

Senate Bill No. 618

(By Senator Wells)

[Introduced February 17, 2014; referred to the Committee
Transportation and Infrastructure; and then to the Committee on
Government Organization.]

A BILL to amend and reenact §8-12-5f of the Code of West Virginia,
1931, as amended, relating to allowing municipalities to
designate a special class of taxicabs that may be operated out
of the owner's personal vehicles during designated evening and
early-morning hours; establishing a limit on the number of the
taxicabs; and clarifying that the special class of taxicabs
would supplement rather than supplant existing services.

Be it enacted by the Legislature of West Virginia:

That §8-12-5f of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

**ARTICLE 12. GENERAL AND SPECIFIC POWERS, DUTIES AND ALLIED
RELATIONS OF MUNICIPALITIES, GOVERNING BODIES AND
MUNICIPAL OFFICERS AND EMPLOYEES; SUITS AGAINST**

1 **MUNICIPALITIES.**

2 **§8-12-5f. Regulation of taxicabs and taxi stands.**

3 (a) Notwithstanding the provisions of article two, chapter
4 twenty-four-a of this code, the governing body of ~~a Class I or~~
5 ~~Class II municipality that includes a land grant university~~
6 ~~enrolling at least twenty thousand students~~ any municipality may,
7 by ordinance, regulate taxicabs and taxi stands within the
8 corporate limits of the municipality.

9 (b) The regulations shall be limited to the following:

10 (1) Requirements for the condition of the taxicabs;

11 (2) The location of taxi stands;

12 (3) Background checks for taxi drivers;

13 (4) Drug testing for taxi drivers;

14 (5) Violations of regulations adopted pursuant to this section
15 for which citations may be issued and penalties imposed;

16 (6) The requirement that a taxicab company place a sign,
17 visible to passengers, in the taxicab which contains contact
18 information which passengers may use to make complaints about the
19 taxicab company or its taxi drivers. The municipality may assist
20 passengers in resolving complaints, and shall forward complaints to
21 the public service commission in the event that further action is
22 needed; ~~and~~

23 (7) Requirements for safety inspections of the taxicabs; and

24 (8) Requirements to improve reliability of service.

1 (c) In order to discourage operating a motor vehicle while
2 under the influence of alcohol or drugs, municipalities may, by
3 ordinance, create a special class of taxicabs that may only operate
4 during specific evening and early-morning hours when there is
5 increased demand. These taxicabs shall be operated by owners using
6 their personal vehicles, and may not operate outside of the
7 designated days and hours. Municipalities shall, by ordinance,
8 determine licensing and insurance requirements for this class of
9 taxicab, and provide penalties for operating outside of the
10 authorized designated days and hours. The number of taxicabs in
11 this designated class may not be greater than eight in any
12 municipality.

13 ~~(c)~~ (d) This section is not intended to increase the number of
14 operators or owners of taxicabs and taxi stands. The amendment to
15 this section enacted during the 2014 Regular Session of the
16 Legislature is designed to supplement existing taxi services during
17 certain times, not supplant them.

NOTE: The purpose of this bill is to reduce the instances of drunk driving by allowing municipalities to designate a special class of taxicab that owners may operate out of their personal vehicles during specially designated evening and early-morning hours.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.