

Article X. Shuttle Services and Non-Emergency Transportation

Secs. 6-1907-6-2001. Reserved.

Sec.6-2002. Definitions.

(a) City: The word "City" shall mean The Mayor and Aldermen of the City of Savannah, Georgia, a municipal corporation, said definition to include all area within the corporate limits of the City of Savannah.

(b) Company: The holder of a business tax certificate to operate a shuttle or non-emergency service business under the provisions of this article, whether a person, firm, partnership or corporation.

(c) Business Tax Certificate: The right and privilege granted by the City of Savannah for the operation of a shuttle or non emergency service business within the corporate limits of the City.

(d) Shuttle: A motor vehicle with a seating capacity of 7 or more passengers engaged in the business of carrying passengers for hire, or offering to carry passengers for hire, except motor vehicles used as taxicabs, ambulances, sightseeing tour vehicles, and except limousines rented with drivers by contract. Any vehicle qualifying as a shuttle shall operate only on an approved route with fixed stop locations and special events by contract only. Such vehicles may include traditional buses, vans, and extended passenger automobiles. This definition does not include any vehicle operated by Chatham Area Transit; nor any vehicle operated by a church or school, either public or private, when such operation is not a commercial nature.

(e) Non-Emergency vehicle: A motor vehicle (van) engaged in the business of carrying passengers for hire, to and from medical appointments, except motor vehicles used as taxicabs, ambulances, sightseeing tour vehicles, and except limousines rented with drivers by contract.

(f) Route: (shuttle) A course of travel approved by the Transportation Supervisor. This definition does not include driving over, on or along the streets of the city in search of or soliciting passengers for hire.

(g) Contract: (shuttle) The contract is to include pickup location, time of pick up, number of passengers, destination and fee. Vehicle cannot arrive at the pickup point 15 minutes prior to time of pickup and cannot remain at pickup point more than 10 minutes after pickup.

(h) Driver: Any person who drives or operates a shuttle or non-emergency vehicle on the streets of Savannah for a shuttle company or non-emergency company permitted by the City.

(i) Driver's Permit: The written authority granted by the City for an individual to drive or operate a shuttle or non-emergency vehicle within the City of Savannah.

(j) Street: The word "street" shall mean and include any street, alley, lane, avenue, court or public place in the City of Savannah.

(j)Transportation Supervisor. The individual employee or organizational unit of the City charged with the responsibility for administering and enforcing this article, except for specific responsibilities otherwise provided herein.

Sec. 6-2003. Business Tax Certificate required.

(a) No person, firm or corporation shall operate a business involving the use of one(1) or more shuttle or non-emergency vehicles on the streets of the City unless a business tax certificate for such business has first been granted by the City in accordance with the provisions of the Annual Revenue Ordinance . Such business tax certificate shall be effective only for the calendar year stated in the business tax certificate, unless suspended or revoked sooner as provided by ordinance.

(b)Application for a business tax certificate shall be made on forms provided by the City Treasurer and shall provide such information as is required for other business license applications, and such additional information as may be necessary to define completely the business operation. Renewal of such business tax certificate shall be required prior to January 31 of each year.

Sec.6-2004. Fixed place of business required.

Each shuttle or non-emergency company as a condition for holding a business tax certificate under the provisions of this article and the Annual Revenue Ordinance shall establish and maintain a fixed headquarters on private property for the operation of the company's business, the headquarters to conform to the requirements of the City zoning ordinances and other applicable ordinances of the City, and shall provide adequate off-street parking spaces for all vehicles not in service on the streets. Such company headquarters shall not be moved except by the approved transfer of the company's business tax certificate to another location.

Sec.6-2005. Indemnity for benefit of City

Any shuttle or non-emergency company operating under this article shall hold the City harmless against any and all liability, loss, cost, damages or expense which may accrue to the City by reason of the negligence, default or misconduct of the company in connection with the rights granted to such company hereunder. Nothing in this article shall be considered to make the City liable for damages because of any negligent act or omission or commission by any shuttle or non-emergency company, its servants, agents, drivers or other employees, during the operation by the company of their business, either in respect to injury to persons or with respect of damage to property which may be sustained.

Sec. 6-2006. Insurance for benefit of passengers.

Any shuttle or non emergency company desiring to do business in the City shall give and maintain a policy of indemnity insurance with an indemnity insurance company authorized to do business in the state for each vehicle in use as a shuttle or non emergency, or a self insurance certificate issued under State guidelines and regulated by the Insurance Commissioner of Georgia. Proof of insurance shall be kept in the vehicle and on file at the Office of the Clerk of Council and with the Transportation Supervisor. The minimum insurance coverage shall be in accordance with Georgia State law. Such indemnity insurance shall inure to the benefit of any person who is injured or who sustains damage to property caused by the negligence of a shuttle or non-emergency company or the shuttle or non-emergency vehicle driver, whether as servant, agent, or independent

Sec.6-2007. Blanket Policy

Any company or person operating a shuttle or non-emergency vehicle in the City shall give a separate policy of indemnity insurance or certificate of self insurance for each separate shuttle or non-emergency vehicle for hire, except where such company or person actually owns or holds legal title to more than one shuttle or non-emergency vehicle, in which event, such company or person may give one policy of indemnity insurance or certificate or self insurance covering all the shuttle or non-emergency vehicles actually owned. This latter provision, however, shall not apply to any group of persons separately owning shuttle or non-emergency vehicles who may be jointly operating or doing business under a licensed shuttle or non-emergency vehicles company name. The shuttle or non-emergency company is responsible for ensuring that individual persons operating shuttle or non-emergency vehicles under said business tax certificate shall comply with all state laws and local ordinances governing insurance coverage.

Sec.6-2008. Notice when voided.

Each certificate of insurance submitted to the Clerk of Council and Transportation Supervisor. Shall include, by endorsement to the policy, a statement that written notice shall be given to the City by certified mail thirty (30) days prior to cancellation or upon any material change in coverage.

Sec.6-2009 Drivers permit required.

No person shall operate a shuttle or non-emergency vehicle for hire upon the streets of the City, and no person who owns or operates a shuttle or non-emergency company shall permit a shuttle or non-emergency vehicle to be driven, and no shuttle or non-emergency vehicle operating under a shuttle or non-emergency company permitted by the City shall be driven for hire at any time unless the driver of said shuttle or non-emergency vehicle shall have first obtained and shall have then in force a shuttle or non-emergency driver's permit issued under the provisions of this article.

Sec.6-2010 Application for driver's permit.

Any person desiring a driver's permit required by this article shall submit an application in writing to the Transportation Supervisor, on a form to be furnished by the Transportation Supervisor. Such application shall be made under oath and shall state the full name of the applicant, the applicant's date of birth and age, the applicant's Georgia driver's license number and Social Security number, the applicant's address, length of time the applicant has resided in the City, whether the applicant has any physical infirmities, and whether the applicant has been convicted of a violation of any laws of the state of Georgia or the United States of America, or of this Code or other ordinances of the City and if so, when and of what offense, and the sentence of the court.

Sec. 6-2011. Physician's certificate required.

Each application for a driver's permit shall be accompanied by a certificate from a reputable physician of the City certifying that, in his or her opinion, the applicant is not afflicted with any disease or infirmity which might make the applicant an unsafe or unsatisfactory driver. In the case of renewal of a driver's permit, the certificate shall be updated every two (2) years. Should the Transportation Supervisor determine, in his or her opinion, that the health of any driver has deteriorated to the extent that such deterioration might make the driver an unsafe or unsatisfactory driver, the driver shall be required to provide an updated physician's certificate upon the request of the Transportation Supervisor. Failure to comply with the request shall be cause for suspension of the driver's permit in accordance with the provisions of this article. A current Department of Transportation Certificate will be accepted in lieu of a physician's certificate, however permit will expire upon expiration of the D.O.T. physician's certificate or applicant's birth date, whichever comes first.

Sec. 6-2012. Qualification of applicant.

An applicant for a driver's permit under this article must:

1. Not be less than 18 years of age.
2. Have no physical infirmities which make said applicant an unsafe or unsatisfactory shuttle or non emergency vehicle driver.
3. Not have been convicted of operating a motor vehicle while under the influence of intoxicating beverages or drugs within two years prior to the date of the application for such permit, or have been convicted of reckless driving within one year prior to the date of the application for such permit, or been convicted of any of these offenses three or more times within three years prior to the date of the application for such permit. Nor shall a permit be issued to any person who has within three years prior to the date of the application for such permit been convicted of any crime relating to transporting persons for immoral purposes (prostitution, solicitation for prostitution, or any sex related offense), or who has within three years prior to the date of the application for such permit have been convicted of, been on probation, parole, or served time on a sentence for a felony. A plea of *nolo contendere* to any of the offenses set out in this section

shall be deemed a conviction.

4. Be a citizen of the United States or an alien admitted for permanent residence or who has otherwise been granted employment authorization by the United States Immigration and Naturalization Services.

Sec.6-2013. Photographs of applicant.

Before any permit is granted under this article, the Transportation Supervisor shall take a picture to be attached permanently to the driver's permit for display in the vehicle which the applicant is to drive.

Sec.6-2014. Driver's permit fee.

Before any permit is granted under this article, a driver's permit fee of five dollars (\$5.00) shall be paid by the applicant.

Sec.6-2015. Current State driver's license required.

Any person applying for a shuttle or non-emergency driver's permit under this article must show that the applicant has a current motor vehicle operator's license by submitting a seven (7) year motor vehicle report of the proper class issued or approved by the State of Georgia, and that the license is not under suspension or revocation. A three year (3) motor vehicle report will be required yearly thereafter.

Sec. 6-2016. Police investigation of applicant.

The Transportation Supervisor, through the Police Department, shall conduct an investigation of each applicant for a shuttle or non-emergency driver's permit; and a report of such investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application.

Sec. 6-2017. Examination of applicant; issuance or denial of permit.

The Transportation Supervisor shall examine the applicant, the applicant's police and traffic record, physician's certificate, and other applicable documents, and thereafter either grant or refuse to grant the permit. In the event of a refusal to grant a permit, the applicant shall have the right to enter an appeal as provided by this article.

Sec. 6-2018. Permit to be displayed in shuttle or non-emergency vehicle

The driver's permit issued under this article shall be placed on display in the shuttle or non-emergency vehicle to be operated by the holder of the permit, where the permit will be in clear view of the passengers at all times when the shuttle or non-emergency vehicle is for hire.

Sec.6-2019. Alteration of permits prohibited.

It shall be unlawful for any person willfully to alter, deface, obliterate or destroy a shuttle or non-emergency driver's permit, or cause or allow the same.

Sec. 6-2020. Permit not transferable.

Any shuttle or non-emergency driver's permit issued under this article is not transferable, and is to be used solely by the person to whom it is issued and for the company indicated on the permit.

Sec. 6-2021. Duration of permit.

Any shuttle or non-emergency driver's permit shall be in effect until drivers birth date or expiration date indicated on permit. Permits may be renewed, upon application thereafter, unless the permit for the preceding period has been revoked or is under suspension.

Sec. 6-2022. Suspension of shuttle or non-emergency driver's permit.

The Transportation Supervisor shall have the authority to recommend to the Parking Services Director suspension of a shuttle or non-emergency permit for the following reasons: (i) the driver is charged with operating a motor vehicle while under the influence of intoxicating beverages or drugs, or reckless driving; (ii) making any false statement in the application for the permit; (iii) operating a shuttle or non-emergency in violation of any provisions of this article or applicable State law.

The Parking Services Director, after hearing evidence from both the Transportation Supervisor and the shuttle or non-emergency driver or his representative, shall have authority to suspend the shuttle or non-emergency permit for a period of up to six months.

If a shuttle or non-emergency driver is suspended three times within any three year period, the fourth such suspension within said three year period shall be for a period of one year.

The Parking Services Director will promptly notify the shuttle or non-emergency driver in writing of any suspension, in which case the shuttle or non-emergency driver shall have the immediate right to appeal in writing, within ten days.

Such suspension by the Parking Services Director shall be lifted upon dismissal or dropping of the charges described, upon satisfactory correction of any false statement in the application, upon correction of the violation of any provision of this article, upon a ruling in favor of the driver in any hearing before the City Manager, or at the expiration of 6 months from the date of the suspension. Upon a decision of the Parking Services Director to suspend a permit, the holder of such permit shall have the right of appeal to the City manager, whose decision shall be final.

Sec. 6-2023. Revocation of shuttle or non-emergency driver's permit.

In the event any driver holding a permit under this article at any time ceases to meet the qualifications described in section 6-2012 or fails to correct satisfactorily any false statement made in the application for a permit, or fails to operate any bus shuttle or non-emergency vehicle in accordance with the provisions of this article, the mayor and Aldermen, upon petition by the City Manager, shall be empowered to revoke permanently the permit, or to restore the same after a hearing as provided in sections 6-2025.

Sec. 6-2024. Driving after suspension or revocation prohibited.

It shall be unlawful for any person to operate a shuttle or non-emergency vehicle for hire during any period in which the driver's permit to do so is suspended or revoked as provided by this article.

Sec. 6-2025. Appeals.

Appeals to the decisions of the Transportation Supervisor shall be conducted as follows. An appeal to the Parking Services Director from a ruling of the Transportation Supervisor shall be made in writing within thirty (30) days of the ruling. The appellant shall be informed within ten (10) days of the ruling in writing of the reasons for the decisions of the Parking Services Director and shall be afforded a hearing within ten (10) days of filing an appeal to the City Manager. The appellant shall have the right to present evidence, examine the evidence of the appellee, and cross-examine. The appellant shall have the right to be represented by counsel.

Sec. 6-2026. Identification and marking.

Each shuttle or non-emergency vehicle shall have a sign plainly indicating on each side of the vehicle, in letters not less than four (4) inches high, the full name and phone number of the shuttle or non-emergency company operating the vehicle. Such sign shall be either painted or permanently affixed to the side of the vehicle.

Sec. 6-2027 Numbers generally.

There shall be shown on each side and on the rear of each shuttle or non-emergency vehicle a number at least four (4) inches high, such number to be separate and distinct from that on any other bus, taxicab or other public vehicle operating in the City. Such number shall be assigned to such shuttle or non-emergency vehicle and the owner thereof by the Transportation Supervisor and shall not be altered or changed without the consent of the Transportation Supervisor. Such number shall either be painted on the vehicle or shall be permanently affixed thereon.

Sec. 6-2028 Registration of number and names of owner and driver.

The number assigned to a shuttle or non-emergency vehicle in accordance with this article, together with the names of the owner and driver of the vehicle, shall be registered with the Transportation Supervisor.

Sec. 6-2029. Distinctive color scheme.

No two (2) shuttle or non-emergency companies may operate shuttle or non-emergency vehicles of the same color scheme. Color schemes shall be recorded and controlled by the Transportation Supervisor .

Sec. 6-2030. Safe mechanical condition of vehicles required.

Each shuttle or non-emergency vehicle operated on the streets of the City shall be maintained in a safe mechanical condition, with all safety and pollution control equipment remaining intact and operative, at all times when the bus shuttle or non-emergency vehicle is in service.

Sec. 6-2031. Cleanliness of shuttle or non-emergency vehicles required.

Each shuttle or non-emergency vehicle operating under this article shall be kept painted, and in a clean and sanitary condition, free of litter and debris, and at all times suitable for public transportation of passengers.

Sec. 6-2032. State license tag required.

Prior to the use and operation of any vehicle as a shuttle or non-emergency under the provisions of this article, the owner of said vehicle shall secure and display on the vehicle a current Georgia license registration tag.

Sec. 6-2033. Vehicle inspections required.

Each shuttle or non-emergency vehicle shall be inspected by the Transportation Supervisor for compliance with the provisions of this article, and shall pass such inspection before the vehicle may be used as a shuttle or non-emergency vehicle in the City. Each shuttle or non-emergency vehicle involved in an accident shall be inspected by the Transportation Supervisor before it may be returned to service transporting passengers for hire. Each shuttle or non-emergency vehicle shall be inspected by the Transportation Supervisor at least once annually to insure continued maintenance of safe operating condition and continued compliance with the provisions of this article. Any shuttle or non-emergency vehicle shall be subject to inspection at any time and upon discovery of any violation of this or other applicable laws, the Transportation Supervisor shall take appropriate remedial action as authorized under this ordinance. The Transportation Supervisor shall establish a systematic procedure to perform random, unannounced inspections of shuttle or non-emergency vehicles to enforce compliance with this ordinance and all other applicable laws. By accepting a shuttle or non-emergency Regulatory Permit and/or a shuttle or non-emergency Permit to operate shuttle or non-emergency service in Savannah, each shuttle or non-emergency owner/operator consents to unannounced, randomly selected inspections to ensure compliance with this and other applicable ordinances.

Sec. 6-2034. Authority for removal of shuttle or non-emergency vehicles from streets.

The Transportation Supervisor shall have the authority to remove from operation on the streets of the City any vehicle used as a shuttle or non-emergency which is in violation of this article and to prohibit operation of the vehicle until all deficiencies have been corrected. Any order of the Transportation Supervisor to remove a shuttle or non-emergency vehicle from the streets may be appealed to the City Manager as provided in section 6-2025 of this article.

Sec. 6-2035. Rates of fare; rate card required.

No owner or driver of a shuttle shall charge a greater sum for the use of a shuttle than in accordance with the published and advertised rates which shall be displayed in each vehicle. Each shuttle shall have a rate card setting forth the company authorized rates of fare. Said card shall be displayed in such place as to be conspicuous and in view of all passengers.

Sec. 6-2036. Receipts.

The driver of any shuttle or non-emergency vehicle shall, upon demand by any passenger, render to such passenger a receipt for the amount charged, on which shall be the name of the company, the bus vehicle number, name and permit number of the driver, route description, amount of charges, and date of transaction.

Sec. 6-2037. Refusal of passenger to pay legal fare.

It shall be unlawful for any person to refuse to pay the legal fare of any vehicle licensed under this article after having hired the same, and it shall be unlawful for any person to hire any shuttle or non-emergency vehicle with intent to defraud the person from whom it is hired, of the value of such service.

Sec. 6-2038. Shuttle service routes and stop points.

Any shuttle company operating one (1) or more shuttles within the City shall file with the Transportation Supervisor a current route schedule for review and approval or disapproval, such schedule to show all fixed routes over which such shuttle service desires to operate and all stopping points or locations. The Transportation Supervisor shall not approve any shuttle route which will be disruptive of normal traffic patterns or is otherwise unsafe, unlawful or not in the public interest; nor shall the Transportation Supervisor approve any route schedule which shows stopping points or locations at any Savannah Transit Authority bus stop, any taxi stand, freight or loading zone, any space not lawful for stopping or parking, or any other improper location. Routes and stop points may be changed or amended only with prior notice to and approval of the Transportation Supervisor.

Sec. 6-2039. Trip Sheet required

Each shuttle operator shall maintain a daily trip sheet showing time, date, place of origin, destination, and amount of fare. All shuttle companies shall retain the trip sheets for 90 days. The trip sheets shall be made available to the Transportation Supervisor, or any police officer at all reasonable times.

Sec. 6-2040 Reserved:

Sec. 6-2041. Shuttle driver not to leave vehicle at stops.

It shall be unlawful for any shuttle driver to leave such vehicle, or the immediate premises thereof, while such shuttle is in service on an approved route or at in approved stop, or at any other location.

Sec. 6-2042. Soliciting passengers prohibited.

It shall be unlawful for any person to solicit passengers verbally or by gesture, directly or indirectly, at any location within the City.

Sec. 6-2043. Restriction on number of passengers.

No driver shall permit more persons to be carried in a shuttle or non-emergency

vehicle as passengers that the rated seated capacity of the shuttle or non-emergency vehicle. A child in arms shall not be counted as a passenger.

Sec. 6-2044. Refusal to carry orderly passengers prohibited.

No driver shall refuse or neglect to convey any orderly person or persons, upon request, unless such conveyance would exceed the vehicles seating capacity.

Sec. 6-2045. Prohibitions of drivers.

It shall be unlawful for any driver or owner to solicit business or fares for any hotel or other business, or to attempt to divert patronage from one hotel or business to another. It shall be unlawful for any driver or owner to solicit fares by tipping or bribing any hotel employee or contract worker. Neither shall such driver engage in selling or soliciting for the sale of intoxicating beverages or illegal drugs, or solicit for prostitution, or use any shuttle or non-emergency for any purpose other than for the transportation of passengers and their possessions.

Sec. 6-2046. Smoking prohibited when vehicle is occupied.

It shall be unlawful for the driver of any shuttle or non-emergency operated upon the streets of the City to smoke in such vehicle while the vehicle is occupied by one (1) or more passengers.

Sec. 6-2047. Vehicle movement prohibited under certain circumstances.

No driver shall collect fares, make change, or take on or discharge passengers while a vehicle is in motion.

Sec. 6-2048. Property left in shuttle or non-emergency by passenger.

Any driver or operator discovering in any vehicle under the driver's or operator's control personal property which was lost or left there in by a passenger of such vehicle shall report such loss and deliver all such property to the office of the shuttle or non-emergency company within twelve (12) hours after the discovery of such property. The driver's report shall include brief particulars to enable the company to identify the owner of the property. The company shall retain the property on behalf of the owner for at least sixty (60) days.

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