

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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SENATE BILL 1393*

Short Title: Local Access to FBI Crim Info.

(Local)

Sponsors: Senator Clodfelter.

Referred to: Judiciary I.

June 13, 2002

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE LAW REGARDING THE REGULATION OF TAXIS TO
2 COMPLY WITH FBI STANDARDS REGARDING NON-LAW ENFORCEMENT
3 CRIMINAL BACKGROUND CHECKS.
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 160A-304(a) reads as rewritten:

7 "(a) A city may by ordinance license and regulate all vehicles operated for hire in
8 the city. The ordinance may require that the drivers and operators of taxicabs engaged in
9 the business of transporting passengers for hire over the public streets shall obtain a
10 license or permit from the city; provided, however, that the license or permit fee for
11 taxicab drivers shall not exceed fifteen dollars (\$15.00). The ordinances may also
12 specify the types of taxicab services which are legal in the municipality; provided, that
13 in all cases shared-ride services as well as exclusive-ride services shall be legal.
14 Shared-ride service is defined as a taxi service in which two or more persons with either
15 different origins or with different destinations, or both, occupy a taxicab at one time.
16 Exclusive-ride service is defined as a taxi service in which the first passenger or party
17 requests exclusive use of the taxicab. In the event the applicant is to be subjected to a
18 national criminal history background check, the ordinance shall specifically authorize
19 the use of FBI records. The ordinance shall require any applicant who is subjected to a
20 national criminal history background check to be fingerprinted.

21 The following factors shall be deemed sufficient grounds for refusing to issue a
22 permit or for revoking a permit already issued:

- 23 (1) Conviction of a felony against this State, or conviction of any offense
24 against another state which would have been a felony if committed in
25 this State;
- 26 (2) Violation of any federal or State law relating to the use, possession, or
27 sale of alcoholic beverages or narcotic or barbiturate drugs;
- 28 (3) Addiction to or habitual use of alcoholic beverages or narcotic or
29 barbiturate drugs;

- 1 (4) Violation of any federal or State law relating to prostitution;
2 (5) Noncitizenship in the United States;
3 (6) Habitual violation of traffic laws or ordinances.

4 The ordinance may also require operators and drivers of taxicabs to display prominently
5 in each taxicab, so as to be visible to the passengers, the city taxi permit, the schedule of
6 fares, a photograph of the driver, and any other identifying matter that the council may
7 deem proper and advisable. The ordinance may also establish rates that may be charged
8 by taxicab operators, may limit the number of taxis that may operate in the city, and
9 may grant franchises to taxicab operators on any terms that the council may deem
10 advisable."

11 **SECTION 2.** This act applies only to the City of Charlotte.

12 **SECTION 3.** This act is effective when it becomes law.