

## Chapter 46. VEHICLES FOR HIRE

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### ARTICLE IV. SIGHTSEEING, CHARTER AND CHAUFFEURED LIMOUSINE SERVICES

#### DIVISION 1. GENERALLY

##### Sec. 46-191. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings assigned to them in this section, except where the context clearly indicates a different meaning.

*Chauffeured limousine* means:

- a. A sedan-type luxury motor vehicle with a passenger capacity of five or six persons (including the driver), which vehicle is either less than or equal to 15 years of age;
- b. An extended-body type motor vehicle with a passenger capacity of no more than 15 persons (including the driver), which vehicle is either less than or equal to ten years of age and modified to extend its original factory wheelbase by 40 inches or more in conformity with Federal Motor Vehicle Safety Standard requirements;
- c. A luxury motor vehicle that is classified in the United States Environmental Protection Agency's annual Fuel Economy Guide as a sport utility vehicle that: ~~(i) has a passenger capacity of not less than five persons nor more than nine persons, including the driver, which shall be~~ (ii) ~~has a manufacturer's suggested base retail selling price of not less than \$37,600.00, adjusted annually based upon Consumer Price Index (CPI-U), All Urban Consumers, U.S. City Average, New Trucks, as published by the U.S. Department of Labor, excluding the cost of any manufacturer installed options or of any modifications or conversions that were made by other persons following the original assembly of the vehicle by the manufacturer. The adjustment shall be based upon the not seasonally adjusted data for the month of August and shall be effective November 1st; and (iii) is either less than or equal to 15 years of age;~~
- d. A passenger van, as designated by the director as such, with a passenger capacity of eight to 15 persons (including the driver), which vehicle is less than or equal to ten years of age and has a manufacturer's suggested base retail selling price of not less than \$32,500.00, adjusted annually on November 1<sup>st</sup> each year based

upon Consumer Price Index (CPI-U), All Urban Consumers, U.S. City Average, New Trucks, as published by the U.S. Department of Labor, excluding the cost of any manufacturer installed options or of any modifications or conversions that were made by other persons following the original assembly of the vehicle by the manufacturer, with the adjustment based upon the not seasonally adjusted data for the month of August; or

- e. An antique, classic, or special interest vehicle.

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*Luxury motor vehicle* means:

- a. Any livery edition vehicle; or
- b. A vehicle that has a manufacturer's suggested base retail selling price of not less than \$38,644.57~~33,000.00~~, adjusted annually based upon Consumer Price Index (CPI-U), All Urban Consumers, U.S. City Average, New Cars, as published by the U.S. Department of Labor, excluding the cost of any manufacturer installed options or of any modifications or conversions that were made by other persons following the original assembly of the vehicle by the manufacturer. The adjustment shall be based upon the not seasonally adjusted data for the month of August and shall be effective November 1<sup>st</sup>; or
- c. A vehicle designated by the director as a luxury motor vehicle.

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### DIVISION 3. CHAUFFEURED LIMOUSINE SERVICE

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#### **Sec. 46-239. License; other driver requirements.**

- (a) A person shall not operate a limousine upon the streets of the city unless he holds a current and valid license.
- (b) At all times while in service, whether physically operating a limousine, assisting passengers, or performing other duties attendant to the provision of limousine service, it shall be the duty of the licensee to conspicuously display his license upon his upper chest. The license may be attached to the driver's outer shirt or jacket pocket or lapel, suspended from a necklace or displayed in an equivalent manner on the driver's outer garments. In any prosecution under this subsection, it shall be presumed that the driver was not in possession of a current and valid license if the license card was not conspicuously displayed as aforesaid.

- (c) A licensee shall not drive for more than 12 hours in any consecutive 24-hour period and a permittee shall not permit or cause a licensee to drive a chauffeured limousine more than 12 hours in any consecutive 24-hour period.
- (d) Each licensee shall, while operating a permittee's limousine, wear business attire (a dress shirt and matching slacks, dress, or skirt) or a chauffeur's uniform with a dress shirt or blouse and, ~~for men, an appropriately tied neck tie~~. Additionally, each licensee shall be authorized to wear other appropriate attire prescribed by the director.
- (e) It is an affirmative defense to prosecution under this section that the person driving a limousine had been engaged by the permittee to perform repairs or servicing of the vehicle, and that the vehicle was not in service at the time of the alleged offense.