

HACKNEY CARRIAGE RULES AND REGULATIONS

SECTION 1: OVERVIEW

I. Definitions

- a. Boston Police Officer: An individual appointed by the Police Commissioner to carry out the functions of the Boston Police Department, including but not limited to, the preservation of the public peace, the protection of life and property, the prevention of crime, the arrest and prosecution of violators of the law, the proper enforcement of all laws and ordinances and the effective delivery of police services.
- b. Hackney Carriage: A vehicle used or designed to be used for the conveyance of persons for hire from place to place within the city of Boston, except a street or elevated railway car or a trackless trolley vehicle, within the meaning of Massachusetts General Laws chapter 163 section 2, or a motor vehicle, known as a jitney, operated in the manner and for the purposes set forth in Massachusetts General Laws chapter 159 A, or a sight-seeing automobile licensed under Chapter 399 of the Acts of 1931. Also known as a taxicab or taxi.
- c. Inspector of Carriages: A superior officer of the Boston Police Department assigned by the Police Commissioner to command the Hackney Carriage Unit.
- d. Licensed Hackney Driver: An individual, also referred to as a “Driver,” granted a license to operate a Hackney Carriage by the Police Commissioner.
- e. Medallion Owner: An individual, also referred to as an “Owner,” who has been deemed a suitable individual by the Police Commissioner to own a Hackney Carriage Medallion and who has purchased one or more such Medallions.
- f. Police Commissioner: An individual appointed by the Mayor of the City of Boston who commands the Boston Police Department and has powers over licensees of such Department as per Chapter 291 of the Acts of 1906 and Chapter 322 of the Acts of 1962, as well as powers regarding the Hackney Carriage industry as per Chapter 392 of the Acts of 1930.

II. Police Commissioner's Regulation of the Hackney Carriage Industry

- a. Pursuant to the authority granted by the Commonwealth of Massachusetts and the City of Boston, the Police Commissioner of the Boston Police Department is granted the authority to regulate the Hackney Carriage industry within the City of Boston. See Appendix 1.
- b. To this end, the Commissioner has promulgated these regulations and established an enforcement unit within the Boston Police Department to oversee the implementation and enforcement of these regulations.
- c. This document is intended to be a comprehensive and definitive listing of all regulations affecting the Hackney Carriage industry in the City of Boston as of August 29, 2008.
- d. From time to time, the Police Commissioner may amend these regulations in order to promote public wellbeing, convenience, safety, and to respond to the changing needs of the industry.

III. Timelines Contained Herein

All timelines as referred to in this rule are guidelines, unless required by law. As such, no time limit is placed on the decision making process or powers of the Police Commissioner or his designee(s). A failure to adhere to such timelines shall not be deemed to vitiate the discipline proscribed or the administrative process indicated.

IV. Reservation of Police Commissioner as to Powers and Duties

The Police Commissioner hereby reserves to himself all powers and duties under Chapter 392 of the Acts of 1930, as amended, to which these rules and regulations are subject.

V. Reservation of Authority

As described above, the Police Commissioner may from time to time delegate his authority to regulate Hackney Carriages and his authority to enforce those regulations. These delegations, for whatever purpose, or duration, shall not be construed as a surrender of authority and power to regulate Hackney Carriages within the City of Boston. The Police Commissioner reserves all power and authority granted by the laws of the Commonwealth of Massachusetts and the City of Boston

VI. Delegation of Authority

The Inspector of Carriages supervises the processing of all applications for Hackney Carriage medallions and Hackney Carriage Driver's licenses, as well as regulating the operation of the Hackney Carriage industry within the city. The Inspector of Carriages

shall have the authority to make minor rules necessary for the conduct and administration of his duties and may impose discipline up to and including suspension for violations of those rules.

SECTION 2: APPLICATIONS

I. Definitions

- a. Administrative Hearing Officer: An individual designated by the Police Commissioner to manage the scheduling of hearings, to rule on pre- and post-hearing motions, and to conduct pre-hearing conferences and disciplinary trial boards.
- b. Appeal Board: A board of three Boston Police Department Captains selected by the Police Commissioner or his designee to hear appeals of decisions of the Inspector of Carriages according to Rule 403.
- c. Closing: A term denoting the actual sale or transition in ownership of a Medallion.
- d. Director of Licensing: An individual designated by the Police Commissioner to command the Licensing Division of the Boston Police Department.
- e. Driver's File: A file maintained at the Hackney Carriage Unit that includes the individual's Application for a Driver's License, any subsequent Application(s), as well as a record of the Driver's disciplinary and License history.
- f. Hackney Carriage Unit: The enforcement unit designated by the Police Commissioner to implement, oversee, and enforce these regulations. Also known as the Office of the Inspector of Carriages.
- g. Hackney Driver's License: The license granted to an individual to operate a Hackney Carriage, as per a format determined by the Inspector of Carriages.
- h. Legal Advisor's Office: This office formulates legal opinions and provides legal perspectives on policy matters. Also, provides legal advice to members of the Department, represents the Department in selected civil litigation, presents cases where disciplinary charges are brought against Department employees, and defends the Department in employment related matters.
- i. Medallion: A license granted to a suitable individual to operate a vehicle as a Hackney Carriage in the City of Boston.
- j. Medallion File: A physical file kept at the Office of the Inspector of Carriages that includes documentation of the ownership, the history of ownership, the

Corporate name chosen by the Owner, applications and suitability determinations, liens, and any Hackney Violation, Hackney Complaint, or discipline related to the Medallion.

- k. Transfer of Medallion: The process by which a Medallion is sold or otherwise conveyed from one individual or corporation to another suitable individual or corporation.

II. Medallion-Related Applications

- a. Application for New Medallion:
Reserved

- b. Application for Transfer of Medallion:

- i. Suitability: Individuals deemed suitable pursuant to Chapter 392 of the Acts of 1930 by the Inspector of Carriages shall be granted permission to purchase a Medallion. As the courts have held, such determinations of the Inspector of Carriages as to who is suitable may not be arbitrary and capricious.

- ii. Process:

1. An individual who seeks to purchase a Medallion shall procure an agreement to purchase the Medallion from an existing Owner who seeks to sell their Medallion and will forward the agreement to the Inspector of Carriages along with any documents and information as the Inspector shall require. Such requirements shall be listed in writing and a copy of the requirements shall be available from the Hackney Carriage Unit upon request.
2. The Inspector of Carriages will notify the purchaser within ten (10) business days of receipt of the status of the application to purchase a Medallion and will make every effort to notify the purchaser within ten (10) business days as to whether the purchase will be approved.
3. Any individual seeking to purchase a Medallion shall notify the Inspector of Carriages twenty (20) days before the Closing. The Closing shall then be scheduled by the Inspector of Carriages to occur at a mutually agreeable time at the Office of the Inspector of Carriages in the presence of the Inspector of Carriages or his designee.

iii. Appeal of Denial of Transfer of Medallion:

1. An individual who wishes to appeal the denial of an application by the Inspector of Carriages may file a written appeal with the Director of Licensing within fourteen (14) business days of receipt of the application denial.
2. The Director of Licensing will forward the written appeal, the application file, the Inspector of Carriages' denial, and a recommendation on the appeal to the Police Commissioner within seven (7) business days of receipt of the appeal.
3. The Commissioner will render a decision on the appeal within thirty (30) days of receipt of the appeal documents from the Director of Licensing.
4. Any person aggrieved by a final decision issued under this section may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts, and must notify the Inspector of Carriages in writing within thirty (30) days of the filing of that appeal so that the administrative record may be forwarded to the appropriate Court.

c. Medallion Renewal Applications:

i. Suitability: Individuals shall be granted permission to renew a Medallion if deemed suitable pursuant to Chapter 392 of the Acts of 1930 by the Inspector of Carriages. As the courts have held, such determinations of the Inspector of Carriages as to who is suitable may not be arbitrary and capricious.

ii. Process:

1. The Medallion Owner will submit such documents and information, as the Inspector of Carriages shall require. Such requirements shall be in writing and a copy of said requirements shall be available from the Hackney Carriage Unit upon request.
2. The Inspector of Carriages will notify the Medallion Owner within twenty (20) days of receipt of renewal application of the status of the application to renew a Medallion and will make every effort to notify the Owner within twenty (20) days as to whether the renewal application will be approved.

iii. Appeal of Denial by Inspector of Medallion Renewal:

1. An individual who wishes to appeal the denial of their application by the Inspector of Carriages may file a written appeal with the Director of Licensing within fourteen (14) business days of receipt of the application denial.
2. The Director of Licensing will forward the written appeal, the application file, the Inspector of Carriages' denial, and a recommendation on the appeal to the Police Commissioner within seven (7) business days of receipt of the appeal.
3. The Commissioner will render a decision on the appeal within thirty (30) days of receipt of the appeal documents from the Director of Licensing.
4. Any person aggrieved by a final decision issued under this section may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts, and must notify the Inspector of Carriages in writing within thirty (30) days of the filing of that appeal so that the administrative record may be forwarded to the appropriate Court.

- d. Medallion File: All application materials and other documents referred to in this section shall be retained as part of the Medallion File.

III. Hackney Carriage Driver's License

a. License Application Procedure and Requirements:

- i. Any person seeking to become a licensed Hackney Carriage Driver or to renew a Hackney Carriage Driver's license in the City of Boston must present themselves at Boston Police Headquarters and must complete an application for a new Hackney Driver's License. Such applications shall be available from the Hackney Carriage Unit.
- ii. Any person who submits an application for a license, or to renew a license, with untruthful, deceptive or fraudulent information shall have his or her license application or his or her renewal application denied immediately.
- iii. The Applicant must:
 1. be twenty-one (21) years of age or older;

2. pass a standard examination demonstrating the ability to speak, read, write and understand the English Language;
3. participate in Hackney Carriage testing and training as determined by the Inspector of Carriages;
4. have an original Birth Certificate, Alien Card, Asylum Document, US Passport or Naturalization Papers;
5. not have a Hackney Carriage Driver's License that is revoked or suspended in any jurisdiction;
6. have a valid Massachusetts Driver's License;
7. have had a Driver's license in the United States for at least two (2) years;
8. not have been adjudged a Habitual Traffic Offender, as defined by Massachusetts General Law Chapter 90 section 22F, or the equivalent in any jurisdiction, within the past five (5) years;
9. not have any outstanding or unresolved driving infractions which could result in the applicants Driver's license being suspended or revoked in any jurisdiction;
10. not have had his or her Driver's License suspended for five (5) or more Surchargeable Incidents¹, as defined by Chapter 211 of the Code of Massachusetts Regulations section 134, or the equivalent in any jurisdiction, within the past five (5) years;
11. not have more than four violations of the Traffic Laws and/or At-Fault Accidents² as defined by Chapter 211 of the Code of Massachusetts Regulations section 134 or an equivalent department in the last three (3) years (violations and accidents occurring on the same date will count as only one) in any jurisdiction;
12. not have any Operating Under the Influence of drugs or alcohol convictions or dispositions under Massachusetts General Law Chapter 90 section 24D within the past five (5) years or the equivalent in any jurisdiction;

¹ Currently, a Surchargeable Incident is "an at fault accident, traffic law violation, or Comprehensive Coverage Claim, which may result in an increase in the Policy Holder's Premium."

² Currently, an At-Fault Accident is "an accident involving a vehicle subject to 211 CMR 134 wherein the Involved Operator was more than 50% a fault, as determined by the application of the Standards of Fault of the Board of Appeal."

13. not have any felony convictions within the last five (5) years in any jurisdiction;
14. not have any drug convictions in the last five (5) years in any jurisdiction;
15. not have any dispositions for a criminal offense, in any jurisdiction, that would result in the denial of a license, including admissions to sufficient facts or continuances of an offense without resolution, unless the circumstances of such incident are reviewed by the Inspector of Carriages as to the specific facts and circumstances and the applicant is thus approved by the Inspector of Carriages;
16. not be required to register as a sex offender in any jurisdiction; and
17. not have any outstanding or unresolved criminal court cases in any jurisdiction which could result in the license being denied if the Applicant was convicted of the alleged offense.

b. License Renewal and Expiration:

- i. A Hackney Carriage Driver's License must be renewed annually.
 1. A Hackney Carriage Driver's License shall expire upon whichever of the following events occurs first:
 - a. the one year anniversary of the date of issuance;
 - b. the Hackney Carriage Driver's birthday;
 - c. the date the Hackney Carriage Driver's ICE Employment Authorization Card expires; or
 - d. any other date as determined by the Inspector of Carriages.
- ii. A renewal application for a Hackney Carriage Driver's License shall be considered as if the Hackney Carriage Driver were a new applicant, but a renewal applicant will not be required to participate in Hackney Carriage testing and training as determined by the Inspector of Carriages.
- iii. If an individual fails to apply to renew his or her Hackney Carriage Driver's License, that license shall expire.

- iv. Any applicant for renewal whose license has been expired for more than seven (7) business days shall be required to participate in Hackney Carriage testing and training as determined by the Inspector of Carriages.
- c. Suitability: All license applicants must be suitable individuals in addition to meeting the above requirements. Nothing herein shall limit the Inspector of Carriages' power to deny an application or renewal application should he determine that the applicant is not a suitable Hackney Carriage Driver. As the courts have held, such determinations of the Inspector of Carriages as to who is suitable may not be arbitrary and capricious.
- d. Appeal of Denial of Application for Hackney Carriage Driver's License:
 - i. An individual who wishes to appeal the denial of an application by the Inspector of Carriages may file a written appeal with the Director of Licensing within fourteen (14) business days of receipt of the application denial.
 - ii. The Director of Licensing will forward the written appeal, the application file, the Inspector of Carriages' denial, and a recommendation on the appeal to the Police Commissioner within seven (7) business days of receipt of the appeal.
 - iii. The Commissioner will render a decision on the appeal within thirty (30) days of receipt of the appeal documents from the Director of Licensing.
 - iv. Any person aggrieved by a final decision issued under this section may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts, and must notify the Inspector of Carriages in writing within thirty (30) days of the filing of that appeal so that the administrative record may be forwarded to the appropriate Court.
- e. Driver's File: All application materials and other documents referred to in this section shall be retained as part of the Driver's File.

SECTION 3: VEHICLES

I. Definitions

- a. Boston Licensed Taxi Decal: A sticker, as supplied by the Hackney Carriage Unit, affixed to locations on the taxi indicating the vehicle is an official Boston Licensed Hackney Carriage.
- b. Boston Police Hackney Vehicle License (or “Tin”): The actual license, usually in the form of a metal plate, affixed to a vehicle operating as a Hackney Carriage indicating that the Owner of a certain Medallion has appointed that vehicle as the one to operate under his Medallion as a Hackney Carriage in the City of Boston. This is commonly referred to as “the tin” or “the Medallion.”
- c. City of Boston Department of Weights and Measures: A Division of the City of Boston that enforces Massachusetts General Law relating to the inspection of commercial weighing and measuring devices.
- d. Clean Taxi: A Clean Taxi is as one that meets efficiency and cleanliness standards as set forth by the Inspector of Carriages and the Commissioner of the City of Boston Environment Department. A list of acceptable vehicles will be maintained by and available from the Hackney Carriage Unit.
- e. Commonwealth of Massachusetts Inspection Sticker or Certificate of Inspection: A serially numbered, adhesive sticker, device, or symbol, as may be prescribed by the Registrar of Motor Vehicles, indicating a motor vehicle has met the inspection requirements established by the Registrar of Motor Vehicles for issuance of a certificate.
- f. Exempt Owner/Operator: An individual Owner/Operator who is exempt from Radio Association membership as per an agreement made in 1998 with the Inspector of Carriages.
- g. Leased: A business structure in which a Medallion Owner leases a Medallion to a Licensed Hackney Carriage Driver (hereinafter known as a Lessee) who then purchases and equips a vehicle as a Hackney Carriage and drives it themselves. Also known as a “Medallion-only lease.”
- h. New Motor Vehicle: A motor vehicle which has not been previously sold to any person except a manufacturer, distributor or motor vehicle dealer for resale.
- i. Protective Partition: A divider between the front and rear portions of the passenger compartment of a Hackney Carriage that has been approved by the Inspector of Carriages.

- j. Set Up Card: A document issued by the Inspector of Carriages containing the name of the Medallion Owner or Lessee and such other information as the Inspector of Carriages may from time to time determine.
- k. Taximeter: A mechanical or electrical instrument or device by which the charge for hire is calculated for distance traveled, waiting time, or toll fees, and upon which such charges shall be indicated by means of illuminated figures, as approved by the Inspector of Carriages.
- l. Trade Name: The company name selected by the Owner of the Medallion to serve as the nomenclature of the Corporation.
- m. Wheel Chair Accessible Vehicle (“WAV”): A licensed Hackney Carriage that meets the Americans with Disabilities Act specifications for Wheelchair accessibility as listed in Appendix II.

II. Clean Vehicle Transition and Implementation

- a. Date of Implementation: Every vehicle put into service as a taxi as of August 29, 2008 shall be a new Clean Taxi vehicle or must have been purchased before August 29, 2008.
- b. WAV Medallion Implementation: As of August 29, 2008, all WAV Medallion vehicles put into service as a taxi must be new WAVs.
- c. Extension for Fall Inspection in 2008: Any vehicle that would have been removed from service under the model-age rule (see Section III(c)(xvii) below) at the Fall 2008 inspection shall be allowed to remain in service as a taxi until January 1, 2009. Further extensions will be granted after that date only if the Medallion Owner or Lessee can show a signed purchase and sale agreement for a new Clean Taxi or for a new WAV vehicle (if a WAV Medallion).
- d. Waiver: Single owner-operators or Lessees may petition for waiver of the Clean Taxi requirement at the discretion of the Inspector of Carriages for a vehicle owned as of August 29, 2008. Such waivers shall be granted by the Inspector of Carriages only for suitable hackney carriages and to owner-operators or Lessees upon proven financial hardship. All non-WAV vehicles used as Hackney Carriages in the City of Boston must be new, Clean Taxis by January 1, 2015, and all WAV vehicles must be new, approved vehicles by January 1, 2015.

III. Vehicle Requirements

The following section describes the requirements to register a specific vehicle as a Hackney Carriage in the City of Boston.

- a. Presentation of Vehicle: The Medallion Owner or Lessee must present the vehicle to the Inspector of Carriages for approval. The vehicle shall be thoroughly inspected in regard to mechanical condition and general appearance, as per written guidelines provided by the Inspector of Carriages.
- b. Title for New Clean Taxi: The Medallion Owner or Lessee must present a copy of a motor vehicle title for a new vehicle (as defined by the Registry of Motor Vehicles) of a class of Clean Taxis as approved by the Inspector of Carriages.
- c. The vehicle must also:
 - i. Be registered to an address in the City Of Boston.
 - 1. A post office box is acceptable.
 - 2. Proof is established by submitting a copy of the Commonwealth of Massachusetts Registration to the Inspector of Carriages.
 - ii. Have a current Commonwealth of Massachusetts Inspection Sticker.
 - iii. Be outfitted with an approved Protective Partition dividing the driver's and passenger's seats as defined in writing by the Inspector of Carriages. Any such approval shall be in writing and shall be stored in the Medallion File. The Protective Partition must meet the following requirements:
 - 1. The top portion of the Partition shall be enclosed in an adequate frame and constructed of minimum thickness of 3/8" Lexan® (or equivalent as approved by the Inspector of Carriages) and shall be approved by the Inspector of Carriages before the vehicle is approved for use as a Hackney Carriage.
 - 2. The top portion of the Partition may be either stationary or may slide horizontally or vertically. If a sliding Partition is utilized, it shall be capable of being fastened in a fully closed position by the Driver and when so fastened, shall not be capable of being opened from the rear seat. The Partition may contain an appropriate opening for the payment of fares on the right half thereof.
 - 3. The Partition shall be designed so as to prevent any object from being inserted into the front of the vehicle.
 - 4. The Partition cannot obstruct either the Driver's rear vision or the passenger's view of the Driver, taximeter, or rate card.
 - 5. The bottom section of the Partition shall constitute metal covering over the entire portion of the back of the front seat.

6. When the vehicle is first placed in service as a licensed Hackney Carriage, the Partition must be new or remanufactured, and cannot be re-used from an old vehicle.
- iv. Be outfitted with an approved taximeter as defined in writing by the Inspector of Carriages. Any such approval shall be in writing and shall be stored in the Medallion File. If a Hackney Carriage does not have a fully functioning taximeter, it shall be deemed unfit for service as a Hackney Carriage. The taximeter must meet the following requirements:
 1. The taximeter must be officially sealed by the City of Boston Department of Weights and Measures.
 2. All taxicabs must have taximeters that dispense printed receipts containing the following information:
 - a. Boston license taxi number;
 - b. Date-Trip number;
 - c. Times (start and stop);
 - d. Mileage traveled (distance per trip);
 - e. Extras;
 - f. Totals;
 - g. Hackney Carriage Unit Taxi Hot Line: (617) 536-TAXI; and
 - h. Hackney Carriage Unit E-mail: Taxi.bpd@cityofboston.gov
 3. All taxicabs must have a taximeter capable of gathering, storing and retrieving the following information:
 - a. Medallion number; and
 - b. Summary of service for a one (1) year period that includes:
 - i. Total trips;
 - ii. Total fare miles; and
 - iii. Total number of fares.
 - v. Be enrolled in a Radio Association and painted with the approved Radio Association colors and markings, unless otherwise exempted pursuant to Rule 403. All Hackney Carriages must:
 1. Have a Radio:
 2. Have the approved Radio Association equipment.
 3. Only those Owner/Operator taxis exempt pursuant to the 1998 Inspector of Carriages agreement are released from this provision of Rule 403.

- vi. Display Vehicle Color:
 - 1. All taxis must be painted white as originally manufactured, including all doors, door jambs, trunk lid interiors and any other portion of the vehicle visible to the public.
 - 2. All taxis must be painted in approved Radio Association markings and colors except those Owner/Operator taxis included in the 1998 Inspector of Carriages agreement.
- vii. Obtain a Hackney Carriage Set Up Card from the Hackney Carriage Unit as per the form provided by the Hackney Carriage Unit.
- viii. Be inspected by the Hackney Carriage Unit to obtain a current Hackney Carriage Inspection Sticker.
- ix. Display a Police Medallion License “Tin”:
 - 1. Every licensed Hackney Carriage shall have affixed on the rear thereof, plainly visible to the public, a single metal plate of a style approved by the Police Commissioner, bearing the Medallion number associated with said Hackney Carriage.
 - 2. This Medallion shall be firmly fastened to the body of the vehicle using Phillips head screws in such a manner that it will not easily become detached, and under no conditions will the Medallion be attached to the Massachusetts registration plate or to the bumper of the taxicab.
- x. Be Equipped for Credit Card Processing:
 - 1. Effective January 1, 2009 all taxicabs shall be equipped with an electronic credit card processing capability. Such equipment shall allow the passenger to swipe the card in the rear compartment of the taxicab without handing the card to the Driver. Such equipment shall list fare, tolls, fees, and tips separately for processing purposes. Such equipment shall have the ability to electronically authorize the transaction in a timely manner. Such equipment will provide a printed receipt that includes:
 - a. Boston Licensed Taxi Number,
 - b. Date,
 - c. Time,
 - d. Charge Amount,
 - e. Hackney Carriage Unit Taxi Hot Line: (617) 536-TAXI, and

f. Hackney Carriage Unit E-mail: Taxi.bpd@cityofboston.gov.

2. All Hackney Carriages shall have a functioning credit card reader at all times. If a Hackney Carriage does not have a functioning credit card reader, it shall be deemed unfit for service as a taxi.

xi. Have rear seats of a vinyl, washable material.

xii. Have black automotive vinyl rear floor mats that cover from door to door and are secured under the rocker panel.

xiii. Be equipped with functioning air conditioning that is capable of reaching the rear compartment upon passenger's request.

xiv. Have Locks:

1. All licensed taxis must have rear door lock handles that extend for no less than 1" to enable passengers to open the doors.
2. Passengers must be free to exit the rear compartment at any time without Driver assistance.

xv. Have a metal roof. (No sun-roofs or landau tops are allowed.)

xvi. Display Only Approved Advertisements:

1. No advertising matter shall be permitted in or upon Hackney Carriages without the written permission of the Inspector of Carriages. Such permission shall be stored with the Medallion File.
2. When the vehicle is first placed in service as a licensed Hackney Carriage, any advertising mounts must be new or remanufactured, not re-used from an old vehicle.

xvii. Follow the Model Year Rule:

No vehicle shall be allowed to remain in service as a Hackney Carriage for more than six (6) model years, except those Hackney Carriages operated by the Owner or Lessee of a single Medallion which may, upon review by the Inspector of Carriages, remain in service for seven (7) model years.

xviii. Display a Rate Card:

1. The Driver of a Hackney Carriage shall display current fare rate cards on the inside of the vehicle, in clear view of the passengers.

The cards indicate the current rate of fare as approved by the Police Commissioner.

2. These Rate Cards shall include the:
 - a. Fare Rate Card;
 - b. Logan Airport Special Emergency Conditions;
 - c. Logan International Airport Fees and Tolls; and
 - d. Transponder Card.
- xix. Have Lease/Shift Rate Stickers: Current lease/shift rate stickers shall be displayed in the Driver's compartment of the vehicle, in clear view of the Driver, in a place designated by the Inspector of Carriages. The stickers indicate the current rate as approved by the Police Commissioner.
- xx. Have a Roof Light: Effective January 1, 2010 all Licensed Boston Hackney Carriages being newly placed into service shall mount on the roof a taxi roof light, as determined by the Inspector of Carriages, that shall indicate at all times the status of the vehicle.
- xxi. Have Trouble Lights: All vehicles shall have two amber lights on the roof which can be activated via a switch capable of being reached by the Driver from behind the steering wheel. The amber sidelights shall flash when activated, and shall serve to notify police officers that the Driver of the vehicle requires police assistance.
- xxii. Have Only Authorized Decals and Signage: No stickers or decals other than those required by law or regulation or referred to herein, shall be placed on licensed Hackney Carriages unless expressly authorized by the Inspector of Carriages. The Inspector of Carriages may require, with seven (7) business days written notice, any decal, sticker, or signage be affixed to any Hackney Carriage. Such stickers may be obtained from the Office of the Inspector of Carriages.
- xxiii. Have Only Authorized Lettering and Numbering: Every Hackney Carriage must have lettering that includes the Medallion number 2" back from the forward edge of each vehicles front fender, and on the trunk so as to be legible from the rear of the vehicle. Each Hackney Carriage must also have the Boston Licensed Taxi decal on both rear fenders.
 1. Radio Association Members must have the following displayed on their Hackney Carriage:
 - a. Radio Association's color scheme as approved by the Inspector of Carriages,

- b. Medallion numbers with 4” lettering in Arial black font in a single color without shadowing,
- c. Boston Licensed Taxi decals on both rear fenders, and
- d. Trade Name Lettering with 2” lettering in Arial black font in a single color without shadowing

2. Exempt Owners/Operators must have the following displayed on their Hackney Carriages:

- a. Medallion numbers with 4” blue lettering in Arial black font in a single color without shadowing displayed 2” from the forward edge of the vehicle front fenders, and displayed on the trunk so as to be legible from the rear of the vehicle,
- b. Boston Licensed Taxi decals on both rear fenders, and
- c. Trade Name Lettering with 4” blue lettering in Arial black font in a single color without shadowing

xxiv. Be in Clean Condition:

- 1. The Medallion Owner or Lessee must ensure the vehicle is clean at all times.
- 2. The exterior of all Taxicabs shall be washed daily.
- 3. The interior (Driver’s compartment, rear seat area and trunk) shall be vacuumed, the windows and partition washed, and seats wiped daily.
- 4. No Shift Driver shall be made to pay for washing or cleaning of the vehicle exterior or interior. No Shift Driver shall be made to hand wash a vehicle.

xxv. Be Free of Unsafe Damage:

- 1. Any damage to the vehicle must be repaired within a reasonable time, as determined by the Inspector of Carriages given the nature of the damage.
- 2. Any damage deemed by the Hackney Carriage Unit to be unsafe, must be repaired immediately and while the vehicle is under repair, the Hackney Carriage Medallion must be surrendered to the Hackney Carriage Unit and may not be used on another vehicle.

xxvi. Have a Transponder: In order to help manage the flow of traffic in and around the City of Boston, any vehicle licensed for use as a Hackney Carriage will be equipped with a FASTLANE transponder and the

transponder will be used whenever the vehicle passes through a tollbooth whether empty or carrying passengers, on-duty or off.

- d. Periodic Inspections: Every vehicle shall be periodically inspected to ensure that it meets the above requirements on a schedule determined by the Inspector of Carriages and available from the Office of the Inspector of Carriages. Notice will be sent to all Medallion Owners or Lessees at least thirty (30) days before any such inspection.
- e. Wheelchair Accessible Vehicles (WAV):
 - i. Public convenience and necessity require that a suitable number of wheelchair accessible taxi vehicles be available at all times within the City of Boston.
 - ii. The Police Commissioner shall approve a set number of designated WAV taxi medallions. These WAV medallions must be wheelchair accessibly equipped as described in Appendix II.
 - iii. A standard Medallion may be placed on a WAV taxi provided the Hackney Carriage Driver is certified for WAV operation and the vehicle meets the Clean Taxi provisions of Rule 403.
 - iv. WAV vehicles must meet all the vehicle requirements specified in Appendix II.

SECTION 4: MEDALLION OWNERS

I. Definitions

- a. Managed: A business structure in which a Medallion Owner leases a Medallion to a person or corporation who then purchases and equips a vehicle as a Hackney Carriage and rents the Medallion and Hackney Carriage to Licensed Hackney Carriage Drivers for a shift or series of shifts.
- b. Manager: An individual who leases a Medallion from an Owner and who then purchases and equips a vehicle as a Hackney Carriage and rents the Medallion and Hackney Carriage to Drivers for a shift or series of shifts.
- c. Shift: A period of time, typically twelve hours, for which a Hackney Carriage is rented to a Licensed Hackney Driver.
- d. Shifted: A business structure in which a Medallion Owner rents a Medallion and Hackney Carriage to Licensed Hackney Carriage Drivers for a shift or series of shifts.
- e. Waybill: A record of all trips taken in a Hackney Carriage.

II. Medallion Owners Requirements

- a. Suitability: Medallion Owners must be suitable individuals pursuant to Chapter 392 of the Acts of 1930. Nothing herein shall limit the Inspector of Carriages' power to deny an application or renewal application should he determine that the applicant is not a suitable Hackney Carriage Driver. As the courts have held, such determinations of the Inspector of Carriages as to who is suitable may not be arbitrary and capricious.
- b. Properly Equipped and Functioning Vehicles: Medallion Owners (or Lessees in a Medallion-only lease) are responsible for ensuring that the Hackney Carriage is properly equipped and functioning in accordance with this order (see Section 3). Medallion Owners or Lessees who fail to ensure compliance with Rule 403 shall be subject to suspension or revocation of their Hackney Carriage Medallions.
- c. City of Boston Address: Medallion Owners, or one member of the Corporation or firm owning a Medallion, must have a City of Boston address. Post Office boxes located in the City are acceptable.
- d. Failure to Utilize Medallion: If for any reason a Medallion is not used to license a vehicle for use as a Hackney Carriage for more than three months in any calendar year, the Medallion License must be surrendered to the Hackney Carriage Unit.

- e. Medallion Owner Change of Address: The Medallion Owner must notify the Inspector of Carriages in person at the Hackney Carriage Unit or by certified mail post marked within twenty-four (24) hours of when said Owner changes his address or the place at which a Hackney Carriage owned by him is garaged.
- f. Sealed Taximeter: No Medallion Owner shall at any time permit his taxicab to be used for the conveyance of passengers for hire with a taximeter that has not been sealed by the City of Boston Department of Weights and Measures.
- g. Credit Card Processing Fee: Medallion Owner (or Lessee in a Medallion-only lease) may charge a Hackney Carriage Driver a maximum 6% fee for processing Credit Card transactions. The Medallion Owner (or Lessee in a Medallion-only lease) may not charge any fee for that portion of the fare due to tolls, tips, or airport fees. If the Medallion Owner (or Lessee in a Medallion-only lease) chooses a source of the required equipment that charges less than a 6% fee, only that amount actually paid by the Medallion Owner (or Lessee in a Medallion-only lease) may be charged to the Hackney Carriage Driver. If the owner chooses a source for the required equipment that charges more than 6%, said Medallion Owner (or Lessee in a Medallion-only lease) shall be responsible for any credit card processing fee charged that is greater than 6% of the fare.
- h. Set-up Card: The Medallion Owner (or Lessee in a Medallion-only lease) must at all times be aware of who has control of or is driving the Hackney Carriage by indicating so on a Set-Up Card. The Set-Up Card must be filed with the Hackney Carriage Unit and will be recorded in the Medallion File.
 - i. An Owner (or Lessee in a Medallion-only lease) shall not authorize or allow a Driver to operate a Hackney Carriage unless either the Driver's name has been entered on the Set-Up card by the Medallion Owner (or Lessee in a Medallion-only lease) unless, "Shift" or "Managed" has been entered on the Set-Up Card by the Medallion Owner (or Lessee in a Medallion-only lease).
 - ii. If "Shift" or "Managed" is entered on the Set-Up Card the Manager or Owner (or Lessee in a Medallion-only lease) must maintain a telephone number available twenty-four (24) hours a day from which the Police Commissioner or his designee may immediately ascertain the identity of the Driver. This number shall be entered on the Set-Up card.
- i. Training Classes: The Police Commissioner may require a Medallion Owner, or one representative of a Medallion-owning company, to attend such training classes regarding the Rules and Regulations of the Hackney Carriage Industry.
- j. Trade Names: All trade names used by Medallion Owners shall be approved by the Inspector of Carriages and recorded at the Hackney Carriage Unit in the Medallion File.

- k. Property Checks/Found Property: The Medallion Owner (or Lessee in a Medallion-only lease) shall ensure that rear compartments are checked for lost items before the start and at the end of each shift. Any property found in the vehicle shall be immediately delivered to the Hackney Carriage Unit. After normal business hours, found property shall be delivered to the Front Desk personnel at Police Headquarters who shall secure it for the Hackney Carriage Unit.

- l. Storage Facilities: Effective January 1, 2009 all persons, firms, corporations or others who own or manage, or intend to purchase, transfer or acquire, seven (7) or more Hackney Carriage medallions are required to have adequate storage facilities (as determined by the Inspectional Services Division of the City of Boston) within the City of Boston for said vehicles. The Owner or Manager of said Hackney Carriages shall provide the registration certificate to the Inspector of Carriages indicating that the vehicles are garaged in Boston, and the garage complies with all City of Boston license and permit codes.

- m. Disclosure of Ownership Interest(s): The Medallion Owner must disclose all ownership interests in the Medallion to the Inspector of Carriages in order to allow the Police Commissioner to determine a Medallion Owner's suitability, adequately perform his rate setting function, and properly regulate the Taxi industry in the City of Boston. Should a new individual or corporation take an ownership interest in a Medallion, the Owner must provide signed, written notice either in person or by certified mail to the Hackney Carriage Unit, postmarked within forty-eight (48) hours of the change in ownership.
 - i. All Medallion Owners shall file financial reports annually on forms furnished by the Inspector of Carriages, and shall provide any financial information requested by the Inspector of Carriages, including tax returns, within thirty (30) days of any such request in order to ensure that the Inspector of Carriages may accurately perform the rate setting function and regulatory responsibilities over the taxi industry.
 - ii. The annual financial reports shall include, but are not limited to, a copy of all liens, mortgages, or judgments against the Medallion and a list of all individuals or entities with any ownership interest or potential ownership interest in the Medallion (such as a trust).
 - iii. The annual financial reports shall be filed at the time of annual renewal on or before a date as determined by the Inspector of Carriages.

- n. Annual Renewal Applications:
 - i. The Inspector of Carriages will provide annual renewal applications to Medallion Owners and shall provide notice sixty (60) days prior to any change in renewal date.

- ii. All annual renewal applications shall be completed, notarized, signed under the pains and penalties of perjury, and submitted to the Inspector of Carriages by the Medallion Owner.
- o. Medallion Owners' Books, Accounts, Records and Minutes:
- i. The Police Commissioner or his designee may examine the books, accounts, records and minutes of any Medallion Owner at any time. The Police Commissioner or his designee may at any time call for additional information not required by annual reports when in his discretion such additional information is necessary in the fulfillment of his duties and responsibility to regulate the taxi industry. Such information shall be provided within fourteen (14) business days of the request from the Police Commissioner or his designee.
 - ii. Each Medallion Owner, whether a corporation or an individual, must keep its books of accounts and all other books, records and memoranda, which support the entries in its books of account and be able to furnish readily full information as to any item included in any account for a five (5) year period.
 - iii. Each Medallion Owner, whether a corporation or an individual, shall keep its books on a monthly basis so that for each month all applicable transactions are entered in the books of the company for a five (5) year period.
- p. Waybills: The Medallion Owner (or Lessee in a Medallion-only lease) is strongly encouraged to keep a Waybill for any day within the last calendar year.
- i. The Waybill should be kept on a form approved by the Inspector of Carriages.
 - ii. The Waybill should be a separate form for each calendar day.
 - iii. Waybills should be held by the Medallion Owner (or Lessee in a Medallion-only lease) for a period of one (1) year.
 - iv. The Waybill should include, for each passenger, the:
 1. Date;
 2. Medallion number;
 3. Hackney Driver's name and Hackney License Number;
 4. Time of trip;
 5. Pick up location;
 6. Drop off location;
 7. Fare;
 8. Safety Refusal; and

9. Type of call, whether:
 - a. Radio call
 - b. Street hail
 - c. Airport pickup;
 - d. Cell phone call
 - e. WAV Call

q. Member of Approved Radio Association:

- i. All persons, firms, or corporations holding a Medallion must belong to an approved dispatch service or radio association, which provides twenty-four (24) hour two-way communication solely, and exclusively, for Boston Licensed Hackney Carriages. All vehicles licensed as Hackney Carriages must be equipped with two-way communication linked to an approved dispatch service or radio association. The Inspector of Carriages shall maintain, and make available at the Office of the Inspector of Carriages, a list of approved Radio Associations.
 - ii. In a Medallion-only lease, the Lessee will determine which Radio Association to join.
 - iii. Only those Medallion Owners previously exempted by the 1998 Inspector of Carriages agreement can operate without membership in an approved Radio Association. If at any time a second Driver has control of the previously exempted Hackney Carriage, the Medallion Owner must immediately notify the Inspector of Carriages and must immediately join an authorized Radio Association. However, the Medallion Owner may place a second Driver on this Medallion for up to two weeks per calendar year while the original Driver is on vacation, provided written notice is submitted to the Inspector of Carriages seven (7) business days prior to said vacation (such notice will be stored with the Medallion File). Once in a Radio Association, the Medallion cannot be taken out of a Radio Association. Upon transfer or sale of an exempt Medallion, the vehicle associated with the Medallion is subject to the Radio Association requirement.
- r. Retaliation: No Medallion Owner (or Lessee in a Medallion-only lease) may retaliate in any way against a Hackney Carriage Driver for disclosing, reporting, or testifying about any violation of any regulation or law. Any violation of this section shall result in revocation of the Medallion.

SECTION 5: DRIVERS

I. Definitions

- a. Public Stand: A Public Taxi Stand shall be space established where any Licensed Boston Hackney Carriages may wait on public property for passengers.
- b. Private Stand: A Private Taxi Stand shall be space established where any Licensed Boston Hackney Carriages may wait on private property for passengers.

II. Driver Requirements

- a. Display of Hackney Carriage License:
 - i. A Hackney Carriage Driver must publicly display his/her Hackney Carriage License, with the identification number on the back, at all times when operating a Hackney Carriage. The Hackney Carriage License shall be displayed on the rear-view mirror mount in the plastic holders issued by the Inspector of Carriages. The photo ID side must be visible to the passenger. The ID number on the rear must be legible and visible through the front windshield.
 - ii. A Hackney Carriage Driver may display only his own Hackney Carriage License while operating a Hackney Carriage, and no licenses belonging to any other individual.
- b. Surrender of a Hackney Carriage License for Lack of Use, Travel or when at Hackney Carriage Unit:
 - i. Hackney Carriage Drivers must surrender their Hackney Driver's License upon demand of any Boston Police Officer.
 - ii. All Hackney Carriage Drivers must surrender their Hackney Driver's License to the Hackney Carriage Unit while conducting any business at the Hackney Carriage Unit. Drivers may retrieve their license upon exiting the Hackney Carriage Unit, provided that the business to be conducted is completed and the Inspector of Carriages has issued no suspension or revocation to the Hackney Carriage Driver.
 - iii. Hackney Carriage Drivers must surrender their Hackney Carriage Driver's Licenses to the Hackney Carriage Unit immediately when they no longer wish to continue operating as Hackney Drivers.
 - iv. Hackney Carriage Drivers must turn in their Hackney Carriage Driver's license to the Hackney Carriage Unit when they leave the country for more than thirty (30) days. The license will be held until the Driver returns, but

not for a period of more than one year. Failure to surrender this license, during which time the license expires, will result in the applicant being required to re-apply for a Hackney Driver's License as a new applicant.

c. Lost Hackney Carriage Driver's License:

- i. A Hackney Carriage Driver shall immediately report the loss of his Hackney Carriage Driver's License to the Hackney Carriage Unit and the Hackney Carriage Unit shall complete a police report documenting the loss. The police report documenting the lost Hackney Carriage Driver's License shall be retained in the Driver's File.
- ii. The Inspector of Carriages shall furnish a replacement license on payment of a replacement fee.

d. Alcohol and Drugs:

- i. No Hackney Carriage Driver shall operate a Hackney Carriage while under the influence of any alcohol, illegal drug, or prescription narcotic that may impair the Driver's ability or operate a motor vehicle.
- ii. No Hackney Carriage Driver shall operate a Hackney Carriage while in the possession of any alcoholic beverage.
- iii. No Hackney Carriage Driver shall allow any open container of alcohol in the Hackney Carriage.

e. Charging: A Hackney Carriage Driver may only charge the amount indicated by the meter, the amount of a flat rate, or the amount set due to an emergency condition.

f. Mandatory Passenger Metered Fare Receipts: In the case of a metered fare, the Hackney Carriage Driver must give an automated printed receipt to a passenger for the amount charged.

g. Mandatory Passenger Flat Rate Fare Receipts: In the case of a flat rate, the Hackney Carriage Driver must give the passenger a Flat Rate Receipt on the approved receipt form that contains:

- i. The name of the Medallion Owner and the Medallion number;
- ii. Date, time and mileage;
- iii. Amount of fare and extras;
- iv. The Driver's name, printed legibly, and his Hackney Carriage license number;
- v. Signature of Driver; and

- vi. Any other requirements the Inspector of Carriages may deem necessary. Any additional requirements will be issued in writing by the Inspector of Carriages.
- h. On Call Procedures:
- i. Hackney Carriages will be allowed to use "On Call" signs for the purpose of dropping off passengers or for delivering property as authorized by the Hackney Carriage Unit.
 - ii. Authorized "on call" locations:
 - 1. "Loading Zone"; or
 - 2. The last space of a multiple taxi stand.
 - iii. No Hackney Carriage may remain at an authorized location for more than a maximum of twenty (20) minutes for any purpose.
 - iv. All parking regulations apply, especially:
 - 1. No double parking;
 - 2. No parking in a "No Parking zone"; and
 - 3. No parking at expired parking meters.
- i. Waybills: Every Hackney Carriage Driver is encouraged to keep a Waybill of all trips made, together with a list of any articles found in the Hackney Carriage, on a form approved by the Inspector of Carriages, as per Section 4(II)(p)(iv).
- j. Change of Address/Telephone Number: Any Hackney Carriage Driver who changes his address or telephone number must provide signed, written notice either in person or by certified mail to the Hackney Carriage Unit, postmarked within forty-eight (48) hours of the change in address.
- k. Sealed Taximeter: No Hackney Carriage Driver shall at any time permit his taxicab to be used for the conveyance of passengers for hire with a taximeter that has not been sealed by the City of Boston Division of Weights and Measures.
- l. Respectful Treatment of Passengers: All Hackney Carriage Drivers shall treat customers in a professional, respectful and courteous manner at all times.
- i. Hackney Carriage Drivers shall be respectful to and are required to answer fully and civilly any questions put to them by Boston Police Officers or City of Boston Parking Enforcement Officers in the performance of their duties.

- ii. Hackney Carriage Drivers shall obey all such lawful commands as may be given to them by any Boston Police Officer or City of Boston Parking Enforcement Officer.
- m. Driver Appearance: Every Hackney Carriage Driver having charge of a licensed taxicab in a public place shall be suitably and professionally dressed, neat and clean in appearance. No ripped or torn clothing or clothing imprinted with profanity, offensive language or offensive images is allowed while a Hackney Carriage Driver is in charge of a Hackney Carriage. The following articles of clothing are considered inappropriate when worn as an outer garment and are not permitted, when the Hackney Carriage Driver, male or female, is in charge of a licensed Boston taxicab:
 - i. T-shirts;
 - ii. underwear;
 - iii. tank tops;
 - iv. body shirts;
 - v. swimwear;
 - vi. jogging suits or similar types of attire;
 - vii. bathing trunks; or
 - viii. jogging shorts.
- n. Cellular Phone Usage: A Hackney Carriage Driver may not use a cellular telephone for any purpose, including text messaging, while the Hackney Carriage is occupied by a passenger except in emergency situations, to verify a passenger's destination, or to receive a call for service. Utilizing a cellular phone while transporting a passenger jeopardizes public safety, the passenger's safety, and hinders the passenger's ability to communicate with the Driver and other passengers.
- o. No Smoking Policy: All Boston licensed Hackney Carriages shall be designated as "No Smoking Vehicles" at all times. No smoking is allowed in Hackney Carriages by either the Hackney Carriage Driver or passenger(s). All Hackney Carriage vehicles will have stickers announcing this regulation, visible on both the exterior window and interior passenger compartment. This sticker will be supplied by the Hackney Carriage Unit. A Hackney Carriage Driver may ask a passenger who refuses to stop smoking in the Hackney Carriage to leave the Hackney Carriage until such time as the item is extinguished. If the passenger refuses to stop smoking, the Driver should contact the dispatcher who will notify the Boston Police Department. A Hackney Carriage Driver may refuse to allow a passenger entry into the Hackney Carriage until such passenger has extinguished all smoking materials.
- p. Anti-Discrimination Clause: A Hackney Carriage Driver may not refuse any passenger on the basis of race, sex, religion, disability, sexual orientation, national origin, or location of the passenger's pick-up or destination in any circumstance.

- q. Refusal to Transport Passengers: A Hackney Carriage Driver may refuse a passenger in the event that there is a justifiable fear for the Driver's personal safety or the passenger is incapacitated. If the Driver maintains a Waybill, such refusal should be entered on the Waybill. A Driver may not refuse a passenger at any time simply because the passenger is intoxicated. When a passenger becomes noisy or otherwise disorderly while in a Hackney Carriage and persists in such conduct after warning, the Driver shall call 9-1-1 for assistance. When a potential passenger or passenger appears incapacitated, the Driver shall call 9-1-1 for assistance.
- r. No Disabling Locks: The Hackney Carriage Driver shall ensure that there are no rear compartment disabling locks and ensure that passengers are able to exit at any time.
- s. Hackney Carriage Driver's Control of Protective Partition: At all times, the Hackney Carriage Driver shall determine, at his discretion, whether to keep the Protective Partition open or closed.
- t. Hackney Carriage Unit Approval of Any Hackney Carriage: No Boston licensed Hackney Carriage Driver may operate a vehicle not approved by the Inspector of Carriages as a Hackney Carriage and no Boston licensed Hackney Carriage Driver may pick up passengers in violation of the Boston vehicle-for-hire ordinance. (See Appendix I)
- u. Public Stands: All public stands shall be plainly marked and shall be free and accessible to all Hackney Carriages licensed by the Police Commissioner. Hackney Carriage Drivers shall observe the following rules at all times when using a public stand:
 - i. Take proper position in rear of the Hackney Carriage line;
 - ii. No Hackney Carriage Driver shall park his car in a double line at a public stand nor shall any Driver park his vehicle in such a manner as to interfere with traffic, vehicular or pedestrian, at any location, at any time;
 - iii. Do not overcrowd, crash (break into an existing line of taxicabs) or back on to line;
 - iv. Any Hackney Carriage Driver has the right to stop and take position where there is a vacancy;
 - v. The Drivers of all Hackney Carriages shall remain in the immediate vicinity of their vehicle, ready to be hired at once;
 - vi. As soon as any Hackney Carriage leaves a public stand, all other Hackney Carriages shall immediately move up in line so that the only vacant space shall be to the rear of the last Hackney Carriage;
 - vii. No Hackney Carriage Driver shall make, or permit anyone else to make, any repairs to his vehicle while on a public stand;
 - viii. The Hackney Carriage Driver may solicit passengers from inside the vehicle by motion of the hand; and
 - ix. A Driver may perform small cleaning tasks while on a public stand.

- v. Private Stands: Persons, firms or corporations may establish private Hackney Carriage stands on private property for Boston Licensed Hackney Carriages and may make reasonable rules for the management of said stands. Said stands shall be free and accessible to all Hackney Carriages licensed by the Police Commissioner.

- w. Soliciting:
 - i. No Hackney Carriage Driver shall pick-up any passengers within one hundred (100) feet of an established public stand when there are Hackney Carriages at the public stand. This shall not be interpreted so as to prevent a Driver from picking up a passenger that has properly hailed the Driver.
 - ii. No individual shall solicit on behalf of a Hackney Carriage while in a public way or place.

- x. Occupied Hackney Carriages: No Hackney Carriage Driver having charge of any licensed taxicab shall take up or carry any other passenger after the Hackney Carriage has been occupied or engaged by any prior passenger, without the consent of the original passenger. The original passenger shall not be obliged or requested to pay any extra fare or fee for refusing such consent.

- y. Passenger's Right to Direct Route: Hackney Carriage Drivers shall take such route to the destination as the passenger shall so direct.

- z. Duty to Inspect for Property/Found Property: Hackney Carriage Drivers shall, immediately after delivering any passenger, inspect the Hackney Carriage for any property, which may have been left behind by the passenger(s). Any property found in the vehicle shall be immediately delivered to the Hackney Carriage Unit. After normal business hours, found property shall be delivered to the Front Desk personnel at Police Headquarters who shall secure it for the Hackney Carriage Unit.

- aa. Seating:
 - i. Only the Hackney Carriage Driver may occupy the Driver's seat while the Hackney Carriage is in motion.
 - ii. Licensed Hackney Carriage Drivers shall allow passengers to sit in the front passenger seat unless the Driver has a reasonable fear for his / her safety. The Driver should document any such reasonable fear in the waybill.

- bb. Credit Card Payments: No Hackney Carriage Driver shall refuse to accept a credit card as payment for a fare after January 1, 2009 and no Driver may demand a fee above the fare in return for accepting a credit card payment. (Massachusetts General Laws chapter 140D sec. 28a).

- cc. Passengers Requiring WAV vehicles: All available operators of Hackney Carriages shall follow the special procedure set forth herein in order to ensure timely service to any and all taxi patrons using a wheelchair.
- i. If a Hackney Carriage Driver is not carrying a passenger and is not on call, he shall stop and inquire of the patron using a wheelchair whether the patron wishes to ride in that Hackney Carriage or would prefer to have a wheelchair-accessible taxi radio dispatched. If the latter, the Hackney Carriage Driver shall immediately notify the dispatcher.
 - ii. If a Hackney Carriage Driver has a passenger, or is on radio call to pick up a passenger, the Hackney Carriage Driver shall immediately notify his dispatcher of time, location and identity of the handicapped passenger.
 - iii. Upon notification by any Hackney Carriage Driver, a radio dispatcher shall forthwith dispatch a WAV taxi to the handicapped passenger on a priority basis. If a dispatcher has no available WAV taxi for immediate dispatch, he shall forthwith inquire of other taxi companies and other radio dispatch services to find an available WAV taxi for dispatch. The dispatcher shall be obligated to continue such inquiries until a WAV taxi is dispatched.
 - iv. Notwithstanding any provision in this order, every licensed Hackney Carriage Driver, upon becoming aware of a request for service from a person using a wheelchair, shall be under an affirmative obligation to use any available means of communication to assure that a WAV taxi is dispatched to such person as soon as possible.

III. Wheel Chair Accessible Vehicle Driver Requirements

WAV Drivers must meet all of the requirements of all licensed Hackney Carriage Drivers and must also:

- a. Complete WAV Certification training conducted as determined and required by the Inspector of Carriages.
- b. Make best efforts to ensure every request for a WAV taxi is filled, where possible. Failure to take reasonable steps to fill such a request shall be grounds for revocation of the Driver's WAV certification.
- c. Continuously monitor his dispatch system at all times and respond to each call for a WAV taxi. Failure to monitor and/or respond shall be grounds for revocation of the Driver's WAV certification.
- d. Keep daily contemporaneous, accurate, complete and detailed records of all trips, which shall include:
 - i. the time a radio dispatch call or street hail was received; and
 - ii. the time and the location where each patron using a WAV taxi was used in its specially designed capacity as a wheelchair accessible vehicle.

SECTION 6: LEASING AND SHIFTING OF HACKNEY CARRIAGES

I. Mandated Lease or Shift Agreements For Hackney Carriages

The Inspector of Carriages or the Police Commissioner may from time to time issue documents that shall be used by Medallion Owners, Lessees and Hackney Carriage Drivers as lease agreements or shift rental agreements for Hackney Carriages. No lease or shift agreement may be altered without express permission of the Inspector of Carriages. All lease and shift agreements that are in force as of August 29, 2008 shall remain in effect for the duration of that agreement. The Medallion Owner, Manager, or Lessee shall provide an immediate receipt to the Hackney Carriage Driver for all payments and/or transactions.

SECTION 7: RADIO ASSOCIATIONS

I. Radio Association Regulations

- a. Membership: All persons, firms, or corporations holding a Hackney Carriage Medallion must belong to an approved dispatch service or radio association which provides twenty-four (24) hour two-way communication solely and exclusively for Boston Licensed Hackney Carriages. All vehicles licensed as Hackney Carriages must be equipped with two-way communication linked to an approved dispatch service or radio association, as listed at the Office of the Inspector of Carriages.
- b. Exemption: Only those Medallion Owners previously exempted by the 1998 Inspector of Carriages agreement can operate without membership in an approved Radio Association. If at any time a second Driver has control of the previously exempted Hackney Carriage, the Medallion Owner must immediately notify the Inspector of Carriages and must immediately join an authorized Radio Association. However, the Medallion Owner may place a second Driver on this Medallion for up to two weeks per calendar year while the original Driver is on vacation, provided written notice is submitted to the Inspector of Carriages seven (7) business days prior to said vacation (such notice will be stored with the Medallion File). Once in a Radio Association, the Medallion cannot be taken out of a Radio Association. Upon transfer or sale of an exempt Medallion, the vehicle associated with the Medallion is subject to the Radio Association requirement.
- c. Approved Associations: Only those Radio Associations approved by the Inspector of Carriages are authorized to accept Licensed Hackney Carriage Medallion Owners as their members.
- d. Approved Radio Association Services: All Radio Associations shall provide, at a minimum, the following services to their members:
 - i. Twenty-Four (24) Hour Dispatch Capabilities;
 - ii. Two-Way Radio and Dispatch Service;
 - iii. Wheelchair Accessible Vehicle (WAV) Availability;
 - iv. Elderly Discount Re-imbusement Services;
 - v. Call/Dispatch Record Keeping and Reporting;
 - vi. Lost Or Found Property Reporting Procedures; and
 - vii. Dispatch services shall include record keeping that specifies:
 1. the total number of calls for service;
 2. the time and location of each request;
 3. the Medallion number of the cab dispatched; and
 4. the time and location of WAV's dispatched.
- e. Records: Records of the Radio Association shall be kept for a period of not less than one (1) year. A summary report shall be forwarded to the Office of the Inspector of Carriages upon request within five (5) business days of the request.

- f. Email: A Radio Association must maintain a current, functional e-mail address through which the Police Commissioner or his designee may exchange correspondence.
- g. Payment: The Radio Association shall only accept membership payment by check or credit card drawn on the corporate account of the Hackney Carriage Medallion Owner. The Radio Association shall provide an immediate receipt to the Medallion Owner, Manager, or Lessee for all payments and/or transactions.
- h. Radio Association Colors:
 - i. All Medallion Owners (or Lessees in a Medallion-only lease) shall paint the Hackney Carriage in the proper colors and design of the radio association, company or radio dispatch service to which he is a member.
 - ii. All Radio Association colors, markings, designs, decal or logos must be approved by the Inspector of Carriages, as required by Hackney Rules.
 - iii. All Radio Association colors must be on file with the office of the Inspector of Carriages.
 - iv. Any change to the Radio Association colors must be approved by the Inspector of Carriages.
 - v. A set of color photos depicting the Radio Association colors as prescribed by the Inspector of Carriages must be on file.
 - vi. Medallion Owners (or Lessees in a Medallion-only lease) must be notified by their approved dispatch service of any Radio Association color change(s) approved by the Inspector of Carriages.
- i. Sole and Exclusive Use: The Radio Association shall provide all services solely and exclusively for City of Boston Licensed Hackney Carriages. No referrals, references, or links shall be made to anything other than a Licensed City of Boston Hackney Carriage.
- j. Financial Reporting Requirements:
 - i. The Police Commissioner or his designee may examine the books, accounts, records and minutes of any Radio Association in order to allow the Police Commissioner to adequately perform his rate setting function, and properly regulate the taxi industry in the City of Boston.

- ii. The Police Commissioner or his designee may at any time call for information when in his discretion such information is necessary in the fulfillment of his duties and responsibility to regulate the taxi industry.
- iii. Each Radio Association must keep its books of accounts and all other books, records and memoranda, which support the entries in its books of account and be able to furnish readily full information as to any item included in any account. Each Radio Association shall keep its books on a monthly basis so that for each month all applicable transactions are entered in the books of the Radio Association.
- k. Credit Card Processing Fee: Effective January 1, 2009 no Boston Licensed Hackney Carriage may belong to a Radio Association or Dispatch Service which charges a processing fee for that portion of a credit card charge or voucher designated as Tolls, Airport Fee, or Tip.
- l. Voucher Processing Fee: Effective January 1, 2009 no Boston Licensed Hackney Carriage may belong to a Radio Association or Dispatch Service which charges more than 8% fee for voucher processing.

II. Penalties

- a. Removal: Failure to meet these standards shall be cause for immediate removal of the Radio Association from the list of approved Radio Associations.
- b. Notice: The Inspector of Carriages shall notify in writing any Radio Association so removed.
- c. Appeal from Radio Association Removal:
 - i. Should a Radio Association be removed from the list of Approved Associations, the Owner of said Association may file a letter of appeal with the Director of Licensing within fourteen (14) business days of receipt of notice that the Association has been removed from the approved list.
 - ii. The Director of Licensing will forward, within five (5) business days, the Radio Association information, the Inspector of Carriages' reasons for removing the Association, and a recommendation on the appeal to the Police Commissioner.
 - iii. The Police Commissioner will render a decision within thirty (30) days of receipt of the appeal documents from the Director of Licensing, and will serve that decision upon the Radio Association by mail to the address listed for the Radio Association in the Hackney Carriage Unit.

III. Owner Responsibility

In the event a Radio Association is removed from the approved list, the Medallion Owner, with the approval of the Lessee in a Medallion-only lease, shall have thirty (30) days from the date of notification by the Inspector of Carriages to enroll in an approved Radio Association.

SECTION 8: HACKNEY VIOLATIONS AND COMPLAINTS

I. Definitions

- a. Notice of Hackney Complaint: Any vehicle reported, by someone other than a Police Officer, to have violated any requirement of Rule 403 shall be noticed of the filing of a Hackney Complaint by the Inspector of Carriages.
- b. Notice of Hackney Violation: Any vehicle operated as a Hackney Carriage that is observed by a Police Officer while in violation of any requirement of Rule 403 shall be cited for a Hackney Violation.

II. Service

- a. Service of Hackney Violation: A Hackney Violation will be served upon the Medallion Owner either in hand to the Owner or Driver by the Police Officer, or by certified mail directed to the address contained in the Medallion or Driver File. If the violation relates to an equipment deficiency, and the Driver is personally served the Notice of Violation, the Driver shall be responsible for providing the Notice of Violation to the Medallion Owner.
- b. Service of Hackney Complaint: A Hackney Complaint will be served upon the Medallion Owner either in hand by a Police Officer or by certified mail directed to the address contained in the Medallion or Driver File (if a corporation lists a post office box as the corporation address, mailing to that post office box is deemed service for the purposes of Rule 403).

III. Police Commissioner's Powers

Nothing herein shall be construed to prevent the Police Commissioner, the Inspector of Carriages or his designee from revoking, suspending or making inoperative for any cause deemed satisfactory to him any license issued by him without a hearing in accordance with Chapter 322 of the Acts of 1962 and Chapter 392 of the Acts of 1930.

IV. Hearings and Appeals

- a. Findings: For purposes of this section, any violation or complaint will be characterized as one of the following after hearing:
 - i. not sustained (investigation failed to prove or disprove the allegations);
 - ii. exonerated (the action complained of did occur, but investigation revealed that action was proper, legal and reasonable);
 - iii. unfounded (investigation revealed that conduct did not occur); or
 - iv. sustained (investigation disclosed sufficient evidence to support allegations in the complaint).

- b. Representation: At any level of hearing or appeal, a Hackney Carriage Driver or Owner may be represented by an attorney. A reasonable amount of time to retain counsel will be allowed. Any other individual wishing to appear on behalf of a Hackney Carriage Driver or Owner will be allowed to attend any hearing, but may not participate in the hearing without the express permission of the Police Officer, Inspector of Carriages, or Appeals Board hearing the matter.

- c. Hackney Violations for Vehicle Deficiency:
 - i. Initial Hearing: On any Hackney Violation reporting a vehicle deficiency, the Medallion Owner shall either correct such deficiency within two (2) days and bring said vehicle to the Hackney Carriage Unit for re-inspection, unless otherwise directed on the Hackney Violation, or notice the Inspector of Carriages in writing of his intent to appeal the violation within two (2) business days.

 - ii. Appeal: If the Medallion Owner wishes to appeal the Hackney Violation for a vehicle deficiency, he may notify the Inspector of Carriages within two (2) business days of receipt of the Hackney Violation, who shall, within fourteen (14) business days of service of such notice, conduct a hearing at which the Medallion Owner may present evidence and testimony. This hearing need not be a formal proceeding, may take place contemporaneously with the violation, and the Rules of Evidence do not apply.

 - iii. The decision of the Inspector of Carriages shall be final and will issue, in writing, within seven (7) business days. Any such decision and all associated documentation will remain in the Medallion File.

- d. All Other Hackney Violations and Complaints:
 - i. Initial Hearing at the Hackney Carriage Unit: Within fourteen (14) business days of receipt of notice of the Violation or Complaint, the Inspector of Carriages or his designee will conduct a hearing at which the Medallion Owner or Driver may present evidence and testimony. This hearing need not be a formal proceeding, may take place contemporaneously with the violation, and the Rules of Evidence do not apply.

 - ii. Initial Decision:
 - 1. Driver: If the Complaint concerns a Driver, the Inspector of Carriages or his designee will render a written decision within seven (7) business days and may subject said Driver to penalties up to and including revocation of the license to operate a Hackney Carriage in the City of Boston. Such decision shall be delivered in hand or by certified mail directed to the Driver's address contained in the Driver's File. If the Complaint against the Driver concerns an

overcharge or a ride longer than was required, and the Complaint is sustained, the Driver may, above any beyond any other penalty, be required to pay the passenger the amount of the overcharge.

2. Medallion Owner: If the Complaint refers to a violation by a Medallion Owner, the Inspector of Carriages or his designee will render a written decision within seven (7) business days of the initial hearing and may subject said Medallion Owner to penalties up to and including revocation of the right to utilize said Medallion as a license to operate a vehicle as a Hackney Carriage in the City of Boston. Such decision shall be delivered in hand or by certified mail directed to the business address contained in the Medallion File.

iii. Intermediate Appeal to the Inspector of Carriages:

1. An intermediate appeal is available to Medallion Owners and Licensed Hackney Drivers who wish to appeal the decision made by the Inspector of Carriages' designee who conducted the initial hearing. If the initial hearing was before the Inspector of Carriages, a Medallion Owner or Licensed Hackney Driver may appeal pursuant to the Final Appeal process below.
2. A Medallion Owner or Licensed Hackney Driver who wishes to appeal the decision of the Inspector of Carriages' designee may file a written appeal with the Inspector of Carriages within five (5) business days of receipt of the Initial Hearing decision.
3. The Inspector of Carriages will, within seven (7) business days, conduct a *de novo* hearing. This hearing need not be a formal proceeding, may take place contemporaneously with the violation, and the Rules of Evidence do not apply.
4. The Inspector of Carriages will render a written decision within seven (7) business days of the hearing and may subject said Owner or Driver to penalties up to and including revocation of the license to operate a Hackney Carriage in the City of Boston or declaring the Owner an unsuitable individual. The Inspector of Carriages shall notify the Driver and Medallion Owner of any decision by causing a copy of the decision to be delivered in hand or by certified mail directed to the address contained in the Medallion or Driver's File.

iv. Final Appeal to the Appeals Board:

1. A Medallion Owner or Driver who wishes to appeal the decision of the Inspector of Carriages may file a written appeal with the Director

of Licensing within fourteen (14) business days of receipt of the Inspector of Carriages' decision.

2. The Director of Licensing will forward that written appeal to the Administrative Hearing Officer within forty-eight (48) hours of receipt of the appeal.
3. The Administrative Hearing Officer will, within sixty (60) days of receipt of the appeal from the Director of Licensing, convene an Appeal Board.
4. The Appeal Board will conduct a hearing at which the Inspector of Carriages, represented by the Legal Advisor's Office, and the Medallion Owner or Driver, may present witnesses and documentary evidence. The Rules of Evidence do not apply and hearsay may be considered by the Appeal Board.
5. The Appeal Board will within thirty (30) days of the hearing deliver a written recommendation to the Police Commissioner.
6. The Police Commissioner will then render a decision within seven (7) business days of receipt of the Appeals Board's recommendation, to be delivered in hand or by certified mail directed to the address contained in the Medallion or Driver's File.
7. Any person aggrieved by a final decision issued under this section may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth, and must notify the Inspector of Carriages in writing within thirty (30) days of the filing of that appeal so that the administrative record may be forwarded to the appropriate Court.

V. Misconduct by Medallion Owners, Managers or Lessees

- a. If, after investigation, the Inspector of Carriages sustains a complaint for Owner, Manager or Lessee misconduct against a Medallion Owner, Manager, or Lessee, the Police Commissioner or the Inspector of Carriages may suspend or revoke any or all medallions under the control of said Medallion Owner, Manager or Lessee, and take any other disciplinary action deemed appropriate by the Police Commissioner or the Inspector of Carriages.
- b. Where a Medallion is suspended for Owner, Manager or Lessee misconduct causing a Hackney Carriage Driver to lose work, the Owner, Manager, or Lessee shall pay the Driver for up to sixteen (16) hours per every twenty-four (24) hours at the waiting time rate as defined in Appendix III.

- c. In addition to any penalty listed in this section, where the Owner, Manager or Lessee misconduct involves overcharging, or the charging of any fee to the Hackney Carriage Driver not previously authorized in writing by the Police Commissioner or the Inspector of Carriages, the Owner, Manager or Lessee shall refund the Hackney Carriage Driver the amount of any and all overcharges.

SECTION 9: MISCELLANEOUS PROVISIONS

I. Definitions

- a. Emergency Condition: Unusual conditions which cause a shortage of taxis.

II. Special Programs

- a. Taxi Inspection Program For Safety (TIPS):
 - i. The Taxi Inspection Program for Safety (TIPS) program was created in partnership with members of the taxi industry to promote the safety of Hackney Carriage Drivers and encourage frequent inspections of taxis by Boston Police Department Officers to check on the safety of the Drivers.
 - ii. Hackney Carriages participating in the program will have TIPS decals affixed to their rear windows and displayed prominently in the passenger compartment.
 - iii. Hackney Carriages Drivers should be aware that Boston Police Officers will be conducting stops whenever necessary, particularly during the evening and early morning hours. Attention will be given to isolated and high crime areas.
 - iv. Hackney Carriages Drivers will be detained no longer than necessary to check on the welfare of the operator. Passengers will be given a brief explanation of the purpose of the stop.
 - v. Hackney Carriages Drivers can alert Boston Police Officers that they feel endangered by activating the amber lights located on the roof of the taxi. These flashing amber lights indicate that the Driver requires assistance.
- b. Boston Taxi Industry Elderly Program (BTIEP)/Cancer Crusade:
 - i. The BTIEP discount program has been established for elderly, handicapped and cancer crusade taxicab passengers. This program allows qualifying participants to purchase discount fare coupons.
 - ii. All Drivers must accept BTIEP/Cancer Crusade coupons at face value from any passenger offering such coupons.
 - iii. The coupons can be redeemed at the Radio Association or the Hackney Carriage Unit for full face value.

III. Manager Regulations

Reserved

IV. Emergency Conditions

- a. Jurisdiction to Declare Emergency Condition: The Transportation Managers at Logan Airport, the Boston Convention and Exhibition Center, and/or South Station or the Inspector of Carriages shall have exclusive jurisdiction to determine when an Emergency Condition shall be declared.
- b. When an Emergency Condition is declared:
 - i. Multiple fares (2 or more) may be loaded into the taxi (with the primary passenger's permission);
 - ii. The fares shall be determined as a metered rate minus two dollars (\$2.00) at each destination;
 - iii. No airport fees shall be charged; and
 - iv. Turnpike and tunnel tolls may be added to the fare.

SECTION 10: RATES

I. Definitions

- a. Drop rate: The charge recorded on the taximeter for the first increment measured. Also known as the “flag drop”.
- b. Mileage rate: The charge recorded on the taximeter for each mileage increment after the drop rate.
- c. Flat rate: The per mile charge for trips outside the meter zone.
- d. Waiting time rate: The charge recorded on the taximeter for each time increment after the drop rate when the vehicle is not moving.

II. Rates

- a. Lease/Shift Rates: The Police Commissioner, after giving proper notice, shall establish from time to time the rates for hire of a Hackney Carriage by shift and by lease. Current shift and lease rates are listed in Appendix III.
- b. Taximeter rate: The Police Commissioner shall from time to time establish the rate for hire of a taxi. Notice will be provided to all Medallion Owners and Hackney Carriage Drivers that shall include the maximum allowable rates, as listed in Appendix IV:
 - i. Drop rate;
 - ii. Mileage rate;
 - iii. Flat rate; and
 - iv. Waiting time rate.
- c. Flat Rate Service:
 - i. A Uniform Flat Rate pricing guide is in effect from Boston to suburban cities and towns beyond 20 miles from Boston.
 - ii. The Hackney Carriage Driver may collect agreed Flat Rate Fares as published in the Official Flat Rate Book in advance of service.
 - iii. When a passenger is taken to a Flat Rate community and returned to Boston on a round trip, the passenger shall be charged the entire trip on the taximeter.
 - iv. When the passenger has the Hackney Carriage Driver wait, the Hackney Carriage Driver may charge for waiting time at the set rate as shown in Appendix IV.

- v. No charge will be made for time lost because of traffic or weather conditions.
- vi. The Hackney Carriage Driver shall be reimbursed by passengers for all tunnel, bridge and turnpike tolls except as specified in Appendix IV.

Appendix I: Authority

1. Chapter 392 Of The Acts Of 1930: An Act Providing For The Regulation And Limitation Of Hackney Stands And Hackney Carriages In The City Of Boston

Section 1

Authority of the Police Commissioner

Except as otherwise provided in chapter two hundred and sixty-three of the acts of nineteen hundred and twenty-nine, the Police Commissioner of the city of Boston shall have exclusive authority to make rules and orders for the regulation for hackney carriages and hackney stands, both as defined in section two, within the limits of said city, with penalties for the violation thereof not exceeding twenty dollars for each offense. Such rules and orders shall not take effect until they have been published at least once in a newspaper published in said city.

Section 2

Definition of a Hackney Carriage

Each vehicle used or designed to be used for the conveyance of persons for hire from place to place within the city of Boston, except a street or elevated railway car or a trackless trolley vehicle, within the meaning of section two of chapter one hundred and sixty-three of the General Laws, or a motor vehicle, known as a jitney, operated in the manner and for the purposes set forth in chapter one hundred and fifty-nine A of the General Laws, or a sight-seeing automobile licensed under chapter three hundred and ninety-nine of the acts of nineteen hundred and thirty-one, shall be deemed to be a hackney carriage within the meaning of sections two to nine, inclusive, of this act: and in said section, unless the context otherwise expressly requires, the words "drive" and "driver" shall be respectively deemed to include "operate" and "operator", . . . a private hackney stand shall be one established only upon private property, and public hackney stand shall be one for the common use, for hackney carriage purposes of all licenses under section four

Section 3

Licensing of Drivers of Hackney Carriages

In said city, no person shall drive or have charge of a hackney carriage, nor shall any person, firm or corporation set up and use a hackney carriage, unless licensed thereto by the Police Commissioner of the City of Boston; nor shall any person having the care or ordering of such a vehicle in said city suffer or allow any other person other than a driver so licensed to drive such a vehicle.

Section 4

Granting of Licenses to Owners of Hackney Carriages

Said Police Commissioner shall annually grant hackney licenses in said city to suitable persons, firms and corporations who are owners of vehicles known as hackney carriages, if such person or one member of such firm resides in such city, and if the principal place of business of such corporation is in such city; provided, that, at any time within one year after the expiration of a license under this section, the holder thereof shall be entitled as

of right, upon payment of the proper fee to a renewal of such license, unless after a hearing before said commissioner it appears that he has good cause to refuse to issue the same. Licenses granted under this section shall be assignable, subject to the approval of said commissioner, and shall be subject to such other terms, conditions and limitation, and be issued subject to the payment of such fees, as said commissioner shall from time to time prescribe. Said commissioner shall also from time to time fix maximum and minimum rates to be charged by said licensees for use of such vehicles. Said commissioner shall, as soon as may be, fix a limit for the number of licenses to be issued under this section, which limit shall be based upon the number of licenses then issued and outstanding but shall not be in excess of fifteen hundred and twenty-five, and he may from time to time, after reasonable notice and a hearing, decrease the limit so fixed, but in no event to a number less than nine hundred. If an applicant is refused a license hereunder by reason of the fact that the maximum number of licenses limited hereunder has been issued, the department of public utilities, on petition of such applicant may, after a hearing, determine that public convenience and necessity require a higher limit than that fixed by said commissioner or previously established by said department and shall be considered final until again changed as herein provided.

Section 5

Private Hackney Stands

Any person, firm or corporation licensed under section four may occupy as a private hackney stand, subject to general provisions of law, private property in said city, if thereto authorized by the owner, lessee or official representative thereof.

Section 6

Designation and Regulation of Certain Portions of Public ways as Public Hackney Stands
Said Police Commissioner shall, from time to time, designate certain portions, other than sidewalks, of public ways in said city, to be used and known as public hackney stands. Such stands shall be equally free and open of access to all vehicles whose owners are licensed under section four...and who have complied with all provisions of sections two to eight, inclusive, of this act, relative to such stands, and with all rules and regulations of said commissioner relative thereto. Within that portion of the city proper, as defined in the present rules and regulations of the police department of said city relative to hackney carriages, lying north and east of Massachusetts Ave, said commissioner shall so far as practicable, establish such stands at intervals of not more than one quarter of a mile. All such stands shall be plainly marked as public hackney stands. No motor vehicle other than a licensed hackney carriage... shall make use of any such public hackney stand. Said Police Commissioner shall, upon application for a public hackney stand by an applicant for a license under section four, issue to such applicant for each hackney carriage for which a license under said section four is granted, a license for said carriage to use public hackney stands.

Section 7

Inconsistent Provisions Repealed

All acts and parts of acts inconsistent with sections two to eight, inclusive, of this act, are hereby repealed, and all rules and regulations of the police commissions of Boston inconsistent with said sections are hereby made null and void.

Note – Section 7 applies only to legislative acts passed prior to 1930 and does not apply to the initiative measure (Chapter 508, Acts of 1938), referred to, or to any other acts passed after 1930.

2. Chapter 508 Of The Acts Of 1938: An Act With Relation To Public Stands For The Use Of Taxicabs And Motor Vehicles For Hire In Cities And Towns.

Be it enacted by the People and by their Authority:

In any city which accepts the provisions of this act by vote of its city council, or in any town which accepts the provisions of this act by a majority vote of the qualified voters present and voting at an annual town meeting, the licensing authorities for licensing taxicabs and motor vehicles for hire shall establish, for the use of taxicabs and motor vehicles for hire licensed within such city or town, public taxicab stands on any public highway within such city or town. Such public taxicabs and motor vehicles for hire whose owners are licensed by said licensing authorities.

3. Chapter 508 Of The Acts Of 1938: Establishing Special and Public Hackney Stands

The Police Commissioner established Public Taxicab Stands in the city of Boston, which stands are free and accessible to all taxicabs and motor vehicles for hire whose owners are licensed by the Police Commissioner.

4. Chapter 386 Of The Acts Of 1963: An Act Relative To The Regulation Of Taxicabs Within The City Of Boston.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of same, as follows:

In the city of Boston, no person driving or having charge of a taxicab shall solicit the carriage of a passenger or passengers for hire unless said person is licensed as a hackney carriage driver and said taxicab is licensed as a hackney carriage, by the police commissioner of said city. This act shall not be construed as prohibiting the driver of a taxicab licensed as such outside said city from accepting a passenger or passengers for hire within said city if summoned by telephone or radio for the purpose. Whoever violates the provisions of this act shall be punished by a fine of not more than fifty dollars.

5. City of Boston Code 16-15.05: Vehicle for Hire Ordinance

In the City of Boston, no person, firm, or corporation driving or having charge of a taxicab or other private vehicle shall offer the vehicle for hire for the purpose of transporting, soliciting and/or picking up a passenger or passengers unless said person is

licensed as a hackney driver and said vehicle is licensed as a hackney carriage by the Police Commissioner. In addition, no person, firm, or corporation having charge of a taxicab or other private vehicle shall operate identifiable taxi top lights for the purpose of transporting, soliciting and/or picking up a passenger or passengers unless said person is licensed as a hackney driver and said vehicle is licensed as a hackney carriage by the Police Commissioner of said City.

Any Police Officer witnessing a violation of paragraph a. of this subsection may arrest the driver of the vehicle and seize evidence of said violation. Such evidence shall include but is not limited to, meters, whether mechanical or electrical, for the computation of fares based on mileage or predetermined periods of time. Any Officer who seizes such items as evidence of a violation of paragraph a. of this subsection shall take them to a place of safety until they are produced or used as evidence in any trial or other Court proceedings. All such property seized shall be disposed of as the Court Orders, and may be forfeited, sold or destroyed in the discretion of the Court.

No owner or association of owners, whose principal place of business is located in the City of Boston, and who owns a taxicab or taxicabs licensed by the City of Boston, shall be allowed to dispatch taxicabs within the City of Boston unless said taxicabs are licensed by the Boston Police Commissioner and the operators of said taxicabs possess valid hackney carriage driver licenses issued by the Boston Police Department. However, nothing herein contained shall be construed as prohibiting a driver of a taxicab licensed outside the City of Boston from driving through said City, or from accepting within the City of Boston, a passenger, passengers, packages or other merchandise if summoned by or at the request of said passenger or client by telephone, or by radio dispatch from the owner or operator's principal place of business outside the City of Boston provided that the name, pick-up address, and destination of said passenger or client are immediately supplied by the driver to any inquiring Police Officer.

Anyone found in violation of this subsection shall be punished by fine of not more than five hundred (\$500.00) dollars for each violation.

(CBC 1975 Ord. T14 § 323; Ord. 1986 c. 13 § 2-5; Ord. 2002 c. 8)

Appendix II: WAV Vehicle Wheelchair Accessibility Specifications

1. Accessible Entrance Standards:

- a. 56" High – Floor to top of doorway
- b. Ramp
 - i. Design Load – Ramps 30" or longer shall support a load of 600 pounds. Ramps shorter than 30" shall support a load of 300 pounds.
 - ii. Ramp Width – 30 inches measured 2" above ramp surface.
 - iii. Ramp Surface – The ramp surface shall be continuous and slip resistant; shall not have protrusions from the surface greater than 1/4" high.
 - iv. Ramp Barriers – Each side of the ramp shall have barriers at least 2" high.
- c. Attachment: When in use for boarding, the ramp shall be firmly attached to the vehicle so that it is not subject to displacement when loading or unloading a heavy power mobility aid and that no gap between vehicle and ramp exceeding 5/8".
- d. Approximate Ramp Slope: No more than vehicle floor height to 6" curb
 - i. 1:4 inch ratio floor to ground 9" or less
 - i.e.: 8 3/4" = minimum ramp length of 35"
 - i.e.: 9" = minimum ramp length of 36"
 - ii. 1:6 inch ratio floor to ground more than 9" or less than 12"
 - i.e.: 9 1/8" = minimum ramp length of 54 3/4"
 - i.e.: 12" = minimum ramp length of 72"
 - iii. 1:8 inch ratio floor to ground more than 12"
 - i.e.: 12 1/5" = minimum ramp length of 97"
 - i.e.: 15" = minimum ramp length of 120"
 - iv. 1:12 inch ratio floor to ground all greater than 15"
 - i.e.: 15 1/8" = minimum ramp length of 181 1/2"

2. Interior Standards:

- a. 56" Headroom (Floor to ceiling) path to designated wheelchair position
- b. 30" x 48" unencumbered wheelchair position

3. Wheelchair securement system: forward facing only to include shoulder harness and crash-tested, A.D.A. approved, 4-point tie-down system.

4. Must have Accessible Entrance Lighting

Appendix III: Leasing and Shift Rates

1. Effective August 29, 2008, the following maximum lease/shift rates are in effect on an industry wide basis:
 - a. The maximum rate for Medallion Only Leasing shall be \$500 per week plus radio dues.
 - b. All existing contracts for medallion leasing shall be frozen at their current rates.
 - c. Shift/Lease rates shall be publicly posted in each garage in a manner for all to view.
 - d. The maximum Shift Rates are as follows:

12 Hour Shift	\$77.00
24 Hour Shift	\$139.00
Weekly Rental	\$700.00
Two-Driver Weekly Rental	\$800.00
 - e. Where a Medallion Owner or Lessee enters into a one-year agreement with a Shift Driver, he shall be entitled to a \$10 per week premium. This premium shall apply only to the Weekly Rental or the Two-Driver Weekly Rental.
 - f. When a Hackney Carriage Driver works seven (7) consecutive twenty-four hour shifts he shall be charged the weekly rental rate.
 - g. When a Hackney Carriage Driver works fourteen (14) consecutive twelve hour shifts, he shall be charged the weekly rental rate.
 - h. Time lost in excess of one hour on 12 and 24 hour shifts, to maintenance, repair, cleaning, or administration shall be refunded to the Hackney Carriage Driver at the rate of \$8.00 per hour.
 - i. Time lost in excess of one (1) hour on 12 and 24 hour shifts due to Owner, Manager or Lessee misconduct shall be refunded to the Hackney Carriage Driver at the rate of \$28.00 per hour for a maximum of up to sixteen (16) hours per twenty-four (24) hour period.
 - j. Time lost in excess of four (4) hours on weekly shifts, to maintenance, repair, cleaning, or administration shall be refunded to the Hackney Carriage Driver at the rate of \$8.00 per hour.
 - k. Time lost in excess of four (4) hours on weekly shifts due to Owner, Manager or Lessee misconduct shall be refunded to the Hackney Carriage Driver at the rate of

\$28.00 per hour for a maximum of up to sixteen (16) hours per twenty-four (24) hour period.

1. The Medallion Owner, Manager, or Lessee shall provide an immediate receipt to the Hackney Carriage Driver for all payments and/or transactions.
2. Additional Charges: No additional charges shall be authorized except for the following:
 - a. The Hackney Carriage Driver (or Lessee) shall have the responsibility for gasoline costs incurred during his/her shift. The Hackney Carriage Driver may not be required to purchase such gas from the owner/lessor.
 - b. The Hackney Carriage Driver may only be charged for additional insurance at the Hackney Carriage Driver's option. Such insurance shall constitute a Collision Damage Waiver and shall hold the Hackney Carriage Driver (Lessee) blameless for all but intentional damage to the vehicle. Collision Damage Waiver shall not exceed \$5 per twelve (12) hour shift, \$9 per twenty-four (24) hour shift, or \$45 per weekly shift.
 - c. The Shift Driver may be charged for a violation assessment (\$0.30 per 12-hour shift).
 - d. The Shift Driver may be charged a "Clean Taxi Premium" at the following rates:

12 Hour Shift	\$18.00
24 Hour Shift	\$33.00
Weekly Shift	\$170.00
Yearly Shift	\$8840.00
 - e. The Hackney Carriage Driver may be charged \$8.00 per hour for failure to return a shifted vehicle on time.
 - f. The Hackney Carriage Driver may be required to place a damage deposit of no more than \$500.
 - g. The Hackney Carriage Driver may be charged all applicable sales taxes associated with the shift transaction.
 - h. The Shift and Lease rates listed in this Appendix are maximums only. A Medallion Owner may charge less than the listed Shift or Lease rate.

Appendix IV: Meter Rates

1. Per Mile and Tolls:
 - a. First 1/7 Mile: \$2.60
 - b. Each 1/7 Mile thereafter .40
 - c. Tolls Additional
2. Idling/Waiting Time: \$28.00 Per Hour
3. Passenger pays \$2.75 toll for all trips from Boston proper to Logan Airport and North Shore Communities.
4. Passenger pays no toll from Boston proper to East Boston, not including Logan Airport.
5. Flat Rates as published in the Flat Rate Handbook at a per mile rate of \$3.20.