



**CITY OF BATH  
POLICE DEPARTMENT**

**ANDREW M. BOOTH**  
CHIEF of POLICE  
**MICHELLE D. SMALL**  
DEPUTY CHIEF

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250 Water Street

Bath, Maine 04530

(207) 443-5563

To: Applicant for Taxi License

Date: September 1, 2021

From: Andrew M. Booth, Chief of Police

Re: Taxi Driver Application Process

All persons applying for a taxi driver's license through the City of Bath Police Department should be aware that the application and screening process requires review and background checks not only through our local database but also with the State Police Bureau of Identification in Augusta.

We ask all applicants to be patient with this process as it involves work by not only several different Police Department staff, but also the City Clerk's Office.

As a result, all applicants will be contacted and advised of the status of their application within 7 to 10 business days by the City Clerk's Office.

Thank you.

cc. City Manager  
City Clerk

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Administration/Records  
443-8339

Criminal Investigations  
443-8367

Fax  
443-8343

Emergency  
911



### APPLICATION FOR TAXI OPERATOR'S LICENSE

Date: \_\_\_\_\_

Telephone #: \_\_\_\_\_

I, \_\_\_\_\_ HEREBY APPLY FOR A TAXICAB DRIVER'S LICENSE UNDER CHAPTER 5, SECTION 5-47 OF THE BATH CITY CODE.

Address: \_\_\_\_\_

Sex:	Date of Birth:	Place of Birth:	Height:	Color of Hair:
			Weight:	Color of Eyes:

Experience as a Taxi Driver (years): \_\_\_\_\_

Have you ever had your driver's license suspended or revoked in the last three (3) years? \_\_\_\_\_

If so, why? \_\_\_\_\_

Have you been convicted of a misdemeanor offense in the last year? \_\_\_\_\_

Have you ever been convicted of a felony? \_\_\_\_\_

Are you addicted to the use of alcoholic liquor or narcotic drugs? \_\_\_\_\_

By whom will you be employed? \_\_\_\_\_

**REFERENCES:**

(Other than relatives, cab operators, companies or corporations)

1. \_\_\_\_\_  
NAME ADDRESS
2. \_\_\_\_\_  
NAME ADDRESS
3. \_\_\_\_\_  
NAME ADDRESS

DRIVER'S LIC. #: _____
EXPIRATION DATE: _____
SOCIAL SECURITY NUMBER: _____

APPLICANT'S SIGNATURE: \_\_\_\_\_

SIGNATURE OF POLICE CHIEF/DESIGNEE: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY OF BATH, MAINE

**TAXI CAB DRIVER'S LICENSE  
PHYSICAL STATEMENT**

Name: \_\_\_\_\_ Age: \_\_\_\_\_

1. Do you have any physical incapacity or health problems, which would prevent the safe operation of a taxicab? YES / NO

If yes, what are they? \_\_\_\_\_

\_\_\_\_\_

2. Have you ever been treated for a Mental Disorder or confined to a mental institution? YES / NO

If yes, what and where? \_\_\_\_\_

\_\_\_\_\_

If you answered **yes** to either of the above questions, you are required to have a physician complete the remainder of this form. Include a statement of treatment for any condition or disorder during the previous three years and by whom.

**NOTE: Cost of any examination to be paid by the Applicant.**

Condition of vision including test for color blindness: \_\_\_\_\_

Condition of hearing: \_\_\_\_\_

Condition of heart: \_\_\_\_\_

Condition of blood pressure: \_\_\_\_\_

Condition of any respiratory ailments: \_\_\_\_\_

Did you note evidence of any other physical disorder or defect, which would impair the applicant's ability to operate a taxi? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Physician: \_\_\_\_\_ Date: \_\_\_\_\_

CITY OF BATH

**CERTIFICATION OF INFORMATION  
AND WAIVER OF CONFIDENTIALITY**

**Please read and sign**

I hereby certify that all statements made in the application are true.

I agree and understand that any misstatements or omissions of material fact herein will result in denial of license or revocation of license if one has already been issued.

In addition, I hereby authorize the release of any criminal history record information or driving history record information to the Bath City Clerk's Office, Bath Police Department or Licensing Authority. I understand that this information shall become public record, and I hereby waive any rights of privacy with respect hereto.

I hereby acknowledge that I have read and understand the City of Bath Taxicab Ordinance, and I agree to abide by the same,

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Signature of Applicant

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Date

## ARTICLE 6. TAXICABS (Ord.11/7/2001)

### Section 5-42. Authority and Applicability.

A. Authority. This Ordinance is enacted under the General Home Rule Powers granted to municipalities under the Constitution of the State of Maine, Article VIII, Part Second, and under Title 30-A M.R.S.A. Subpart 2, Chapter 111. It is enacted by the municipal officers under the specific authority of 30-A M.R.S.A. Section 3009(1)(F).

B. Applicability. This Ordinance is intended to apply to all transportation of passengers for hire for trips for an initiation point and/or termination point within the City of Bath and shall not apply to the transportation of passengers for hire under the following circumstances:

(1) A motor vehicle licensed by another municipality to operate as a taxicab or other vehicle for hire which may be operated within the City of Bath in response to a call to convey a passenger(s) from the City to another municipality or a request to convey a passenger(s) from such other municipality to the City, provided the vehicle is licensed for hire in that municipality;

(2) Any vehicle used for the transportation of passengers for hire which meets all of the following requirements:

(a) a vehicle is equipped with a ramp or lift mechanism designated to accomplish wheelchair access;

(b) the vehicle at all times when used for hire is transporting one or more handicapped persons. All persons within the vehicle need not be handicapped provided they are accompanied by at least one handicapped person;

(c) the vehicle is operated for hire only by prearrangement.

Any vehicle operated for hire, although designated for handicapped use, when not so used, shall be subject to the provisions of this Article.

### Section 5-43. Definitions. (Ord. 9/3/08)

Disqualifying Criminal Conviction. Shall mean and include any conviction for any criminal offense punishable by imprisonment for any period of time, whether or not the sentence was imposed or served, but shall not include any conviction which is shown to have been set aside on appeal or collaterally, or for which a pardon, certificate of rehabilitation, or the equivalent under the law of the sentencing jurisdiction has been granted, or which is not rationally related to the purpose of licensing under this chapter.

Driver. Shall mean the licensed individual who is engaged in driving the taxi for hire.

Driver's License. Shall mean the permission granted by the City of Bath authorizing and

individual to operate a taxicab upon the streets of the City.

Inspector. Shall mean and include any person designated by the Chief of Police to perform the function of inspections of taxicabs.

Owner. Shall mean the person, proprietorship, firm, association, partnership, corporation, limited liability company, or other form of business entity engaged in the business of carrying passengers for hire.

Owner's License. Shall mean the license granted to the owner of the business engaged in carrying passengers for hire.

Taxi or Taxi Cab. Shall mean and include any motor vehicle used or intended to be used for or engaged in the business of carrying passengers for hire, the destination and route of which are under the direction and control of the passengers and are not operated on a fixed route.

#### Section 5-44. General Provisions.

A. Place of Business; Provision of Service. Owners issued licenses under this Article shall maintain a place of business for the purpose of receiving calls and dispatching taxis. No orderly person, upon request, shall be refused or neglected transportation by a driver unless the taxicab is previously engaged or otherwise unable or forbidden by the provisions of this Article to accept such passenger.

B. Number of Passengers. No driver shall exceed the rated seating capacity of his taxicab as stated in the vehicle registration issued by the State of Maine.

C. Additional Passengers. No driver of a taxicab shall carry any person or permit any person to occupy or ride in the taxicab unless the person first employing the taxicab consents to the acceptance of additional passengers.

D. Posting of Rates. A plainly printed card setting forth the rates of fares charged between at least six frequently visited locations in Bath, shall be conspicuously displayed in every taxicab so that it can be seen and read by a passenger. Failure to so display a card, or proof of charging rates in excess of those posted, shall be grounds for revocation of the license of the owner and/or driver.

E. Code Compliance. The business office of the taxicab operation, the parking and storage of taxicabs, and their maintenance, shall all be accomplished, if within the City of Bath, in compliance with all applicable Bath Codes, specifically included, but not limited to, the City of Bath Land Use Code, Chapter 18, and the City of Bath Code on Vehicles and Traffic, Chapter 17.

F. Personal Belongings. No charge shall be made for the transportation of personal belongings, including bags and parcels, of a passenger.

G. Severability. In the event that any Section, Subsection or portion of this Article shall be declared by a Court of competent jurisdiction to be invalid for any reason, such decision shall not affect the validity of any other Section, Subsection or portion.

#### Section 5-45. Licenses – Generally.

A. Types of Licenses. The licenses authorized under this Article shall include an owner's license for the operation of the taxicab business entity, a driver's license issued to those individuals engaged in driving taxicabs, and a vehicle license which shall pertain to the standards for vehicles engaged in the conveyance of passengers for hire.

B. Licenses Required. No person who meets the definition of an owner shall be allowed to operate a business which conveys passengers for hire within the City of Bath, except as exempted under Section 5-42(B), nor shall any individual operate a taxicab within the City of Bath, except as exempted under Section 5-42(B), nor shall any vehicle be placed in service as a taxicab, without a license being issued pursuant to the standards and procedures required under this Article.

C. Issuance of License. All licenses required to be issued under this Article, shall be approved by the Chief of Police or his designee, and issued by the City Clerk, after first having been satisfied that all requirements for the particular license under this Article have been met.

D. Licenses – Non-Transferable. All licenses issued under this Article shall be particular to the licensed individual or business entity, and may not be transferred to any other individual or business entity.

E. Term of License. Each license issued under this Article shall be for the term of one (1) year beginning on July 1<sup>st</sup> of that year and running through June 30<sup>th</sup> of the following year.

F. License Fees. Fees for the issuance of each license required under this Article shall be set by Resolution of the City Council. Fees for licenses for less than the entire year shall be prorated to reflect the remaining portion of the year, but shall reflect a minimum processing cost.

#### Section 5-46. Owner's Licenses. (Ord. 9/3/08)

A. Application. Each applicant shall file an annual application to be licensed as a business entity engaged in the taxicab business within the City of Bath. The application shall be on a form provided by the City of Bath and shall contain the following information:

A signed and verified listing of the name, address, telephone number, place of birth, and social security number of each person having an ownership interest in the business entity or having management authority over the operations of the business entity.

A record of any disqualifying criminal conviction of any officer of or person having an actual

business ownership in, the applicant, or a statement that no such conviction exists shall be provided.

Business address(es) and telephone number(s).

Contact person, who is responsible for the day-to-day operations of the business, together with address and contact telephone number.

Number of positions anticipated for the license year; number of vehicles anticipated to be employed during the upcoming license year.

An appropriate form or statement over the signature of each owner or manager required to sign the application, giving all persons and governmental agencies having information relative to the applicant, permission to release the same to the Chief of Police or his designee.

Such other information as the Chief of Police may deem necessary or advisable in order to determine that the standards of issuance of this license have been met in full.

**B. Standards for Issuance of Owner License.**

If the business entity is other than an individual proprietor, that business entity shall be either organized under the laws of the State of Maine or licensed to do business within the State.

The business entity shall be the registered owner of all vehicles used in the business.

No principal officer or any person having an ownership interest or management authority shall have a disqualifying criminal conviction.

The applicant shall not have had his/its business license revoked within the last three (3) years preceding the date of application. This shall apply to the business entity for which the license is sought and to any previous business entity or individual proprietorship in which the owner or managing authority has participated.

Any applicant shall meet the insurance requirement set forth in Subparagraph C below.

Any application for license, which does not demonstrate that the applicant has met all of the conditions above, shall be denied.

**C. Insurance.** There shall be filed with each taxicab license application, a certificate of insurance covering the business entity and all vehicles that are to be licensed with at least the following coverage:

Bodily Injury Liability Limits of at least \$100,000.00 Per Person and \$300,000.00 For any Number of Persons in the Same Accident

Property Damage Liability Limit of at least \$50,000.00



All renewal applications shall be accompanied by the certificate of insurance. Failure to keep the required insurance in continuous Effect shall be cause for revocation of the owner's license.

D. Change of Address. When the business licensee, or any owner or managing authority of the business licensee, changes address or where the business address is changed or the place at which a taxicab is garaged, such change of address shall be provided to the Chief of Police within twenty-four (24) hours of such change.

#### Section 5-47. Drivers' Licenses. (Ord. 9/3/08)

A. Application. Each taxicab driver's license application shall contain the following information.

A listing of the name, address, contact telephone number, and age of the applicant.

Evidence of a valid State of Maine operator's license with a license identification number.

A complete statement of the applicant's health and physical condition, on a form provided by the Chief of Police in order to verify that the applicant is not suffering from any condition which would adversely affect his/her ability to function as a taxicab driver and thereby impair the safety of himself/herself or any of his/her passengers.

Statement of treatment for medical or physical condition or disorder during the previous three (3) years and by whom.

Previous driving experience, previous taxicab licenses, and the jurisdiction where they were issued, any previous denials of licenses, suspensions or revocations of such licenses, and the reasons therefore.

A complete record of the applicant with respect to any disqualifying criminal convictions as that term has been defined, or a statement that no such convictions exist.

A record of conviction for reckless driving, driving to endanger, operating or attempting to operate under the influence, during the three (3) year preceding the application.

A statement whether any driving license held by the applicant has been revoked during the last three (3) year preceding the application and the reasons for such revocation or revocations.

Evidence satisfactory to the Chief of Police that the applicant is of sufficiently good moral character so as to be entrusted with the safe care and custody of taxicab passengers.

An appropriate form or statement over the signature of the application, giving all persons and governmental agencies having information relative to the applicant, permission to release the same to the Chief of Police or his designee.

Such other information as the Chief of Police may deem necessary or advisable in order to determine that the standards of issuance of this license have been met in full.

B. Standards for Issuance of Drivers' Licenses.

The applicant shall have attained the age of eighteen (18) years.

The applicant shall be able to safely operate a taxicab and shall not present a danger to the health, safety or general welfare to the public.

The applicant shall not have been convicted of any class A, class B, or class C crime, or any crime committed under the laws of the United States of America or of any other state or territory thereof, which is punishable (whether or not such punishment was actually imposed) by a sentence at least as harsh as that which is authorized for the commission of a class C crime under Maine law, provided that such conviction was for an offense which is rationally related to the purposes of licensing taxicab drivers. The Chief of Police shall determine, and has full discretion to determine, whether or not said conviction is rationally related to the purposes of licensing taxicab drivers.

The applicant shall not have a disqualifying criminal conviction at any time during the five (5) years immediately preceding the application or shall not have been imprisoned at any time during such period for a disqualifying criminal conviction, provided that such conviction was for an offense which is rationally related to the purpose of licensing taxicab drivers. The Chief of Police shall determine, and has full discretion to determine, whether or not said conviction is rationally related to the purposes of licensing taxicab drivers.

The applicant shall not have had his privilege to operate a motor vehicle in any jurisdiction revoked or suspended at any time during the twelve (12) month period immediately preceding the application. Any revocation/suspension shall be related to violations of this State or any other State's Motor Vehicle Code and administrative suspensions not related to motor vehicle operations shall not be considered.

The applicant shall not have been convicted of reckless driving, driving to endanger or operating a motor vehicle under the influence of intoxicating liquors or drugs more than one (1) time for the previous three (3) years immediately preceding the application date nor shall there be a record of any such convictions for the period of eighteen (18) months immediately preceding the application date. In addition, the applicant shall not have been convicted of these offenses while operating any vehicle licensed under this Article or which resulted in bodily injury for a period of five (5) years immediately preceding the date of the application.

The Chief of Police, or his designee, shall be satisfied that the applicant is of sufficient moral character so as not to represent a danger to passengers or the general public.

C. Issuance of License; Display. The Chief of Police or his designee shall cause to be issued a photo identification-license to each individual qualified to operate a taxicab under the terms and conditions of this Article. The license shall consist of the name and a photo of the driver, the

name, address and telephone number of the cab owner, and a City license number assigned to that driver. It shall not contain any personal information regarding the driver. That photo identification-license shall be prominently displayed in any taxicab that the driver is operating.

D. Automatic Suspension or Revocation. Any driver's license issued under this Section shall be suspended or revoked during any period of time in which the licensee's State driver's license is suspended or revoked.

#### Section 5-48. Suspension or Revocation.

Suspension or revocation, at the discretion of the Chief of Police, may be imposed for the failure of the business owner or driver to meet any of the conditions precedent to the issuance of that particular license as listed above. In addition, the following acts or omissions may result in the suspension or revocation, at the discretion of the Chief of Police, of an owner's license and/or a driver's license:

A. Either License.

Knowingly took a longer route to his or her destination than was necessary unless so requested by the passenger;

Knowingly conveyed any passenger to a place other than that which the passenger specified;

Solicited or caused another person to solicit taxicab passenger business in any manner whatsoever;

Transported any person other than the passenger first engaging the taxicab without the express consent of said first passenger;

Drove a taxicab when not clean and neat in appearance;

Permitted any person other than the driver and a passenger or passengers to remain in the taxicab at any such time, except a trainee, if a licensed taxicab driver;

Refused to transport any orderly person upon request because of that persons race, color, creed, national origin, ancestry, age, sex, religion or handicap status;

Failed to notify the Chief of Police of any change of any material fact set forth in the application for such license; or

Removed from a taxicab or obscured or caused to be removed from a taxicab or obscured the notice required by Section 5-44(D).

B. Taxicab Drivers' Licenses Only.

Engaged in any loud argument, fight or other disturbance; harassed, threatened or assaulted

another person; intentionally damaged, destroyed or threatened to damage or destroy any property; or in any other manner engaged in conduct detrimental to the orderly and efficient transportation of passengers;

Failed to notify the Chief of Police and the Taxicab Owner of any conviction for reckless driving, driving to endanger, operating a motor vehicle under the influence of intoxicating liquor or drugs, attempting to operate under the influence, or an equivalent offense in any other jurisdiction, or suspension or revocation of the privilege to operate a motor vehicle;

Failed to notify the Chief of Police and the Taxicab Owner of any arrest, conviction or imprisonment within the five (5) years preceding application for license.

C. Taxicab Business Licenses.

There have been repeated violations by the driver or drivers which resulted in four (4) or more suspensions of the same driver, or eight (8) or more suspensions by employees of the same person holding more than one (1) taxicab business license, establishing a pattern of conduct by the holder of the taxicab business licenses;

The taxicab business licensee or any person employed by or connected with such licensee has operated a taxicab without a current and valid taxicab driver's license; or

Any taxicab or taxicabs covered by the taxicab business license have been the subject of one (1) or more violation notices for failure to comply with the standards set forth in this Article.

Section 5.49. Taxicabs.

A. List of Vehicles. For each license year the business owner shall submit, with the application for an owner's license, a list of all vehicles being operated by the company or anticipated to be operated by the company for the ensuing license year. This list shall be updated by filing an amended list with the Chief of Police at any time that a vehicle is taken out of service or a vehicle is added to service. Any vehicle being added to service shall comply with the requirements of this Section.

B. Taxicab License. No taxicab shall be operated within the City of Bath without first receiving from the Chief of Police a taxicab license. Prior to issuing a license or certificate for a particular vehicle, the Chief of Police shall determine that the standards relating to a licensing operation and condition of taxicab vehicles are met.

C. Identification.

(1) Marking. Each taxicab and vehicle used for hire shall have a design, logo, monogram, or lettering, containing the owner's name or trade name and the word "taxi", "taxicab" or "cab", permanently affixed to one door on each side of the taxicab. Such design, logo, monogram, or lettering, shall not be less than eight (8) inches in diameter or height.

(2) Lights. Each taxicab or motor vehicle for hire shall be equipped with an exterior light affixed to the roof of the vehicle covered with a translucent fixture marked with the word “taxi”, “taxicab”, or “cab” in legible lettering and shall be operated during the period between sunset and sunrise.

(3) Flashing Lights. No taxicab shall be equipped with any so-called “flasher” light.

D. Vehicle Standards. Every vehicle used as a taxicab shall meet on an ongoing basis the following standards:

(1) The vehicle shall have a valid State Certificate of Registration.

(2) The vehicle shall have a valid State Inspection Sticker.

(3) The vehicle shall at all times be in compliance with the laws of the State of Maine relating to passenger vehicles and the rules and regulations of the State Commissioner of the Department of Transportation enacted pursuant thereto.

(4) The vehicle shall have the proper identifying markings and light required in Subsection C above.

(5) The vehicle shall be in clean and sanitary condition and in good repair. This term shall mean and include without limitation, the following:

No dents larger than six (6) inches in diameter;

No loose trash or large amounts of dirt or sand in the interior passenger area, whether or not the area is currently occupied by a passenger;

No missing body work, no visible primer paint, no rust greater than one (1) inch in diameter;

No cracks in windshield or windows;

Seat belts for all passenger seats visible and in working order;

All doors, including front area hatch, shall open and close normally;

The dome light and all interior lighting will be in working order .

E. Inspections.

(1) Each vehicle used as a taxicab shall be subject to an annual inspection by the Chief of Police or his designee to determine that all of the vehicle standards noted in Subsection D above have been met. This inspection shall include all those items necessary for the issuance of a valid State of Maine Inspection Sticker.

(2) In addition to the required annual inspection, each taxicab shall be subject to at least one (1) random vehicle inspection per license year by the Chief of Police or his designee.

F. Removal From Service. The Chief of Police or his designee may require the removal from service of any taxicab which does not meet the vehicle standards of this Article or may otherwise present a serious threat to the health or safety of passengers or the general motoring

public. In such circumstances, a written Order to the licensed owner shall be given and the vehicle immediately removed from service. The owner may request a reinspection of the vehicle at any time and if the vehicle is found to be in compliance with the standards of this Article, it may be recertified and placed back in service. Where a reinspection is required, there shall be a reinspection fee of Thirty-Five Dollars (\$35.00).

#### Section 5-50. Appeals.

A. Any person or business entity aggrieved by a decision of the Chief or Police or his designee in the administration of this Article, may appeal that decision within ten (10) days of the date of receipt of the decision by filing an appeal in writing with the City Manager. The appeal shall state the decision appealed from and the basis upon which the appellant disagrees with the determination by the Chief of Police or his designee. The City Manager, if requested, shall hold a hearing with the appellant in order to determine the appeal within fifteen (15) days of receipt of the notice of appeal.

B. All appeals from any determination by the City Manager pursuant to Subsection A above, shall be pursuant to Rule 80B of the Maine Rules of Civil Procedure.