

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

SENATE BILL 805

4  
5 By: Senator Steele  
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## For An Act To Be Entitled

9 AN ACT TO PROMOTE UNIFORMITY IN THE REGULATION OF  
10 GROUND TRANSPORTATION SERVICES IN COUNTIES HAVING  
11 A POPULATION OF AT LEAST TWO HUNDRED FIFTY  
12 THOUSAND (250,000) PERSONS; AND FOR OTHER  
13 PURPOSES.  
14

## Subtitle

15 AN ACT TO PROMOTE UNIFORMITY IN THE  
16 REGULATION OF GROUND TRANSPORTATION  
17 SERVICES IN COUNTIES HAVING A POPULATION  
18 OF AT LEAST TWO HUNDRED FIFTY THOUSAND  
19 (250,000) PERSONS.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. (a) The purpose of this section is to promote uniformity  
26 in the regulation of ground transportation services in counties having a  
27 population of at least two hundred fifty thousand (250,000) persons.

28 (b) The following definitions shall apply to any municipal ordinance  
29 regulating ground transportation services in a county having a population of  
30 at least two hundred fifty thousand (250,000) persons, according to the most  
31 recent decennial census:

32 (1)(A) "Airport shuttle vehicle" means a motor vehicle with a  
33 seating capacity minimum of eight (8) and a maximum of no more than fifteen  
34 (15) passengers, including the driver.

35 (B) "Airport shuttle vehicle" shall not include an  
36 executive sedan.



1                   (C) The vehicle shall prominently display “Shuttle  
 2 Service” on the front or rear sides of the vehicle. This marking may be  
 3 permanent or temporary;

4                   (2) “Airport terminal service” means the provision of public  
 5 transportation service operated for the purpose of transporting passengers  
 6 exclusively to and from a national airport terminal building and adjacent  
 7 parking facilities;

8                   (3) “Black car” has the same meaning as executive sedan;

9                   (4) “Courtesy vehicle” means any motor vehicle operating upon  
 10 the public streets of the city and that is owned or leased by a public or  
 11 private entity and operated exclusively to provide transportation services to  
 12 patrons to and from the entity’s place of business without charge or other  
 13 consideration;

14                   (5)(A) “Demand-response service” means the provision of a “for-  
 15 hire” vehicle, permitted by the city, responding to a call by a passenger for  
 16 a ride to a destination, or, alternatively, a passenger being picked-up by a  
 17 “for-hire” vehicle parked in a visible location where potential passengers  
 18 are expected to congregate, excluding a national airport.

19                   (B) “Demand-response service” is a response to any call  
 20 that has not been pre-scheduled at least twenty-four (24) hours in advance of  
 21 the pick-up time;

22                   (6) “Taxicab driver” means a person licensed by the state who  
 23 has registered as a taxicab driver with the city and has obtained a taxicab  
 24 driver’s permit as required by the city, and who has been permitted to drive  
 25 a taxicab by an operator, or has entered into a written agreement for use of  
 26 a taxicab with an operator;

27                   (7) “Exclusive ride” means a ride in which the passenger  
 28 engaging the taxicab restricts the ride solely to the passenger, or the  
 29 passenger’s party, and the fare is charged at the ceiling rate;

30                   (8)(A) “Executive sedan” means a taxicab that is:

31                               (i) A sedan-type motor vehicle equipped with a  
 32 taximeter and having a seating capacity not in excess of six (6) passengers  
 33 including the driver;

34                               (ii) Used for the transportation of persons for  
 35 hire;

36                               (iii) Recognized by the automobile industry as a

1 luxury vehicle;

2 (iv) Operated at premium taxicab meter rates; and

3 (v) A vehicle that is two (2) model years old or  
 4 newer when initially inspected by the city or its designee to be placed into  
 5 service.

6 (B) Executive sedan, black car, livery vehicle, or premium  
 7 taxicab shall be deemed to be demand-response service vehicles;

8 (9) "Fleet taxicab operator" means a person operating two (2) or  
 9 more taxicabs, executive sedans, black cars, livery vehicles, or premium  
 10 taxicabs;

11 (10) "Independent taxicab operator" means any person permitted  
 12 by the city to operate a single taxicab;

13 (11) "Livery vehicle" has the same meaning as executive sedan;

14 (12) "Luxury limousine" means any of the following unmarked,  
 15 large, and luxurious passenger vehicles driven by a chauffeur and being of a  
 16 class and condition commonly associated with luxury markets:

17 (A) A luxury sedan-type motor vehicle that:

18 (i) Has a wheelbase of not less than one hundred  
 19 twenty-five (125) inches and having a partition between the driver and  
 20 passenger compartment; and

21 (ii) Is two (2) model years old or newer when  
 22 initially inspected by the city or its designee to be placed into service; or

23 (B) A customized luxury full size van-type motor vehicle  
 24 that:

25 (i) Has a wheelbase of not less than one hundred  
 26 twenty-five (125) inches, luxury interior, and luxury seating for seven (7)  
 27 or more passengers including the driver;

28 (ii) Is two (2) model years old or newer when  
 29 initially inspected by the city or its designee to be placed into service;

30 (13) "Manifest" means a daily record prepared by the taxicab  
 31 operator of all trips made by each taxicab showing the time and place of  
 32 origin of a call, time the call was dispatched, and to what driver, and when  
 33 possible, the address at which the passenger was dropped off;

34 (14) "Operator" means the holder of a valid permit for the  
 35 operation of taxicabs, black cars, executive sedans, livery vehicles or  
 36 premium taxicabs in the city;

1           (15) "Passenger-for-hire" means a person who engages a ride in a  
 2 taxicab, or other "for-hire" vehicle;

3           (16) "Permittee" means the person, firm or corporation holding  
 4 the operator or driver permit issued by the city;

5           (17) "Person" means an individual, firm, partnership,  
 6 association, joint venture, organization, and bodies politic and corporate,  
 7 or any combination thereof;

8           (18) "Premium taxicab" has the same meaning as executive sedan;

9           (19) "Public transit system" means a passenger transportation  
 10 service operated for the general public at a prescribed fare along  
 11 established routes on a fixed schedule, and other special routes and services  
 12 as may be deemed necessary;

13           (20) "Rate card" means a card approved by the city to be  
 14 displayed in each taxicab reflecting the rates of fare in force;

15           (21) "Scheduled medical transport vehicle" means any motor  
 16 vehicle:

17           (A) Operated exclusively by its owner, or employee of the  
 18 owner, as a passenger carrier "for-hire" over the public streets of the city  
 19 other than a public transit bus, taxicab, executive sedan, black car, livery  
 20 vehicle, premium taxicab, luxury limousine, paratransit vehicle, courtesy  
 21 vehicle, airport shuttle, or airport transit service;

22           (B) Designed for seven (7) passengers or more, including  
 23 the driver; and

24           (C) Clearly marked with the company name, address,  
 25 telephone number, and type of service provided;

26           (22) "Special paratransit vehicle" means any motor vehicle:

27           (A) Operated exclusively by its owner, or employee of the  
 28 owner, as a passenger carrier "for-hire" over the public streets of the city,  
 29 other than a public transit bus, taxicab, luxury limousine, courtesy vehicle,  
 30 airport shuttle, or scheduled medical transport vehicle;

31           (B) Designed for seven (7) passengers or more, including  
 32 the driver, except when the vehicle has been modified to meet the  
 33 accessibility standards of the Americans with Disabilities Act of 1990; and

34           (C) Clearly marked with the company name, address,  
 35 telephone number, and type of service provided;

36           (23) "Specialized transportation service" means any

1 transportation of passengers upon the public streets of the city by motor  
2 vehicle;

3 (24) "Specialty transportation" means the transportation of  
4 passengers "for-hire" upon the public streets of the city by any vehicle  
5 which is drawn by horse, mule or other animal, or any other novelty-type  
6 vehicle which is not otherwise defined by this section;

7 (25) "Taxi zone" means that curb space along the public streets  
8 of the city designated for the exclusive parking of taxicabs by the proper  
9 placement of signs or markers reading "No Parking, Taxi Zone";

10 (26)(A) "Taxicab" means motor vehicles clearly marked as such,  
11 equipped with a taximeter and having a seating capacity not in excess of  
12 seven (7) passengers and used for the transportation of persons "for-hire".

13 (B) A Taxicab shall be five (5) model years old or newer  
14 when initially inspected by the city or its designee to be placed into  
15 service.

16 (C) "Taxicab" shall not include a vehicle having a seating  
17 capacity in excess of seven (7) passengers and employed in transporting  
18 persons over regular routes having fixed terminals or upon regular schedules  
19 of operation.

20 (D) "Taxicab" may include motor vehicles designed for  
21 fifteen (15) passengers or less, including the driver, which have been  
22 modified to meet the accessibility requirements and standards of the  
23 Americans with Disabilities Act of 1990. However, the vehicle so modified  
24 shall not have a seating capacity in excess of seven (7) passengers.

25 (E) "Taxicab" includes black cars, executive sedans,  
26 livery vehicles and premium taxicabs; and

27 (27) "Taxicab service" means a passenger transportation service  
28 operated in a vehicle permitted by the city and not operating on a fixed  
29 route.

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