

281.910 Local government authority over regulation of taxicabs -- Adoption -- Ordinance -- Review by cabinet -- Revocation of authority.

- (1) As used in this section, "local government" means the governing body of:
 - (a) A consolidated local government organized under KRS Chapter 67C; or
 - (b) An urban-county government organized under KRS Chapter 67A.
- (2) Notwithstanding any other provision of this chapter, a local government that complies with the requirements of this section may be granted authority over the regulation of taxicabs in that local government's jurisdiction.
- (3) A local government that desires to regulate taxicab service within its jurisdiction shall:
 - (a) Adopt a resolution by October 1 of any given year expressing its intent to exercise regulatory authority over taxicabs and requesting that the Transportation Cabinet grant the local government regulatory authority over taxicabs; and
 - (b) Enact an ordinance by January 1 of the following year pursuant to subsection (4) of this section and submit it to the cabinet for approval pursuant to subsection (5) of this section.
- (4) A local government that desires to regulate taxicab service within its jurisdiction shall adopt an ordinance regarding the regulation of taxicabs which addresses the following areas of public comfort, safety, and convenience:
 - (a) A local taxicab permit system to ensure the safety and road worthiness of each taxicab as outlined in KRS 281.912, including inspection requirements, out-of-service criteria, and penalties for submitting fraudulent service records. All taxicabs operated under this section shall be required to be registered and display registration plates under the provisions of KRS Chapters 186 and 186A;
 - (b) A local taxicab driver permit system to ensure the fitness of drivers, including criminal background checks, display of permits, and revocation or suspension of local driver permits. All drivers of taxicabs operated under this section shall be required to possess a motor vehicle operator's license under the provisions of KRS Chapter 186;
 - (c) Rates and fares, and receipts therefor;
 - (d) Procedures for considering applications from a permit holder to change the number of taxicabs that a taxi permit holder has in operation;
 - (e) Procedures for the sale, transfer, and leasing of taxicab permits;
 - (f) Routes and areas of service, including changes of route or abandonment of service areas;
 - (g) Dispatching of taxicabs;
 - (h) Bonding and liability insurance requirements which shall not be less than those requirements in KRS 281.655(4);
 - (i) Handling of claims for loss, damage, or injury;
 - (j) Fees to be paid by taxicab permit holders;
 - (k) Record keeping required by permit holders and drivers, including trip records;

- (l) Hearing and appeals processes;
 - (m) Taxicab permit renewal procedures;
 - (n) Competition in the market; and
 - (o) Penalties for the operation of unlicensed taxicabs, and for any other violations.
- (5) Before granting a local government's request to regulate taxicab service, the cabinet shall review the ordinance passed by the local government and determine that the required elements of subsection (4) of this section are properly addressed. If the cabinet determines that the ordinance meets the requirements of subsection (4) of this section, the cabinet shall grant regulatory authority over taxicab service in that jurisdiction to the local government.
- (6) If, at any time, the cabinet determines that a local government granted regulatory control over taxicab service under this section is not providing adequate control over that service, the cabinet may revoke the regulatory authority it granted to the local government under this section.

Effective: July 15, 2002

History: Created 2002 Ky. Acts ch. 274, sec. 9, effective July 15, 2002.