

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Kleiner

Date of Adoption 03-20-18

Index No: 82-18

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues				X
TOTAL	8			1

WHEREAS, the Common Council wishes to clarify what inspections are required for taxicabs.

Now, therefore, be it Resolved, and Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1. Subsection C of Section 433-13, Inspection before licensing vehicles; insurance, of Chapter 433 of the Code of the City of Middletown, Taxicabs, is hereby amended to read as follows:

C. Post-licensing inspections.

(1) Subsequent to the initial inspection, there shall be at least four inspections annually of each vehicle so licensed. At least one inspection shall be conducted in each quarter of the calendar year; however, no inspection shall be conducted within 60 days of a previous inspection without the permission of the Chief of Police or his/her designated agent. Two of the inspections shall be physical, and two shall be mechanical. The Chief of Police or his/her designated agent can request an inspection at any time. If a mechanical inspection is requested, the inspection shall be performed at a

location acceptable to the Chief of Police or his/her designated agent, and at the taxicab operator's expense. The mechanical inspection shall be conducted by a New York State certified/licensed mechanic who is not an employee of the City of Middletown and who has no blood or business relationship with the owner or lessee of the vehicle to be inspected, and such mechanic is to be designated by the Chief of Police or his/her designated agent. The vehicle owner shall be liable for all costs incurred with respect to said inspections. All reports shall be on forms provided by the Police Department which contain the following information: vehicle make, model, license plate, year, vehicle identification number, mileage and year; name and New York State inspector number of the mechanic; New York State inspection sticker number; name, address and New York State inspection station number of the garage at which such mechanic is employed or works; and date of the inspection.

(2) Renewal inspections. A physical and mechanical inspection shall both be performed at the time of renewal of the vehicle license. Such inspections may be done any time within 30 days prior to the renewal date to be valid for the subsequent year. The renewal inspection shall satisfy the inspection requirement of Paragraph (1), above, for the quarter in which the renewal inspection is conducted.

(3) Mechanical inspections. A vehicle shall not pass a mechanical inspection unless it is in a thoroughly safe condition for the transportation of passengers and in good repair. In addition, a vehicle shall not pass a mechanical inspection unless it has passed all the requirements of a New York State motor vehicle inspection. A mechanical inspection shall include, but not be limited to, certification of the following items: all four wheel brake pads have been visually inspected and are in good working order; the speedometer accurately registers the speed of the vehicle;

(4) Physical inspections. Physical inspections may be performed by police officers designated by the Chief of Police or his/her designated agent. A vehicle shall not pass a physical inspection unless it is free of excessive auto body and paint damage, clean, fit, uniform in color, of good appearance and in a thoroughly safe condition. A physical inspection shall include, but not be limited to, certification of the following items: all lights are working; all glass not addressed or required by the New York State inspection laws must be present without breaks or cracks; all windows work; all doors work; all door handles work; all locks work; floorboards must be strong enough to hold the weight of any passengers or drivers who may use the vehicle; the heating system must work; the paint is not blistered, cracked, or discolored; rust must not have penetrated through any body parts; body parts must not be damaged; body parts must be securely fastened to the vehicle; inside and outside upholstery must not be ripped or worn out; the vehicle has at least two thirty-minute safety flares; the vehicle has a safe and usable spare tire; and the equipment necessary to change a tire on the vehicle is present and in good working order.

(5) Medical transport vehicles. Medical transport vehicles licensed pursuant to the provisions of § 433-14E of this Chapter must be inspected in accordance with all of the provisions of Subsection B and Paragraphs (1) through (4), above.

Section 2. This ordinance shall take effect immediately.