



A BILL FOR AN ORDINANCE

RELATING TO TAXICABS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to address taxicab regulation. This ordinance clarifies that the regulation of taxicabs is under the jurisdiction of the department of customer services, increases the duration of a taxicab driver's certificate and reduces the cost of a duplicate, and requires submission of a recent photo with an application for a taxi driver's certificate.

SECTION 2. Section 12-1.1, Revised Ordinances of Honolulu 1990, is amended by amending the definition of "Director" to read as follows:

""Director" means the director of [finance] customer services of the city, or the director's duly authorized subordinates."

SECTION 3. Section 12-1.3, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 12-1.3 Director of [finance] customer services—Authority.

- (a) Denial, Suspension or Revocation of Taxicab Driver's Certificate. The director [of finance] is authorized to deny initial issuance or renewal of or suspend or revoke any taxicab driver's certificate if an applicant cannot meet the requirements set forth in Section 12-1.9(c), as amended, or a taxicab driver violates any of the provisions contained in this article. Any applicant or taxicab driver shall be afforded an opportunity for a hearing if a certificate is denied, suspended or revoked by the director [of finance] pursuant to the provisions of HRS Chapter 91.
- (b) Rule-Making Powers. The director [of finance] is authorized to [promulgate any] adopt rules or regulations not inconsistent with this chapter, having the force and effect of law, as provided for in HRS Chapter 91, in the administration and enforcement of this chapter."

SECTION 4. Section 12-1.9, Revised Ordinances of Honolulu 1990, is amended to read as follows:



A BILL FOR AN ORDINANCE

"Sec. 12-1.9 Taxicab driver's certificate.

- (a) No driver of a taxicab shall use or cause to be used, for purpose of hire, a taxicab which does not have a taxicab driver's certificate mounted within 12 inches of the taximeter so that it is readily visible to all passengers (the certificate shall not be mounted on the sunvisor of the taxicab). The taxicab driver's certificate shall be issued by the director [of finance]. It shall contain a photograph of the taxicab driver to be furnished by the taxicab driver, the taxicab driver's name, driver's license number and any other information specified by the director [of finance]. The taxicab driver's certificate shall be laminated in plastic or so constructed so as to make alteration difficult. It shall be a violation of this section for any person to alter such taxicab driver's certificate.
- (b) The director [of finance] shall collect a fee of \$25.00 for the issuance of each original [or] \$10.00 for each duplicate taxicab driver's certificate.
- (c) No taxicab driver's certificate shall be issued to any person unless such person has:
 - (1) A valid State of Hawaii driver's license;
 - (2) One year of driving experience prior to operating a taxicab;
 - (3) Satisfactorily passed an examination showing:
 - (A) A sufficient understanding of the traffic laws or ordinances, and this article,
 - (B) A sufficient understanding of the locations of streets, roads, highways and significant landmarks within the City and County of Honolulu,
 - (C) A sufficient understanding of the English language;
 - (4) Complied with the standards promulgated by the director [of finance] relating to moral character and physical fitness of the applicant based on prior records or certified documents relative thereto; and
 - (5) Received a taxicab driver's control number from the department [of finance]. This control number shall be shown on the taxicab driver's certificate along with the driver's name and the name and telephone



A BILL FOR AN ORDINANCE

number of the company with which the driver is affiliated. Other personal information shall be shown on the back of the taxicab driver's certificate. The taxi driver shall notify the director [of finance], the insurance company and the taxi company with whom he or she is affiliated, of every change to his or her current telephone number or address, within 30 days of such change[.]; and

- (6) Submitted a photograph of the person taken no more than 30 days prior to submission of the person's application.
- (d) Every taxicab driver's certificate issued under this section shall expire, unless otherwise revoked, [~~one year~~] two years after the issuance thereof and shall be renewed by the director [of finance] on or before its expiration date upon the applicant's meeting the standards set in subsection (c) [of this section]. Provided, however, that every taxicab driver need not demonstrate compliance with the requirements of paragraphs (c)(3)(B) and (c)(3)(C) in order to further renew the taxicab driver's certificate and need not demonstrate compliance with the requirements of paragraph (c)(3)(A), except for once every fourth renewal. The director [of finance] may accept an application for certificate renewal not more than six months prior to the date of expiration. If, however, a renewal is not applied for on or before the 90th day following the expiration date of the certificate, the applicant shall be treated as an applicant for a new certificate. A new set of photographs, taken not more than thirty days prior to submission of the application shall be furnished with each application for renewal.
- (e) Whenever the driver's license of any taxicab driver is suspended or revoked, the director [of finance] shall require that the taxicab driver's certificate be surrendered to and be retained by the director [of finance], except that at the end of the period of suspension, the certificate so surrendered shall be returned to the licensee.
- (f) Every taxicab driver's certificate [issued after January 1, 1987] shall have printed thereon a telephone number designated by the [department of finance] director as the telephone number for taxicab complaints. This telephone number shall be preceded by the following message: "If you have any complaints, call _____." The message and telephone number shall be printed in bold print letters not less than three-eighths of an inch in height.
- (g) Every taxicab driver's certificate [issued after March 1, 1995] shall also have printed thereon the following message: "This taxi is meter regulated. Receipt



A BILL FOR AN ORDINANCE

upon request." The message shall be printed in bold letters not less than three-eighths of an inch in height."

SECTION 5. Section 12-1.10, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 12-1.10 [Rate] Director to establish rate of fare and baggage charge— Exceptions—Conditions—Receipt required upon request.

[(a) Until December 31, 1991, no taxicab driver or taxicab company shall assess a passenger above and beyond the following maximum fares or charges:

(1) Mileage Rate.

For the first 1/7 of a mile or fraction thereof..... \$1.75
For each additional 1/7 of a mile or fraction thereof \$0.25

(2) Waiting Charge.

For each 50 seconds or fraction thereof..... \$0.25

(3) Small Baggage, Parcel or Object Charge.

For each purse, briefcase, airline handbag, camera, grocery bag (less than 25-pound size), parcel less than four cubic feet in size or collapsible wheelchairNo Charge

(4) Regular Baggage, Parcel or Object Charge.

For each piece of baggage, parcel or object except those enumerated in subparagraph (3) or (5)..... \$0.30

(5) Extra Large or Heavy Baggage, Parcel or Object Charge.

For each piece of baggage, parcel or object, greater than 10 cubic feet in size, exceeding 80 pounds in weight, or exceeding four feet in length, and for each surfboard or bicycle \$3.00



A BILL FOR AN ORDINANCE

- (b) From January 1, 1992, the maximum] (a) The maximum fares and baggage charges that may be charged to passengers of taxicabs shall be established by the director. The fares and charges shall be established by rules adopted by the director. The fares and charges shall be reviewed by the director at least once every two years following January 1, 1992 and shall be amended, as necessary, to reflect changes in the private transportation component of the consumer price index for Honolulu, as determined by the U.S. Bureau of Labor Statistics; provided, that the director may amend the fares and charges more frequently than once every two years if deemed necessary.
- [(c)](b) The fares or charges established pursuant to this section shall be subject to the following exceptions or conditions, whichever the case may be:
- (1) When Fares or Charges Permitted. Fares are only applicable to the use of the taxicab when actually occupied by or standing at the direction of the passenger for hire or when occupied by parcels or baggage transported for hire; provided, that no other charges shall be made for the use of a taxicab for hire except as provided herein.
 - (2) Posting of Fares and Charges. The schedule of fares and charges established pursuant to this section shall be printed in bold type letters, not less than three-sixteenths of an inch in height, posted within 12 inches of the taximeters and readily visible to all passengers for hire.
 - (3) Exceptions and Conditions for Use of Fares and Charges Lower Than Those Established. A taxicab driver or taxicab company may adjust the meters on a taxicab so that a lower fare or charge may be assessed than those established pursuant to this section; provided, that if a taxicab driver or taxicab company owns or operates more than one taxicab, all of the taxicabs shall have their taximeters adjusted to the lower fare or charge; and provided further, that such lower fare or charge shall be posted as prescribed in paragraph (2). The taxicab driver or taxicab company may waive the baggage charges established pursuant to this section.
 - (4) This section shall not be construed to preclude a taxicab driver or taxicab company from charging a passenger less than the amount due indicated by the taximeter.
 - (5) The fares for shared-ride taxicab service shall be established by the tariff filed under Section 12-1.24, rather than the fares and charges established pursuant to this section.



A BILL FOR AN ORDINANCE

[(d)](c) Receipt Required upon Request.

- (1) At the end of the taxicab trip, the operator shall upon request provide at least one passenger with a receipt that records the following information: origin, destination, time and date of the taxicab service; all fares and charges; the name of the taxicab operator, printed or written so that it is legible; the printed name and telephone number of the taxicab company; a telephone number, as designated by the director, to call for the filing of complaints; and any other information deemed necessary by the director.
- (2) All taxicab receipt forms shall be approved by the director before use by a taxicab company."

SECTION 6. Section 12-1.12 ("Trip records"), Revised Ordinances of Honolulu 1990, is amended by amending subsection (b) to read as follows:

"(b) The trip record shall be open to inspection by the director [of finance] during regular business hours in accordance with rules adopted by the director."

SECTION 7. Section 12-1.15 ("Taxicab license—Issuance—Fees"), Revised Ordinances of Honolulu 1990, is amended by amending subsection (a) to read as follows:

"(a) Issuance. The director [of finance] shall issue taxicab licenses and collect the required fees in accordance with the provisions of this article and any other applicable provisions of the law. Prior to the initial issuance and renewal of the taxicab license, the director shall inspect the condition of each vehicle to ensure it is in compliance with the provisions of this ordinance. The issued licenses shall not be transferable."

SECTION 8. Section 12-1.15 ("Taxicab license—Issuance—Fees"), Revised Ordinances of Honolulu 1990, is amended by amending subsection (c) to read as follows:

"(c) Surrender and Cancellation.

- (1) The holder of a taxicab license shall immediately surrender said license to the director [of finance] when the taxicab licensed thereunder has not been used to carry passengers for hire for a consecutive period of 30 days.



A BILL FOR AN ORDINANCE

- (2) The above period shall be extended to a total of 180 days if the non-use is caused by the vacation, illness or injury of the regular taxicab driver or due to the delay of repair due to parts or receipt of a replacement taxicab.
- (3) Upon surrender, the taxicab license shall be canceled."

SECTION 9. Section 12-1.16, Revised Ordinances of Honolulu 1990, is amended to read as follows:

"Sec. 12-1.16 Taxi sign.

A taxicab shall be identified with a sign (which may be a dome light sign) on the roof of the taxicab. The name of the individual owning or operating the taxicab or the name of the firm shall be shown on the front of the sign and it will be optional to place either the name or telephone number of such individual or firm on the rear of the sign. Such sign may have flashing actuators. A taxicab driver may actuate such sign to call for police or other assistance in cases when a robbery is in progress. The use of a flashing dome light, except to signal when a robbery is in progress, shall be in violation of Section 15-19.22, traffic code of the City and County of Honolulu. Except as provided herein, the type, design and placement of the sign shall be as specified by the director [of finance]. The sign may be a detachable type so that it may be removed when the vehicle is not used for taxicab purposes."

SECTION 10. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.



A BILL FOR AN ORDINANCE

SECTION 11. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Nestor Garcia

Romy M. Cachola

Ann Kobayashi

Rod Tam

Donovan Dela Cruz

DATE OF INTRODUCTION:

October 8, 2004
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

[Signature]
Deputy Corporation Counsel

APPROVED this 31st day of March, 2005.

[Signature]
MUFU HANNEMANN, Mayor
City and County of Honolulu

(OCS/020805/ct)

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE **05 - 005**

BILL **77 (2004)**

Introduced: 10/8/04 By: NESTOR GARCIA

Committee: PT

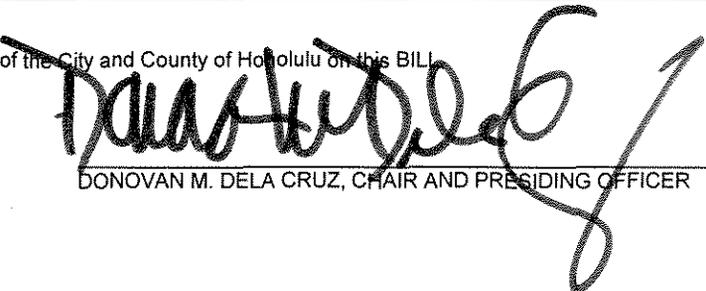
Title: A BILL FOR AN ORDINANCE RELATING TO TAXICABS.

Links: [Bill 77 \(2004\)](#)
[Bill 77 \(2004\), CD1](#)
[CR-41](#)
[Related Communications](#)

Council	11/10/04	Bill passed first reading and referred to Committee on Transportation. Cachola Y Dela Cruz Y Djou..... Y Gabbard N Garcia Y Kobayashi Y Marshall Y Okino..... Y Tam Y
Transportation	11/18/04	Bill deferred in committee.
	1/24/05	Bill re-referred to Planning and Transportation Committee previously Transportation Committee. (CC-19 (05))
Planning & Transportation	2/8/05	CR-41 (2005) – Bill reported out of committee for passage on second reading and scheduling of a public hearing as amended in CD1 form.
Publish	2/12/05	Public hearing notice published in the Honolulu Star-Bulletin.
Council/Public Hearing	2/23/05	Bill passed second reading, as amended (CD1), CR-41 (2005) adopted, public hearing closed and referred to Planning and Transportation Committee. Apo Y Cachola Y Dela Cruz Y Djou Y Garcia Y Kobayashi Y Marshall Y Okino Y Tam Y
Publish	3/7/05	Second reading notice published in the Honolulu Star-Bulletin
Planning & Transp.	3/1/05	CR-72 (2005) – Bill 77 (2004), CD1, reported out of committee for passage on third reading.
Council	3/16/05	Bill 77 (2004), CD1, passed third reading and CR-72 (2005) adopted. Apo Y Cachola Y Dela Cruz Y Djou Y Garcia Y Kobayashi Y Marshall Y Okino..... Y Tam Y

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


DENISE C. DE COSTA, CITY CLERK


DONOVAN M. DELA CRUZ, CHAIR AND PRESIDING OFFICER