

BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
NO. 2010/2

AN ORDINANCE AMENDING CHAPTER 5
(BUSINESS LICENSES AND REGULATIONS),
SECTION 84 (TAXI CABS) OF THE REVISED GENERAL ORDINANCES
OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, there have been numerous complaints from both taxi owners and the public regarding the operations of taxi cabs within the Borough of Freehold; and

WHEREAS, representatives of council have met with the Police Chief, Administrator and Borough Attorney to discuss the overall taxi regulations, enforcement and safety issues; and

WHEREAS, complaints from the public include unsafe driving by taxi operators, including speeding, disregard for stop signs and other traffic control devices, horn honking, cutting through private property to avoid traffic lights and other generally careless driving; and

WHEREAS, the council liaison to the senior citizens reports that seniors have experienced price gouging by some taxi drivers; and

WHEREAS, members of the public have reported their perception that there are far too many taxis for a town the size of Freehold Borough, containing 1.9 square miles with approximately 11,000 people; and

WHEREAS, the governing body and police have received numerous complaints of "illegal" or "gypsy" taxis operating in the Borough; and

WHEREAS, the governing body and police have received numerous complaints about children being transported to school in illegal taxis that are not equipped with the proper child safety restraints; and

WHEREAS, the Borough and police have conducted educational training at the school drop off areas advising all people transporting children to school of the requirements for child safety restraints and other safety issues; and

WHEREAS, the governing body recognizes that a large number of residents, including senior citizens, rely on taxis for transportation to shopping, medical appointments and other basic needs; and

WHEREAS, the governing body has received information that many taxi owners do not carry adequate insurance to protect the users and general public; and

WHEREAS, after consultation with the Police Chief, Borough Attorney and Administrator, the Mayor and Council have determined that it is in the public interest to revise the existing Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Freehold, as follows:

Section I

Ordinance 5.84 010 through 130 shall be deleted in its entirety and replaced as set forth herein.

Section II

5.84 Taxicabs

5-84.010 Definitions as used in this Chapter:

"Additional Stop" means all stops with the exception of the final destination to which the taxi cab driver proceeds at the direction of the passenger.

"Applicant" shall mean a person seeking a license to own or drive a taxi in the Borough of Freehold.

"Autocab" has the meaning set forth in N.J.S.A. 48:16-1 as amended and supplemented.

"Base" shall mean a place of business from which for hire vehicles are dispatched.

"Base owner" shall mean any individual, partnership or corporation or other entity licensed by the Borough of Freehold to own and operate a base.

"Cruising" means the practice of driving along the streets of the Borough with a taxicab so as to solicit passengers or to bring the presence of the taxicabs to the attention of perspective passengers. A taxicab driving along the streets of the Borough for any purpose other than while transporting a passenger, going to a definite destination by the most direct route in response to a call for a taxicab by a perspective passenger, or returning by the most direct route to the taxicab's base or home terminus after discharging a passenger or going to or from the base to the driver's home by the most direct route shall be prima facie evidence of cruising.

"Deliveries" shall mean any situation where the taxicab driver delivers any item to the customers.

"Dispatch" shall mean an instruction to a driver by a base to provide transportation to a passenger who has previously arranged for such transportation with the base.

"Dispatch Record Sheet" shall mean a record kept at all times of the operation by the dispatcher. Information includes trips assigned to drivers, times, dates, identification numbers and any other information required by the Borough of Freehold. Operation of a taxicab or autocab shall consist of transporting in such taxicab or autocab one or more persons for hire along any of the Borough's streets. Accepting a passenger to be transported for hire from a point of departure within the Borough to destination within or without the Borough shall be considered operation of a taxicab or autocab within the Borough. The operation of a taxicab by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxicab. The transportation of any person other than the owner or driver in any motor vehicle bearing a sign using the words taxi, taxicab, cab, autocab or hack shall be prima facie evidence of operation.

"Driver" means any person who drives a taxicab or autocab within the Borough.

"Mailing Address" shall mean the address designated for the mailing of all notices and correspondence from the Borough and for the issuance of summonses.

"Medallion" or "Decal" is the official number and medallion/decal issued by the Borough of Freehold to each taxicab.

"Operator" shall mean taxi owner, person operating the taxi business or lease holder. Operator must obtain a license to operate.

"Owner" shall mean any persons in whose name title to any taxicab or autocab is registered within the New Jersey Department of Motor Vehicles or who appears in such records to be the conditional vendee or licensee thereof.

"Passenger" shall mean a person who has engaged a taxi or for hire vehicle for the purpose of being transported to

a destination or a person who is awaiting the arrival of a dispatched taxi.

"Renewal Applicant" shall mean a person seeking to renew a taxi driver's license within the time period established by the Borough.

"Taxicab" or "Taxi" or "Autocab" means and includes any automobile or motor car, commonly called taxi, engaged in the business of carrying passengers for hire which is held out, announced or advertised to operate or run or which is operated or run over any of the streets or public highways of this state, and particularly accepts and discharges such persons as may offer themselves for transportation from points or places to points or places within or without the Borough and automobile or motor vehicle engaged in the business of carrying passengers for hire, within the Borough and has the meaning set forth in N.J.S.A. 48:16-1 as amended and supplemented.

5.84.020 License Required. No person shall operate a taxicab within the Borough unless both the owner and the driver of the taxicab are licensed under this chapter.

5.84.030 Types of Licenses.

A. Owner's License. No person, corporation or entity shall hire out, keep or use for hire or pay or cause to be kept for use for hire or pay, any vehicle commonly known as a taxicab, within the Borough without first having obtained a license for that purpose. A taxicab owner's license shall entitle the taxicab therein described to be operated in the Borough provided that the person driving the taxicab holds a valid taxicab/autocab driver's license. The owner's license shall not be transferable.

B. Driver's License. No person shall drive a taxicab/autocab in the Borough of Freehold without first having obtained a license therefore. The holder of a taxicab/autocab driver's license shall be entitled to operate within the Borough any taxicab/autocab whose owner has been licensed under this Chapter.

5.84.040 Licensing of TaxiCab/AutoCab Owners.

A. I) Applications. All applications for a taxi cab/autocab owner's license shall be in writing upon a

form to be furnished by the Borough Clerk. The application shall contain but not be limited to, full name and address of the owner, the serial number, type, color, year and model of the vehicle to be licensed and the number of persons it is capable of carrying and shall be accompanied by the required fee. All applicants shall submit for finger printing by the Freehold Borough Police Department together with a request and authorization for a criminal history report at the applicant's expense.

II) Furnish with the application two recent photographs of the applicant of a size measuring 2" x 2".

B. No person shall be issued an owners license unless the vehicle can accommodate a minimum of four passengers and the owner provides the insurance certificate as set forth herein.

C. The applicant must supply the name and address of two responsible references from Freehold Borough. Any and every change of address of the owner shall be reported in writing to the Borough Clerk within three days after such change.

D. All applications shall be filed with the Borough Clerk who shall forward a copy of the application to the Police Chief for review and recommendation. The Police Chief or his designee shall submit a report or review of the application to the Borough Council within 14 days of the receipt of the criminal history report. A copy of the application together with the report and recommendation of the police department and proof of insurance shall be submitted to Borough Council at the next succeeding meeting for action and any and all applications may be granted or refused by the majority vote of the members of the body present at such meeting.

E. Factors Considered. In determining whether to grant or deny the license, the council shall take into consideration the following factors:

1. The character, business and financial responsibility and experience of the applicant and the probability that if granted a license, the applicant will operate the taxicab/autocab in accordance with the provisions of this chapter;

2. Any factors contained in the review or report from the Police Department including, but not limited to, convictions of any section of the New Jersey criminal code, motor vehicle violations and Borough ordinance violations;

3. The owner licensee is over 21 years of age, can read, write and speak the English language and provides an Employer Identification Number;

4. Any other factors directly related to the granting or denial of the license which would substantially affect the public safety or convenience.

F. Number of License Limited. No license to own or operate a taxicab/autocab shall be granted unless the number of such licenses issued and outstanding does not exceed 25 except as hereinafter set forth. The existing 30 licenses may be renewed and/or re-issued to the same owners. In the event any of the existing licenses in excess of 25 shall lapse, not be renewed by the existing owner, or in the event the license owner no longer operates the taxi, no new or replacement license shall be issued if the issuance of same would bring the total number of owner licenses in excess of 25.

G. Issuance of License. The Council shall, by Resolution, grant or deny the license. If the application is approved, the Clerk shall issue the license upon forms established by the Council by Resolution.

H. License Terms - Fees. H. License Terms - Fees. A taxi cab/auto cab owner's license shall expire on December 31st of each year. The license fee shall be \$500.00 per year or portion thereof per vehicle payable upon the filing of an application for the issuance or renewal of a license, \$100.00 of which shall be non-refundable for the processing of the application. In addition to the application fees set forth in this Chapter, every applicant shall also pay to the Borough Police Department a sum in the amount charged by any County, State and/or Federal Agency for a fingerprint inquiry concerning the applicant. In addition, the applicant shall also pay to the Borough Clerk the sum of \$25.00 for each decal set or medallion set issued.

I. The owner's license may be renewed by Council upon the licensee's filing with the borough clerk a new application and fee annually and provided that the owner has not been convicted of 3 or more ordinance or motor vehicle violations in the preceding thirty-six (36) months and further provided that the criminal history report is satisfactory.

The owner's license shall at all times be prominently displayed and adequately protected in the interior of the taxicab and be plainly legible to any passenger seated in the rear seat. All individual personal information of the owner may be redacted, provided the name, address and phone number of the company is posted.

5.84.050 TaxiCab/AutoCab Driver's License.

A. Application. Every applicant for a taxi cab/auto cab driver's license shall, in addition to the requirements herein provided and of any law in the State:

1. Be 21 years of age or older;
2. Present the required doctor's physical report to the Borough Clerk, evidencing that he or she has been examined within the last 30 day period and that he or she is of sound physical condition, with good eye sight and not subject to epilepsy, vertigo, heart trouble or any other infirmity of the body or mind which may make him or her unfit for the safe operation of a vehicle.
3. Never have been convicted of a felony or any drug offense and shall not have violated any provision of this Chapter.
4. Be able to speak the English language.
5. Be of good character.
6. Not have been convicted of driving while intoxicated or reckless driving within 3 years next proceeding the filing of such application and not have more than 6 points on his or her driver's license within the three years next preceding the filing of such application.

7. Have knowledge of the State motor vehicle laws and traffic regulations.

8. Have and evidence knowledge of the ordinances and geography of the Borough of Freehold. The Borough may establish a written test to determine the Applicant's knowledge of the streets and points of interest in the Borough. If so established, each applicant must take and pass such test by completing at least 75% of the questions correctly.

9. Furnish with the application three recent photographs of the applicant of a size measuring 2" x 2".

10. Provide references or recommendations, including the names and addresses, from 2 responsible persons in the Borough of Freehold.

11. Provide to the Chief of Police a criminal history report with each application for driver's license and/or renewal to be provided at the applicant's own cost and expense. Instructions for obtaining the criminal history report may be obtained through the Police Department.

12. Pay a fee of \$100.00, \$25.00 of which shall be a non-refundable processing fee in the event the license is not granted.

13. Provide to the Borough Clerk the following documentation with the application:

- a. Social Security card or permanent alien registration card.
- b. Birth Certificate.
- c. Valid New Jersey Driver's License.
- d. A certified New Jersey driver's abstract, dated no longer than 1 month prior to the application.
- e. Within 60 days of the issuance of a temporary taxi driver's license, provide to the clerk proof of

having satisfactorily completed a state certified defensive or safe driving program within the preceding two years. Failure to do so will result in an automatic revocation of the temporary or permanent taxi driver license and, in the event the permanent license has not yet been issued, no such permanent taxi driver license shall issue. Any applicant who fails to provide the requisite proof of having satisfactorily completed a state certified defensive or safe driving program shall be banned from re-applying for a taxi driver license for a period of two (2) years.

Satisfactory completion of a state certified defensive or safe driving program shall be effective for a period of two (2) years.

Any applicant who is the holder of a CDL duly issued by the State of New Jersey shall be exempt from this requirement as long as the CDL is current.

14. Provide to the Clerk a sworn statement setting forth the applicant's place of residence for the preceding five years, age, height, color of eyes and hair, place of birth, previous employer, marital status.

All applications for a taxicab driver's license shall be filed with the Borough Clerk who shall submit the application to the Police Department for review and to the Borough Council, after receipt of the report from the Police Department and the results of the criminal history report, and payment of all fees. The Council shall act upon such application at the next succeeding meeting and any and all applications may be granted or refused by the vote of the majority of the members of the body present at the meeting.

B. Issuance of License. Content.

i) Upon approval of application by the Borough Council, the Clerk shall immediately issue the applicant a taxicab/autocab driver's license. The license shall contain the licensee's name and address, physical description, signature and photograph.

ii) Pending the receipt of the criminal history report and upon the recommendation of the Police Chief or the Chief's designee, the Borough Council may, in its sole discretion, issue a temporary driver's license which shall expire in 60 days in the event the final license is not approved before that date. The temporary license may be immediately revoked by the Clerk, with no notice, upon the recommendation of the Police Chief or the Chief's designee, or failure of the applicant to provide any of the requirements set forth herein. In the event the final police report/recommendation is not received within 60 days, the Mayor and Council may, at their sole discretion, elect to extend the temporary driver's license for an additional 30 day period.

C. Term of License/Fees. The fee for taxicab/autocab driver's license shall be \$100.00 per year or portion thereof, \$25.00 of which shall be non-refundable in the event the license is not granted. The taxicab driver's license shall expire on December 31st of each year. The licenses may be renewed annually upon payment of all fees and provided the driver meets all of the requirements set forth above.

5.84.060 License Form.

Each applicant granted a taxicab/autocab driver's license shall be issued a printed license in a form approved by the Clerk. This license shall, at all times, be prominently displayed and adequately protected in the interior of any taxicab/autocab operated by the licensee so that the face thereof shall be at all times in full view and plainly legible to any passenger seated in the rear seat of such taxicab/autocab and there be affixed to such license, in full view of such passenger, a photograph measuring not less than 2" by 2", of such licensed driver. Each photograph shall have indicated thereon the words "licensed taxicab/autocab driver or owner" as the case may be.

5.84.070 Inspection of vehicles.

A. Proof of State Inspection. No vehicle covered by the terms of this section shall be licensed until proof has been presented that the vehicle has been inspected and approved as required under Title 39 of the Statutes of the state of New Jersey.

5.84.080 Identification of taxicabs/autocabs.

A. Each taxicab/autocab operated in the Borough shall have a sign painted on each rear door. The sign shall contain the owner's name and the words "taxicab" or "taxi" in letters which shall be no less than four inches nor more than eight inches in height.

B. Each taxicab/autocab operated in the Borough shall have a number on the front and rear bumper measuring no less than three inches in height. Each vehicle owned and operated by a licensed owner shall bear a different number, which number shall be set forth in the application indicating the specific number for each specific taxicab/autocab.

C. Upon the issuance of a taxicab/autocab owner's license, the Borough Clerk shall provide to the owner two decals or medallions to be attached to the front driver and passenger door of the taxicab and which will identify the taxicab/autocab as having been licensed by the Borough. There shall be a charge of thirty dollars (\$30.00) for each set of medallions or decals issued and a fee of thirty dollars (\$30.00) for each replaced set of medallions or decals. Decals or medallions shall be placed on those taxicab/autocabs set forth in the owners application and may not be transferred from vehicle to vehicle without prior permission of the Chief of Police. No replacement decal shall be issued without proof presented to the Clerk of removal or destruction of both decals from original vehicle and proof that the original vehicle is no longer included in the insurance policy of the taxi owner. Proof of insurance for any replacement vehicle must be presented to the clerk before the issuance of decals for the replacement vehicle.

D. Operation of a taxicab/autocab without the required decal or medallion shall be a violation of this chapter.

E. Each driver of a taxicab who has been issued a license shall prominently display a copy of the license in the interior of the taxicab/autocab while the driver is operating same. The copy of the license shall at all times be prominently displayed and adequately posted in the interior of any taxicab or autocab operated by the licensee so that the face thereof shall be at all times in full view and plainly legible to any passenger seated on the rear seat. The owner's license shall also be prominently displayed and adequately posted in the interior of the taxicab so as to be plainly legible to any passenger seated on the rear seat.

5.84.090 Fares.

A. The fare which may be charged by the driver or owner of a taxicab/autocab for a trip wholly within the limits of the borough may not exceed the rates approved by the Borough Council from time to time by resolution. A schedule of approved rates, together with a schedule of rates charged for trips outside of the borough, shall be displayed in the taxicab in a manner so as to be easily read by all passengers.

Taxi fares as set forth hereinafter may be amended by the Mayor and Council by resolution from time to time. The initial taxi fares are as follows:

1. The taxi fare is five dollars (\$5.00) per trip for those up to sixty (60) years of age, and four dollars (\$4.00) per trip for those over sixty (60) years of age.

2. Each additional passenger shall be charged one dollar (\$1.00).

3. Each additional stop shall be charged one dollar (\$1.00).

4. There shall be a charge of five dollars (\$5.00) for deliveries.

5. Waiting time once the taxicab is employed by the user shall be charged two dollars (\$2.00) per five minutes waiting time.

6. The loading/unloading of all bags, luggage and similar items shall be charged at twenty-five cents (\$.25) per item for all items over two items.

B. Receipts. The driver of a taxicab/autocab upon request shall give the passenger a receipt for the amount charged. The receipt shall show the name of the owner, the license number of the taxicab/autocab, the amount of the fare, and the date of the transaction.

C. Refusal to Pay Fare. No person after hiring a taxicab/autocab shall refuse to pay the legal fare, nor shall any person hire a taxicab/autocab with the intent not to pay the legal fare.

D. Disputes over Fares. All disputes as to the rate of fare shall, upon request of the driver or passenger, be determined by the police officer in charge of the borough police station. Failure to comply with the officer's determination shall be a violation of this chapter.

5.84.100 Records.

The owner of each taxicab shall keep or cause to be kept a written daily record of each trip made by the taxicab showing the date time and place the cab was engaged, the place and time of the discharge of the passenger, the number of passengers carried, fare received, distance traveled and the driver license number of the person driving the taxicab on the trip. The records shall be kept in a place that is convenient for a proper authorized representative of the borough to inspect the same and the owner shall give his cooperation in expediting any inspection.

5.84.110 Insurance Policy.

A. Required. Every applicant for taxicab owners license shall submit and file with the Borough Clerk an insurance policy of a company duly authorized to transact business under the insurance laws of the State of New Jersey in the sum of a minimum of \$100,000.00 against loss from the liability imposed by law upon the taxi cab owner for damages on account of bodily injury or death suffered by any one person or more than one person and in the sum of a minimum of \$25,000.00 against loss on account of property

damage suffered by any person or persons as a result of an accident occurring by reason of the ownership, maintenance or use of such taxicab, covering the taxicab or taxicabs to be licensed.

The taxicab owner license shall be effective and operation thereunder shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amounts as aforesaid. The insurance policy shall specifically provide for the payment of any final judgment recorded by any person on account of the ownership, maintenance or use of the taxicab or any faults in respect thereto and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.

B. Power of Attorney. Concurrently with the filing of the insurance policy with the Borough Clerk, the applicant for a taxicab/autocab owner's license shall execute and deliver to the Borough Clerk a power of attorney wherein and whereby the owner shall nominate, constitute and appoint the Borough Clerk his or her true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed.

C. Bond. If the taxicab/autocab owner applicant operates more than one taxicab/autocab, he or she may file with the Borough Clerk, in lieu of the policy, a bond or insurance policy of a company duly licensed to transact business under the insurance laws of this state, in the sums hereinabove provided, which shall be blanket insurance covering all taxicabs/autocabs operated by such owner under the terms and conditions set forth above, which bond shall provide for the payment of any final judgment recorded by any person on account of the ownership, maintenance and use of any such taxicabs/ autocabs or any faults in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury.

D. Issuance of Certificate, the Borough Clerk, upon filing of the required insurance policy or bond, shall issue a certificate in duplicate showing that the owner of the taxicab/autocab has complied with the terms and provisions of this chapter, which certificate shall recite the name of the insurance company, the number and date of

expiration of the policy or bond, a description of the taxicab/autocab insured thereunder and the registration number of the same. The duplicate certificate shall be filed with the Division of Motor Vehicles before any such car is licensed as a taxicab/autocab. The original certificate shall be posted in a conspicuous place within the taxicab/autocab. The fee for this certificate is \$15.00.

5.84.120 Rules and Regulations.

The council may establish, by resolution, rules and regulations relating to the operation of taxicabs/autocabs and the conduct of licensees. A copy of the rules and regulations shall be furnished to each licensee.

A. Taxi Stands. No person shall park or place any taxicab/autocab on any of the streets of the Borough at any time except at such place or places as the Mayor and Council may by resolution from time to time designate as municipal taxi stands unless the operator is stopped for a limited time in order to pick up or discharge its passengers or is stopped for the purpose of obtaining food for himself/herself or conducting personal business, in which case, the taxi may not be in service and available for hire.

B. Cruising Prohibited. No person shall cruise on the streets of the borough with any taxicab/autocab at any time for the purpose of soliciting passengers.

5.84.130 Suspension or revocation of drivers or owners licenses.

A. Generally. In addition to the causes for revocation of a license set forth in Chapter 5.04, any license issued under this chapter may be revoked or suspended, or any application for the issuance or renewal of a license denied, for any of the following reasons:

1. Failure to render reasonable, prompt, safe and adequate taxicab/autocab service.

2. The existence of a judgment unsatisfied of record against the licensee or applicant in any suit arising over the operation of a motor vehicle.

3. Permitting any taxicab/autocab owned or driven by the licensee to become unsafe, unsanitary or dirty.

4. Failure to comply with all applicable laws of the state of New Jersey, the ordinances of the Borough or the rules and regulations adopted in accordance with this chapter.

5. Conviction of a felony crime or conviction of three or more ordinance or motor vehicle violations in the preceding 12 months, or conviction of a motor vehicle violation of three points or greater in the preceding 12 months.

6. Determination that the licensed motor vehicle is unsafe or unsanitary, is dangerous to the safety or health of the occupants or others, or if the policy of insurance or bond or power of attorney required herein has not been furnished or kept in force or if the owners shall fail to comply with any terms or conditions imposed by the borough council or any law of state.

B. Drivers. If the licensee is a driver, his or her license may also be revoked or suspended for the following reasons:

1. Revocation or suspension of his or her New Jersey motor vehicle operator's license.

2. Contracting by the licensee of a communicable or contagious disease.

3. Operating a taxicab/autocab in a reckless or grossly negligent manner, or habitually operating a taxicab/autocab in a negligent manner.

4. Conviction of a felony crime or conviction of three or more ordinance or motor vehicle violations in the preceding 12 months, or conviction of a motor vehicle violation of three points or greater in the preceding 12 months.

5. Applicant has made false answers in the application for this license or the New Jersey State driver's license application, or any renewal thereof

or has failed or fails to render reasonably prompt, safe and adequate taxicab service or has not complied fully with all of the requirements of this chapter for such class of license.

6. Failure of Applicant to provide proof of satisfactory completion of a New Jersey certified defensive or safe driving course within 60 days of the initial issuance of the temporary driver's license.

7. Violation of this or any other ordinance of Freehold Borough.

5.84.140 Regulations for Taxicab/Autocab.

5.84.140.1 Stopping Restriction.

No person shall park or place any taxicab, while in service, on any of the streets of this Borough at any time except at such place or places as the Borough Council may designate as municipal taxi stands unless the operator is stopped for a limited time in order to pick up or discharge its passengers or is stopped for the purpose of obtaining food for himself/herself or conducting personal business, in which case, the taxi may not be in service and available for hire.

5.84.140.2 Prohibited Solicitation of Passengers.

A. No person shall cruise the streets of the borough with any taxicab at any time for the purpose of soliciting passengers.

B. No taxicab driver or other person shall solicit, attempt to solicit or otherwise seek to engage a passenger of any public street and/or sidewalk in the Borough.

5.84.140.3 Refusal to Carry Certain Passengers.

Every person so licensed as aforesaid shall not refuse to carry local fares or passengers unless the fare or passenger is unruly or intoxicated.

5.84.140.4 Regulations Governing Taxicabs Licensed by Other Municipalities.

Owners and drivers of taxicabs licensed out of the jurisdiction of this Borough, or who have their principal office or place of business out of the jurisdiction of the Borough, may be allowed to enter their taxicab in this Borough on a specific call only while in the process of discharging a passenger transported from a point outside of the Borough limits to a point within the Borough limits and the name of the passenger shall be given by the owner or driver when requested by the Borough police or other lawful person. Such taxicabs shall not be parked in this Borough nor shall the driver's thereof cruise on the streets of this Borough at any time for the purpose of soliciting passengers, nor shall they in the night time or other periods of darkness, when in this Borough, permit any advertising lights on the taxicab to remain lighted, provided, however, that the same or similar substantial reciprocal rights are granted to owners and drivers of taxicabs licensed in this Borough by the municipalities in which the aforesaid owners or drivers are licensed.

5.84.150 Penalty.

Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine not exceeding two thousand dollars (\$2,000.00) for each violation or imprisonment in the county jail for a term not exceeding 30 days or both.

Section III

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section IV

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section VI

This Ordinance shall take effect after publication in accordance with Law.

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH
ORDINANCE #2010/2**

**AMENDING CHAPTER 5 (BUSINESS LICENSES AND REGULATIONS),
SECTION 84 (TAXI CABS) OF THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF FREEHOLD**

NOTICE IS HEREBY GIVEN that the forgoing Ordinance was approved for final adoption by the Mayor and Council of the Borough of Freehold at a meeting held on March 1, 2010.

TRACI L. DI BENEDETTO
BOROUGH CLERK