

TITLE 20: DEPARTMENT OF COMMERCE

CHAPTER 20-80 BUREAU OF TAXICABS REGULATIONS

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Chapter Authority: 1 CMC § 2454; 1 CMC §§ 2595, 2596(a), (d); Executive Order 94-3 § 302(a) (effective Aug. 23, 1994).

Chapter History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Amdts Adopted 25 Com. Reg. 21470 (Nov. 17, 2003); Amdts Emergency and Proposed 25 Com. Reg. 20243 (July 15, 2003) (effective 120 days from July 1, 2003); Amdts Adopted 22 Com. Reg. 17210 (Apr. 20, 2000); Amdts Proposed 22 Com. Reg. 17047 (Feb. 15, 2000); 20 Com. Reg. 16152 (Oct. 15, 1998) (extending the public comment period for the June 1998 proposed amendments);* Amdts Adopted 20 Com. Reg. 16103 (Aug. 15, 1998); 20 Com. Reg. 15968 (July 15, 1998) (extending the public comment period); Amdts Proposed 20 Com. Reg. 15917 (June 15, 1998); Amdts Adopted 17 Com. Reg. 13571 (July 15, 1995); Amdts Proposed 17 Com. Reg. 13518 (June 15, 1995); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

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*This publication is a procedural error. The June 1998 proposed amendments were adopted in the August 1998 Commonwealth Register.

Commission Comment: 1 CMC § 2451 originally created the Department of Commerce and Labor. 1 CMC § 2454 directs the Department to adopt rules and regulations regarding those matters over which it has jurisdiction.

PL 7-33, the “Taxicab Regulations Act of 1991,” codified as amended at 1 CMC §§ 2594-2596, took effect July 31, 1991. 1 CMC § 2595 established a Taxicab Bureau within the Department of Finance. 1 CMC § 2596 authorizes the Taxicab Bureau Chief to promulgate rules and regulations necessary to carry out the intent and purposes of the act.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles and effected numerous other revisions. According to Executive Order 94-3 §§ 103 and 302(a):

Section 103. Department of Commerce.

The Department of Commerce and Labor is re-designated the Department of Commerce.

...

Section 302. Department of Commerce.

(a) Taxicab Bureau. The Taxicab Bureau is abolished and its functions transferred from the Department of Finance to the Department of Commerce.

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

The 1992 Bureau of Taxicabs Regulations were promulgated by the Department of Finance. Thereafter, the Department of Commerce issued amendments to the original 1992 regulations pursuant to Executive Order 94-3.

Part 001 - General Provisions

§ 20-80-001 Title and Authority

The rules and regulations in this chapter shall be called the “Bureau of Taxicab Regulations.” This chapter is promulgated by the Chief of Taxicabs under authority granted him by section 6 of Public Law 7 33 [1 CMC § 2596].

Modified, 1 CMC § 3806(d), (f).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-005 Definitions

Unless the context otherwise requires, the definitions set forth below govern the construction of terms as used in this chapter.

(a) “Act” means the Taxicab Regulation Act of 1991 [1 CMC §§ 2594, et seq.], and any amendments thereto.

(b) “Association” means a group of taxicab owners organized for the purpose of common benefit as regards operation; for example, radio dispatch, color scheme, etc.

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- (c) “Bureau” means the Bureau of Taxicabs.
- (d) “Director” means the Director of Enforcement and Compliance, unless otherwise stated.
- (e) “Highway” means a way or place of whatever nature open to the use of the public for purposes of vehicular traffic, including ways or places that are privately owned or maintained.
- (f) “Independently operated taxicab” means a taxicab which is not part of a fleet, taxi company or association.
- (g) “Intoxicating liquor” means beer, distilled spirits or wine, and every liquid or solid which contains one half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when combined with other substances. See 5 CMC § 5512(a).
- (h) “Operator” means any person who drives or is in actual physical control of the taxicab.
- (i) “Owner” means any person, association, or company that owns or leases taxicabs and is engaged in the operation of a taxicab business, including any person having legal or equitable title to a taxicab.
- (j) “Secretary” means the Secretary of Commerce.
- (k) “Taxicab” means a passenger vehicle for hire, other than a motor bus, which is built for that purpose, and includes a sedan type vehicle having a seating capacity of less than eight passengers.

Modified, 1 CMC § 3806(d), (e), (f), (g).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: The original paragraphs were not designated. The commission designated subsections (a) through (k).

In subsection (f), the commission changed “tax” to “taxi” to correct a manifest error.

The 2004 amendments deleted former subsections (d) and (e) and added new subsections (d) and (j).

Part 100 - Taxicab Operator

§ 20-80-101 License

No person shall operate a taxicab upon a highway without having in his immediate possession a valid taxicab driver’s license issued by the Bureau of Motor Vehicles.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-105 Certification of Fitness

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In order to receive a taxicab operator's license, an applicant driver shall apply for a certification of fitness from the Bureau of Taxicabs. If the certification of fitness is granted by the Director of Enforcement and Compliance, or his designee, then the applicant shall apply for a taxicab operator's license with the Bureau of Motor Vehicles in such a manner as the Bureau of Motor Vehicles provides.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-110 Certification of Fitness Requirements

The following requirements for the receipt of a certification of fitness from the Bureau of Taxicabs are in addition to the qualifications set forth in 9 CMC, division 2, chapter 2. The following requirements are necessary and must be satisfied for the issuance of a certificate of fitness. The applicant:

- (a) Must be a citizen of the United States or any other territory under the administration of the United States; and,
- (b) Must be a bona fide resident of the Commonwealth. A bona fide resident of the Commonwealth is a person qualified to register to vote in the Commonwealth and over the age of 18; and,
- (c) Must provide three passport size photographs. Two photos are for the taxicab operator's identification card, and the other photo is for the Bureau of Taxicab's file copy of the taxicab operator's identification card; and,
- (d) A new applicant (one who does not, or has not in the past, obtained a taxicab operator's identification card) must show proof of three years driving experience (operator's license).

Modified, 1 CMC § 3806(e), (f), (g).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: In subsection (b), the commission changed the comma after 18 to a semicolon to make the punctuation consistent.

The 2004 amendments amended subsection (c) and added a new subsection (d). Although the changes were designated subsections (a) and (b), the original subsections (a) and (b) were not addressed and, therefore, the commission has retained them.

§ 20-80-115 Conditional Certification of Fitness

All certifications of fitness issued by the Bureau of Taxicabs shall be conditional upon the Department of Public Safety finding that the applicant has not been convicted of a felony, or convicted of theft of a vehicle, homicide by a vehicle, fleeing or attempting to elude a police officer, or twice convicted of reckless driving or driving while under the influence of alcohol and

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drugs, as defined in the Commonwealth Code. A plea of guilty shall be deemed a conviction. Prior to the issuance of a certification of fitness by the Bureau of Taxicabs, the applicant shall submit proof of a certification of freedom from airborne communicable diseases (tuberculosis) in the form of a health card containing an annual expiration date and executed by a duly licensed physician in the Commonwealth of the Northern Mariana Islands.

Modified, 1 CMC § 3806(f), (g).

History: Amdts Adopted 17 Com. Reg. 13571 (July 15, 1995); Amdts Proposed 17 Com. Reg. 13518 (June 15, 1995); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: The commission corrected the spelling of “police.”

§ 20-80-120 Hearing Before the Parole Board

Any applicant denied a certification of fitness based upon a conviction of the offenses found herein below, may request a hearing from the Bureau of Taxicabs within 30 days of such denial. The hearing shall be conducted by the Parole Board to determine whether the conviction is for a minor felony or traffic violation and whether the evidence shows that the applicant is now fully reformed. The hearing shall be an informal hearing, and the Parole Board will determine which evidence to consider. If after such hearing, the Parole Board determines that the applicant is fit, then the Parole Board shall issue a recommendation that the Bureau of Taxicabs issue a certificate of fitness.

Modified, 1 CMC § 3806(f).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-125 Fee

Upon receiving a certificate of fitness from the Director of Enforcement and Compliance, the applicant shall pay twenty-five dollars processing fee to the CNMI Treasurer. Upon receiving approval of an application for a taxicab operator’s license from the Bureau of Motor Vehicles, the applicant shall pay fifteen dollars to the CNMI Treasurer. There is a fee of five dollars for each duplicate or substitute license issued. Such fee must also be paid to the CNMI Treasurer. Prior to the renewal of a taxicab operator’s license, there shall be assessed a fee of five dollars per day for each day following the expiration of a taxicab operator’s license, not to exceed one hundred fifty dollars.

Modified, 1 CMC § 3806(e), (f).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Amdts Adopted 17 Com. Reg. 13571 (July 15, 1995); Amdts Proposed 17 Com. Reg. 13518 (June 15, 1995); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Part 200 - Taxicab Driver’s Identification

§ 20-80-201 Taxicab Operator’s/Driver’s Identification Card

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- (a) No taxicab operator shall use or cause to be used, for the purpose of hire, a taxicab which does not have a taxicab operator's identification card mounted within twelve inches of the taxi meter and that it is readily visible to all passengers. The taxicab operator's identification card shall not be mounted on the sun visor of the taxicab. The operator's identification card shall be issued by the Chief of the Bureau of Taxicabs. This identification card shall be laminated in plastic or so constructed as to make alteration difficult.
- (b) The taxicab operator's identification card shall contain the following:
- (1) A photograph of the operator, such photograph must be a true clear, and recognizable likeness of the face of the operator,
 - (2) The full name of the operator,
 - (3) The taxicab driver's license number,
- (c) The name, taxicab operator's license number, and the taxicab registration number on the taxicab operator's identification as prescribed by the Chief of the Taxicab Bureau.
- (d) The reverse of the taxicab operator's identification shall provide the following information:
- (1) Operator's date of birth;
 - (2) Taxicab operators' license number;
 - (3) Operator's height;
 - (4) Operator's weight;
 - (5) Operator's hair color;
 - (6) Operator's eye color;
 - (7) Date license was issued;
 - (8) Operator's signature;
 - (9) The signature of the Chief.

Modified, 1 CMC § 3806(e), (f).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief of the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-205 Alteration, Removal or Destruction of Taxicab Operator's Identification; Taxi Fare Card; Tampering Prohibited

No person shall alter, destroy or remove from a taxicab any approved driver's I.D. card or taxicab fare card. In the event such alteration, removal, or alteration occurs, following an administrative hearing and a finding of such conduct, the affected driver's I.D. card or taxicab fare card shall be surrendered to the Director.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

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§ 20-80-210 Expiration Date of Taxicab Operator's Identification Card

- (a) Every taxicab operator's identification card shall expire on the last day of December of the issuing year unless the license application was approved in November or December of the same year, in which event the Chief of Taxicabs shall cause the taxicab operator's identification card to expire on December 31 of the following year. There shall be no proration of fees.
- (b) A new set of two photographs showing the operator's likeness shall be submitted with each application for a taxicab operator's identification card renewal. The photographs shall be passport size.
- (c) A license number shall be assigned annually by the Chief of Motor Vehicles to each taxi operator. Such taxicab operator's license number shall remain in full force and effect as the identification number for the taxicab driver through the license year.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief of Taxicabs and the Chief of Motor Vehicles, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-215 Renewal Denied

- (a) A taxicab operator's identification card shall not be renewed if the Director or his representative finds the taxicab operator in substantial noncompliance with the Act or the regulations thereunder. However, a taxicab operator shall be given notice, and a hearing before the Bureau, prior to such denial as described herein below, provided a timely application for renewal was made.
- (b) If a taxicab operator makes a timely application for renewal, then the taxicab operator's identification card is valid until the Bureau of Taxicabs makes a final determination. Should the renewal be denied, the previous taxicab operator's identification card shall expire 30 days after the Bureau's final decision. See 1 CMC § 9111(a). Following 30 days after the Bureau's final decision, the taxicab operator's identification card shall be surrendered to the Director or his designee, absent a court order to the contrary.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: The 2004 amendments amended subsections (a) and (b).

§ 20-80-220 Revocation or Suspension of Taxicab Company's License or Taxicab Driver's Identification Card

- (a) Whenever a taxicab operator's identification card is revoked or suspended, the Chief shall require that the taxicab identification card be surrendered to and retained by the Chief or his representative. However, revocation or suspension of the taxicab identification card will only

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occur after notice and a hearing as described herein below. However, if there is a threat to the public health safety or welfare requiring emergency suspension, then a hearing shall be held at the earliest feasible time after suspension. See 4 CMC § 9111(b).

(b) The Chief of the Bureau of Taxicabs shall return the operator's identification to the licensee at the end of the suspension period.

Modified, 1 CMC § 3806(g).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief of the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

In the title of this section, the commission changed "taxicab's" to "taxicab" to correct a manifest error. In subsection (b), the commission changed "taxicab's" to "taxicabs."

§ 20-80-225 Operation of a Taxicab Other Than the Owner or Taxicab Operator

No person shall operate a taxicab for hire without having in his possession a valid taxicab operator's license and taxicab operator's identification card. The fact that any person is in physical control of such taxicab shall be "prima facie" evidence that he is doing so with the permission of the owner or operator.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-230 Annual Review of Driving Record

In reviewing each application for renewal of a taxicab operator's identification card, the Chief or his authorized representative shall consider the driving record of each taxicab operator. The renewal applicant shall provide a clearance from the clerk of the CNMI Superior Court showing records pertaining to all criminal and traffic violations involving the applicant. In reviewing the driving record, the Chief shall consider any evidence that the operator has violated applicable provisions of this chapter. The Chief shall also consider the operator's accident record, any evidence that the driver has violated laws governing the operation of motor vehicles or has driven or operated a motor vehicle while under the influence of alcohol, or has otherwise exhibited a disregard for the safety of the public. A note setting forth the date upon which the review was performed and the name of the person who reviewed the driving record, shall be included in the operator's certification of fitness file. Should an officer or employee of the Bureau of Taxicab's determine, based upon such review, that there are substantial violations of the Act and the regulations thereunder, then the taxicab operator's identification card may be suspended or revoked following notice and a hearing as described herein below, unless the public health, safety, or welfare requires immediate emergency suspension. In such case, the operator shall receive a hearing at the earliest possible time after suspension or revocation.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

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Commission Comment: With respect to the references to the Chief and the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

Part 300 - Taxicab Owners

§ 20-80-301 Requirement for Insurance

All taxicab owners must be insured under a general or public liability policy by a qualified insurance company licensed to do business in the Commonwealth, as follows:

- (a) Minimum coverage of fifty thousand dollars for bodily injury or death of any one person in any one accident; and
- (b) Minimum coverage of one hundred thousand dollars for bodily injury or death of more than one person in any one accident; and
- (c) Minimum coverage of thirty thousand dollars for injury or destruction of property in any one accident; and
- (d) Uninsured motorist coverage in the above amounts; and
- (e) Prior to renewal of the taxi vehicle registration, the taxicab owner shall provide proof of full payment for an annual insurance policy for no less than the amounts referred to above in subsections (a) through (d).

Modified, 1 CMC § 3806(d), (e).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: The 2004 amendments may have changed the opening paragraph in error. Compare 14 Com. Reg. 8901 (Feb. 15, 1992) (“All taxicab owners must be insured under a general or public liability policy of insurance issued by a qualified insurance company...”) and 26 Com. Reg. at 21636 (Jan. 22, 2004) (“All taxicab owners must be insured under a general or public liability policy by a qualified insurance company...”). The 2004 amendments also amended subsections (a) and (b) and added a new subsection (e).

Part 400 - Sign Requirements

§ 20-80-401 Exterior Signs

Every owner of a taxicab operated or to be operated in the Commonwealth shall paint or cause to be painted on the exterior of each front door, the word “taxi,” its registration number, and the name under which it is registered.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-405 Registration Numbering

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In the event that more than one taxicab is registered in the name of any one individual, partnership, corporation, company or other business association, such taxicabs shall be serially numbered and the applicable serial number placed on each front door below the registered owner's name.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-410 Identification of Owner

The word "Owner" shall be painted on the exterior of each front door, on a line directly above the name under which the taxi is registered.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-415 Required Letters and Numbering Size

Letters and numbers painted or to be painted on any vehicle licensed or to be licensed as a taxicab shall be centered on the front doors of the vehicle with the letters "TAXI" in 3 ½ inch sizes and the registration number centered below the word "TAXI" in 2 inch sizes.

Modified, 1 CMC 3806(f).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: The Commission removed extra inch symbols and corrected "an in 2 inch sizes" to "in 2 inch sizes" pursuant to 1 CMC § 3806(g).

§ 20-80-420 Color Restrictions: White or Dark/Black on Light

Taxicabs having the vehicle body exterior painted a dark color shall have the signs and numbers painted white. Taxicabs having the vehicle body exterior painted a light color (yellow, red, etc.), shall have the signs painted with black paint. These color requirements shall also apply to vehicles painted with a two tone (two different color) shade.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-425 Sign Display; Approved by the Chief

No lettering, sign display, advertising or advertising devices shall be used on any taxicab without the approval of the Chief.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-430 Removal of All Sign Displays

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Immediately upon removing the vehicle from service as a taxicab, the registered owner or operator shall remove or paint out all distinctive portions of any authorized exterior sign display.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-435 Abbreviation Prohibited

No abbreviations of the owner, lessee or taxi company=s name shall be used by any person as an exterior taxicab sign display.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Part 500 - Schedule of Taxi Fares

§ 20-80-501 Taxi Rates; Charges

Every taxicab owner, taxi company or driver, who owns or has control over any taxicab, shall assess a passenger for hire the following rates, fares or charges:

- | | | |
|-----|--|--------|
| (a) | FLAG DOWN RATE (good for first 1/2 mile) | \$2.50 |
| (b) | 1st mile | \$4.00 |
| (c) | Every additional 1/4 mile thereafter | \$.75 |
| (d) | Waiting time, every 2 minutes | \$.75 |
| (e) | Extra large parcel | \$1.00 |

History: 20 Com. Reg. 16152 (Oct. 15, 1998) (extending the public comment period for the June 1998 proposed amendments);* Amdts Adopted 20 Com. Reg. 16103 (Aug. 15, 1998); 20 Com. Reg. 15968 (July 15, 1998) (extending the public comment period); Amdts Proposed 20 Com. Reg. 15917 (June 15, 1998); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

*This publication is a procedural error. The June 1998 proposed amendments were adopted in the August 1998 Commonwealth Register.

Commission Comment: The notice of adoption for the 1992 Bureau of Taxicabs Regulations changed the proposed language of this section by deleting proposed subsection (b) and adding subsection (e) (formerly subsection (d)). See 14 Com. Reg. at 9203 (Apr. 15, 1992). The 1998 amendments reinstated the original subsection (b), amended subsections (a) and (c), and redesignated subsections (c) and (d) accordingly. The commission redesignated the final subsection (e), which was not specifically deleted or repealed in the 1998 amendments.

§ 20-80-505 Posting of Fares; Design, Size

The schedule of taxicab fares and charges shall be of such size and type style as prescribed by the Chief. This schedule of taxicab fares shall be printed in English, Chamorro, Carolinian, Japanese and Korean. This schedule of fares shall be posted and readily visible to all passengers seated in the front and rear of the taxicab.

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History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-510 Charges, Fares, When Permitted

The schedule of taxi fares may only be charged for the use of the taxicab when the taxicab is actually occupied by the passengers for hire, standing at the direction of the passengers for hire, or when occupied by parcels or baggage belonging to the passengers for hire.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-515 Additional Passengers; Charges Thereof

No taxicab company, owner or operator who owns or controls a taxicab shall assess a fee for any additional passengers in the taxicab, provided all passengers are traveling as one party.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-520 Additional Passengers; Conditional Pickup

Additional passengers shall not be picked up without the consent of all passengers for hire already in the taxicab. The fare for the additional passengers for hire shall be based upon a new taxi meter reading from the point of departure of the last departing passenger to the destination of the additional passenger for hire. The foregoing rates shall be subject to the following exceptions and conditions, whichever the case may be.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-525 Use of Higher Rates Prohibited

No operator, owner, or taxi company shall assess a taxi fare, nor shall any operator, owner or taxi company adjust a taxi meter or any of its working parts to show a fare or a charge which is higher than the fare or charges prescribed herein.

History: Amdts Adopted 25 Com. Reg. 21470 (Nov. 17, 2003); Amdts Emergency and Proposed 25 Com. Reg. 20243 (July 15, 2003) (effective 120 days from July 1, 2003); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-530 Direct Route; Use of

Every taxicab operator shall follow the most direct or usually traveled route between the origin and destination of each trip.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-535 Extra Large Parcels, Objects; Charges for

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The operator of a taxicab may charge a fee of one dollar for each extra large parcel or any parcel requiring strenuous lifting on the part of the operator or the use of a rope or tie down to secure its presence on or within the taxicab, i.e., bicycle, surfboard.

Modified, 1 CMC § 3806(e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Part 600 - Taxi Meters

§ 20-80-601 Taxicab Meter Requirements

(a) No person shall operate a taxicab or permit a taxicab to be operated for the purpose of hire without first installing a taxi meter, inspected for accuracy and reflecting the current rates of fare as established herein.

(b) The Chief must approve all taxicab meters. The Chief shall publish a list of all businesses selling approved taxicab meters and registered taxicab meter service agencies.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-605 Installation

The taxi meter shall be permanently situated on or against the center of the dashboard panel, connected to the transmission, by a speedometer cable in a manner approved by the Chief. The charges or fare indication shall be clearly visible to the passengers seated on the front and rear seats of the taxicab.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-610 Illumination

Adequate lighting facilities shall be provided for so illuminating the face of the taxi meter that the indications thereof may be conveniently read by the passenger, and the face of the taxi meter shall be so illuminated whenever the taxi meter is in operation and artificial illumination is necessary for the convenient reading of its indications.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-615 Gearbox; Installation

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All gear reducing boxes or other parts required for the service operation of a taxi meter shall be permanently situated within the engine compartment of the taxicab, plainly visible for inspection and easily accessible for the application of security seals.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-620 Security Seals; Provisions for

Adequate provisions shall be made for affixing lead and wire seals to a taxi meter and to other parts required for the service operations of a complete installation on a vehicle, so that no adjustments, alterations or replacements affecting in any way the accuracy or indications of the device or the assembly can be made without mutilating the seal or seals. The sealing means shall be such that it is not necessary to disassemble or remove any part of the device or of the vehicle to apply or inspect the seals.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-625 Indications; Visibility of

Except when a taxi meter is being cleared, indications of fare and extras shall be clearly visible at all times and at least ten millimeters high for the fare and four millimeters high for all other indicators.

Modified, 1 CMC § 3806(e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-630 Reinspection

Whenever a taxi meter has been damaged, or repairs that might in any way affect the accuracy of its indications have been made, or any of the official security seals have been mutilated, such device shall not thereafter be used until it has been officially examined and approved. The Chief shall cause the immediate removal of all official stickers or certificates issued to a taxi meter which has been damaged or which official seals have been tampered with.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-635 Random Inspections

(a) The Chief or his representatives may from time to time make random administrative inspections of taxicabs and their equipment to assure compliance of all applicable rules and regulations for the purpose of ensuring the public's safety. The verbal order or other orders of the Chief, or his representative, to perform such inspections shall be obeyed by all taxi companies, owners and operators. He may also inspect pertinent records, such as the taxicab operator's report of unsafe conditions.

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(b) The Chief and all other officers or employees of the Bureau of Taxicabs shall have picture identification cards identifying them as officers or employees of the Bureau of Taxicabs. The back of the card shall include a statement that the officer or employee is authorized to perform an administrative inspection of taxicabs, equipment, and owner's and operator's records in order to ensure the public's safety.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief and the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-640 Taxi Meter Employed

Except in any emergency, the taxi meter shall be activated (put in operation) whenever a passenger for hire is in the taxicab and the taxicab and the operator have begun the trip. No owner, taxi company or operator shall use or permit to be used as transportation for hire a taxicab without first activating the taxi meter.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-645 Calibration of Taxicab Meters

(a) No operator or owner of a taxicab shall offer or let the taxicab for hire unless the taximeter installed therein or adjusted for any change in mileage rate is first registered with and inspected by the Bureau and found to calculate and register fares correctly in conformity with the rates as set forth in this chapter and a seal attesting thereto is placed on the taximeter.

(b) It shall be the duty of the owner or operator of any taxicab equipped with a taximeter to submit the taxicab to the Bureau for inspection, testing, and sealing on the date established by the Bureau. Every inspection shall include the examination and inspection of the taximeter affixed in the taxicab, every wheel, tire, gear shaft, and every part of the taxicab which may affect or control the operation of the taximeter.

Modified, 1 CMC § 3806(d).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-650 Taxicab Radio Usage

Taxicab operators and owners must receive prior approval from the Chief of the Bureau of Taxicabs for their radio systems, or approval within 30 days of the date of this chapter takes effect.

Modified, 1 CMC § 3806(d), (f).

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History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief of the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

Part 700 - Vehicles

§ 20-80-701 Vehicle Type

No vehicle shall be used as a taxicab or transportation for hire unless such vehicle is “built for that purpose” or of a sedan type having a seating capacity of less than eight passengers, exclusive of the operator. The vehicle must be equipped with at least two doors for the entrance and exit of passengers in addition to the door or doors which give access to the operator’s seat.

Modified, 1 CMC § 3806(e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-705 Vehicle Condition

(a) No vehicle shall be operated as a taxicab unless it is reasonably clean and safe inside, so as not to damage the person, clothing or possessions of a passenger. The vehicle’s exterior shall be reasonably clean and essentially free from cracks, breaks, and major dents. It shall be painted to provide adequate protection and appearance. Repairs done to comply with this section shall be done within twenty working days. The taxicab shall be placed “out of service” after this 20 day period until such time as the vehicle is returned to its safe condition.

(b) Extraneous items such as tools shall be locked in the vehicle’s storage area.

Modified, 1 CMC § 3806(e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-710 Driver’s Report; Taxicab Condition

Every taxicab owner or taxi company shall require its taxicab operators to report, and every taxicab operator shall prepare a report listing any mechanical defects or deficiencies of the vehicle discovered by him during his operation of the vehicle, as would be likely to affect the safe operations of the taxicab. Such report shall be submitted to the owner or taxi operator for review and immediate action to correct the defects and to return the taxicab to its safe condition.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-715 Unsafe Taxicab; Operation Prohibited

No taxicab owner or operator shall permit or require a operator to operate, nor shall any operator operate, a taxicab which a reasonable inspection would reveal, or the report of the last operator revealed, to be hazardous or likely to result in a mechanical condition which is hazardous to

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operate or is more likely than a safe vehicle to cause an accident while in operation. No vehicle in excess of 10 years old may be registered as a taxi vehicle, regardless of its condition.

Modified, 1 CMC § 3806(e).

History: Amdts Proposed 29 Com. Reg. 27202 (Nov. 19, 2007); Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

The proposed 2007 amendment would have changed the maximum age for a vehicle from 10 years to 12 years. As of June 30, 2013, it has not been adopted.

§ 20-80-720 Proper Exits; Requirement

No person shall ride or be required to ride within the closed body of any taxicab unless there are means on the inside thereof of obtaining exit. Said means shall be in such condition as to permit ready operation by the occupant, so that every occupant of the taxicab shall be able to unlock and open their door. There shall be no device on the operator's door which allows the operator to lock all vehicle doors.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-725 Periodic Safety Inspection

- (a) No person shall operate, nor shall any owner permit the operation of or cause to be operated, any taxicab without first passing a safety inspection and obtaining a safety decal.
- (b) Every person operating a taxicab or registered owner thereof shall have the taxicab safety inspected twice each year, once every sixth month following the month in which the last safety inspection occurred.
- (c) An official safety inspection decal shall be attached to the taxicab after each safety inspection conducted.
- (d) If the Chief, or his representative, upon completion of a taxicab inspection discovers a mechanical defect on the taxicab hazardous to its safe operation, the Chief may order the taxicab operator or owner to remove such taxicab from service until such time that the taxicab is returned to its safe condition.
- (e) The Chief may require additional inspections on any or all taxicabs subject to Public Law 7 33 and this chapter as the Chief finds necessary in order to assure compliance with the act and regulations thereunder to provide safe taxicab service for the public.

Modified, 1 CMC § 3806(d), (e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission

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comment to 1 CMC § 2001; see also the general comment to this chapter. The Commission corrected the phrase “to is safe operation” in subsection (d) to “to its safe operation” pursuant to 1 CMC § 3806(g).

§ 20-80-730 Damaged Vehicle; Prohibited Operation

No taxicab company or owner shall permit or require a taxi operator to operate a taxicab which has been damaged in an accident, or other causes, nor shall any taxicab operator so operate a taxicab, unless the taxicab has been safety inspected by a person qualified to ascertain the nature and the extent of the damage and the relationship of such damage to the safe operation of the taxicab. No taxicab shall be operated after damage by accident or otherwise unless an authorized vehicle inspection station has determined it to be safe for operation, and issued a new safety decal, even if it is not the usual time for renewal. Following the repair of a taxicab, and its new safety inspection, the records of the repairs of the taxicab shall be provided to the Director, or his designee, for his review and a reinspection of the taxicab, if necessary.

Modified, 1 CMC § 3806(f).

History: Amdts Adopted 26 Com. Reg. 21889 (Feb. 23, 2004); Amdts Proposed 26 Com. Reg. 21630 (Jan. 22, 2004); Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-735 Safety Decal; Removal of

The Chief shall cause the immediate removal of the safety inspection decal from a taxicab which was involved in an accident. The taxicab owner shall, prior to the operation of the taxicab, cause the taxicab to be safety inspected by an authorized vehicle inspection station. A new safety decal shall be acquired and installed on the taxicab.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-740 Accidents; Report to the Department of Public Safety and the Chief

(a) Every taxicab owner shall report the involvement in an accident of a taxicab registered under his or her name to the Chief of the Bureau of Taxicabs or his authorized representative. The Chief shall review the accident report and determine if the accident’s occurrence was caused by the negligent operation of the taxicab or by the poor maintenance or mechanical condition of the taxicab.

(b) Every taxicab operator shall report accidents which involve a taxicab to the Department of Public Safety.

Modified, 1 CMC § 3806(g).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

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Commission Comment: With respect to the references to the Chief of the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

In subsection (a), the commission changed “Taxicab’s” to “Taxicabs” to correct a manifest error.

§ 20-80-745 Tires

- (a) Every taxicab shall be equipped with tires of adequate capacity to support its gross weight.
- (b) No taxicab shall be operated on tires which have treads that have been worn smooth, showing no tread impression on any part of the tire, or which exposes any tread fabric or defect whatsoever, likely to cause failure during normal operation of the taxicab.
- (c) No taxicab shall be operated on tires not consistent with manufacturer’s specification, or of a different size or diameter from the tires used during the initial taxi meter certification.
- (d) No taxicab, whose tires have been changed, shall be operated without first acquiring a “certificate of reinspection” for its taxi meter.

Modified, 1 CMC § 3806(f).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Part 800 - Lights; Requirement, Interior

§ 20-80-801 Interior Lights

Every taxicab shall be equipped with a light capable of illuminating the interior of the taxicab and controlled by the operation of the doors or manually controlled by the operator.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-805 Dome Light

Every taxicab shall have, installed on the roof of the taxicab, a dome light assembly illuminating the words “taxi,” “cab,” or “taxicab.” Every taxicab owner shall within 30 days of availability of the dome light cause the installation of such dome light on the taxicab.

Modified, 1 CMC § 3806(g).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: The commission moved the period after “taxicab” inside the closing quotation mark to correct a manifest error.

§ 20-80-810 Electrical Wiring; Protection Required

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Electrical wiring shall not be visible within the confines of the taxicab. Wiring shall be grouped together and protected by non metallic tape, braid or other covering capable of withstanding severe abrasion or shall be protected by being enclosed in a non metallic sheath or tube.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-815 Fire Extinguisher; Requirement

Every taxicab shall be equipped with a portable fire extinguisher capable of putting out fire caused by gasoline, oil, paper, clothing materials, electrical and other fires which may occur from the daily operation of a motor vehicle. The fire extinguisher shall be of a type approved by the Commonwealth Fire Department, readily accessible within the taxicab.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-820 Speedometer/Odometer; Requirement

Every taxicab shall be equipped with a speedometer and an odometer properly installed and maintained in good working order. No taxicab shall be used in taxicab service while its speedometer or odometer is not properly working or has been disconnected.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-825 Engine Condition; Requirement

No taxicab shall be operated if there are leakages of gas, oil and other fluids necessary to the operation of a motor vehicle.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-830 Tinting, Shades, Curtain Prohibited

Taxicabs licensed under this chapter shall be prohibited from having adhesive or spray tinting on their windows. Additionally, nothing on the windows shall obstruct the view of those inside the taxicab from those outside the taxicab.

Modified, 1 CMC § 3806(d).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-835 Trip Records

All taxicab operators shall, keep a trip record containing the following entries:

- (a) Number of passengers, time (to the minute), date and odometer reading when leaving the boarding point.
- (b) The time (to the minute), date, fare charged and odometer reading at the discharge point.

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(c) The time (to the minute), date and odometer reading of departure and return to taxi stand when making trips for a personal purpose.

(d) The trip record shall be open to inspection by the Chief or his delegate during reasonable times and in such places as the Chief deems necessary.

(e) The trip record shall be kept for a period of one year, unless the Chief determines a period longer than one year shall be applicable.

Modified, 1 CMC § 3806(e), (f).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-840 Receipts to Be Issued

Every taxicab operator when requested by a passenger to so do, shall give a receipt showing his or her name, I.D. card number, taxicab operator's license number, the time, date, and place of origin and destination of the passenger's trip, and the amount of the fare. On the back of every receipt issued to the customer, the following information shall be printed: "Complaints" "Filing Procedures."

Modified, 1 CMC § 3806(g).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: The commission moved the final period inside the closing quotation mark to correct a manifest error.

Part 900 - Prohibited Practices

§ 20-80-901 Narcotics, Amphetamine, and Other Dangerous Drugs

(a) No person shall operate or be in physical control of a taxicab who is under the influence of the following substances:

(1) A narcotic drug or any derivative thereof.

(2) An amphetamine or any formulation thereof (including but not limited to "pep pills" and "bennies").

(3) Any other substance to a degree which renders him or her incapable of safely operating a motor vehicle.

(b) No operator or taxi company shall knowingly require or permit an operator to violate subsection (a) of this section.

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(c) Subsection (a) above does not apply to the possession or use of a substance administered to a operator by or under the instructions of a physician who has advised the operator that the substance will not affect his or her ability to operate a motor vehicle.

Modified, 1 CMC § 3806(d).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-905 Intoxicating Liquor

No taxicab operator shall:

(a) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor within eight hours before operating or having control of a taxicab.

(b) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor while on a duty or operating or in physical control of a motor vehicle. 4 CMC § 5560 prohibits any person from consuming alcohol while on a highway.

(c) No intoxicating liquor shall be carried or stored in any taxicab during the business hours of such taxicab, except as the property of a passenger riding in said taxicab.

Modified, 1 CMC § 3806(e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-910 Sleeping in the Taxicab

The practice of sleeping in the taxicab is prohibited. Every taxi operator is required to be rested and well groomed when reporting for duty.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-915 Other Conduct

All taxicab operators shall faithfully discharge their duty as a common carrier, and:

(a) Treat all passenger(s) for hire, and potential passenger(s) for hire with courtesy.

(b) Not refuse a prospective passenger for hire on the basis of nationality.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-920 Safety Restraints and Taxi Over capacity Load

(a) In accordance with 9 CMC § 5809(a) and (b), every taxicab occupant shall wear a safety belt or harness while in transit. Every taxicab shall have a Department of Public Safety approved child passenger restraint system for children under two years of age. Children under the age of

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two shall wear such Department of Public Safety approved restraint device while in transit. If a child under the age of two years has outgrown the standard child size safety restraint system, then the child shall be secured by a Department of Safety approved safety belt or harness.

(b) Every taxicab shall have a Department of Public Safety approved child passenger restraint system for children under two years of age in the taxicab's storage area.

(c) The taxicab must be loaded so as not to obstruct the operator's view to the front or sides or interfere with his control over the vehicle.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

§ 20-80-925 Advertising

No advertising or advertising device shall be placed on or in any taxicab without the approval of the Chief.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

Part 1000 - Taxicab Operator's Dress Code

§ 20-80-1001 Taxicab Dress Code

All taxicab operators shall be neatly groomed properly dressed*.

* So in original.

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Part 1100 - Complaints and Hearings

§ 20-80-1101 Complaints; The Chief Shall Notify

(a) The Chief upon receiving a complaint against any operator or owner of a taxicab shall notify the respondent operator or owner of the nature of the complaint and that an answer must be filed with the Chief within ten calendar days following the date of notice of the complaint to the respondent operator. The Chief shall notify the taxicab driver and taxicab owner of the complaint by certified mail. The date of notice shall be the date of mailing.

(b) Upon receiving such answer, the Chief shall notify the complainant of the contents or nature of the answer and shall take appropriate action to conciliate and resolve the complaint.

Modified, 1 CMC § 3806(e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

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Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-1105 Complaint; Notified of Non-violation

If the facts as alleged in any complaint filed with the Chief are clearly not in violation of this chapter, the complainant shall be so notified.

Modified, 1 CMC § 3806(d).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-1110 Complaint; Notification of Hearing

(a) Where a complaint is forwarded, and not dismissed for good reason, a hearing shall be held by the Chief concerning the complaint not later than ninety calendar days following receipt of the complaint by the Chief. The Chief shall send a notice to the complainant and the respondent operator of the time, place and subject matter of the hearing by certified mail not later than fifteen calendar days prior to the scheduled date of the hearing. The taxicab operator shall additionally receive notice as to the nature of the proceeding, the legal authority and jurisdiction under which the hearing is to be held, the particular sections of statutes or regulations involved, and the matters asserted. See 1 CMC § 9109.

(b) The taxicab operator may attend the hearing, provide evidence in his or her behalf, produce witnesses, and may be represented in the hearing by a person of his or her choosing. However, irrelevant, immaterial, and unduly repetitive evidence shall be excluded.

(c) The Director or his designee presiding at such hearing shall be impartial, and shall not be supervised by or under the direction of any Bureau officer or employee who is responsible for investigative or prosecutorial Bureau functions. See 1 CMC § 9109(g)(2). The Chief of the Bureau of Taxicabs shall not preside at a hearing.

(d) There shall be a record of the hearing in accordance with the provisions of 1 CMC § 9109.

Modified, 1 CMC § 3806(e), (f).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief and the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-1115 Allegations of Substantial Non compliance by the Bureau of Taxicabs

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(a) If the Chief or his designee has reason to believe a taxicab operator or taxicab owner, company, or association is in substantial non compliance with this Act and the regulations thereunder, he shall send by certified mail a letter which so informs such person(s) of the alleged violations, sets forth the date and time for a hearing, and is mailed not later than fifteen calendar days prior to the scheduled date of the hearing. The notice shall additionally contain the information found herein above.

(b) The hearing shall be conducted as provided herein above.

Modified, 1 CMC § 3806(e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief and the Bureau of Taxicabs, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

§ 20-80-1120 Chief or his Representative's Finding of Substantial Non compliance with the Act After Notice to Licensee and a Hearing

(a) If the Chief or his designee determines, as a result of said hearing, that the taxicab operator or taxicab owner, company or association is in fact in substantial non compliance with this Act and this chapter the Chief may suspend or revoke the taxicab operator's identification card.

(b) The taxicab operator or company shall be apprised, in writing, as described herein below, of his or her right to seek judicial review in the Commonwealth Superior Court within 30 days of the final administrative action by the Bureau.

Modified, 1 CMC § 3806(d), (g).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: With respect to the references to the Chief and the Bureau, see Executive Order 94-3, reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the commission comment to 1 CMC § 2001; see also the general comment to this chapter.

In subsection (b), the commission deleted the repeated phrase "to seek" to correct a manifest error.

§ 20-80-1125 Complaints; Filing Procedures Posted

There shall be displayed in a suitable frame on the back of the front seat of each taxicab, in such a position as to be clearly visible to passengers, a notice of the procedures to be followed by persons wishing to file a complaint based on any violations of this chapter. The notice shall be in Chamorro, Carolinian, English, Japanese and Korean.

Modified, 1 CMC § 3806(d).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

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Part 1200 - Penalties

§ 20-80-1201 Unregistered Taxicabs/Unlicensed Taxi Drivers

In accordance with 9 CMC § 2303, the owner of an unregistered taxicab or an unlicensed taxi driver, shall be subject to a fine of \$500 or 30 days imprisonment or both.

Modified, 1 CMC § 3806(b).

History: Adopted Amdts 22 Com. Reg. 17210 (Apr. 20, 2000); Proposed Amdts 22 Com. Reg. 17047 (Feb. 15, 2000).

Commission Comment: The 2000 amendments added this part as the final part M of this chapter. For clarity, the commission moved this part before the effective date and severability provisions.

§ 20-80-1205 Failure to Carry Proper Insurance

In accordance with 1 CMC § 2596(a)(6), all taxicabs must be insured under a general or public liability insurance policy issued by a qualified insurance company licensed to do business in the Commonwealth. Failure to carry the insurance or to possess the proper insurance card, will subject the owner of the taxicab to the penalties in § 8111 of the Mandatory Auto Insurance Law, Public Law 11-55.

History: Adopted Amdts 22 Com. Reg. 17210 (Apr. 20, 2000); Proposed Amdts 22 Com. Reg. 17047 (Feb. 15, 2000).

§ 20-80-1210 All Other Offenses

(a) All other offenses shall be classified as either major or minor in accordance with the list reproduced below:

(1) Minor Violations

(i) § 20-80-201(a) Taxicab operator's I.D. card (I.D. must be mounted within twelve inches of the taximeter and that is readily visible to all passengers; not to be mounted on the sun visor of taxicab.

(ii) § 20-80-405 Registration Numbering.

(iii) § 20-80-415 Required Letters & Numbering Size.

(iv) § 20-80-425 Sign Display: Approved by Director.

(v) § 20-80-430 Removal of All Sign Displays.

(vi) § 20-80-435 Abbreviation Prohibited.

(vii) § 20-80-505 Posting of Fares.

(viii) § 20-80-530 Direct Route Use of.

(ix) § 20-80-535 Extra Large Parcels, Objects Charges for.

(x) § 20-80-610 Illumination.

(xi) § 20-80-650 Taxicab Radio Usage

(xii) § 20-80-740 Accidents - Report to DPS & the Chief.

(xiii) § 20-80-801 Interior Lights.

(xvi) § 20-80-805 Dome Light.

(xv) § 20-80-810 Electrical Wiring Protection Required.

(xvi) § 20-80-835 Trip Records.

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- (xvii) § 20-80-840 Receipts to Be Issued.
- (xviii) § 20-80-910 Sleeping in Taxicab.
- (xix) § 20-80-925 Advertising.
- (xx) § 20-80-1001 Taxicab Dress Code.
- (xxi) § 20-80-1125 Filing Procedures Posted.
- (2) Major Violations
 - (i) § 20-80-205 Alteration, Removal or Destruction of Taxicab Operator's Identification Card: Tampering Prohibited.
 - (ii) § 20-80-225 Operation of a Taxicab other than the Owner or Taxicab Operator ("Prima Facie").
 - (iii) § 20-80-401 Exterior Signs.
 - (iv) § 20-80-410 Identification of Owner.
 - (v) § 20-80-420 Color Restriction: White on Dark/Black on Light.
 - (vi) § 20-80-501 Taxi Rates - Charges.
 - (vii) § 20-80-510 Charges, Fares, When Permitted.
 - (viii) § 20-80-515 Additional Passengers Thereof.
 - (ix) § 20-80-520 Additional Passengers Conditional Pickup.
 - (x) § 20-80-525 Use of Lower Rates Prohibited.
 - (xi) § 20-80-601 Taxicab Meter Requirements.
 - (xii) § 20-80-605 Installation.
 - (xiii) § 20-80-615 Gearbox Installation.
 - (xiv) § 20-80-620 Security Seals Provisions for.
 - (xv) § 20-80-625 Indications Visibility of.
 - (xvi) § 20-80-630 Reinspection.
 - (xvii) § 20-80-640 Taximeter Employed.
 - (xviii) § 20-80-645 Calibration of Taxicab Meters.
 - (xix) § 20-80-701 Vehicle Type.
 - (xx) § 20-80-705 Vehicle Condition.
 - (xxi) § 20-80-710 Driver's Report - Taxicab Condition.
 - (xxii) § 20-80-715 Unsafe Taxicab Operation Prohibited.
 - (xxiii) § 20-80-720 Proper Exits Requirement.
 - (xxiv) § 20-80-725 Periodic Safety Inspection.
 - (xxv) § 20-80-730 Damaged Vehicle Prohibited for Sale.
 - (xxvi) § 20-80-745 Tires.
 - (xxvii) § 20-80-815 Fire Extinguisher - Requirement.
 - (xxviii) § 20-80-820 Speedometer/Odometer Requirement.
 - (xxix) § 20-80-825 Engine Condition Requirement.
 - (xxx) § 20-80-830 Tinting, Shades, Curtain Prohibited.
 - (xxxi) § 20-80-901 Narcotics, Amphetamine, and or Other Dangerous Drugs.
 - (xxxii) § 20-80-905 Intoxicating Liquor.
 - (xxxiii) § 20-80-915 Other Conduct.
 - (xxxiv) § 20-80-920 Safety Restraints and Taxi Over capacity Load.

(b) For all violations of this chapter classified above as either "minor" or "major," the civil penalties shall be as follows:

- (1) Civil Penalties for Minor Violations:

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- (i) First offense - \$20.00
- (ii) Second offense - \$40.00
- (iii) Third offense - \$60.00
- (iv) Fourth offense revocation of BOT identification card.
- (2) Civil Penalties for Major Violations:
 - (i) First offense - \$100.00
 - (ii) Second offense - \$250.00
 - (iii) Third offense - \$500. 00
 - (iv) Fourth offense - revocation of BOT identification card.

Modified, 1 CMC § 3806(c), (d), (e), (f), (g).

History: Adopted Amdts 22 Com. Reg. 17210 (Apr. 20, 2000); Proposed Amdts 22 Com. Reg. 17047 (Feb. 15, 2000).

Commission Comment: The original paragraphs of subsections (b)(1) and (b)(2) were not designated. The commission designated subsections (b)(1)(i) through (b)(1)(iv) and (b)(2)(i) through (b)(2)(iv).

In subsections (b)(1)(iv) and (b)(2)(iv), the commission inserted the final periods.

Part 1300 - Miscellaneous Provisions

§ 20-80-1301 Effective Date

Unless otherwise mandated by Public Law 7 33, the specific requirements of this chapter, such as motoring insurance, signs, etc., shall be accomplished and/or fulfilled not later than thirty days from the effective date of this chapter.

Modified, 1 CMC § 3806(b), (d), (e).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).

Commission Comment: The 2000 amendments added former part M (now part 1200) as the final part of this chapter. For clarity, the commission moved § 20-80-1301 and § 20-80-1305 (former sections 1513 and 1514) to the end of the chapter.

§ 20-80-1305 Severability Clause

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Modified, 1 CMC § 3806(b), (d).

History: Adopted 14 Com. Reg. 9203 (Apr. 15, 1992); Proposed 14 Com. Reg. 8901 (Feb. 15, 1992).