



TOWN OF WELLESLEY

Rules and Regulations for Public Conveyances

Pursuant to the authority as provided in M.G.L. Ch.40 §22, and Town Bylaw §49.20, the Board of Selectmen does hereby enact the following rules and regulations for the granting of licenses to owners of vehicles for hire for the conveyance of persons. No person shall hold himself out as the owner, driver or operator of any vehicle used for the purposes mentioned in this section, unless such vehicle and operator is duly licensed as provided in this section.

I. Purpose:

The purpose of these rules and regulations is to ensure the public safety and convenience; and to exercise the regulatory authority of the Board of Selectmen insofar as the same may be applied to persons, firms and corporations owning vehicles for hire and conducting their businesses from within the Town limits.

II. Definitions:

The following terms shall have the meanings subscribed to them as hereinafter set forth, for these purposes:

- A. Taxicab: A public conveyance licensed as such, authorized to stand at a taxi stand, so-called, and authorized to accept passengers when hailed from the street.
- B. Public Automobile: A public conveyance licensed as such, authorized to accept passengers upon call or at a pre-determined location, to convey the passenger from a specific point to another specific point. Public automobiles shall not be licensed to display a taximeter within the vehicle.
- C. Private Livery: A luxury automobile licensed as a public conveyance and authorized to accept passengers only by a prearranged contract. Private liversies shall be operated by a uniformed driver or chauffeur and are not authorized to transport passengers on an 'on call' basis.
- D. Public Conveyance: Any taxicab, public automobile, or private livery vehicle.
- E. Operator: Any person operating a vehicle for hire, such as a taxicab, public automobile, or private livery.
- F. Operator's License: A license issued by the Chief of Police or his designee to operate a taxicab, public automobile, or private livery based in the Town of Wellesley.
- G. Owner: Any person, firm, or corporation that owns a vehicle intended for use as a public conveyance.

H. Owner's License: A license issued by the Board of Selectmen or their designee to operate a taxicab, public automobile, or private livery service based in the Town of Wellesley. Each owner's license may cover one or more vehicles belonging to the same owner, shall bear upon its face the date of its issue, the date of its expiration, the name and address of the owner of the vehicle or vehicles to whom the license is issued, and a description of each vehicle sufficient for its identification.

III. Owner's License Requirements:

The Board of Selectmen may issue a license to an owner of public vehicles whether the same is an individual, firm or corporation, if the owner or one member of such firm resides, and the principal place of business is located within the Town of Wellesley. Trade names, if used by said owners, may be approved by the Board of Selectmen, and shall be maintained on file within the office of the Board of Selectmen. **Applications for licenses shall be available through the Board of Selectman.** Upon receipt of an application for an owner's license, the Board of Selectmen shall remit all completed material to the Chief of Police for the Chief's recommendation thereon, and may act on the same upon receiving the recommendation of the Chief of Police. The license to operate such vehicles shall be non-transferable, except upon written permission of the Board of Selectmen.

A. Application Requirements: Applications for owner's licenses will include, but are not limited to, the following information:

1. Name, address, telephone number, and date of birth of the applicant for the owner's license.
2. Social Security number of the applicant.
3. Name and address of the business, if different than that of the applicant.
4. A certified copy of the applicant's criminal record, as provided by the Criminal Systems History Board (This must be provided even if the applicant has no criminal record). The CSHB can be reached at (617) 660-4600.
5. A copy of the registration for each vehicle to be covered by the license.
6. A copy of the certificate of insurance on each vehicle to be covered by the license.
7. A copy of the applicant's home occupation permit, if applicable.
8. A schedule of the rates to be charged by the applicant.
9. A tax certification form with the applicant/business's Federal Identification Number (form provided with the application).
10. An application fee of twenty-five (25) dollars for each vehicle covered by the license.

B. Licensing Criteria: Applications for owner's licenses will be issued or denied based on the following criteria:

1. The public need or convenience for such a service as determined by the Board of Selectmen.

2. The applicant is over the age of twenty-one (21).
3. The applicant's principle place of business is located in the Town of Wellesley.
4. The applicant or a member of his/her firm resides in the Town of Wellesley.
5. The applicant is a suitable person. (As determined by the Chief of Police)
6. The applicant is not currently on parole or probation.
7. The applicant has not been convicted of a felony or violated any state or federal laws pertaining to liquor offenses, narcotics offenses, sex offenses, weapons offenses, or offenses of assault and battery in the past ten (10) years.

IV. Operator's License Requirements:

No person shall operate a taxicab, public automobile or a private livery unless he/she has obtained an operator's license issued by the Chief of Police. All operators including the owner, if he/she intends to act as an operator of a public conveyance must obtain this license. An owner's license issued by the Board of Selectmen does not constitute an operator's license. **Applications shall be available through the Wellesley Police Department. Operator licenses shall be non-transferable.**

A. Application Requirements: All applicants must appear in person before the Chief of Police or his designee and submit to being photographed for the purposes of identification. In addition, applications for operator's licenses will include, but are not limited to, the following information:

1. Name, address, telephone number, and date of birth of the applicant.
2. Social Security number of the applicant.
3. A signed letter from the public conveyance's owner/business who is seeking to employ the applicant.
4. A copy of a valid drivers license issued to the applicant by the Registry of Motor Vehicles of the Commonwealth of Massachusetts.
5. A certified copy of the applicant's criminal record, as provided by the Criminal History Systems Board (This must be provided even if the applicant has no criminal record). The CSHB can be reached at (617) 660-4600.
6. A licensing fee of twenty-five (25) dollars.

B. Application Criteria: Applications for operator's licenses will be issued or denied based on the following criteria:

1. The applicant is over the age of eighteen (18).
2. The applicant has a valid driver's license issued by the Commonwealth of Massachusetts Registry of Motor Vehicles.

3. The applicant is a suitable person. (As determined by the Chief of Police.)
4. The applicant is not currently on parole or probation.
5. The applicant has not been convicted of a felony or violated any state or federal laws pertaining to liquor offenses, narcotics offenses, sex offenses, weapons offenses, or offenses of assault and battery in the past ten (10) years.
6. The applicant has not been convicted of any criminal motor vehicle offenses in the past ten (10) years.
7. The applicant has not received more than four (4) motor vehicle citations during a three (3) year period.

V. Conditions During the Term of the Licenses:

The following conditions and regulations for owners and operators shall be enforced by any duly appointed police officer for the Town of Wellesley. Any vehicle that is licensed as a public conveyance may be stopped at any time for the purpose of ensuring adherence to these conditions and regulations. Any vehicle that is in violation of said conditions or regulations may be placed out of service at the discretion of any duly appointed officer.

- A. Owners: Each owner licensed hereunder shall, during the term of such license, comply with the following:
1. For every vehicle licensed and used as a public conveyance, the owner shall maintain a log disclosing each trip taken by said vehicle. Included in this log for each trip shall be a record of the driver thereof, the pick-up and delivery points, the pick-up and delivery times, the mileage at the start and end of each trip, and any accidents, violations, and/or charges incurred.
 2. The insurance, which shall be disclosed in the aforementioned certificate, shall be maintained in full force during the term of the license.
 3. A current and valid inspection sticker shall be displayed on all vehicles used as public conveyances. The corresponding inspection report for each sticker shall also be maintained on file with the owner and displayed upon request. If a vehicle has been rejected at the time of inspection for any reason, it shall not be deemed suitable for use as a public conveyance. Any such vehicle shall not be used as a public conveyance until said vehicle has passed inspection.
 4. The owner shall require each driver of each vehicle to display in said vehicle, the operator's license issued by the Chief of Police.
 5. The vehicles subject to the owner's license shall be suitable for occupancy by passengers, and mechanically fit for the safety of passengers. Each vehicle shall be maintained in a clean condition. No exterior lights shall be permitted except as approved by the Board of Selectmen.
 6. All taxis and public automobiles subject to the owner's license shall display a list of all rates and charges of fares conspicuously, so that they are clearly visible to all passengers.

All private livery vehicles shall be exempt from displaying such rates, as their fees have been prearranged with their contract.

B. Drivers: Each driver licensed hereunder shall, during the term of such license, comply with the following:

1. Each driver shall be neat, clean, and suitably dressed with a collared shirt and long pants.
2. Each driver shall maintain and display conspicuously, so that it is clearly visible to all passengers, the operator's license issued by the Chief of Police.
3. When requested by any passenger, each driver shall give to a passenger a receipt for the fare charged for each trip.
4. Each driver shall maintain a record (trip log) of all trips driven by him, according to date, time, location, mileage, and fees charged. The driver shall inspect his vehicle at the completion of each trip to determine whether any lost articles are within the vehicle. Any lost articles that are located shall be noted in the trip log. Each driver shall submit by the completion of each shift, his trip log to the owner. Owners shall display such logs and articles upon reasonable request by the Chief of Police or his designee.
5. No passenger shall be allowed in the front seat of any vehicle unless the rear seat is full or unless the passenger is physically handicapped.
6. It shall be a violation of these rules and regulations for any owner or driver to give direction or information for immoral purposes, or to convey any person from place to place who is intoxicated, even though not disorderly, except directly to the place the driver believes to be the passenger's house or lodging, or to a police station (unless otherwise conveyed by direction of a police officer).

VI. Expiration, Suspension, and Revocation:

Every license, for owners and operators, shall be granted to expire on the last day of March of every year. Each licensed owner or operator shall apply for renewal prior to the first of March every year. Any license may be suspended or revoked by the Chief of Police, at any time for satisfactory cause. Satisfactory cause includes, but is not limited to, violations of the aforementioned rules and regulations.

VII. Complaints, Enforcement, and Hearing:

The Chief of Police or his designee shall be the enforcement officer hereof. Any applicant aggrieved by any decision of the Chief of Police hereunder shall be entitled to appeal his decision to the Board of Selectmen for hearing and determination. Any holder of a license who shall be deemed by the Chief of Police or his designee, to be in violation hereof shall have the right to appeal such determination to the Board. Exercise of any right of appeal hereunder shall, if at all, be claimed within 48 hours after the action being complained of has been taken. Any applicant appeal hereunder shall have the right to counsel. Any violations of these rules and regulations as shall be determined by the Board of Appeals shall be punished by a fine not exceeding fifty (50) dollars for each offense, each day constituting a separate offense.

VIII. Restrictions on Public Automobiles and Private Liveries:

Public automobiles and private liveries, which have been licensed according to these rules and regulations, shall not be permitted to accept passengers except by appointment. Neither public

automobiles nor private liveries are licensed, as taxicabs are, to accept passengers who hail the vehicle from the public way.

IX. Authority of Taxicabs, Public Automobiles and Private Liveries Licensed by Other Communities to Operate within the Town of Wellesley:

The purpose of these rules and regulations is to ensure public safety and to provide the citizens of the Town of Wellesley with licensed conveyances, taxicabs, public automobile and private liveries, operating within the Town for public convenience and safety. These regulations do not purport to license taxicabs, public automobiles, or private liveries having a principal place of business outside of the Town of Wellesley. Vehicles not thus licensed under these regulations shall be subject to the following:

Vehicles for hire which are not issued a license under these regulations shall be permitted to pick up passengers or to deliver them within the Town of Wellesley, provided they are licensed by the community in which they are principally garaged and provided that they are directed personally or by telephone to either pick up or deliver passengers within the Town of Wellesley. Vehicles for hire not licensed by the Board shall not be permitted to accept passengers hailed from the public ways.

X. Provisions Severable:

The foregoing provisions within these rules and regulations shall be deemed to be severable, in the event that any one or more shall be held invalid or against public policy.

Promulgated this twenty fifth (25th) day of February, 2002 by the Board of Selectmen of the Town of Wellesley.

By the Board of Selectmen:

Harriet S. Warshaw, Chairman

Peter W. Gubellini

Laurence M. Shind

Maura M. O'Brien

Vincent Juliani, Jr.