



SELECT BOARD
TOWN HALL
365 BOSTON ROAD
BILLERICA, MASSACHUSETTS 01821
978-671-0939
FAX: 978-671-0947
selectboard@town.billerica.ma.us

TAXICAB License Application Checklist

- Town of Billerica Taxicab License Application Form to be completed by applicant. All approval signatures must be obtained.
- A check made payable to the Town of Billerica. Cost determined by # of taxicabs.
- Worker's Comp Affidavit
- Insurance binder
- Two (2) - 2 ½" x 2 ½" color photographs (passport style photo)
- Schedule of rates
- The Select Board rules and regulations must be read and acknowledged on the application.
- Cop(ies) of Driver's license of Operator (s).
- Once the application is complete, the application will be scheduled for a Select Board meeting.



**TAXICAB LICENSE APPLICATION
BILLERICA SELECT BOARD**

Fee Paid: \$ _____

Owner License Operator License Owner and Operator (Combined) License

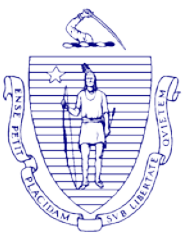
Name of Taxicab Owner:			
Street Address:			
Phone #:	Zip Code:	Tax ID #:	
Alt. Phone #:	Email:		
If Applicant is a Business – Trade Name of the Business (to Appear on Taxicab(s)):			
Name (s) and Addresses of Business Owner (s):			
Name:	Address:		
Name:	Address:		
Name:	Address:		
Name of Taxicab Operator:			
Street Address:			
Phone #:	Date of Birth:	Place of Birth:	
Mother's Full (Maiden) Name:			
Father's Full Name:			
SSN:	Driver's License #:		
Height:	Weight:	Eye Color:	Hair Color:
How long have you held a valid Massachusetts Driver's License?:			
Has your Driver's License ever been suspended or revoked?: <input type="checkbox"/> YES <input type="checkbox"/> NO			
If Yes, please provide details:			
Are you a citizen of the United States?: <input type="checkbox"/> YES <input type="checkbox"/> NO			
If NO, when do you intend to become a citizen?:			
List the Taxicabs to be owned and/or operated:			
Make:	Year:	Registration #:	
Make:	Year:	Registration #:	
Make:	Year:	Registration #:	
Make:	Year:	Registration #:	
Make:	Year:	Registration #:	

REQUIRED SIGNATURES: (Obtain necessary approvals before submission)

Police:	Date:
Comments:	
Treasurer:	Date:
Comments:	

Licensees Signature:	Date:
I hereby certify under the pains and penalties of perjury: (i.) That I have read and agree to the Billerica Rules and Regulations for the Licensing and Operation of Taxicabs; (ii.) That I have NOT been convicted of a felony within ten (10) years prior to the date of this application; (iii.) That I have NOT been convicted of three (3) or more traffic violations, other than parking violations, within five (5) years prior to the date of this application and (iv.) That the information provided in this application is true and accurate to the best of my knowledge and belief. I hereby understand, agree, and authorize the Town of Billerica, and its employees/agents, to conduct any necessary investigation as regards to this application and hereby release the Town of Billerica, and its employees/agents, from any liability in connection thereto.	

NAME OF INDIVIDUAL OR CORPORATION THAT PAYS REAL ESTATE TAXES TO THE TOWN OF BILLERICA:



**The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 Lafayette City Center
 2 Avenue de Lafayette, Boston, MA 02111-1750
 www.mass.gov/dia**

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: _____

Address: _____

City/State/Zip: _____ Phone #: _____

Are you an employer? Check the appropriate box:

- 1. I am a employer with _____ employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
- 3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
- 4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

- 5. Retail
- 6. Restaurant/Bar/Eating Establishment
- 7. Office and/or Sales (incl. real estate, auto, etc.)
- 8. Non-profit
- 9. Entertainment
- 10. Manufacturing
- 11. Health Care
- 12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: _____

Insurer's Address: _____

City/State/Zip: _____

Policy # or Self-ins. Lic. # _____ Expiration Date: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: _____ Date: _____

Phone #: _____

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (check one):

- 1. Board of Health 2. Building Department 3. City/Town Clerk 4. Licensing Board
- 5. Selectmen's Office 6. Other _____

Contact Person: _____ Phone #: _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "**every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required.**" Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. **Also be sure to sign and date the affidavit.** The affidavit should be returned to the city or town that the application for the permit or license is being requested, **not** the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

The Office of Investigations would like to thank you in advance for your cooperation and should you have any questions, please do not hesitate to give us a call.

The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
Office of Investigations
Lafayette City Center
2 Avenue de Lafayette,
Boston, MA 02111-1750

Tel. (857) 321-7406 or 1-877-MASSAFE

Fax (617) 727-7749

www.mass.gov/dia

22.0 LICENSING AND OPERATION OF TAXICABS

- 22.1 In accordance with the provisions of Chapter 40, Section 22 of M.G.L., these rules and regulations for the Licensing and Operation of Taxicabs in the Town of Billerica are hereby adopted by the Billerica Board of Selectmen (Licensing Authority) and may be amended from time to time by said Board of Selectmen.
- 22.2 A Taxicab is defined as any motor vehicle, and registered as such, with a taxi-meter, used or designated to be used, for the conveyance of passengers for hire from place to place, but not over a fixed route or between fixed and regular termini. Each owner of a Taxicab must have a Taxicab Owner License issued by the Board of Selectmen. A Taxicab Operator is defined as the driver of a Taxicab. Each Taxicab Operator must have a Taxicab Operator License issued by the Board of Selectmen.
- 22.3 The number of Taxicabs operating in the Town of Billerica shall be of sufficient number, as determined by the Board of Selectmen, to provide satisfactory service to all residents. Taxicab Owner and Taxicab Operator Licenses may be issued at the discretion of the Board of Selectmen, upon proper and complete application to the Board of Selectmen. The Board of Selectmen must license all Taxicabs operating within or from the Town of Billerica, prior to their operation.
- 22.4 No person shall operate a Taxicab, in/from the Town of Billerica, as an Owner and/or Operator without first having obtained such License(s) from the Board of Selectmen. All Taxicab Operators, whether regular operators or substitute operators, must have, prior to the operation of any Taxicab, a valid Taxicab Operator License issued by the Board of Selectmen.
- 22.5 An application for a Taxicab Owner and/or Taxicab Operator License may be filed at any time with the Board of Selectmen. An application for the renewal of any License shall be filed with the Board of Selectmen before December 31st of each year. All Licenses shall have an expiration date of January 1st, unless sooner revoked or suspended.
- 22.6 No person shall be eligible to receive a Taxicab Operator License who is not a citizen of the United States or has not filed his/her intention to become a citizen of the United States or who has been convicted of a felony within ten (10) years prior to the date of application or has been convicted of more than three (3) motor vehicle violations, other than parking, in the five (5) years preceding the date of said application.
- 22.7 Each applicant for a new or renewal Taxicab Owner License and/or new or renewal Taxicab Operator License must annually submit his/her application on forms provided by the Board of Selectmen and no License shall be issued unless approved by the Board of Selectmen.

- 22.8 All Taxicab trade names shall have prior approval by the Board of Selectmen and shall be recorded with the Billerica Police Department and the Office of the Town Clerk. Each Taxicab vehicle shall prominently display the word "TAXI" and the Taxicab's trade name on both sides and the rear of the vehicle. Lettering shall be permanent and not less than four (4) inches high and two (2) inches wide. An illuminated roof marker shall likewise be required. Each Taxicab vehicle must have the telephone number of the company prominently displayed on both sides and rear of the vehicle. This telephone number must be a local Billerica exchange telephone number.
- 22.9 Each Taxicab vehicle must display the Taxi Operator License and Schedule of Rates so as to be visible for passengers in the rear seat.
- 22.10 No Taxicab Owner License(s) shall be sold, transferred, pledged, or assigned without having first obtained the approval of the Board of Selectmen.
- 22.11 Each applicant for a Taxicab Operator License must annually file an application with the Board of Selectmen. The application must be accompanied by two (2) current personal color photographs (passport photo style) to be of a size 2 ½" X 2 ½". One (1) photograph will be mounted on the Taxicab Operator License when issued and the Board of Selectmen will maintain one (1) photograph on file with the original application. Photographs will not be returned in the event a license application is denied, revoked, or not renewed.
- 22.12 The Taxicab Operator License, issued by the Board of Selectmen, shall be posted, with the Schedule of Rates, in a conspicuous place in the Taxicab vehicle. The Board of Selectmen shall approve the Schedule of Rates prior to being placed in effect and no changes shall be made without the prior approval of the Board of Selectmen. Proposals for revised rates must be filed with the Board of Selectmen at least thirty (30) days before any effective date of proposed revisions. Revised rates are not effective until approved by the Board of Selectmen.
- 22.13 Any licensed Taxicab Owner who shall cease to operate a Taxicab shall at once surrender his/her License(s) to the Board of Selectmen. Any licensed Taxicab Operator who ceases to drive a Taxicab shall so notify the Board of Selectmen, in writing, upon termination of his/her duties and shall immediately surrender his/her Taxicab Operator License to the Board of Selectmen.
- 22.14 Each licensed Taxicab Operator must maintain a log of all trips made, together with a list of all articles found in the Taxicab. These records shall be kept by the Taxicab Owner and available for inspection at any time.

- 22.15 All Taxicabs must be kept in good condition, suitable for occupancy, and mechanically fit for the safety of the passengers. The interior and exterior shall be clean and sanitary at all times. The licensed Taxicab Owner must inspect each Taxicab at least once each day and immediately take any corrective action(s) that may be required and/or necessary. Taxicabs will be subject to periodic inspections. All Taxicab Owner records and Taxicab Operator records shall be available at any time, upon request, for inspection as required and/or necessary. Taximeters shall annually be inspected and certified for accuracy. No Taxicab shall operate without a certified taximeter.
- 22.16 No licensed Taxicab Owner or licensed Taxicab Operator shall knowingly convey, or permit to be conveyed or placed therein a Taxicab, any person sick or infected with a contagious disease or the body of any deceased person.
- 22.17 Each licensed Taxicab Owner or licensed Taxicab Operator shall maintain their Taxicab vehicles and operations in full compliance with all applicable federal, state, and Town laws, codes, By-Laws, and regulations. All taxes and fees owed to the Town of Billerica must be paid on a current basis. Failure to be current with any taxes or fees to the Town of Billerica and/or failure to comply with any laws, codes, By-Laws, and regulations shall be sufficient cause for revocation, suspension, or modification of the License(s).
- 22.18 Each licensee shall immediately notify, in writing, the Board of Selectmen of any proceedings brought by or against the licensee under the bankruptcy laws or of any other court proceedings which may affect the status of the license.
- 22.19 Before employing any Taxicab Operator(s), the Taxicab Owner must verify that the operator possesses a valid current Taxicab Operator's License issued by the Board of Selectmen. It shall also be the responsibility of the licensed Taxicab Owner to insure that each operator possesses a valid current motor vehicle license issued by the Registry of Motor Vehicles of the Commonwealth of Massachusetts.
- 22.20 A Taxicab Owner and/or Taxicab Operator may not refuse, unless previously engaged, to carry any passenger lawfully entitled to be carried in a taxicab. A Taxicab Owner and/or Taxicab Operator may not demand, from any passenger, more than the fare indicated on the taxi-meter regardless of the number of passengers involved.
- 22.21 Every Taxicab Operator shall be suitably dressed while driving/operating a taxicab.
- 22.22 A Taxicab Operator shall not pick up or carry any other passenger(s) after the taxicab is occupied by the current passenger(s) until the current passenger(s) has/have discharged said taxicab, except with the consent of the current passenger(s).
- 22.23 A Taxicab Operator is not required to convey any passenger(s) that is/are noisy, disorderly, or intoxicated. Should any passenger(s) become noisy or disorderly, the Taxicab Operator may appeal to any Police Officer for assistance.

- 22.24 Each Taxicab vehicle and/or Operator must be capable of immediate communications and access via two-way radio or telephonic means.
- 22.25 The Billerica Police Department shall administer and enforce these Rules and Regulations. Complaints and violations shall be administered and enforced by the Billerica Police Department. Any suspension and/or revocation of any License(s) shall be by the Board of Selectman. The Board of Selectmen may levy any fine(s), penalties and/or administrative action(s) it deems appropriate to any Licensee. Any such violation(s) and/or administrative action(s), fine(s), and/or penalties shall not interfere with the normal procedure of any violation of M.G.L. Chapter 89 or Chapter 90 nor the normal enforcement duties of any Police agency or authority. Any licensed Owner and/or Operator convicted of three (3) or more traffic violations, other than parking violations, in a five (5) year period shall be subject to automatic suspension and/or revocation of any License issued by the Board of Selectmen. Any licensed Owner and/or Operator convicted of a felony shall be subject to automatic revocation of any License(s) granted by the Board of Selectmen.
- 22.26 Should any Taxicab vehicles be added or replaced, with different vehicle(s), said added or replaced Taxicab shall meet all applicable Rules and Regulations prior to being placed in service.
- 22.27 Any License(s), issued by the Board of Selectmen, not put into use within thirty (30) calendar days from date of issue shall be automatically null and void. No fees will be returned in such cases.
- 22.28 Should any section of these Rules and Regulations be deemed to be unenforceable, then only that section shall be removed and those Rules and Regulations remaining shall be in full force. The Board of Selectmen reserves the right to make any changes to this policy as it deems necessary.