

BOROUGH OF NEW MILFORD, BERGEN COUNTY, NEW JERSEY  
APPLICATION FOR TAXI CAB AND/OR LIMOUSINE LICENSE

DATE: \_\_\_\_\_

FEE: \$50.00/vehicle

Application is hereby made for a Taxi Cab and/or Limousine License:

Owner of Business: \_\_\_\_\_

Business Name: \_\_\_\_\_

Address of Owner: \_\_\_\_\_

Phone #: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Driver's License No.: \_\_\_\_\_

Vehicle Identification No.: \_\_\_\_\_

Vehicle registration: \_\_\_\_\_

Expiration date: \_\_\_\_\_

MV Inspection location: \_\_\_\_\_

List of all drivers & License No.: \_\_\_\_\_

Have you ever been fingerprinted: \_\_\_\_\_ Where? \_\_\_\_\_

A copy of the schedule of fares to be charged within this Borough is to be on file with the Police Department along with this application.

Prior to a Taxi Cab and/or Limousine License being issued in the Borough of New Milford:

A) the operator must have completed an application signed by the Borough Clerk

B) the driver and vehicle must be in compliance with Section 4-12 of Borough Ordinance 95:06. (attached)

The Mayor and Council may suspend or revoke any Taxi Cab and/or Limousine license issued hereunder for the violation of any of the provisions of this section or the violation of any rules and/or regulations made, adopted or promulgated by the Mayor and Council, or by the Police Chief. All Taxi Cab and/or Limousine licenses expire July 1<sup>st</sup> succeeding the date of issue.

All applicants agree to follow the policies and procedures as set forth in Section 4-12 of the Borough of New Milford Ordinances and as amended by Ordinance 95:06.

- 1) A Commercial Insurance Auto Policy with a minimum of \$500,000.00 combined single limit for liability imposed by law for bodily injury and/or property damage per occurrence to one person or any one accident; and
- 2) A Commercial Excess Liability Umbrella policy providing a minimum of \$1,000,000.00 excess bodily injury and property damage.

The license will continue effective and operative only as long as the insurance policy shall remain in force and effect, and the full amounts payable thereunder shall remain collectable. Such insurance policies shall provide for the payment of any final judgment received by any person or persons on account of the ownership, maintenance and use of the vehicle or any fault in respect thereto, and shall be for the benefit of any person suffering loss, damage or injury as aforesaid.

APPROVAL OF THE POLICE CHIEF \_\_\_\_\_ Date \_\_\_\_\_

# Sample Power of Attorney

I \_\_\_\_\_ Owner / CEO of

\_\_\_\_\_

Do hereby nominate, constitute, and appoint the Borough Collector Treasurer of the Borough Of New Milford as the owner's true and lawful attorney for the purpose of acknowledging service of any process of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed

Signature

\_\_\_\_\_

Sworn and subscribed to before me

This \_\_\_\_\_ Day of \_\_\_\_\_

\_\_\_\_\_

Notary Public

## **4-12 TAXICABS AND LIMOUSINES.\***

### **4-12.1 Definitions.**

As used in this section:

*Limousine* shall mean and includes any vehicle defined as an "autocab" by N.J.S.A. 48:16-13.

*Taxicab* shall mean and includes any vehicle defined as an "autocab" by N.J.S.A. 48:16-1.

(Ord. No. 95:06 §1)

### **4-12.2 Licenses Required.**

- a. *Taxicabs to Be Licensed.* No taxicab whose owner's principal place of business, as expressed in N.J.S.A. 48:16-7, is in the Borough of New Milford, shall be operated along any street in the Borough of New Milford until the owner thereof shall have obtained a license in accordance with the provisions of this section. The license required by this paragraph shall be known as a "taxi owner's license."
- b. *Limousine to Be Licensed.* No limousine whose owner's principal place of business, as expressed in N.J.S.A. 48:16-18, is in the Borough of New Milford, shall be operated along any street in the Borough of New Milford until the owner thereof shall have obtained a license in accordance with the provisions of this section. The license required by this paragraph shall be known as a "limousine owner's license."

(Ord. No. 95:06 §1)

### **4-12.3 Application.**

No taxi owner's license or limousine owner's license shall be issued for any vehicle herein required to be licensed until the owner thereof shall have filed an application for a license, addressed to the Mayor and Council, setting forth the character of the vehicle proposed to be licensed including its registration, license plate and VIN numbers, the correct name of the owner thereof, the residence or address of principal office of such owner, a complete schedule of the fares proposed to be charged, a list of all drivers of the vehicle including their commercial driver's license numbers, and such other facts as the Mayor and Council may require; until there shall have been paid to the Borough Clerk the license fee provided for in subsection 4-12.6 hereof; and until the owner complies with the insurance requirements provided for in subsection 4-12.7 hereof. (Ord. No. 95:06 §1)

### **4-12.4 License Approval.**

After running a check of the vehicle and driver's license numbers, the Borough Chief of Police shall recommend to the Mayor and Council the approval or disapproval of the application for the license herein provided for, but in no case shall the Borough Chief of Police recommend an approval unless it shall appear to be in the best interests of the Borough that such license should be granted. (Ord. No. 95:06 §1)

### **4-12.5 Issuance of License.**

The license herein provided for shall be signed by the Borough Clerk and shall have the Borough seal affixed thereto. The Borough Clerk shall not issue any license until the application

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therefor has been approved by the Mayor and Council and the conditions provided for in subsection 4-12.3 hereof shall have been complied with. (Ord. No. 95:06 §1)

**4-12.6 Fees.**

The fee to be paid for a taxi owner's license or limousine owner's license shall be the sum of fifty (\$50.00) dollars per year for each vehicle. (Ord. No. 95:06 §1)

**4-12.7 Insurance Requirements.**

a. *Amount.* No taxicab owner's license or limousine owner's license shall be issued until there shall have been submitted to and approved by the Risk Manager, and filed with the Borough Clerk, a certificate of insurance requiring thirty (30) day notification to Borough upon the intent of cancellation, by the insurance company duly licensed to transact business under the insurance laws of the State of New Jersey, as follows:

1. A commercial auto policy with a minimum of five hundred thousand (\$500,000.00) dollars combined single limit for liability imposed by law for bodily injury and/or property damage per occurrence to one (1) person or any one (1) accident; and
2. A commercial excess liability umbrella policy providing a minimum of one million (\$1,000,000.00) dollars excess bodily injury and property damage.
3. The license will continue effective and operative only as long as the insurance policy shall remain in force and effect, and the full amounts payable thereunder shall remain collectible. Such insurance policies shall provide for the payment of any final judgment received by any person or persons on account of the ownership, maintenance and use of the vehicle or any fault in respect thereto, and shall be for the benefit of any person suffering loss, damage or injury as aforesaid.

b. *Power of Attorney.* A power of attorney shall be executed and delivered to the Borough Clerk concurrently with the filing of the policy of insurance hereinbefore referred to, wherein and whereby the owner shall nominate, constitute and appoint the Borough Collector Treasurer as the owner's true and lawful attorney for the purpose of acknowledging service of any process of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed.

c. *Certificate.* The Borough Clerk, upon the filing of the required insurance certificate, shall issue a certificate in duplicate showing that the owner of the vehicle has complied with the terms and provisions of this section. The certificate shall recite the name of the insurance company, the number and date of the expiration of the policy, a description of every vehicle insured thereunder, and the registration number of the same. The duplicate certificate shall be filed with the State Division of Motor Vehicles before any such car is registered pursuant to this section. The original certificate shall be posted in a conspicuous place within the vehicle.

d. *Operation in More Than One Municipality.* Where a vehicle operates in more than one (1) municipality, the insurance policy required shall be filed with the clerk of the municipality in which the owner has its principal place of business, and the owner shall file with the Borough Clerk the certificate issued by the clerk of the municipality in which the insurance policy was filed.

- e. *Exception for Self Insurance.* If the owner carries its own liability insurance pursuant to N.J.S.A. 48:16-8 or N.J.S.A. 48:16-19, the owner may file, in lieu of an insurance policy, a copy of its exemption order with a statement sworn to by its president, vice president, treasurer or assistant treasurer that the corporation is the owner of vehicles covered by this section and that the copy of the order attached to the affidavit and filed therewith is a true copy of the original order and that the same has not been revoked.

(Ord. No. 95:06 §1)

**4-12.8 Form of License.**

The taxi owner's license or limousine owner's license herein provided for shall be a number and shall state the name of the owner licensed; it shall briefly describe the vehicle licensed and contain the motor vehicle license number, as well as the manufacturer's number of such motor vehicle. (Ord. No. 95:06 §1)

**4-12.9 Register of Licenses.**

The Borough Clerk shall keep a register of all licenses granted under the provisions of this section, which register shall show the character of the license, its number, date of issue, name of person licensed and any other information pertaining thereto; and the Borough Clerk shall keep all applications, and upon those which may be granted, shall endorse the number of the license issued in pursuance thereof. (Ord. No. 95:06 §1)

**4-12.10 Expiration; Prorated Fee.**

All licenses granted hereunder shall expire on July 1 succeeding the date of issue. In the case of application for a taxi owner's license or limousine owner's license made after January 1 in any year, the fee to be paid therefor shall be one-half (1/2) of the amount stated in subsection 4-12.6 hereof. (Ord. No. 95:06 §1)

**4-12.11 Suspension or Revocation of Licenses.**

a. The Mayor and Council may suspend or revoke any license issued hereunder for the violation of any of the provisions of this section or the violation of any of the rules and/or regulations made, adopted or promulgated by the Mayor and Council, or by the Chief of Police, which rules are adopted by the Mayor and Council, in accordance with the provisions hereof.

b. Any suspension shall be noted on the license, together with a statement of the reasons therefor.

- c. A second suspension for the same reason shall revoke the license.

(Ord. No. 95:06 §1)

**4-12.12 Rates Limited.**

The charge for carrying passengers shall not exceed the rates set out in the application for the owner's license. (Ord. No. 95:06 §1)

**4-12.13 Rates to Be Posted.**

Every vehicle licensed hereunder shall have fastened in a conspicuous place a printed card showing the rates provided for in the approved application, in letters and figures not less than one-half (1/2) inch in height, which card shall bear the license number of such vehicle and also the name of the owner thereof. Any fares charged in excess thereof shall constitute a violation of the section by the owner or operator, or both. (Ord. No. 95:06 §1)

**4-12.14 Vehicle Requirements; Meters.**

a. All vehicles herein required to be licensed, used or operated for the carrying of passengers, within the scope of this section, shall be automobile sedans or limousines with a

minimum of three (3) doors, at least two (2) of the doors shall be for the exclusive use of the passengers. The vehicles shall at all times be clean and in good repair.

b. Unless there shall be one (1) uniform flat rate charged at any point within the corporate limits of the Borough for the transportation of passengers, each and every taxicab operating in the Borough shall have installed therein a taximeter, or the equivalent thereof, of standard make, by which the fare or charge for hire of the vehicle is mechanically and accurately calculated and registered, and on which the taximeter charge is plainly indicated. The taximeter is to be so placed in the vehicle that the charge thereof may be plainly seen by the passengers.

c. No person shall use or permit to be used in any vehicle a taximeter which shall be in such a condition as to be over five (5%) percent incorrect to the prejudice of any passenger.

d. After sundown the face of every meter shall be illuminated by a suitable light so arranged as to throw a continuous steady light thereon while in operation and carrying a passenger, so that the meter will be clearly discernible and can be read by a passenger in the rear seat.

e. The taximeter shall be sealed, and a colored paster, different in color at each inspection, which shall be conducted by the Borough Chief of Police annually, shall be placed on the taximeter after inspection.

f. No person shall use or permit to be used, or drive or hire, a vehicle equipped with a taximeter, the case of which is unsealed or the seal broken.

(Ord. No. 95:06 §1)

**4-12.15 Fare Disputes, Receipts, Seating.**

a. Any dispute as to the fare shall be determined by the officer in the charge of the Police station at the time of the dispute.

b. Every driver of a vehicle herein required to be licensed shall, when requested, give a passenger a receipt for the fare paid.

c. No person other than the driver or a passenger of the vehicle shall ride or sit in the compartment of the vehicle reserved for the driver.

(Ord. No. 95:06 §1)

**4-12.16 Regulations.**

The Chief of Police is hereby authorized, empowered and directed to make reasonable regulations respecting the use of vehicles licensed hereunder, of public hack stands, the number of licensed vehicles which may stand in any one (1) place at the same time, and such other regulations as may promote the public convenience and safety. (Ord. No. 95:06 §1)

**4-12.17 Solicitation, Refusal to Carry Passenger, Standing of Vehicles.**

a. No driver or other person interested in or connected with any vehicle licensed hereunder shall solicit customers in a noisy or offensive manner, nor at any place other than public hack stands in any manner whatsoever.

b. No driver of any licensed taxicab which is disengaged shall refuse to carry any orderly person upon the payment of the rate of fare herein fixed.

- c. No driver of any vehicle licensed hereunder shall permit such vehicle when disengaged to stand in any public street or place other than at public hack stand; provided, nothing herein shall prevent such driver from waiting for a passenger in front of any building or place.

(Ord. No. 95:06 §1)

**4-12.18 Public Hack Stands.**

a. Public hack stands are hereby established at such places as may be designated by the Chief of Police, who may designate the character of vehicles that may stand at any such public hack stand and may exclude all other vehicles from such stands. The location and capacity of any such hack stand shall be indicated by a sign substantially as follows: "PUBLIC HACK STAND, CAPACITY...."

- b. No vehicle other than one licensed hereunder and prepared to accept passengers upon request shall stand at any such public hack stand.

(Ord. No. 95:06 §1)

**4-12.19 Violations and Penalties.**

Any person, firm, corporation or association who shall violate any of the provisions of this section shall, in addition to the suspension or revocation of the license heretofore mentioned, be liable for the penalty stated in Chapter 1, Section 1-5 and every day of such violation shall be deemed and taken to be a separate and distinct offense. (Ord. No. 95:06 §1)