

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
4

As Engrossed: S3/25/03

A Bill

SENATE BILL 805

5 By: Senator Steele
6
7

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

16 AN ACT TO PROMOTE UNIFORMITY IN THE
17 REGULATION OF GROUND TRANSPORTATION
18 SERVICES IN COUNTIES HAVING A POPULATION
19 OF AT LEAST TWO HUNDRED FIFTY THOUSAND
20 (250,000) PERSONS.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

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" is subject to the following
36 operational requirements:



1 (i) Twenty-four (24) hour minimum pre-arranged trip;

2 (ii) Operation on fixed routes with either the origination point
3 or termination point being Little Rock Regional Airport;

4 (iii) Charges a fixed per passenger rate; and

5 (iv) Does not include an executive sedan.

6 (C) The vehicle shall prominently display "Shuttle
7 Service" on the front or rear sides of the vehicle. This marking may be
8 permanent or temporary;

9 (2) "Airport terminal service" means the provision of public
10 transportation service operated for the purpose of transporting passengers
11 exclusively to and from a national airport terminal building and adjacent
12 parking facilities;

13 (3) "Black car" has the same meaning as executive sedan;

14 (4) "Courtesy vehicle" means any motor vehicle operating upon
15 the public streets of the city and that is owned or leased by a public or
16 private entity and operated exclusively to provide transportation services to
17 patrons to and from the entity's place of business without charge or other
18 consideration;

19 (5)(A) "Demand-response service" means the provision of a "for-
20 hire" vehicle, permitted by the city, responding to a call by a passenger for
21 a ride to a destination, or, alternatively, a passenger being picked-up by a
22 "for-hire" vehicle parked in a visible location where potential passengers
23 are expected to congregate, excluding a national airport.

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

27 (6) "Taxicab driver" means a person licensed by the state who
28 has registered as a taxicab driver with the city and has obtained a taxicab
29 driver's permit as required by the city, and who has been permitted to drive
30 a taxicab by an operator, or has entered into a written agreement for use of
31 a taxicab with an operator;

32 (7) "Exclusive ride" means a ride in which the passenger
33 engaging the taxicab restricts the ride solely to the passenger, or the
34 passenger's party, and the fare is charged at the ceiling rate;

35 (8)(A) "Executive sedan" means a taxicab that is:

36 (i) A sedan-type motor vehicle equipped with a

1 taximeter and having a seating capacity not in excess of six (6) passengers
2 including the driver;

3 (ii) Used for the transportation of persons for
4 hire;

5 (iii) Recognized by the automobile industry as a
6 luxury vehicle;

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

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

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

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

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

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

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

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

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

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

28 (B) A customized luxury full size van-type motor vehicle
29 that:

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

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

35 (13) "Manifest" means a daily record prepared by the taxicab
36 operator of all trips made by each taxicab showing the time and place of

1 origin of a call, time the call was dispatched, and to what driver, and when
2 possible, the address at which the passenger was dropped off;

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (B) Designed for seven (7) passengers or more, including

1 the driver, except when the vehicle has been modified to meet the
2 accessibility standards of the Americans with Disabilities Act of 1990; and

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

5 (23) "Specialized transportation service" means any
6 transportation of passengers upon the public streets of the city by motor
7 vehicle;

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

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

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

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

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

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

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

32 (27) "Taxicab service" means a passenger transportation service
33 operated in a vehicle permitted by the city and not operating on a fixed
34 route; and

35 (28) "Tour vehicle" means a motor vehicle that:

36 (A) Has a wheelbase of not less than one hundred twenty-

1 five (125) inches; and

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

4 (C) Has a twenty four (24) hour pre-arranged trips; and

5 (D) Has a seating capacity of at least eight (8) and not
6 more than fifteen (15) persons.

7 /s/ Steele

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