



General Assembly

Substitute Bill No. 6744

January Session, 2001

AN ACT CONCERNING APPLICATIONS FOR TAXICAB SERVICE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 13b-97 of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 (a) (1) No person, association, limited liability company or
4 corporation shall operate a taxicab until such person, association,
5 limited liability company or corporation has obtained a certificate from
6 the Department of Transportation certifying that public convenience
7 and necessity require the operation of a taxicab or taxicabs for
8 transportation of passengers, the acceptance or solicitation of which
9 originates within the territory specified in such certificate except as
10 provided under subsection (d) of this section. No such certificate shall
11 be issued unless the department finds that the person, association,
12 limited liability company or corporation is suitable to operate a taxicab
13 service, after giving due consideration to, at a minimum, the following
14 factors: [(1)] (A) Any convictions of the applicant under federal, state
15 or local laws relative to safety, motor vehicle or criminal violations;
16 [(2)] (B) the number of taxicabs to be operated under the certificate;
17 [(3)] (C) the adequacy of the applicant's financial resources to operate
18 the taxicab service; [(4)] (D) the adequacy of insurance coverage and
19 safety equipment; [and (5)] (E) the availability of qualified taxicab
20 operators; (F) the ability of the applicant to meet the demand for
21 taxicab service in all parts of the territory; (G) if applicable, any past

22 history of the applicant in providing quality taxicab service to all
23 segments of the population within the territory; and (H) the
24 communication equipment of the applicant that will be utilized to
25 insure promptness of response by the applicant's taxicabs.

26 (2) In support of an application for a new certificate or an amended
27 certificate, the commissioner may accept (A) as evidence of the current
28 use of taxicabs in the territory or of the expected growth of taxicab use
29 in the territory, as provided in subparagraph (F) of subdivision (1) of
30 this subsection, driver trip sheets, dispatcher logs, computer records or
31 other information that shows that the existing number of taxicabs in
32 the territory has not met the demand for service, and (B) information
33 or other evidence that the applicant has serviced or will service the
34 segments of the population within the territory whose trips originate
35 from locations other than airports, train stations, bus stations, ferry
36 terminals or other transportation hubs.

37 (3) The commissioner shall request the state criminal history records
38 check for any person or any officer of any association, limited liability
39 company or corporation applying for such certificate from the State
40 Police Bureau of Identification. The commissioner shall arrange for the
41 fingerprinting of any person or any officer of any association, limited
42 liability company or corporation applying for such certificate and
43 forward the fingerprints to said bureau which shall submit the
44 fingerprints to the Federal Bureau of Investigation for a national
45 criminal history records check for any federal conviction specified in
46 subparagraph (A) of subdivision (1) of this subsection. A fee shall be
47 charged by the commissioner for each such national criminal history
48 records check which shall be equal to the fee charged by the Federal
49 Bureau of Investigation for performing such check.

50 (4) Such certificate shall be issued only after written application,
51 fingerprinting and said criminal history records check [for the same]
52 has been made and public hearing held thereon. The application shall
53 be accompanied by a fee of eighty-eight dollars and the fee for said
54 criminal history records check.

55 (5) Upon receipt of such application, the department shall fix a time
56 and place of hearing thereon and shall promptly give written notice of
57 the pendency of such application and of the time and place of hearing
58 thereon to such applicant, the mayor of each city, the warden of each
59 borough or the first selectman of each town in which the applicant
60 desires to originate the transportation of such passengers, and to any
61 common carrier operating within the territory specified.

62 (6) Notwithstanding any provision of this subsection to the
63 contrary, the department may, upon receipt of a written application,
64 amend an existing certificate to increase the number of taxicabs which
65 may be operated pursuant to the certificate without holding a hearing
66 on the application, provided the department issues a legal notice of
67 such application in a daily newspaper in accordance with the
68 provisions of section 1-2, gives written notice of the pendency of such
69 application to any common carrier operating within the territory
70 specified and no objection is filed with the department within thirty
71 days of each such notice.

72 (7) With respect to any application filed under the provisions of this
73 subsection, the department shall not consider as a ground for denial of
74 a request for an increase in the number of taxicabs to be operated
75 within the territory specified, any number of taxicabs not currently
76 registered with the Commissioner of Motor Vehicles at the time of
77 filing of such application or at the time of any hearing held thereon.

78 (b) Any town, city or borough within which taxicab service is
79 operated or any interested party may bring a written petition to the
80 department with respect to fares, service, operation or equipment or
81 the convenience, protection and safety of passengers and the public.
82 Thereupon, the department may fix a time and place for a hearing
83 upon such petition, and give written notice thereof to the parties in
84 interest at least one week prior to such hearing.

85 (c) No certificate shall be sold or transferred until the department,
86 upon written application to it setting forth the purpose, terms and

87 conditions thereof, and after investigation, finds that the purchaser or
88 transferee is suitable to operate a taxicab service after consideration of
89 the factors specified in subsection (a) of this section and approves the
90 same. The application shall be accompanied by a fee of eighty-eight
91 dollars. The department may amend or, for sufficient cause shown,
92 may suspend or revoke any such certificate. The department may
93 impose a civil penalty on any person or any officer of any association,
94 limited liability company or corporation who violates any provision of
95 this chapter or any regulation adopted under section 13b-96 with
96 respect to fares, service, operation or equipment, in an amount not to
97 exceed one hundred dollars per day for each violation. Any such
98 certificate issued by the department shall remain valid unless
99 suspended or revoked by the department. Any such certificate issued
100 by the Division of Public Utility Control within the Department of
101 Business Regulation prior to October 1, 1979, or by any transit district
102 prior to March 1, 1997, shall remain valid unless suspended or revoked
103 by the Department of Transportation.

104 (d) Any person, association, limited liability company or
105 corporation which has obtained a certificate under subsection (a) of
106 this section may solicit, receive and discharge taxicab passengers at
107 Bradley International Airport, subject to formal agreement with the
108 Commissioner of Transportation provided such agreement shall not
109 take precedence over its obligation to provide taxicab service within
110 the territory specified in such certificate. Any such person, association,
111 limited liability company or corporation may discharge taxicab
112 passengers received at such airport within a territory other than the
113 territory specified in its certificate. The commissioner may charge and
114 collect a reasonable fee from any such person, association, limited
115 liability company or corporation for the privilege of solicitation of such
116 passengers.

117 (e) Taxicabs shall be operated by drivers during the hours
118 established in section 14-274. Taxicab drivers shall receive training
119 regarding safe, reliable, professional and courteous taxicab service and
120 the taxicab certificate holder shall also ensure that the taxicab is

121 operated in a manner consistent with the public safety and
122 convenience. A taxicab driver shall not be prevented from purchasing
123 any property or service ancillary to taxicab service from a person other
124 than the certificate holder or a person designated by the certificate
125 holder. All such property or service shall be inspected by the certificate
126 holder for compliance with equipment and safety standards required
127 by the Department of Transportation, the Department of Motor
128 Vehicles and the Department of Consumer Protection. If there is a lease
129 agreement between a certificate holder and a taxicab driver, then after
130 the first twenty-four hours of the lease period, the driver shall receive a
131 pro rata return of such driver's lease payment calculated from the time
132 that the driver returns the vehicle to the certificate holder. If the
133 contract is between a certificate holder and an owner-operator of a
134 taxicab, then after the first twenty-four hours of the lease period the
135 driver shall receive a pro rata return of such driver's lease payment
136 calculated from the time that the owner-operator returns the taxicab
137 license plates to the certificate holder. Any dispute over lease
138 payments shall be mediated by a third party if not resolved.

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