



Atlanta Police Department – Standard Operating Procedure		
	<b>APD.SOP.3210 Vehicles For Hire</b> <b>Effective Date: October 22<sup>nd</sup>, 2024</b>	
<b>Chief Darin Schierbaum</b>	<b>Signature by: DS</b>	<b>Date Signed: 10/22/2024</b>

## Reissuance of Policy

APD Staff,

The Policy and Standards Section is dedicated to providing the department, and its employees, with accurate, understandable and transparent policies. In order to publish policies that reflect the most up-to-date standards, the Policy and Standard Section regularly reviews all policies to ensure that they are reflective of the current mission and objectives of the Atlanta Police Department.

We have reactivated APD.SOP.3210 Vehicles for Hire. We encourage you to read the policy below to better understand how the policy, Vehicles for Hire, will:

- Improve the safety within the Atlanta community and its visitors.
- Hold drivers of taxicabs and equine-drawn vehicles accountable.
- Provide rules and enforceable regulations.

Thank you and stay informed!

Policy and Standards Section

Planning, Research, and Accreditation Unit



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**1. PURPOSE**

This directive establishes the administrative procedures of the Vehicles for Hire (VFH) Section. It establishes guidelines for inspections of taxicabs and equine-drawn vehicles. This directive also establishes the guidelines for Vehicles for Hire (VFH) administrative hearing process.

**2. POLICY**

The Vehicles for Hire Section shall enforce Atlanta City Code Chapter 162, Article II, Chapter 22, Article III, Division 7, and Georgia House bills 225 and 190 regarding vehicles for hire with the intent of ensuring safe and reliable transportation for hire in the City of Atlanta.

**3. RESPONSIBILITIES**

- 3.1 The Mayor has delegated the suspension, revocation of permits, Certificates of Public Necessity Convenience (CPNC) and the imposition of civil fines to the Chief of Police.
- 3.2 As the designee of the Mayor, upon receiving the recommendation of the hearing officers, the Chief of Police has the authority to suspend and revoke, where applicable, permits, CPNC's, and to impose civil fines for violations of Atlanta City Code, Chapter 162, Article II, "Animal-Drawn Vehicles and Taxicabs;". violation (Section 162-30 a).
- 3.3 The Manager of Vehicles for Hire will implement this directive and enforce Atlanta City Code, Chapter 162, Article II, "Animal-Drawn Vehicles and Taxicabs" (Section 162-28).
- 3.4 Sworn and Civilian Vehicle for Hire Enforcement Officers will comply with this directive and enforce Atlanta City Code, Chapter 162, Article II, and Chapter 22, Article III, Division 7 and House Bills 225 and 190. The VFH Manager, Administrator, Enforcement Officer Supervisors and Enforcement officers have the authority as Code Enforcement Agents to enforce Chapter 162, Article II and Chapter 22, Article III, Division 7 (APD.SOP.2210 "Code Enforcement Agents" and City Code Section 98-1).
- 3.5 Agents of the Fulton County Society for the Prevention of Cruelty to Animals, who are appointed as special deputy sheriffs by the Sheriff of Fulton County will enforce relevant parts of Atlanta City Code, Chapter 162, Article II, "Animal-Drawn Vehicles and Taxicabs" (Section 162-28).
- 3.6 Division, section, and the unit commander will be responsible for the implementation of this directive.

**4. PROCEDURE**

**4.1 VEHICLES FOR HIRE (VFH) ENFORCEMENT SECTION**

- 4.1.1 If an Animal Drawn Vehicle for Hire is cited for a violation under any of the sections in Atlanta City Code, Chapter 162, Article II, the driver or company will surrender their permit to the VFH Enforcement Officer.
- 4.1.2 A copy of the citation (Form APD 640) is a temporary permit for equine drivers and equine carriage companies and is valid for 30 days, until the fine is paid, or the driver / company has been exonerated. The regular permit will not be returned until the fines imposed by the City of Atlanta have been paid. The companies and CPNC holders of taxicabs will be responsible for the failure of their drivers, therefore a copy of the citations will be mailed to the companies and CPNC holders.



- 4.1.3 If an Animal Drawn vehicle for hire driver permit or company permit has been suspended or revoked, no temporary permit will be issued, and any temporary permit previously issued will be surrendered to the Vehicles for Hire Section. Failure to pay any fines imposed pursuant to Atlanta City Code, Chapter 162 will constitute due cause for further action by the Chief of Police.
- 4.1.4 If a citation is given, the VFH Enforcement Officer will complete an Incident Report through the department's reporting system. All incident reports will be turned in daily to the supervisor before the end of each watch. The original incident report will be forwarded to the Central Records Unit and a copy will be maintained by the VFH Section for a period of 5 years. Incident reports will be completed in compliance with APD.SOP.3060 "Reports and Report Writing."
- 4.1.5 VFH enforcement vehicles will be equipped with amber lights. The lights may be activated for traffic safety when the enforcement vehicle is stopped for official VFH business however they are not to be used to conduct traffic stops.
- 4.1.6 Supervisors of each watch shall review all citations and incident reports to ensure completeness and accuracy. The supervisor will match each citation with the corresponding incident report to determine the number of times a driver or company has been cited.
- 4.1.7 The Enforcement Unit Senior Customer Service Representative will enter each citation and incident report into the VFH database.
- 4.1.8 Civilian employees flagged down by citizens to respond to a crime or witnessing a crime will immediately notify radio for a sworn unit to respond.

#### **4.2 TAXICAB INSPECTIONS**

- 4.2.1 Vehicle for Hire Enforcement Officers will only conduct random inspections with the exception of scheduling a re-inspection when the Taxicab has been given a deficiency notice. Scheduled Taxicab inspections will be conducted at the VFH Section's inspection station during designated inspection hours.
- 4.2.2 VFH Enforcement Officers will schedule and conduct new vehicle inspections and re-inspections of all vehicles that are authorized to operate as a Vehicle for Hire. Each inspection will be documented in an Inspection Log (Form 748).
- 4.2.3 The vehicle being inspected may be brought to the inspection station by any individual associated with the taxicab company that has a valid driver's endorsement for the company of the vehicle being inspected.
- 4.2.4 Vehicles for Hire Enforcement officers or supervisors will have the taxicab drivers complete a one-mile drive during inspections to check the distance on meters. The Taxicab "Waiting Time" button will be deactivated during the distance test. If the meter is not in accordance with distance, enforcement officers will issue an Inspection/Correction Sheet (Form APD 716) with a "Do Not Operate" order annotated on the sheet. [City Code Section 22-239 (a) and 22-240 (b-1)]
- 4.2.5 Vehicles for Hire Enforcement officers and supervisors will not complete an inspection of a dirty taxicab. Taxicabs must have a Clean Interior and Clean Exterior in accordance with City Code Section 162-120. If a driver brings a dirty vehicle to the inspection station, the driver will be instructed to leave and return at the end of the line with a clean taxicab.
- 4.2.6 If a vehicle for hire fails to pass the requirements of the VFH Section inspection, an Inspections/Correction Sheet (Form APD 716) will be issued to the driver, listing the items that need correction and the status of the inspection.



- 4.2.7 The vehicle will not operate as a vehicle for hire until it successfully passes inspection. The Enforcement Officer will sign the correction slip and give a copy to the driver and a copy to the company. A third copy will be maintained at the VFH section's administrative offices.
- 4.2.8 Vehicles operating with an Inspection/Correction Sheet (Form APD 716) that expired less than seven days will be issued a Do Not Operate status. Vehicle operating with an Inspection/Correction Sheet (Form APD 716) that has expired greater than seven days will be impounded and issued a Do Not Operate status. In each situation, passengers will be removed from the vehicle and placed into another taxicab.
- 4.2.9 Once repairs are complete, the driver will have a VFH Enforcement Officer re-inspect the vehicle and remove the Do Not Operate status, if the vehicle passes the inspection. The driver and the inspecting officer will sign the Correction Sheet (Form APD 716) and place it in the company binder located in the VFH section's administrative office.
- 4.2.10 Taxicabs that meet inspection requirements will have authorized personnel place the airport decal on the left rear bumper (if applicable).
- 4.2.11 The VFH Manager will forward copies of all Inspection/Correction Sheets (Form APD 716) to company owners.

### 4.3 EXTERIOR TAXICAB REQUIREMENTS

- 4.3.1 In adherence to City Code Section 162-120(d), each CPNC company is required to submit to the Chief of Police, or designee, a company brand, which will include a logo and identification scheme. The company will allow ten days for the approval or rejection of the company's brand. Upon approval, the company will adhere for to the following exterior requirements on each vehicle for hire in the company's fleet:
  - 1. The Certificate of Public Necessity and Convenience (CPNC) number affixed by means of permanent, nonmagnetic decals to the front left hood, the rear right trunk lid and each front fender, each number should be at least five inches in height, news gothic bold in style, with a width of at least three-eighths of an inch, and black or white in color; whichever, is more prominent against the background color. Decals on the rear trunk lid will be clearly visible to any vehicle following the taxicab.
  - 2. The name of the company painted or affixed by decal, to the right and left front doors.
  - 3. The logo and identification scheme will be affixed to the left and right front doors and any other part of the vehicle, if applicable, and will not be less than 12 inches in height, but not greater than 24 inches in height. (City Code Section 162-120 (d)).
  - 4. The schedule of rates painted, or affixed by decal, to the left and right rear doors.
  - 5. A dome light not less than six inches in height, permanently affixed to the roof, bearing the term "taxi" or the company name (City Code Section 162-120 (e)).
- 4.3.2 All advertising material displayed inside a taxicab must be approved by the VFH Section Manager. No other city's rate schedule shall be displayed on a City of Atlanta taxi. A request for advertising shall be made in writing to the VFH Section Manager, who will approve or deny the request.
- 4.3.3 Each taxicab for hire will have passenger rights displayed that will include the following:



1. The right to an air-conditioned cab.
2. The right to direct the driver to use a certain route to a destination, except in a flat rate zone.
3. The taxicab CPNC number and the company's name and phone number in addition to the VFH section's phone number for complaints and comments on the rear passenger window.

#### 4.4 TAXI STANDS

- 4.4.1 All hotels and motels will provide off-street, on-site taxicab stands with a minimum of one space for each 100 guest rooms, or a portion thereof in the hotel or motel, up to a maximum of six taxicab stand spaces.
- 4.4.2 Open stands shall be used exclusively by taxicabs for which CPNCs have been issued by the City of Atlanta. Open stands may not be utilized by limousine, sedan or rideshare operators or other vehicles for hire which are not operated under a CPNC.
- 4.4.3 No taxicab will be placed upon or occupy any taxicab stand except for the purpose of being held forth for hire. Taxicabs will be placed on stands only from the rear and will be moved forward and to the front of the stand immediately as space becomes available. "Line jumping" violations will be grounds for a citation. (City Code Section 162-117 (b)).
- 4.4.4 The airport taxicab waiting area known as the Taxi Assembly Area will be considered a taxicab stand subject to City Code Section 162-117 (c).
- 4.4.5 If a dirty taxicab is staged at a taxi stand, a correction sheet will be issued outlining all vehicle deficiencies. The vehicle will also be required to leave the taxi stand.
- 4.4.6 All passengers will be removed from taxicabs that violate line jumping rules or any other vehicle safety violations and placed in another taxicab.

#### 4.5 TAXICAB AGE LIMITATIONS

- 4.5.1 Beginning on January 1, 2017, no taxicab having a vehicle age greater than Ten (10) years may be operated by a taxicab company holding a ground transportation vehicle for hire company permit. The term "vehicle age" shall be determined based on the vehicle's model year, and a "year" shall be measured through the last day of that respective calendar year (for example, a vehicle with a model year of 2016 shall have a vehicle age of one (1) year as of January 1, 2017). City Code Section 22-236 (8).
- 4.5.2 Any such vehicle for which a CPNC is in compliance with all other provisions of the City Code but exceeds the age limit requirements for the Taxi Assembly Area at the airport can continue to operate as a taxicab within the city.
- 4.5.3 Any vehicle operating beyond these limitations will be impounded. The driver, company owner, and/or CPNC holder will be cited for the violation.

#### 4.6 TAXICAB FOR HIRE PERMITS

- 4.6.1 Vehicles for Hire section no longer issues permits to taxicab drivers. The State of Georgia issues "for hire endorsements" to operate a motor vehicle in this state for the purpose of transporting passengers for compensation.



4.6.2 Every person who operates a motor vehicle for hire in the state must have their Georgia driver's license with the "For-hire" license endorsement present or have their private background check certification to be presented to a law enforcement officer upon request by such officer (Georgia House Bill 225, Section 6 (d)).

**4.7 TAXICAB LICENSE PLATES**

4.7.1 Owners of a taxicab or limousine, prior to commencing operation in this state, shall upon complying with motor vehicle laws relating to registration and licensing of motor vehicles, and the payment of an annual registration fee of \$25.00, be issued a distinctive license plate by the commissioner.

4.7.2 Such license plate shall be designed by the commissioner and displayed on the vehicle as provided in Code Section 40-2-41. The certificate of registration shall be kept in the vehicle. For example, a license plate for a taxi will start with the first two letters TX. For a limousine, the first two letters will be LM. (Georgia House Bill, Section 4 (a).).

**4.8 TAXICAB AIRPORT REQUIREMENTS**

4.8.1 Enforcement of Atlanta City Codes will include all hotels located within the jurisdiction of the Airport Section.

4.8.2 All Vehicles for Hire drivers operating at the airport are required to accept credit cards. Any Vehicle for Hire driver refusing to accept credit cards or airline voucher may be cited for trip refusal.

4.8.3 Enforcement officers will monitor all airport areas on a regular basis. All vehicles for hire parked beyond the designated holding area shall be cited (City Code Section 162-117 (c)).

4.8.4 Vehicle for Hire Violations at any airport terminal will be handled with the same enforcement as violations at any taxicab stand.

1. Enforcement personnel will conduct random inspections of taxicabs entering the CVL for proper operating conditions.
2. Enforcement personnel will monitor the activities of all taxicabs within the Ground Transportation Center, including the activities of contracted and prearranged taxicabs.
3. VFH Enforcement personnel will ensure that all drivers are professional at all times, within the Ground Transportation Center and CVL and at the terminals.

**4.9 EQUINE-DRAWN VEHICLES**

4.9.1 Equine-drawn vehicles will be inspected at respective carriage companies, which must be located within the city limits of Atlanta. Company owners will contact a VFH supervisor to schedule inspection dates and times.

4.9.2 Prior to inspections, company owners will contact a VFH supervisor and submit the number of carriages to be inspected, the CPNC number(s), and the expiration date(s) of the semiannual inspection sticker(s).

4.9.3 VFH Enforcement Officers will place a VFH Section inspection sticker on the name tag located on the rear of the carriage if an animal drawn vehicle meets all inspection requirements. If a vehicle fails to meet requirements, an Inspection/Correction sheet (Form APD 716) will be written



indicating the corrections needed and the length of time to correct all deficiencies. VFH Enforcement Officers will follow up on the deficiencies at the carriage company's location.

- 4.9.4 Operating regulations are given in City Code Sections 162-149 (a-c) and 162-150.
- 4.9.5 Regulations on the condition and care of the equine are given in City Code Sections 162-147, 162-148, 162-151, 162-152, 162- 153, 162-155 through 162-160, and 162-163. State Agencies and agents of the Fulton County Society for the Prevention of Cruelty to Animals will enforce these sections.
- 4.9.6 The Manager of the VFH Section will maintain a list of all open equine-drawn carriage stands.

#### 4.10 EQUINE DRIVER PERMITS

- 4.10.1 The Vehicle for Hire Section administrative staff will issue new vehicle-for-hire driver permits to Equine Drivers if they meet the following requirements:
  - 1. The driver is at least 18 years of age and has the following documentation:
    - a. Valid State of Georgia Driver's license (must show residency for 90 days)
    - b. Proof of citizenship, which must be one of the following:
      - Birth Certificate (if a U.S. born citizen)
      - Certificate of Naturalization
      - Permanent Residence Document
      - Work Authorization Document
    - c. Company card (Form APD 746) completed by the company and the CPNC holder the driver will be working for.
    - d. Completed fingerprint card (done each calendar year).
    - e. Certified motor vehicle record (MVR) from the Georgia Department of Driver's Services (DDS) for the past seven (7) years. If the applicant has not been a resident of Georgia or has not been licensed for the past seven (7) years, the driver will submit corresponding documentation from the other state(s) of residence or for the number of years that the driver has been licensed. The issue date must not be more than thirty days old
    - f. A completed and notarized Systematic Alien Verification for Entitlements (SAVE) Affidavit Form.
    - g. If applicable, official name change documents such as court documents and marriage certificate.
  - 2. All names, dates of birth and other identifying information on all documents match the applicant's proof of citizenship document. If the information does not match, the VFH employee will advise the applicant of the discrepancy and instruct the applicant of the necessary steps to correct the discrepancy.
- 4.10.2 If the applicant's documents are in compliance, the VFH administrative staff will provide the applicant with a Background Consent form to complete.



- a. If the applicant refuses to complete the required documents, the VFH administrative staff will advise the applicant that a background check cannot be accomplished without their consent and that no further actions can be taken at this time to issue them a permit.
  - b. Background investigations are completed by VFH Customer Service Representatives. The investigation will consist of a criminal check that will be maintained in the VFH Section driver's file.
- 4.10.3 Once a successful background check has been completed the applicant will be given a temporary permit for two weeks to receive the 35 hours of training that each company must provide to new drivers (City Code Section 161-161 (3)).
- 4.10.4 Once the applicant has completed the 35 hours of training, they will be scheduled to take a final examination administered by VFH Administrative Staff. The applicant must score at least 70% on the test. The examination can be administered as a written or oral test. If an applicant fails the test three times, they will not be eligible to retake the examination for a period of thirty days. If an applicant is found cheating on the examination, they will be removed and not allowed to retest.
- 4.10.5 If an applicant fails the background check, any required examination, or if an applicant provides false information on any document the VFH Section administrative staff will deny the individual a permit.
- 4.10.6 For equine drivers seeking renewal, the VFH Section administrative staff will retrieve the company representative's or driver's files from the VFH Section files.
- 4.10.7 Equine Renewal permits will be completed by the VFH administration so long as the individual meets the following requirements:
1. An application for renewal is made by the driver's birthday. An application for renewal will be accepted by the VFH Section up to forty-five days prior to a driver's birthday.
  2. Completed a background investigation, including a completed fingerprint card and Background Consent Form (Form APD 747)
  3. Presents a certified motor vehicle record (MVR) from the Georgia Department of Driver's Services for the past three (3) years with an issue date that is no more than thirty days old.
- 4.10.8 Issuing Equine Driver Permits
1. The VFH administrative staff will collect a cashiers check or money order for the application fee. A late fee will be charged after the driver's birthday.
  2. The VFH administrative staff will issue a receipt to the driver for the amount paid and then log the transaction onto the Account Receivable Report (Form APD 749) and take a picture of the driver. Drivers must have a photo taken annually.
  3. The VFH administrative staff will record the payment receipt number and any updated driver or company information into the driver's file and will enter the information into Police Central.
  4. If all conditions are met, the VFH administrative staff will print out the driver's permit and issue it to the driver.



#### 4.11 EQUINE COMPANY PERMITS

- 4.11.1 The definition of a company, the requirements of a company, and the qualifications of an applicant are given in City Code Sections 162-165. The company will apply using the Company Permit Application form (Form APD 758), which will be reviewed by the VFH manager and filed at the VFH Section administrative office.
- 4.11.2 The VFH criteria for maintaining an Equine-Drawn Company Permit (Form APD 746) are given in City Code Sections 162-165.

#### 4.12 CERTIFICATE OF PUBLIC NECESSITY AND CONVENIENCE (CPNC)

- 4.12.1 No vehicle for hire shall be operated on the highways of the city until its owner or lessee has obtained for such vehicle a valid certificate of public necessity and convenience, and until the company with which it is affiliated has obtained a business license from the city. No such business license shall be issued until the CPNC and company permits have been issued by the department (City Code Section 162-65).
- 4.12.2 Qualifications for a CPNC applicant are given in City Code Section 162-57.
- 4.12.3 A CPNC holder is required to maintain insurance in accordance with City Code Section 162-58. The company will report to the VFH Section quarterly and provide a list of vehicles currently insured. No vehicle for hire shall be operated on the highways of the city without a decal corresponding to the CPNC number under which the vehicle is operating issued by the department, properly affixed thereto. To secure decal issuance, the company shall certify the make, model, year and vehicle identification information of the vehicle to be operated under the CPNC by on a form to be provided by the department.
- 4.12.4 A CPNC holder must notify the VFH Manager in writing within ten (10) days of:
1. Change in the CPNC holder of 50 percent or more of the proprietary interest, if a partnership, corporation, firm or association, and the notification shall set out the names of the persons involved in the change.
  2. A change of address of the CPNC holder.
  3. Change in the chief executive officer, if a corporation, and the notification will advise the names of the persons involved in the change.
- 4.12.5 Renewal and Transfers of CPNC's is controlled by City Code Section 162-61.1 and 162-62.
- 4.12.6 If a vehicle for which a CPNC has been issued is replaced by another vehicle, no new CPNC application is required. However, the vehicle identification information and certification by the company set forth in City Code Section 162-56 will, within five days of replacement, be submitted to the department for issuance of a CPNC decal (City Code Section 162-59).

#### 4.13 RESPONSIBILITY OF THE VEHICLE FOR HIRE DRIVER

- 4.13.1 The requirements to maintain a driver's permit are the same as subsections 4.5.1 and 4.5.2.
- 4.13.2 Drivers of a vehicle-for-hire will turn in any personal property left by a passenger within 24 hours to the Vehicle for Hire Customer Service Unit (CSU). If personal property is retrieved on a weekend or holiday, the property will be turned into VFH-CSU on the next day that the offices are



open. The VFH-CSU shall place found property with the City of Atlanta Police Property Control Unit prior to the end of the day in which the property was found.

- 4.13.3 A driver may change his or her CPNC or company affiliation. To change affiliation, the driver must present his or her permit to the VFH Section and the section will replace it with a permit reflecting the change in CPNC or company affiliation. The driver may not drive for the new CPNC holder or company until obtaining the revised permit.
- 4.13.4 Upon request by passengers, drivers will give receipts to show the following. Drivers issuing incomplete receipts will be cited for violations of City Code Section 162-39 (f).
1. The amount of fare paid
  2. Name of company and contact information
  3. The driver's name
  4. CPNC number
  5. Number of passengers
  6. Location of trip; and
  7. Origination and location of trip termination.
- 4.13.5 Vehicle for hire drivers found guilty of disorderly conduct; such, as fighting, using profane and abusive language, or displaying any acts of violence on a taxicab stand or when driving a cab will be subject to the penalties shown in City Code Section-162-63 (4). Drivers charged with vehicular homicide or found guilty of certain criminal offenses will have their Permit revoked.
- 4.13.6 Drivers operating with any items covering their driver's permit will be cited for improper display of the permit.
- 4.13.7 Drivers violating any state laws will be cited accordingly.
- 4.14 PREPARATION FOR ADMINISTRATIVE HEARING**
- 4.14.1 If a vehicle for hire driver or company representative requests to sign a waiver (Form APD 753) for violations of Atlanta City Code, Chapter 162, they voluntarily admit to the offense and agrees to any fine, suspension, or revocation of their permit.
- 4.14.2 The VFH administrative staff will advise the VFH Manager of all cases to be presented to an administrative hearing panel. The hearing panel's administrative liaison will develop an agenda for each hearing panel and will include the following:
1. The ordinance violation
  2. Name(s) of the violator
  3. Copy of the incident report and citation for each violator
  4. Copy of the incident record or printout
  5. Name of the citing code enforcement officer, and if signed, a copy of any waiver.
- 4.14.3 Each hearing panel member will be provided with a copy of an agenda, city ordinance, and a schedule of fines. These documents will be enclosed in a notebook.



#### 4.15 HEARING OFFICERS & ADMINISTRATIVE PANELS

- 4.15.1 In accordance with City Code Section 162-29, the Mayor appoints hearing officers for the purpose of acting as fact finders regarding charges brought by VFH Enforcement officers and others for violations of Atlanta City Code, Chapter 162. The VFH manager designates the hearing officers to three-member panels.
- 4.15.2 The functions and authority of the hearing officers are given in City Code Section 162-29.
- 4.15.3 The VFH Manager will schedule hearings and assign appropriate VFH Enforcement Unit staff to attend the hearings and provide administrative support to the hearing officers.
- 4.15.4 After hearing evidence on the charges presented by the VFH Section and the individual charged, the panel of hearing officers will issue findings of fact and will render a recommendation as to any penalties or fines in writing with reasons for the recommendation. The findings and recommendations will be submitted to the Chief of Police, whose decision will be final, subject to the writ of certiorari as provided by law. (City Code Section 162-29 (c))
- 4.15.5 Vehicle for hire companies, CPNC holders, and drivers may be charged for the same offense or violation, and the hearing panel will determine responsibilities for violations.
- 4.15.6 Drivers, companies, and CPNC holders may acknowledge their violations before a hearing panel, if they so desire. Vehicle for hire companies, CPNC holders, or drivers may waive their right to appear before a hearing panel by completing a Waiver of Right to Hearing Form (Form APD 753). (City Code Section 162-30 (c))
- 4.15.7 Although an enforcement officer's testimony is not required, the panel may want to review the circumstances of the violation and, therefore, require enforcement officers to be present.

#### 4.16 CITATIONS, REVOCATIONS, OR SUSPENSIONS

- 4.16.1 The Chief of Police will make the final determination on all denials, suspensions, revocations, or other matters after receiving the hearing panel's recommendations. No extensions will be given after the Chief of Police's final decision.
- 4.16.2 After a finding of due cause, the Chief of Police has the authority to revoke or suspend any CPNC for a vehicle issued by the City (City Code Section 162-63). Due cause for the revocation or suspension of a CPNC will include but not be limited to the following:
  - 1. The failure of the CPNC holder to maintain any and all of the general qualifications applicable to the initial issuance of the CPNC as set forth in City Code Sections 162-57 and 58.
  - 2. Obtaining a CPNC by providing false information.
  - 3. Violation of any section of Atlanta City Code, Chapter 162, Article II (Animal-Drawn Vehicles and Taxicabs).
  - 4. If the holder of the CPNC has knowledge or in the exercise of reasonable care, should have had knowledge of the violation by a driver who is affiliated with the CPNC holder of any of the following offenses:
    - a. Driving under the influence of intoxicating beverage or drugs.



- b. Criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, criminal solicitation, possession and/or sale or distribution of narcotics, barbituric acid derivatives or central nervous system stimulants. if such violation is related to the operation of a vehicle for hire.

4.16.3 Driver's permit: Upon the finding of due cause, the Chief of Police has the authority to revoke or suspend any driver's permit issued by the City (Section 162-84). Due cause for the revocation or suspension of a driver's permit will include but not be limited to the following:

1. The failure of the driver to maintain the qualifications required by the Atlanta City Code, Chapter 162, Article II.
2. Obtaining a permit by providing false information.
3. Violation by a driver of any of the following offenses or violation or conviction of any City ordinance governing the conduct of vehicles for hire.
  - a. Driving under the influence of intoxicating beverage or drugs, driving with a suspended license, or have been declared a habitual violator.
  - b. Criminal homicide, rape, aggravated battery, mayhem, burglary, aggravated assault, kidnapping, robbery, child molestation, criminal solicitation, possession and/or sale or distribution of narcotics, etc., any felony in the commission of which a motor vehicle was used, or any law involving violence or theft.
  - c. Violation of any section of Atlanta City Code, Chapter 162, Article II or
4. Providing false information to VFH Section.
5. Charging a fare in excess of those fares set out in section 162-118 or 162-133.
6. Whenever there is an appearance that a driver has a disorder characterized by lapses of consciousness, or other mental or physical disabilities affecting the driver's ability to drive safely.
7. Eight or more moving violations in any 18-month period.
8. Being found a 'habitual violator' will be summoned to an administrative hearing.

4.16.4 Company permit: Upon the finding of due cause, the Chief of Police has the authority to revoke or suspend any company permit issued by the City. Due cause for the revocation or suspension of a company permit will include, but not be limited to, the following:

1. The failure of the company to maintain all general qualifications applicable to the initial issuance of the company permit.
2. Obtaining a company permit by providing false information.
3. Conviction by a court of competent jurisdiction of any shareholder, partner or member of any corporation, partnership, firm or association holding 51 percent interest or more in the entity of any violation Atlanta City Code, Chapter 162, Article II (Animal-Drawn Vehicles and Taxicabs).



4. Conviction by a court of competent jurisdiction of any shareholder, partner or member of any corporation, partnership, firm or association holding a 51 percent interest or more in the entity of any of the following:
  - a. Criminal homicide
  - b. Rape
  - c. Aggravated battery
  - d. Mayhem
  - e. Burglary
  - f. Aggravated assault
  - g. Kidnapping
  - h. Robbery
  - i. Child molestation
  - j. Possession, sale or distribution of narcotics.

4.16.5 The Chief of Police will review all hearing panel’s recommendations for fines, suspension, or revocations and will advise the VFH Manager of his or her decision. The VFH Manager will prepare administrative actions and advise vehicle for hire drivers, companies, or CPNC holders of the Chief’s decision.

4.16.6 If a vehicle for hire driver, company, or CPNC holder disagrees with the Chief’s decision, they may challenge the decision through the Fulton County Superior Court.

## 5. DEFINITIONS

Administrative Staff: Customer Service Representatives and other employees assigned by the VFH Manager to work in the administrative offices of the VFH Section.

Carriage: Any vehicle for hire designed to be drawn by equine and to carry passengers only.

Company: Any person, association, corporation, or other organization operating or intending to engage in the business of operating vehicles for hire.

Company Permit: A permit issued by the Vehicles for Hire authorizing a person to engage in the business of operating a Equine-Drawn carriage company (Form APD 746)

CPNC: Certificate of Public Necessity and Convenience is a license permitting a person to operate one vehicle for hire upon the streets of Atlanta.

Department: the Atlanta Police Department

For-Hire Endorsement: Eligibility requirements can be found via Georgia House Bill, Section 6 (b) (1-6) and Section 6 (c).

Manager: The Manager for the Vehicles for Hire Section.

Driver: Any driver for any permit holder provided City Code Section 162, Article II, Animal Drawn Vehicles and Taxicabs and City Code Section 22, Article III, Division Seven, Grounds



Transportation. The definition of *driver* includes taxicab drivers, limousine drivers, sedan drivers, rideshare drivers and equine-drawn carriage drivers.

Drivers Permit: A written authority granted by the Vehicles For Hire Section to persons who qualify to drive an equine-drawn carriage.

Enforcement Officers: Vehicle for hire inspectors, Atlanta Police Officers, agents of the Fulton County Society for the Prevention of Cruelty to Animals appointed as special deputy sheriffs that enforce Atlanta City Code, Chapter 162, Article II on Animal-Drawn Vehicles and Taxicabs.

Non-waiver violations: See City Code Section 162-40 for violations that require appearance before the hearing panel.

Open Stand: any location on the streets of this city that shall be used by any taxicab or animal drawn vehicle on a nonexclusive, first come, first served basis and not by private vehicles or other public conveyances. Open stands may not be utilized by limousines, sedan or rideshare operators or other vehicles for hire which are not operated under a CPNC issued. (City Code Section 162-26).

Sedan: Any sedan-type vehicle which has a seating capacity of not more than five passengers and the driver and which is classified as a luxury sedan by the IRS for tax and depreciation purposes and which renders service to the public not over route on basis of telephone or written contract (City Code Section 22-201).

Taxicab: A motor vehicle or similar vehicle, device, machine or conveyance used to transport passengers, uses a taximeter, and is authorized to provide taxi services pursuant to Atlanta City Code, Section 162, Article II, Animal Drawn Vehicles and Taxicabs.

Taximeter: An instrument or device approved by the department attached to a vehicle and designed to measure mechanically or electronically the distance traveled by such vehicle, to record the times the vehicle travels or is in waiting and to indicate the fare to be charged.

Vehicle for Hire: Any motor vehicle, animal-drawn vehicle, other vehicle, or device designed or used for the transportation of passengers for hire.

Vehicle for Hire Section: A Section within the Atlanta Police Department that regulates vehicles for hire and equine drawn carriages within the City of Atlanta.

## 6. CANCELLATIONS

APD.SOP.3210 "Taxicabs and Vehicles for Hire," effective February 3, 2014

## 7. REFERENCES

Atlanta City Code, Chapter 162, Article II, "Animal-Drawn Vehicles, and Taxicabs"  
Atlanta City Code, Chapter 22, Article III, Division 7, "Ground Transportation Services"  
Atlanta City Code, Section 98-1 "Code Enforcement Agents"

APD.SOP.2210 "Code Enforcement Agents"  
APD.SOP.3060 "Reports and Report Writing"

Georgia House Bill 225  
Georgia House Bill 190