

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF MINEOLA, TEXAS ESTABLISHING REGULATIONS CONCERNING GROUND TRANSPORTATION AND/OR TAXI SERVICE WITHIN THE CITY LIMITS OF MINEOLA, TEXAS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mineola, Texas (“City”) is a Type-A general law municipality organized and existing pursuant to the laws of the State of Texas; and

**WHEREAS**, the City is authorized, pursuant to Texas Local Government Code Section 215.004, to establish regulations concerning ground transportation and taxi service provided within City’s incorporated limits; and

**WHEREAS**, the City Council for the City of Mineola, Texas finds that the regulations established herein concerning ground transportation and taxi service within the city limits of Mineola are necessary to protect the public’s health, safety and general welfare.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council for the City of Mineola, Texas as follows:

**I.  
DEFINITIONS**

- A. Ground Transportation Service** means chauffeured vehicles for hire for the transportation of passengers within the City, including but not limited to taxi cabs, limousines and shuttles.
- B. Taxi Cab** means a chauffeured motor vehicle equipped with a taxi meter with a rated passenger capacity of eight (8) or less used to transport persons, and which typically operates on a regular route, on a regular schedule and on a call and demand basis.
- C. Taxi Meter** means a device used in a taxi cab to compute a fare.

**II.  
PERMIT REQUIRED**

- A.** An individual and/or entity may not operate a ground transportation and/or taxi cab service within the City of Mineola for the pickup of passengers inside City’s incorporated limits without first having obtained a permit from the City issued under the terms and provisions of this Ordinance.
- B.** A permit in compliance with this Ordinance does not apply to the following:

1. A vehicle owned, operated or subcontracted by the federal government, the state or a political subdivision when providing service exclusively to a governmental entity;
  2. A courtesy vehicle that routinely provides transportation to and from its principal place of business;
  3. Ground transportation and/or taxi cab services originating outside of City's incorporated limits;
  4. An ambulance or other vehicle providing non-emergency medical transports.
- C. To obtain a permit for ground transportation and/or taxi cab service, an individual and/or entity must make written application to the City Secretary. The application must be sworn or affirmed.
- D. All applications for a ground transportation and/or a taxi cab service permit shall be approved by the City Council.
- E. A permit issued pursuant to this Ordinance is valid for a period of one (1) year. Any amendment to the permit may only be made after the holder of said permit submits a written request to the City Secretary describing in detail the proposed amendment. Any amendment must be approved by the City Council, except for increases or reductions in the number of vehicles or substituting vehicles the subject of a permit.
- F. A holder of a permit issued herein may not transfer or assign the permit to any other individual and/or entity.
- G. Once a permit is issued, the holder of said permit shall ensure that a copy of the permit is affixed to any and all vehicles operating pursuant to said permit on the passenger side of the windshield in the lower corner inside the windshield.
- H. An individual and/or entity commits an offense under the following circumstances:
1. Operates a vehicle with an expired permit; or
  2. Attaches a permit to a vehicle not authorized to operate.

### **III. VEHICLE REQUIREMENTS**

Before a vehicle operating pursuant to a permit issued by way of this Ordinance may be used to provide ground transportation and/or taxi cab services, the holder of said permit must present written proof to the City Secretary showing that each vehicle operating pursuant to the permit has a current State of Texas registration and inspection.

**IV.  
INSURANCE**

- A. It shall be unlawful to operate a ground transportation and/or a taxi cab service in the City unless a permit holder maintains in full force and effect during the authorized period of any permit the amount and character of insurance coverage for all vehicles used in providing such service as follows:
1. Minimum Bodily Injury - \$50,000.00 per person and \$100,000.00 per accident;
  2. Minimum Property Damage - \$25,000.00 per accident;
  3. Said insurance must be carried with an insurance company authorized to do business in the State of Texas.

**V.  
DRIVER QUALIFICATIONS**

- A. Any driver providing ground transportation and/or taxi cab services must meet the following criteria:
1. Be at least eighteen (18) years of age;
  2. Possess a valid driver's license;
  3. Have a valid contract with or currently be employed by the permit holder, or be the individual to which the permit has been issued;
  4. Provide authorization to work in the United States if the person is not a citizen;
  5. Not have been convicted in a three (3) year period preceding the application for a permit of the following:
    - a. More than three (3) moving violations;
    - b. Fleeing or attempting to elude a police officer, reckless driving, driving without a valid driver's license or driving with an invalid driver's license;
  6. Not have been convicted in the preceding five (5) year period for driving while intoxicated, use of a motor vehicle with intent to commit a felony, any felony involving property damage, fraud, theft, an act of violence or an act of terrorism; and
  7. Not be registered as a sex offender.

**VI.  
APPLICATION AND INVESTIGATION**

- A. All drivers operating a vehicle for ground transportation and/or taxi cab services shall file a completed written application with the Mineola Police Department on the prescribed form.
- B. The Mineola Police Department shall conduct such investigation as it considers necessary to determine whether a person is qualified to provide ground transportation and/or taxi cab services as referenced herein.

**VII.**  
**PERMIT FEES**

A permit issued herein shall have an annual fee of \$150.00.

**VIII.**  
**TAXI METER AND/OR AGREED UPON FARE REQUIRED**

- A. A person may not drive or allow another person to drive a ground transportation vehicle and/or a taxi cab that establishes its fare based on distance or time unless said vehicle is equipped with an operational taxi meter.
- B. Except as provided by subsection C of this section, a driver may not use a device other than a taxi meter for measuring distance or time or to determine the fare to be charged.
- C. Taxi meter rates of fare do not apply to a trip to a destination outside the incorporated limits of the City of Mineola or a trip under a contract with a governmental agency, non-profit organization or as otherwise reasonably necessary to provide a public service.
- D. **In lieu of a tax meter, a driver must inform any passenger using his/her services of the fare to be charged for such service prior to the trip beginning. Said fare may not be changed unless the passenger request a deviation from the original route that would, in fact, alter the quoted fare of the original route.**

**IX.**  
**REPEALER**

Any and all Ordinances of the City of Mineola, Texas in conflict with the provisions of this Ordinance shall be and the same are hereby repealed, and all other provisions of the Ordinances of the City of Mineola not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**X.**  
**SEVERABILITY**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, subsections and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, subsection or section of this Ordinance shall be declared unconstitutional by the judgment or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or illegal phrase, clause, sentence, paragraph, subsection or section.

**XI.**  
**PENALTY**

A. Any offense of a regulation contained within this Ordinance shall be punishable as a Class C Misdemeanor, with a fine if found guilty not to exceed \$500.00.

B. Prosecution of an offense under this Ordinance does not preclude other enforcement remedies available to the City, which may include injunctive relief and/or other civil remedies.

**XII.**  
**EFFECTIVE DATE**

This Ordinance shall take effect upon its passage and its publication as required by law.

PASSED and APPROVED by the City Council for the City of Mineola, Texas this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

APPROVED BY:

\_\_\_\_\_  
Jayne Lankford, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Karch, City Secretary