries about lost property may be addressed. The published telephone number shall be a local call for Brookline residents and shall not be used to operate other businesses or services.
13. Every Taxi Business License Holder shall employ a person or dispatch service having the capability of receiving requests for service and dispatching those requests in a timely fashion.
14. Every Taxi Business License Holder shall employ a person, service, or device with the capability to receive inquiries about lost property on a 24-hour basis.
15. Taxi Business License Holders and their employees shall not accept or demand gifts, gratuities, or any thing of value from either taxicab drivers or other person(s) acting on their behalf for a preferred vehicle, shift assignment, dispatch call, fare or any other enhancement of employment.
16. Every Taxi Business License Holder, or taxicab driver, shall use the waybill format prescribed by the Transportation Division. Every Taxi Business License Holder will devise their own waybill filing system that allows for inspections by the Transportation Division or Police Department immediately upon request. All waybills shall be retained at the principal place of business for a period of at least one (1) year.
17. The Transportation Board, Transportation Division, or Chief of Police may require a License Owner, or one representative of a License-owning company, to attend such training classes regarding the Rules and Regulations of the Taxicab Industry.
18. No Taxi Business License Holder may retaliate in any way against a Taxicab Driver for disclosing, reporting, or testifying about any violation of any regulation or law. Any violation of this section shall result in revocation of the License.
19. A Taxi Business License Holder must maintain a current, functional e-mail address through which the Transportation Division, Police Chief, or Hackney Officer may exchange correspondence.
20. Upon the initial award and annual renewal of its taxi business license, every Taxi Business License Holder shall pay the Town of Brookline the sum of two hundred dollars (\$200.00) annual license fee for each vehicle authorized to be used under said license.
21. All fees due to the Town as a result of these regulations shall be the responsibility of the Taxi Business License Holder and not the Affiliated Operators or Taxicab Drivers unless otherwise specified.

## G. Maintaining a Business Location

1. Every Taxi Business License Holder, or one member of the Corporation or firm owning a License, must have a Town of Brookline address. Post Office boxes located in the Town are acceptable.
2. Every Affiliated Operator must have a Town of Brookline address. Post Office boxes located in the Town are acceptable
3. Every Taxi Business License Holder must identify a principal place of business, properly zoned and maintained, at a location that is acceptable to the Transportation Board and is within a reasonable distance of the population being served but not greater than 10 miles from the Brookline Town Hall, 333 Washington Street, Brookline, MA 02445. This principal place of business must be staffed Monday through Friday from 9:00 AM to 5:00 PM, except legal holidays.
4. Every Taxi Business License Holder shall post a current list of all taxicab vehicles, for which a hackney certificate issued under their business license has been assigned to, at both their principal place of business and where their vehicles are stored when not in service (if different from principal place of business). Said list shall include, but not be limited to: the taxicab owner, the taxicab vehicle number, the motor vehicle license number, the vehicle identification number, the make and model year of the vehicle, and the operating status of each taxicab vehicle for which a certificate is held. A copy of said list shall be available for inspection, upon request, by the Transportation Division or any police officer engaged in the performance of his or her duties.
5. Every Taxi Business License Holder shall maintain a current taxicab driver's roster, including those taxicab drivers operating Affiliated Operator owned vehicles for which a hackney certificate issued under its business license has been assigned to, at their principal place of business. This roster shall contain the following information for all licensed taxicab drivers who are currently operating a taxicab for the company: Taxicab Driver's name, home address, home telephone number, and Massachusetts's driver license number. A copy of said roster shall be available for inspection, upon request, by the Transportation Division or any police officer engaged in the performance of his or her duties.
6. Every Taxi Business License Holder shall post a daily roster to include, but not be limited to, the shift assignment, taxicab driver's name, taxicab vehicle number, and the hours worked for that shift for all vehicles operating under its business license. This roster shall be updated on a daily basis and shall be available for inspection, upon request, by Transportation Division or any police officer engaged in the performance of his or her duties. All original rosters shall be retained at the Taxi Business License Holders' principal place of business for a period of two (2) calendar years from the date of posting and must be made available for inspection immediately upon request.
7. Every Taxi Business License Holder must give written notice to, and receive approval from, the Transportation Board at least thirty (30) days prior to changing the location of their principal place of business.
8. Every Taxi Business License Holder must ensure that all taxicabs, including those owned by Affiliated Operators, parked or stored do not infringe on public property, such as sidewalks. Vehicles leaking automotive fluids must be garaged and repaired to prevent environmental contamination.

## H. Insurance

1. Every Taxi Business License Holder is required to submit to the Transportation Division on an annual basis a Certificate of Liability Insurance as proof that the Taxi Business License Holder has obtained liability coverage for Bodily Injury and Property Damage for each of the vehicles owned by the Taxi Business License Holder which are authorized to operate as a taxicab under said Taxi Business License. A schedule of the specific vehicles covered under said insurance policy shall be provided with the Certificate.
2. Every Taxi Business License Holder is required to submit to the Transportation Division on an annual basis a Certificate of Liability Insurance as proof that the all Affiliated Operators have obtained liability coverage for Bodily Injury and Property Damage for each of the vehicles owned by the Affiliated Operator which are authorized to operate as a taxicab under said Taxi Business License. A schedule of the specific vehicles covered under said insurance policy shall be provided with the Certificate.
3. A Taxi Business License Holder or Affiliated Operator is not allowed to operate as self-insured.
4. Minimum limits on insurance coverage for bodily injury and property damage shall comply with applicable state law.
5. Written notice of cancellation, non-renewal, or of any limits reduction change in said policy shall be received by the Transportation Division, 333 Washington Street - 4<sup>th</sup> Floor, Brookline, MA 02445 at least ten (10) days in advance of the effective date thereof.
6. Every Taxi Business License Holder shall furnish to the Town of Brookline Transportation Division not later than the fifth day of each month a full and complete statement of all claims filed and judgments rendered during the preceding month against said License owner or affiliate owner arising out of the operation of any of the taxicabs authorized to operate under said Taxi License. If no claims are filed or judgments rendered the Taxi Business License Holder shall submit a statement stating such.

#### I. Leases

1. A Taxi Business License Holder may lease a maximum of three (3) hackney certificates affiliated with its Taxi Business License to an Affiliate Operator for placement on a vehicle, owned by the Affiliate Operator, which may be used as a taxicab provided that the Affiliate Operator drives one (1) vehicle for a minimum of 50% of the time it is operating as a taxicab. No more than 50% of the hackney certificates assigned to a Taxi Business License may be leased to Affiliated Operators. For the purposes of Chapter 90 Section 20E of the Massachusetts General Laws the payment by an Affiliate Operator to the Taxi Business License Holder shall constitute a transaction.
2. A Taxi Business License Holder or Affiliate Operator may lease a taxicab to a licensed Taxicab Driver. No Taxicab Driver, however, may sublease the taxicab on either a per shift basis or for any other term of time. For the purposes of Chapter 90 Section 20E of the Massachusetts General Laws the payment by a taxicab driver to the Taxi Business License Holder or Affiliate Operator shall constitute a transaction.
3. All leases shall be in writing and are to be kept for a minimum period of two (2) years from their date of execution at the Taxi Business License Holder's principal place of business for inspection, upon request, by the Transportation Division or any police officer engaged in the performance of his or her duties.
4. No licensed Taxicab Driver shall be denied a lease to operate a taxicab for reasons of discrimination, or in retaliation for notifying the Town of violations of local, state, or federal laws.

#### **J. Taxi Business License Owners' Books, Accounts, Records and Minutes:**

1. The Transportation Board, Transportation Division, or any police officer engaged in the performance of his or her duties may examine the books, accounts, records and minutes of any Taxi Business License holder or Affiliated Operator at any time. The Transportation Board, Transportation Division, or any police officer engaged in the performance of his or her duties may at any time call for additional information not required by annual reports when in his discretion such additional information is necessary in the fulfillment of his duties and responsibility to regulate the taxi industry. Such information shall be provided within fourteen (14) business days of the request.
2. Each Taxi Business License holder or Affiliated Operators, whether a corporation or an individual, must keep its books of accounts and all other books, records and memoranda, which support the entries in its books of account and be able to furnish readily full information as to any item included in any account for a five (5) year period.
3. Each Taxi Business License holder or Affiliated Operator, whether a corporation or an individual, shall keep its books on a monthly basis so that for each month all applicable transactions are entered in the books of the company for a five (5) year period.

#### **K. Vehicle Operations Standards**

1. Every Taxi Business License Holder shall ensure that every taxicab authorized to operate under its taxi license, including those owned by Affiliated Operators, are uniquely identified by a particular color scheme approved by the Transportation Board, by placement of the word "Brookline" on both sides of the taxicab, and by a taxicab vehicle number assigned to the Taxi Business License Holder by the Transportation Division.
2. Prior to placing a new taxicab in service for the first time, changing a vehicle for another, or assigning a vehicle a different taxicab vehicle number, every Taxi Business License Holder shall submit the following information for every taxicab authorized to operate under its taxi business license in writing to the Transportation Division:
  - A. The registered owner of the vehicle
  - B. The make/year, model, VIN number and mileage.
  - C. The taxicab vehicle number assigned and the number it's replacing, if applicable.
  - D. The taximeter make, model and serial number, as well as any other identification markings requested by the Weights and Measures Division.
  - E. Verification that the taximeter has been tested and sealed.
  - F. Verification that the vehicle has passed the required inspection.
  - G. Must be a vehicle make and model that appears on the approved taxicab vehicle list as approved by the Transportation Board and maintained by the Transportation Division
3. Whenever a Taxi Business License Holder or Affiliated Operator replaces a taxicab vehicle with a different taxicab vehicle, the replacement vehicle must be inspected and approved by the Weights and Measures Division and Highway Division prior to its use.
4. All taxicab vehicles placed into service must be a new motor vehicle. Once placed in service a vehicle may continue in operation until said vehicle reaches 300,000 miles provided it continuously meets the operating standards of the Town.

5. All taxicab vehicles and operations subject to the American with Disabilities Act (ADA) shall comply with the applicable provisions of said act.
6. As of July 1, 2016, every Taxi Business License Holder with authority to operate 25 or more taxicabs must provide one (1) ramped taxi for every 25 taxicabs permitted to operate under its taxi business license. Said Annual License Fee and Inspection Fee outlined in Article III Section E.20 shall be waived for all required ramped vehicles.
7. When a taxicab is not employed, Taxi Business License Holders or Affiliated Operators shall ensure that the vehicle remains at their principal place of business or at an alternative location that is off of the public street and sidewalk. No taxicab may be left unattended on a public street for more than two hours.
8. No advertising matter shall be permitted in or upon taxicabs without the written permission of the Transportation Division. Such permission shall be stored with the License File.
9. All taxicab vehicles must be registered to an address or post office box within the Town of Brookline and said address should be reflected on the vehicle registration issued by the Commonwealth of Massachusetts.

#### **L. Vehicle Equipment Requirements**

1. Every Taxi Business License Holder shall ensure that all taxicabs operating under their license comply with all vehicle equipment requirements at all times.
2. Every taxicab placed in service must have the following equipment installed and in proper working condition:
  - A. The taxicab vehicle shall have a **taximeter** that has been properly sealed, installed, replaced or repaired by a licensed technician.
    - (1) Every taximeter installed in a taxicab vehicle must have a current and valid seal from the Weights & Measures Division. Any taximeter removed from a taxicab vehicle with or without its seals intact and placed in the same or another taxicab vehicle must be certified and resealed by the Weights & Measures Division before it may be placed into service.
    - (2) The taximeter must be mounted in such a manner and location that it is clearly visible at all times by both front and rear seat passengers.
    - (3) Any taxicab found to have taximeter seals that are broken, removed, destroyed, marred or otherwise tampered with will be immediately taken out of service until correctly repaired and resealed by the Town of Brookline. Any taxicab driver, Taxi Business License Holder, or Affiliated Operator operating such taximeter or taxicab may be disciplinary action including a fine not to exceed \$300 per occurrence, regardless of whether or not the vehicle was being operated as a taxicab.
    - (4) The taximeter must be capable of issuing a receipt and be capable of gathering, storing and retrieving the following information:
      - a. License number;

b. Summary of service for a one (1) year period that includes:

- i. Total trips;
- ii. Total fare miles; and
- iii. Total number of fares.

- B. The taxicab vehicle shall have a **speedometer** and **odometer** in working order. If an odometer is replaced due to mechanical failure the new odometer shall be set to the current mileage of the odometer it is replacing.
- C. The taxicab vehicle windshield **wipers** shall be operable and the blades in good condition.
- D. The taxicab vehicle shall have a **horn** in working order.
- E. The taxicab vehicle shall have **seat belts** in all seating positions where passengers may ride in a taxicab vehicle. These seat belts must be in working order and available for use by passengers at all times.
- F. The taxicab vehicle shall have a **heater, defroster** and **air conditioner** in good working order.
- G. The taxicab vehicle **steering, brake system, and emergency brake** must all be in good condition.
- H. The taxicab vehicle shall be structurally sound and operate with minimum vibration or noise. The taxicab vehicle **suspension** (shock absorbers and springs) and **exhaust system** must be in good condition.
- I. All taxicab vehicle **windows** shall be clean and clear, both outside and inside. Nothing shall be placed on any portion of the taxicab vehicle in such a manner that blocks the taxicab driver's vision.
- J. All taxicab vehicles shall be equipped with **lights** that function as designed, including headlights (high/low beam), parking lights, directional turn signals, tail and brake lights, dashboard lights, inside dome light, license plate light, and emergency warning lights. The "third" or high-mounted brake light shall be unobstructed and in good working condition at all times.
- K. The taxicab vehicle shall have a rear-view **mirror** and side-view mirrors on both sides of the vehicle.
- L. The taxicab vehicle door **handles, locks and latches** are to be in good mechanical condition and all doors shall operate easily and close securely from both the outside and inside of the vehicle.
- M. The taxicab vehicle wheels must have matching **hubcaps** attached unless wheels are of a custom design that do not use hubcaps.
- N. The taxicab **bumpers** and **body moldings** must be in good condition and properly attached as the manufacturer intended.

- O. The taxicab vehicle exterior body shall be free of noticeable dents, rust, holes, and other defects.
- P. The taxicab vehicle shall have seats and upholstery that are not torn, separated or ripped. Seat springs may not be broken or protrude through the upholstery. Seats shall be firm and comfortable.
- Q. All taxicab vehicle tires must be all weather models and have more than minimum tread depth and exhibit no visible imperfections (e.g., bulges, bumps, or nails).
- R. All taxicab vehicles shall be equipped with an approved, secure and immobile frame(s) or holder(s), plainly visible to all passengers riding in the vehicle, suitable for the display of a Rate of Fare Card, the Taxi License number, and Taxicab Driver Photo Identification Card.
- S. All taxicab vehicles must have the word "Brookline" placed in 6" letters on both sides of the taxicab vehicle and on the trunk directly above the rear bumper. The taxicab vehicle number assigned to the vehicle must also be displayed on both sides of the vehicle and on the lower right corner of the rear-facing portion of the vehicle's trunk lid in numerals that are at least four inches high and painted in a color which contrasts with the color of the rest of the taxicab vehicle. Adhesive-type numerals may be used in place of painted numerals.
- T. All taxicab vehicles must have an adhesive identification decal issued by the Hackney Division, affixed to the upper left-hand corner of the rear window of the vehicle. The Hackney Division shall affix such decal to the vehicle upon the issuance of a Hackney Certificate by the Transportation Board. The decal shall also be removed and surrendered to the Hackney Division as soon as the vehicle is retired from the fleet or otherwise ordered out of service by the Transportation Board or Hackney Officer.
- U. Every taxicab shall be equipped with a trouble light attached to the roof of the cab. The light will flash by the touching of a button or switch by the taxicab driver from inside the vehicle. The purpose of such device is to indicate that the taxicab driver requests assistance from the police. The type, color, and installation of said trouble light shall be approved by the Brookline Police Department and be maintained in a reliable operating condition by the taxicab owner at all times.
- V. All taxicab vehicles must have an adhesive decal issued by a licensed inspection station affixed to the lower right-hand corner of the front windshield indicating that the vehicle has passed the required Enhanced Emissions & Safety Test required by the Massachusetts Department of Environmental Protection 310 CMR60.02 and Registry of Motor Vehicles 540 CMR 4.00.
- W. No taxicab shall remain in service for more than twenty four (24) hours when a warning light is activated on the dashboard of the vehicle indicating a mechanical problem or malfunction including, but not limited to, check engine light, airbag light, and abs light.
- X. All taxicab vehicles shall mount on the roof a taxi roof light that shall indicate at all times the status of the vehicle. The light will illuminate by the touching of a button or switch by the taxicab driver from inside the vehicle to indicate the vehicle is available for hire.
- Y. All taxicab vehicles may display no more than one adhesive decal for advertisement purposes on the rear passenger and taxicab driver's side door window. The decal size may not exceed 4 inches



by 4 inches and must appear on the approved advertisement list adopted by the Transportation Board and maintained by Transportation Division.

3. Every taxicab vehicle shall be equipped with a GPS tracking unit that monitors the location and speed of the taxicab at all times with a maximum interval of thirty (30) seconds. This information shall to be kept for a minimum period of one (1) year and shall be made available upon request, by the Transportation Division or any police officer engaged in the performance of his or her duties.
4. Every taxicab vehicle shall be clean and in good repair at all times including no visible cosmetic damage to the exterior or interior of the vehicle.
  - A. The exterior of all taxicabs shall be washed daily.
  - B. The interior shall be vacuumed, the windows washed, and seats wiped daily.
  - C. No taxicab driver, except an Affiliated Operator operating his own vehicle, shall be made to pay for washing or cleaning of the vehicle's exterior or interior.
  - D. No taxicab driver shall be made to hand wash a vehicle.
5. Every taxicab vehicle shall be free of unsafe damage.
  - A. Any damage to the vehicle must be repaired within a reasonable time, as determined by the Transportation Division or Hackney Officer, given the nature of the damage.
  - B. Any damage deemed by the Transportation Division or hackney Officer to be unsafe, must be repaired immediately and while the vehicle is under repair, the Hackney License must be surrendered to the Transportation Division and may not be used on another vehicle.
6. Every taxicab shall be equipped with electronic credit card processing capability. Such equipment shall allow the passenger to swipe the card in the rear compartment of the taxicab without handing the card to the Taxicab Driver. Such equipment shall list fare, tolls, fees, and tips separately for processing purposes. Such equipment shall have the ability to electronically authorize the transaction in a timely manner. All taxicabs shall have a functioning credit card reader at all times. If a taxicab does not have a functioning credit card reader, it shall be deemed unfit for service as a taxi and removed from service until repaired. Such equipment will provide a printed receipt that includes:
  - A. Brookline Taxi License Number,
  - B. Date,
  - C. Time,
  - D. Charge Amount,
  - E. Transportation Division Telephone Number: (617) 7302177, and
  - F. Transportation Division Email: [Taxi@brooklinema.gov](mailto:Taxi@brooklinema.gov).

7. Every taxicab vehicle shall be equipped with an EZPass transponder and the transponder will be used whenever the vehicle passes through a tollbooth whether empty or carrying passengers, on-duty or off.
8. Every taxicab vehicle bearing a WAV license shall be from the approved WAV vehicle list approved by the Transportation Board and maintained by the Transportation Division.
  - A. WAV taxicabs are required to meet all standards outlined above.
  - B. WAV taxicabs utilizing a ramp shall meet the following requirements:
    - Ramps that are 30 inches or longer shall support a load of 600 pounds.
    - Ramps shorter than 30 inches shall support a load of 300 pounds.
    - The ramp width shall be a minimum of 30 inches as measured 2 inches above the ramp surface.
    - The ramp surface shall be continuous and slip resistant and shall not have protrusions from the surface greater than ¼ inch high.
    - Each side of the ramp shall have barriers no less than 2 inches high.
    - When in use for boarding the ramp shall be firmly attached to the vehicle so that it is not subject to displacement when loading or unloading a heavy power mobility aid.
    - No gap between the vehicle and ramp shall exceed 1/2 inch.
  - C. The approximate ramp slope, as measured from the vehicle floor to the curb, shall meet the following:
    - (1) 1:4 inch ratio floor to ground 9" or less i.e: 8 ¾ inch = minimum ramp length of 35 inches, 9 inch = minimum ramp length of 36 inches
    - (2) 1:6 inch ratio floor to ground more than 9 inches or less than 12 inches i.e.: 9 1/8 inches = minimum ramp length of 54 ¾ inches i.e: 12 inches = minimum ramp length of 72 inches
    - (3) 1:8 inch ratio floor to ground more than 12 inches but less than 15 inches i.e.: 12 1/5 inches = minimum ramp length of 97 inches i.e.: 15 inches = minimum ramp length of 120 inches
    - (4) 1:12 inch ratio floor to ground all greater than 15 inches i.e.: 15 1/8 inches = minimum ramp length of 181 ½ inches
  - D. WAV taxicabs must be equipped with a wheelchair securement system which includes a forward facing shoulder harness and a crash-tested, ADA approved 4 point tie-down system.
  - E. WAV taxicabs shall meet the following requirements relative to the entryway & wheelchair securement area:
    - Doorway height shall not be less than 56 inches
    - Securement Area height shall not be less than 30 inches
    - Securement Area depth shall not be less than 48 inches

#### M. Vehicle Inspection and Safety

1. All taxicabs shall be inspected semi-annually by the Highway Division for compliance with these Taxicab Regulations. The Highway Division will notify all Taxi Business License Holders of the date and location of each inspection. A Taxi Inspection fee of \$75 per taxicab shall be paid to the Transportation Division seven days in advance of the scheduled inspection.
2. It shall be the Taxi Business License Holder's responsibility to ensure all vehicles operating under its Taxi Business License report for all inspections. Failure to report to an inspection shall be punishable by a fine of up to \$300.00 for each violation payable by the Taxi Business License Holder to the Transportation Division.
3. Failure to pass an inspection may be cause for immediate suspension or revocation of the Taxi Business License or Hackney Certificate by the Transportation Board, Transportation Division, Chief of Police, of Hackney Officer.
4. The Transportation Board, Transportation Division, Chief of Police, or Hackney Officer may require that additional inspections be conducted as part of, or as the result of, any routine traffic stop of a taxicab, or upon receipt of complaints from the general public, Transportation Division, or Weights & Measures Division.
5. The Taxicab Business License owner shall be responsible for all fees associated with inspections for all vehicles operating under its license.
6. The inspection of taxicabs will be conducted by the Highway Division in accordance with Registry of Motor Vehicle procedures published as 540 CMR 4.00 and dated July 6, 1997 as part of the Central Massachusetts Registry. Each equipment item inspected on the vehicle will be evaluated and disposed of in terms of the following four (4) categories:

Code 1	OK	The item has been found to be in satisfactory condition, and the vehicle may continue in revenue service.
Code 2	Worn but OK	The item has been found to be worn, but is still serving its intended purpose. No re-inspection is necessary, but the owner will be notified that the item warrants monitoring.
Code 3	Minor Problem	The item has been found to be defective. The vehicle may remain in service but the defective item(s) must be repaired within 5 days. No re-inspection is necessary, but the Transportation Division must be notified in writing that the repairs have been completed.
Code 4	Major Problem	The item has been found to be defective. The vehicle must be taken out of service immediately and the defective item(s) repaired. Re-inspection of the vehicle by the Highway Division is required before the vehicle can be placed back into service.
7. Any vehicle receiving a Code 4 violation shall have its taxi license removed from the vehicle by an employee of the Town of Brookline. Said license will be returned to the Transportation Division and held until the vehicle has been re-inspected and passed by the Highway Division. A re-inspection fee of \$25 shall be paid by the vehicle owner to the Transportation Division before the hackney certificate is returned and the vehicle can return to service as a taxicab.

8. Any vehicle receiving a Code 4 violation may be ordered towed from the site of the inspection by a Town of Brookline employee if that person has a reasonable concern that the vehicle will be placed back into service before repaired and re-inspected.
9. At the time of the scheduled inspection of each taxicab vehicle, the Transportation Division and Highway Division may obtain mileage and other data contained within the taximeter for use in evaluating vehicle activity and performance.
10. At the time of the scheduled inspection of each taxicab vehicle, the Taxi Business License Holder must submit a valid vehicle registration and proof that the vehicle has successfully passed the Commonwealth of Massachusetts Enhanced Emissions & Safety Test.
11. No taxicab vehicle shall be placed into service until it has satisfactorily passed all vehicle inspection requirements. Doing so may be cause for issuance of a fine not to exceed \$300 per day payable by the vehicle owner and/or immediate suspension or revocation of the Taxi Business License or Hackney Certificate by the Transportation Board, Transportation Division, Chief of Police, of Hackney Officer.
12. Any taxicab vehicle involved in a motor vehicle accident resulting in \$2000 or more in repair costs shall be re-inspected and passed by the Highway Division before being placed back into service. Doing so may be cause for issuance of a fine not to exceed \$300 per day payable by the vehicle owner and/or immediate suspension or revocation of the Taxi Business License or Hackney Certificate by the Transportation Board, Transportation Division, Chief of Police, of Hackney Officer. Notice of said accident, including the accident report, must be submitted to the Transportation Division within two (2) days of the accident.

#### **N. Use of Taxicab Stands**

1. The Transportation Board shall identify public stands at curb boundaries reserved for use by taxicabs only. The Highway Division shall then designate by signage the boundaries of these taxicab stands in such a manner that the public is clearly advised of the restricted use of each location.
2. No taxicab shall stand at any other place on the streets on Brookline for the purpose of soliciting business except at the taxicab stands herein established. No vehicle other than a taxicab bearing a Brookline license may stop or park at any taxicab stand location. The Taxicab Driver must be in position and ready for service.
3. Only taxicab vehicles bearing a Brookline license to operate in the Town of Brookline may occupy a taxicab stand location. At taxicab stand locations that allow multiple vehicles, orderly persons seeking a taxicab may select any taxi at the stand location whether it is at the head of the line or not. As a taxicab leaves the line with a passenger(s), those behind shall move up and any taxicab seeking a place on the taxicab stand shall approach the same only from the rear of the stand and shall stop as near as possible to the last cab already in line.

#### **O. Found Property**

1. Every Taxi Business License Holder shall cause lost property found in any of their taxicabs to be returned to its rightful owner in a timely manner. If the owner cannot be found, the property shall be held for safekeeping for a period of not less than 120 days. A receipt shall be issued for each item turned in.

2. Every Taxi Business License Holder shall maintain at their principal place of business a log which records the date, time, taxicab driver's name, incident report number (if applicable), description and disposition of all found property. The log shall be retained for a period of at least one (1) year.
3. If the found property is currency or other item with a value of one hundred dollars (\$100) or more, the Taxi Business License Holder shall within thirty (30) days transfer the property to the Property Officer at the Brookline Police Department and obtain a receipt for the items processed.
4. Every Taxi Business License Holder or Affiliated Operator shall be responsible for any loss of properties suffered by passengers making use of their taxicab services caused by the intentional misconduct or negligence of the Taxicab Driver. Failure to safeguard found properties may subject the Taxi Business License Holder to suspension or revocation proceedings.
5. Every Taxi Business License Holder shall advise passengers, claiming to have lost property of value in a taxicab, to file a lost property report with the appropriate Police Department if their property has not been found.

**P. Use of Controlled Substance/Alcohol**

1. No Taxi Business License Holder, Affiliated Operator, or employee having knowledge that a taxicab driver has used or is currently under the influence of a controlled substance, shall permit the taxicab driver to operate or continue to operate a taxicab.
2. No Taxi Business License Holder, Affiliated Operator, or employee having knowledge (a) that a taxicab driver has used alcohol within four hours of operating a taxicab, or (b) that a taxicab driver has a blood alcohol content of 0.04 percent or greater, shall permit the taxicab driver to operate a taxicab.
3. No Taxi Business License Holder, Affiliated Operator, or employee having knowledge that a taxicab driver has tested positive for alcohol or a controlled substance shall permit that taxicab driver to operate a taxicab until such time as the taxicab driver has tested negative.

**Q. Fees Charged to Affiliated Operators and Taxicab Drivers**

1. Taxi Business License Holders may charge a Taxicab Driver or Affiliated Operator a maximum of 1% above the fee which the Taxi Business License Holder pays a credit card processing company for processing Credit Card transactions in vehicles operating under their Taxi Business License. The Taxi Business License Holder may not charge any fee for that portion of the fare due to tolls, tips, or airport fees.
2. Shift rates shall be publicly posted in each garage and business office in a manner for all to view. The Transportation Board upon a positive vote of 4 members maintains the authority to approve maximum lease rates on a per shift basis, with or without cause, at any time. Except in the case of the Affiliated Operator weekly rate, these lease rates shall include the use of the services provided by the Taxi Dispatch Association that the Taxi Business License holder is a member of.
  - A. The maximum shift rates chargeable to taxicab drivers by Taxi Business License holders or Affiliated Operators are as follows:
    - (1) 12 Hour Shift: No Maximum
    - (2) 24 Hour Shift: No Maximum

(3) Weekly rate: No Maximum

(4) Two-Taxicab Driver Weekly rate: No Maximum

(5) Affiliated Operator Weekly rate: \$125

- B. When a taxicab driver works seven (7) consecutive twenty-four hour shifts he shall be charged the weekly shift rate. The Taxi Business License Holder or Affiliated Operator may determine the start of the work week based on their business operations
  - C. When a taxicab driver works fourteen (14) consecutive twelve hour shifts, he shall be charged the weekly shift rate. The Taxi Business License Holder or Affiliated Operator may determine the start of the work week based on their business operations
  - D. The Taxi Business License Holder, Manager, or Affiliated Operator shall provide an immediate receipt to the taxicab driver for all payments and/or transactions.
  - E. The taxicab driver shall have the responsibility for gasoline costs incurred during his/her shift. The taxicab driver may not be required to purchase such gas from any source.
3. The shift rates listed are maximums only. A Taxi Business License holder or Affiliated Operator may charge less than the listed shift rate.

#### R. Penalties

- 1. Within fourteen (14) business days of receipt of notice of the violation of these regulations, the Transportation Division and Hackney Division will conduct a hearing at which the Taxi Business License holder may present evidence and testimony. This hearing need not be a formal proceeding, may take place contemporaneously with the violation, and the Rules of Evidence do not apply.
- 2. If the complaint refers to a violation by a Taxi Business License holder or Affiliated Operator, the Transportation Division will render a written decision within seven (7) business days of the initial hearing and may subject said Taxi Business License holder or Affiliated Owner to a fine of \$300 and/or suspension or revocation of the right to utilize said Taxi Business License or Hackney Certificate. Such decision shall be delivered in hand or by certified mail directed to the business address contained in the License File.
  - A. In addition to any penalty listed in this section, where the Taxi Business License Holder, Manager, or Affiliated Operator misconduct involves overcharging, or the charging of any fee to the Taxicab Driver the Taxi Business License Holder or Affiliated Operator shall refund the Taxicab Driver the amount of any and all overcharges.
- 3. The Taxi Business License Holder or Affiliated Operator may appeal the Transportation Division's action to the Transportation Board within ten (10) days. The Transportation Board shall convene a special hearing within seven (7) working days of a receipt of a written appeal.
- 4. The Transportation Board will then render a decision within seven (7) business days of the hearing to be delivered in hand or by certified mail directed to the address contained in the License Owners File. The decision of the Transportation Board shall be final.

5. Any person aggrieved by a final decision issued under this section may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth, and must notify the Transportation Division in writing within thirty (30) days of the filing of that appeal so that the administrative record may be forwarded to the appropriate Court.

#### **IV TAXICAB DISPATCH ASSOCIATION REQUIREMENTS**

##### **A. General Rules and Requirements**

1. All Taxi Business License Holders and Affiliated Operators must belong to an approved taxicab dispatch association which provides twenty-four (24) hour two-way communication solely and exclusively for taxicabs bearing a Brookline license. All vehicles operating as taxicabs must be equipped with two-way communication linked to an approved taxicab dispatch association, as approved by the Transportation Board and maintained by the Transportation Division.
2. No taxicab dispatch association shall be approved by the Transportation Board unless:
  - A. The association agrees to provide dispatching services to its members.
  - B. The association agrees to receive inquiries about lost property from the passengers served by its members.
  - C. The association adopts and requires the use of a uniform and distinctive color scheme, as approved by the Transportation Board, for all taxis owned and operated by its members.
  - D. The association agrees to provide service to the public in accordance with the provisions of these Taxicab regulations.
  - E. The association maintains service to a minimum of forty (40) taxicabs bearing a Brookline hackney certificate. The association shall have two (2) years from its initial license date to achieve this number.
  - F. The association must identify a principal place of business, properly zoned and maintained, at a location that is acceptable to the Transportation Board and is within a reasonable distance of the population being served but not greater than 10 miles from the Brookline Town Hall, 333 Washington Street, Brookline, MA 02445.
  - G. The association has made payment of the non-refundable \$100 Dispatch License fee.

##### **B. Notification**

Should the Taxicab Dispatch Association membership of any license owner be terminated, either by the Taxi Business License Holder or by the Taxicab Dispatch Association, for any reason, the Taxicab Dispatch Association shall immediately notify the Transportation Division of this fact in writing. The Transportation Division shall forthwith suspend any Taxi Business License and Hackney Certificates granted under these regulations to the Taxi Business License Holder until the license holder provides evidence that he has become a member of another Taxicab Dispatch Association approved by the Transportation Board.

##### **C. General Rules and Requirements**

1. No person, firm, or corporation shall provide telephone answering and dispatch service using radio or other comparable technology to any taxicab licensed to operate in the Town of Brookline unless said person has been issued a Dispatch License by the Transportation Board on an annual basis. No service shall be allowed to operate under said Dispatch License until the annual Dispatch License fee is paid in full.
3. Every Taxicab Dispatch Association is responsible for the training of all employees in all of the laws, rules and regulations pertaining to the taxi industry in the Town of Brookline.
4. Each Taxicab Dispatch Association must employ a minimum of one operator/call taker on duty for each seventy-five (75) taxicabs in operation.
5. Each Taxicab Dispatch Association shall ensure that the dispatch service is operational for twenty-four (24) hours per day.
6. The Taxicab Dispatch Association shall provide all services solely and exclusively for Town of Brookline licensed taxicabs. No referrals, references, or links shall be made to anything other than a Town of Brookline licensed taxicab.
7. Each Taxicab Dispatch Association must advertise in a commercial telephone listing having general circulation in the Town of Brookline, giving their twenty-four (24) hour telephone number and listing the Taxicab Company(s) and Taxicab Associations they dispatch for.
8. All Taxicab Dispatch Associations shall ensure that every call for service is dispatched in a timely manner. Requests for a WAV taxicab shall be handled as follows:
  - A. The dispatcher must call back within 15 minutes with the cab number assigned to handle the call or advise the requesting party that no taxicab was dispatched.
  - B. If the call cannot be dispatched to a ramped taxicab under their service, the dispatcher/operator shall call other WAV taxicab dispatch associations to handle the request and provide the customer with the company name and vehicle number of the responding WAV taxicab.
  - C. The dispatcher shall record the customer's name and telephone number, as well as the name(s) of the other dispatch services contacted.
7. All Taxicab Dispatch Associations must notify the Transportation Division within three (3) business days of the addition of a taxicab to their dispatch service.
8. All Taxicab Dispatch Associations must maintain a current taxicab driver roster from all Taxicab Business License holders and Affiliated Operators that use their service. This roster must be available for inspection twenty-four (24) hours a day by the Transportation Division, the Chief of Police or Hackney Officer.
9. All Taxicab Dispatch Associations must provide the Transportation Division with a semi-annual report that includes, but is not limited to, the number of calls for service that were received, the number of taxicabs dispatched to those calls, the number of non-response complaints received, and the number of taxicabs that serviced the requested calls.



9. All Taxicab Dispatch Associations and their employees shall not accept or demand any gifts, gratuities or anything of value from either taxicab drivers or person(s) acting on their behalf for a preferred dispatch call, fare, or other enhancement.
10. No Taxicab Dispatch Association owner or their employees may retaliate in any way against a Taxicab Driver for disclosing, reporting, or testifying about any violation of any regulation or law. Any violation of this section shall result in revocation of the dispatch license.
11. A Taxicab Dispatch Association must maintain a current, functional e-mail address through which the Transportation Division, Police Chief, or Hackney Officer may exchange correspondence.
12. The Taxicab Dispatch Association shall only accept membership payment by check or credit card drawn on the corporate account of the Taxi Business License Holder or Affiliated Operator. The Taxicab Dispatch Association shall provide an immediate receipt to the License Owner for all payments and/or transactions.

#### **D. Customer Service**

1. All calls for service shall be answered by human or mechanical device within six (6) rings.
2. If the caller requests a call back, and the call has not been dispatched within 15 minutes of the request, the dispatch service shall call back the customer to advise him/her of such.
3. Upon request, all Taxicab Dispatch Associations shall provide callers with an approximate arrival time of the taxicab requested.
4. Each dispatcher shall be assigned a unique, identifying number or name.
  - A. The dispatcher shall identify themselves with this unique identifier when answering every call.
  - B. The dispatcher shall give this identifier and the shift they are working if requested by a caller.

#### **E. Renewal of Dispatch license**

1. If an existing Taxicab Dispatch Association dispatch license holder desires to renew said dispatch license, an application must be submitted to the Transportation Board at least 60 days prior to the expiration date of said license on a form provided by the Transportation Division. Said application for renewal must describe the present utilization pattern of the taxicab(s) currently in operation under the existing Taxicab Dispatch Association, and explain why the renewal of said license is essential to meeting the transportation needs of the citizens of Brookline.
2. When determining whether to renew an existing Dispatch license, the Transportation Board may consider, among other things: (a) compliance with these regulations during the current license period; (b) compliance with these regulations during previous license periods; (c) complaints received from Taxi Business License Holders or taxicab drivers during the current and previous license periods; (d) complaints received from citizens during the current and previous license periods; (e) the behavior of dispatchers or other personnel employed by the Taxicab Dispatch Association; or (f) the responsiveness of the Taxicab Dispatch Association to complaints or information requests as reported by the Transportation Division.

## **F. Penalties**

1. Failure to meet these standards shall be cause for the issuance of a \$300 fine for each violation and may result in an immediate suspension of the Dispatch license by the Transportation Division pending a revocation hearing by the Transportation Board.
2. The Transportation Division shall notify the Taxicab Dispatch Association and all taxi license holders, in writing, of the revocation of the Dispatch license.
3. The Transportation Board shall conduct a revocation hearing and take a vote in favor or against revocation of the Dispatch license within fifteen (15) days of the date of the suspension notice submitted by the Transportation Division.
4. In the event a Dispatch license is revoked, the License Owner shall have thirty (30) days from the date of notification by the Transportation Division to enroll in an approved Taxicab Dispatch Association.

## **V E-HAIL DISPATCH LICENSE**

### **A. General Rules and Requirements**

1. No person, firm, or corporation shall provide E-hail dispatch service using a smart phone or other electronic device to any taxicab licensed to operate in the Town of Brookline unless said person has been issued an E-Hail Dispatch License by the Transportation Board on an annual basis.
2. All E-Hail Dispatch License Holders shall dispatch a Brookline taxicab for any request for a taxicab from a customer located within the Town of Brookline boundaries.
3. All E-Hail Dispatch License holders must provide the Transportation Division, quarterly or upon request, with a listing of the Taxicab Drivers for which they provide dispatch services. Each dispatch service must also notify the Transportation Division within three (3) business days of the addition of a taxicab to their dispatch service.
4. All E-Hail Dispatch License holders must provide the Transportation Division with a semi-annual report that includes, but is not limited to, the number of calls for Taxicab service that were received, the number of Brookline taxicabs dispatched to those calls, and the number of non-response complaints received against Brookline taxicabs.
5. All E-Hail Dispatch License holders and their employees shall not accept or demand any gifts, gratuities or anything of value from either taxicab drivers or person(s) acting on their behalf for a preferred dispatch call, fare, or other enhancement.
6. No E-Hail Dispatch License holder or their employees may retaliate in any way against a Taxicab Driver for disclosing, reporting, or testifying about any violation of any regulation or law. Any violation of this section shall result in revocation of the dispatch license.
7. An E-Hail Dispatch License holder must maintain a current, functional e-mail address through which the Transportation Division, Police Chief, or Hackney Officer may exchange correspondence.

8. An E-Hail Dispatch License holder may only charge the customer the Town of Brookline Taxi rate of fare plus a convenience fee included in their Terms of Service Agreement with their users and disclosed to the Transportation Board.

## **VI TAXICAB RATE OF FARE**

### **A. Taximeter Rate of Fare**

1. The maximum rate of fare for transport in a taxicab shall be displayed on a Rate of Fare Card as follows:
  - A. For the first one-eighth mile or fraction thereof, one dollar and fifty cents (\$1.50).
  - B. For each additional one-eighth mile or fraction thereof, forty cents (\$0.40).
  - C. For each hour of waiting time, twenty-four dollars (\$24.00) per hour.
2. No Taxicab Driver or person having charge of any taxicab permitted under these Taxicab regulations shall demand or receive a higher rate than that printed on the Rate of Fare Card. A Taxicab License owner may, with the approval of the Transportation Board, charge rates lower than those specified above.
3. All tolls and other fees charged by the authority operating a tunnel, bridge, or highway and paid by the Taxicab Driver while traveling to the passenger's destination may be added to the metered fares, regardless of the direction in which the toll is collected.

### **B. Fixed Rate Fare**

1. Upon approval by the Transportation Board, a Taxi Business License Holder shall offer taxicab service on a fixed rate basis for purposes of trips from the Town of Brookline to specific destinations outside of the town limits.

### **C. Rate of Fare Card**

1. A Rate of Fare Card with the above rates shall be displayed in every taxicab at all times.

## **VII TAXICAB DRIVER REQUIREMENTS**

### **A. General Rules and Requirements**

1. No person, firm, or corporation driving or having charge of a taxicab in the Town of Brookline shall offer a vehicle for hire for the purpose of transporting, soliciting, and/or picking up a passenger or passengers unless said person has been issued a Taxicab Driver License by the Hackney Officer. However, nothing contained herein shall be construed as prohibiting the taxicab driver of a taxicab that does not have a taxi license issued by the Town of Brookline from driving through the Town, or from accepting within the Town of Brookline, a passenger, passengers, packages or other merchandise if summoned by or at the request of said passenger or client by telephone or radio dispatch from the owner or operator's principal place of business outside the Town of Brookline.
2. All Taxicab Driver Licenses issued under these Taxi Regulation shall be valid from July 1 through June 30 of the following year, unless sooner revoked, suspended, or surrendered.

3. Every Taxicab Driver shall conform to all federal, state, and local laws including without limitation the Town of Brookline Traffic Rules and Regulations, Massachusetts Registry of Motor Vehicle Regulations, Massachusetts Workers Compensation Laws, and these Taxicab Regulations.
4. Every Taxicab Driver shall, at all times, cooperate with all law enforcement officers when asked to give their name, taxicab driver's identification number, waybill and all other documents required to be in their possession.
5. A Taxicab Driver shall not hinder, delay, or knowingly make false or misleading statements to the Chief of Police or his or her designee on any matters relating to regulatory compliance.
6. Taxicab Drivers shall respond to any lawful Police Department emergency request immediately if the taxicab driver is working the current shift. Taxicab Drivers shall respond to Police Department inquiries within twenty-four (24) hours for non-emergency requests.
7. Taxicab Drivers shall file written notice with the Hackney Officer within ten (10) days of any change of residence address. A post office box address is not permitted.
8. No Taxicab Driver may lease a taxicab, either on a per shift basis or for any term of time, from anyone other than the Taxi Business License Holder or Affiliated Operator.

#### **B. Taxicab Driver License Requirements**

1. No person, including Taxi Business License Holders or Affiliated Operators, shall drive a taxicab within the limits of the Town of Brookline without first obtaining a Taxicab Driver License from the Hackney Officer. No taxicab driver shall operate a taxicab until the appropriate Taxicab Driver License fees are paid to the Town. The fee for such license shall be fifty dollars (\$50.00) and twenty five dollars (\$25.00) for a replacement license if lost or stolen.
2. A Taxicab Driver License shall be issued on an annual basis and only to such persons who after investigation and testing are found fit and proper persons to hold such licenses. In no case shall a license be issued to a person under twenty-one (21) years of age. All applicants must also have at least one (1) year of experience as a Massachusetts licensed taxicab driver. All applicants shall have a satisfactory driver's license, and a satisfactory driving and criminal record as determined by the Hackney Officer.

##### **A. No Taxicab Driver License shall be issued to applicants with the following offenses:**

- (1) No DUI or other drug related driving violations or severe infractions in the past 7 years
  - (2) No Hit and Runs violations
  - (3) No fatal accidents
  - (4) No instances of reckless driving
  - (5) No violent crimes
  - (6) No sexual offenses
  - (7) No gun related violations
  - (8) No resisting/evading arrest
  - (9) No driving without insurance or suspended license charge in the past 3 years
3. The Chief of Police and Hackney Officer shall set minimum requirements for the testing of taxicab drivers to include, but not be limited to:

- A. Town of Brookline Streets/Important Venues & Buildings
- B. Crime Prevention & Emergency Procedures
- C. Taxicab Rules & Regulations
- D. Vehicle, Bicycle, & Pedestrian Safety
- E. Passenger Relations including BETS Program
- F. Operation of Standard Ramps for WAV License Vehicles

4. Each applicant must attend a Taxicab Driver Education Class administered by the Brookline Police Department or a third party vendor approved by the Transportation Board before they may apply for a taxicab driver license. The fee for this course shall be seventy five dollars (\$75.00) and includes materials and practice tests. Those licensed before the effective date of this requirement shall have two (2) calendar years to complete said course.
5. Each applicant for a Taxicab Driver License must complete on an annual basis an application form provided by the Hackney Officer, and furnish the Hackney Officer a valid Massachusetts drivers license; a copy of their Massachusetts driving record as issued by the Massachusetts Registry of Motor Vehicles; a copy of their United States Birth Certificate or Naturalization Papers or Alien Registration Card showing they are entitled to accept private employment, and (if applicable) a letter from a licensed Brookline cab company indicating an intent to hire.
6. Upon successful completion of the license test, each Taxicab Driver will be photographed by the Hackney Office and be issued an eight and one-half (8½) by five (5) inch Taxicab Driver Photo Identification Card containing a photograph of the taxicab driver's face, the taxicab driver's name, and taxicab driver's license number. Every Taxicab Driver must at all times have in his/her possession and display his/her Taxicab Driver License in a visible holder when operating a Taxicab.
7. The Hackney Officer may suspend a Taxicab Driver License upon receipt of evidence by a Taxi Business License Holder, Affiliated Operator, or Taxicab Dispatch Association, and following an investigation, that said taxicab driver has failed to pay his shift rates, has left unpaid fines, EZ Pass Violations, parking citations, association dues or any other negligent acts in a timely manner. The taxicab driver may appeal the Hackney Officers action to the Transportation Board within 10 days. The Transportation Board shall convene a special hearing within 7 working days of a receipt of a written appeal. The decision of the Transportation Board shall be final.
8. The Hackney Officer may suspend or revoke a Taxicab Driver License at his or her discretion for good cause. The taxicab driver may appeal the Hackney Officers action to the Transportation Board within 10 days. The Transportation Board shall convene a special hearing within 7 working days of a receipt of a written appeal. The decision of the Transportation Board shall be final.

### C. Required Forms and Notices

1. Every Taxicab Driver shall be equipped with (a) a Town of Brookline street map with a complete index of all streets, and (b) a regional street map indicating the routes to all major institutions, event facilities, and other popular destinations.
2. Each Taxicab Driver shall ensure that their taxicab is equipped with an ample supply of comment cards and that these cards are properly displayed in their designated holder. These cards must be issued when requested by a passenger.

3. Each Taxicab Driver shall ensure that their taxicab is equipped with an ample supply of receipts, preprinted with the name of the Taxicab Dispatch Association. When requested and provided to a passenger, each receipt shall provide the passenger with information on the taxicab drivers' name, the taxicab license number, the total fare paid, and the date of payment.
4. Every Taxicab Driver while operating a taxicab shall always have in his/her possession and display his/her Taxicab Driver Photo Identification Card. The Taxicab Driver Photo Identification Card must be maintained in good condition by the Taxicab Driver at all times.

#### **D. Duties and Responsibilities**

1. The Taxicab Driver is required to perform a safety check on any taxicab prior to placing it in service. The taxicab driver is responsible for ensuring that all working equipment on the vehicle is functional, including wheelchair lift equipment if a ramped taxicab. If as the result of this inspection, or during the course of the shift, any equipment is found to present a hazard or safety issue, then the vehicle shall be taken out of service until repaired.
2. The Taxicab Driver is required to perform a check of the taximeter prior to placing the taxicab in service. Any taxicab found to have taximeter seals that are broken, removed, destroyed, marred or otherwise tampered with must be immediately taken out of service until repaired and re-certified by the Weights and Measures Division.
3. The Taxicab Driver is required to perform a check of the credit card processing machine prior to placing the taxicab in service. If as the result of this inspection, or during the course of the shift, the equipment fails to process credit cards then the vehicle shall be taken out of service until repaired.
4. No Taxicab Driver shall drive, or Taxi Business License Holder or Affiliated Operator permit to be driven, a taxicab vehicle whose interior is not kept clean, orderly and free of offensive odors.
5. Every Taxicab Driver is to start and end their shift, or make the change of shift to another taxicab driver, at the Taxicab Dispatch Association's principal place of business.
6. Every Taxicab Driver is to remain in service at all times during their shift, with the exception of meal and/or rest breaks. If a personal necessity arises, which causes the taxicab driver to either be out of service or radio contact for more than ten (10) minutes, the taxicab driver shall immediately notify dispatch and give an approximate time of returning to service.
7. Every Taxicab Driver shall use the waybill format prescribed by the Transportation Division to describe each trip that is made. The waybill record shall identify the taxicab license number, the taxicab driver's name and license number, the date of each hire, the method of hire (e.g., radio dispatch, E-hail dispatch, or street hail), the exact time of day the service order is received, the exact time of departure and location of each trip origin (pick-up), the exact time of arrival and location of each trip destination (drop-off), the exact fare paid, and such other information as may be required by the Transportation Division. The waybills shall be completed in indelible ink, indicate the total number of hours worked by the taxicab driver, and shall be signed by the taxicab driver at the end of the shift. If a vehicle is temporarily out of service because of a mechanical failure, the taxicab driver shall make a notation on the waybill indicating the time out of service and time returned to service.
8. Every Taxicab Driver must accept a radio dispatch assignment.

- A. Taxicab Drivers must advise their Taxicab Dispatch Association if they are unable to handle an accepted call within ten (10) minutes of the time when they acknowledged the call.
  - B. Every Taxicab Driver must advise their Taxicab Dispatch Association when they either will be out of service or radio contact for more than ten (10) minutes and when they have returned back to service or radio contact.
  - C. Every WAV Taxicab shall not accept any other fare once dispatched to a "disabled person" call.
9. Every Taxicab Driver shall make a visual check of the interior of the taxicab at the conclusion of each trip to determine if any property has been left behind. If any of the passenger's property was placed in the trunk, the taxicab driver shall check the trunk area at the end of the trip to ensure that no property was left behind. Lost property shall be turned in immediately to the Taxicab License Owner or Taxicab Dispatch Association supervisor.
10. The taxicab trunk and/or baggage area shall be kept clean, free of items or materials that could possible stain or damage passengers' baggage, and free of any container containing flammable liquids.

#### **E. Rules of Conduct**

- 1. No Taxicab Driver shall speak in a loud, boisterous, threatening, or abusive manner during his/her employment as a taxicab driver. Taxicab Drivers are prohibited from sounding the horn on their vehicle to summon a customer.
- 2. No Taxicab Driver shall threaten, harass, or abuse any person while employed as a taxicab driver.
- 3. No Taxicab Driver shall attempt to use physical force against any person, except in self-defense or in defense of another person.
- 4. All Taxicab Drivers shall be clean in person and dress.
  - A. Taxicab drivers must wear polo style or button down dress shirts.
  - B. Taxicab drivers must wear khakis or black pants/shorts. Jeans or cut off pants are not allowed.
- 5. All Taxicab Drivers are expected to courteously accommodate the special needs of passengers (e.g., opening doors or carrying packages for the elderly or disabled).
- 6. All Taxicab Drivers are required to keep all non-paying passengers (e.g., relatives and friends) from occupying a taxicab while the vehicle is in service.
- 7. No Taxicab Driver may smoke, drink, or eat while in the taxicab. Each taxicab shall carry a Smoking Regulation Card, to be displayed in full view of the passenger(s), which reads as follows "Neither the driver, person in charge of this vehicle, or the passenger(s) may smoke in this vehicle."
- 8. Taxicab Drivers may play an audio/video device (AM, FM, radio tape/CD player, etc.) while a passenger(s) is in the taxicab only after asking for and receiving permission to do so from the passenger(s).

9. Taxicab Drivers, or persons on their behalf, shall not offer any gift, gratuity or any thing of value in order to receive any preferred vehicle, assignment, dispatch call, shift, fare or any other employment enhancement.

#### G. Passenger Service

1. No Taxicab Driver shall refuse, direct or permit the refusal of, a prospective passenger in any area of the Town of Brookline for transportation to any place in the Town or its vicinity, at rates authorized by law, if said prospective passenger presents himself for transportation in a clean, sober, and orderly manner and for a lawful purpose.
2. A Taxicab Driver may refuse to transport any passenger who smokes while in the taxicab vehicle.
3. A Taxicab Driver shall, if requested, reasonably assist a handicapped, disabled, or elderly person to get into and out of a taxicab vehicle if within the physical capacity of the taxicab driver. If unable to assist, the taxicab driver shall notify their dispatch and request a taxicab driver or other appropriate service capable of handling the request. The taxicab driver shall record the request and results on the waybill. The taxicab driver shall remain with the passenger until assistance from another taxicab driver or appropriate service has arrived.
4. A Taxicab Driver shall not refuse to transport a passenger's luggage, wheelchair, crutches, or other property that can be transported within the confines of the vehicle's trunk or passenger areas.
5. A Taxicab Driver may not refuse transport of guide or service animals.
6. A Taxicab Driver may not refuse transport of any non-guide or service animal unless they have on file (in advance) a letter from a medical doctor detailing their allergy to said animal in their taxicab driver file located at the Brookline Police Department and have notified the Taxicab Dispatch Association of said allergy.
7. Upon request of a passenger, the Taxicab Driver shall load or unload luggage, into or out of the taxicab's interior or trunk compartment if within the physical capacity of the taxicab driver. If the taxicab driver is unable to assist, the taxicab driver shall notify their dispatch service and request a taxicab driver or other appropriate service capable of handling the request. The taxicab driver shall record the request and results on the waybill. The taxicab driver shall remain until another taxicabs driver or appropriate service has arrived to assist the fare.
8. A Taxicab Driver shall be able to provide change for a minimum of twenty dollars (\$20.00) to any passenger.
9. Every Taxicab Driver shall inform passenger(s) of their intention to activate the meter when said passenger(s) has an excessive amount of baggage, luggage, packages and/or equipment that needs to be loaded in the vehicle's trunk which would delay said taxicab driver from departing immediately to the stated destination.
10. Taxicab Drivers shall, at the beginning of a trip, inform passenger(s) whose announced destination requires the crossing of a toll bridge or tunnel, the amount of the toll charged and that the full toll is to be paid by the passenger(s) regardless of the direction in which the toll is collected.



11. Taxicab Drivers shall use a voice command GPS device for all rides outside of the Town of Brookline unless otherwise directed by the passenger. It shall be the responsibility of the taxicab driver to purchase and maintain a GPS unit in working condition.
12. Taxicab Drivers may, at their discretion, utilize an approved E-Hail Dispatch in addition to the Brookline licensed Taxicab Dispatch Association. Use of such device by a Taxicab Driver is optional and a Taxi Business License Holder, Affiliated Operator, or Taxicab Dispatch Association cannot require a Driver to use an E-Hail Dispatch.
13. Except for emergency purposes, use of a cell phone, electronic communication device, or personal electronic device by a Taxicab Driver is prohibited while a passenger is in the vehicle.

#### **G. Found Property**

1. Prior to the end of their shift, every Taxicab Driver shall make every reasonable attempt to return any property found in their taxicab to its rightful owner.
2. Every Taxicab Driver shall turn any unclaimed or unreturned property to the Taxicab License owner's or Taxicab Dispatch Association's principal place of business at the conclusion of their shift for safekeeping and obtain a receipt for the item, regardless of value.
3. Every Taxicab Driver shall record on their waybill the description of any found property, who they have notified concerning it (including returning it to the owner, if possible), and what was done with it. Failure to safeguard found properties may be cause for permit revocation proceedings.
4. Every Taxicab Driver shall be responsible for any loss of properties suffered by passenger(s) making use of their taxicab caused by the intentional misconduct or negligence of the taxicab driver.

#### **H. Use of Controlled Substance/Alcohol**

1. No Taxicab Driver shall consume or be under the influence of alcohol or other intoxicating substances while operating a taxicab vehicle. No Taxicab Driver shall drive a taxicab vehicle while their driving ability is impaired by any prescribed or non-prescription drug.
2. No Taxicab Driver shall operate a taxicab within four hours of consuming alcohol.
3. No Taxicab Driver shall begin a shift to operate a taxicab or continue to operate a taxicab while having a blood alcohol content of 0.04 percent or greater.
4. No Taxi Driver shall operate a taxicab or continue to operate a taxicab while using any controlled substance, except when it is dispensed by a licensed medical practitioner who has advised the driver that the substance will not adversely affect the driver's ability to operate a motor vehicle.

### **VIII ENFORCEMENT**

It shall be the duty of the Police Officers of the Town of Brookline to observe the movements of all taxicabs licensed hereunder, especially at night, and to ensure that these Taxicab regulations are obeyed. Any Police Officer witnessing a violation of these Taxicab regulations may cite the taxicab driver of the vehicle and seize evidence of said violation(s). Such evidence may include, but not be limited to, the vehicle and the taximeter. Items seized as evidence shall be taken to a place of safety until they are produced or used as

evidence in any trial or other court proceeding. All such property seized shall be disposed of as the court orders, and may be forfeited, sold, or destroyed at the discretion of the court.

## **IX PENALTIES**

- A. Every Taxicab License Owner, Taxicab Dispatch Association, E-Hail Dispatch License Holder, Affiliated Operator or Taxicab Driver must comply with any and all requests for information and orders of the Transportation Board, Transportation Division, Chief of Police, or Hackney Officer as part of an official investigation. Failure to do so shall be subject to the issuance of a fine of not more than \$300.00 for each violation as well as the suspension or revocation of their license, dispatch license, or taxicab drivers license.
- B. Every Taxicab License Owner, Taxicab Dispatch Association, E-Hail Dispatch License Holder, Affiliated Operator, or Taxicab Driver who violates, or causes to be violated, any of these Taxicab regulations may be subject to the issuance of a fine of not more than \$300.00 for each violation as well as the suspension or revocation of their license, dispatch license, or taxicab drivers license.

## **X TRANSITIONAL PERIOD**

- A. All Taxi Business License Holders with existing licenses approved by the Transportation Board shall have until July 1, 2016 to place a vehicle on the road for each Hackney Certificate issued under said Business License provided they maintain 50% of their vehicles in service.
- B. All Taxi Dispatch Associations with existing dispatch licenses, servicing less than the required 40 taxicabs, approved by the Transportation Board shall be grandfathered in with their existing number as the minimum taxicabs required to continue operating as a Taxi Dispatch Association until such time as the association is sold or the license is revoked or not renewed.
- C. All vehicles currently operating as taxicab that does not meet the requirements to continue in service (i.e. over 300,000 miles) may continue in service until July 1, 2016.

## **XI SEVERABILITY**

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of these Taxicab Regulations, or any part thereof, is for any reason held to be invalid or ineffective, such decision shall not affect the validity or effectiveness of the remaining portions of these Taxicab Regulations or any part thereof. The Transportation Board furthermore declares that they would have adopted and promulgated each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid or ineffective.

**APPENDIX 1**  
**APPLICABLE FEES ADOPTED BY THE TRANSPORTATION BOARD**

Annual License Fee:	\$ 200/license
Annual Dispatch License Fee:	\$ 100/license
Annual E-Hail Dispatch License Fee:	No Fee
Taxi Vehicle Inspection Fee:	\$ 75/inspection
Taxi Vehicle Inspection Fee For a Code 4 Re-inspection:	\$ 25/inspection
Annual Taxicab Drivers License Fee:	\$ 50/license
Taxicab Drivers Class:	\$ 75/class

**APPENDIX 2**  
**APPROVED VEHICLE LIST ADOPTED BY THE TRANSPORTATION BOARD**

Chevrolet Impala  
Chrysler 200  
Dodge Caravan  
Dodge Caravan with the AMS Edge Conversion (WAV Approved)  
Dodge Caravan Braun Ability (WAV Approved)  
Dodge Caravan Mobility Works Commercial (WAV Approved)  
Ford Crown Victoria  
Ford Edge  
Ford Fusion  
Ford Police Interceptor Sedan  
Ford Taurus  
Ford Transit Connect with Taxi Package  
Ford Transit Mobility Works Commercial (WAV Approved)  
Honda Accord  
Honda CRV  
MV-1 Commercial (WAV Approved)  
Nissan NV200 Taxi  
Nissan Pathfinder  
Subaru Forrester  
Subaru Legacy  
Toyota Camry  
Toyota Sienna  
Toyota Sienna Braun Ability (WAV Approved)  
Toyota Sienna Freedom Motors (WAV Approved)  
Toyota Sienna Mobility Works Commercial (WAV Approved)  
VW Passat  
VW Tiguan

*\*Both hybrid and standard models of these vehicles are authorized.*