

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 1650\***

Short Title: Local Access to FBI Crim Info. (Local)

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Sponsors: Representatives Saunders; Easterling, Alexander, and Cunningham.

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Referred to: Local Government I.

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June 13, 2002

A BILL TO BE ENTITLED  
AN ACT TO AMEND THE LAW REGARDING THE REGULATION OF TAXIS TO  
COMPLY WITH FBI STANDARDS REGARDING NON-LAW ENFORCEMENT  
CRIMINAL BACKGROUND CHECKS.

The General Assembly of North Carolina enacts:

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

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

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

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