ORDINANCE NO. 97.

An Ordinance providing for the Regulation of the Business of Using, Operating, and driving Automobiles,Auto Stages, Motor Vehicles, or Motor Buses, for Hire as Common Carriers on the accepted paved highways of the County of Solano; Prescribing terms, conditions and Restrictions of the use of the same; Providing for licenses to carry on such Business, and the Regulation thereof; Making the violation of any of the provisions of this ordinance a misdemeanor and providing a penalty therefor, and repealing all ordinances or parts of ordinances in conflict herewith, in so far as the same may be in conflict.

The Board of Supervisors of the County of Solano do ordain as follows;

Section 1. Definitions, Unless it appears from the context that a different meaning is intended, the following words shall have the meaning, given by this section and shall be construed as follows:

1. Automobile, Auto stage, motor vehicle, or motor bus, for hire, as a common carrier shall mean and include any motor vehicle propelled otherwise than by muscular power, except such vehicles as run upon rails or tracks, and except motor cycles, and shall mean and include any motor vehicle, motor bus, automobile, or auto stage, engaged in the business of carrying passengers or freight for hire as a common carrier, which fact is held out or announced by sign, voice, or other device, or advertisement, to operate or run, or which is operated, driven or run over a particular route, or between particular specified termini, or over any route or routes, provided that automobiles, used exclusively as hearses, ambulances, hotel busses, taxicabs, touring cars, or automobiles, from garages, upon telephone calls and which have no specified routes of travel, shall be construed as automobiles for hire, as common carriers within the meaning hereof.

2. "Public Highway" shall include only any accepted paved road, State highway, or state road, public street, avenue, alley, park, parkway, driveway, or other public place in the said county not included within the corporate limits of any city or town.

3. Licensed "Chauffer" shall include any person who operates an automobile, auto stage, motor bus, or motor vehicle.

4. "Owner" shall include any person, firm, association, or corporation owning or renting an automobile, auto stage, motor bus, or motor vehicle, or having the exclusive use thereof, under lease or otherwise.

5. "Person" shall include individual, corporation, association, co-partnership, company, firm or other aggregation of individuals which owns or controls any automobiles, auto stage, motor vehicle, or motor bus, for hire as a common carrier.

Section 2. Any owner or person desiring to run an automobile auto stage, motor vehicle, or motor bus, for hire as a common carrier upon the public highways of the County of Solano, shall first procure a license so to do from the Board of Supervisors of the County of Solano, in accordance with the provisions of this ordinance.

Section 3: Any person desiring to procure such a license must file an application therefore in writing with the clerk of the Board of Supervisors, stating:

(a) The name and type of automobile, auto stage, motor vehicle, or motor bus intended to be used.
(b) The horsepower thereof;
(c) The factory number thereof.
(d) State license number thereof;
(e) Seating capacity thereof according to its trade, or factory rating. An application for a license for a freight carrying automobile, auto stage, motor vehicle, or motor bus shall contain a statement of the carrying capacity in tons or fraction thereof;
(f) The name of the person owning such automobile auto stage, motor vehicle, or motor bus, together with his or her age, and his or her residence, for the three years last past, and the number of his or her state license to operate an automobile, auto bus, motor vehicle, or motor bus as owner thereof.
(g) The route over which and the termini between which said automobile, auto stage, motor vehicle, or motor bus is to be operated;
(h) A schedule showing the time of departure from and arrival at termini according to which it is intended to operate such automobiles, auto stage, motor vehicle, or motor bus, and also showing the number of trips to be made daily;
(i) A schedule or tariff, (1) the fares to be charged passengers between points; (2) the freight rate to be charged per hundred pounds, (or fraction thereof) for carrying freight between the several points or localities to be served.
(j) The clerk of the Board of Supervisors shall refer the application to the Board, at which time it shall be referred to the Motor Bus Committee, of the said Board of Supervisors for investigation and report. Upon receipt of the said report from said Committee which shall be filed within ten days after reference of said application to said Committee, said Board shall consider said report, together with any written objections to the granting of said application, that may have been filed prior to said hearing, by any person, and may in its discretion, grant said application as filed, or may grant the same with modifications as to route, time schedule, or schedule of rates, and fares, or if it shall find that the route described in such application is supplied with ample public transportation facilities, or that the operation of the proposed automobile, auto stage, motor vehicle, or motor bus, as such is not a public necessity nor convenience, the Board may deny such application.

Section 4; That before issuing said license said owner shall pass an oral examination to the satisfaction of the Board of Supervisors of the County of Solano, as to his knowledge of the traffic laws and rules of the State of California.

Section 5. Such license, if granted shall be in force and effect for three (3) months, unless forfeited or revoked in the manner or by the means in this ordinance provided.

Section 6; Upon the granting of an application for a license either as applied for or as modified and after the deposit of the sum of One Hundred ($100.00) Dollars, in Gold Coin or the giving of a bond in the sum of $200.00, with two sureties approved by said board, hereinafter prescribed, for each automobile, auto stage, motor vehicle, or motor bus, having a seating capacity
of fourteen (14) or less, and an additional deposit of two hundred ($200.00) dollars, or bond in the sum of $400.00 with two sureties approved by said Board for each and every additional seat more than fourteen (14) in each automobile, auto stage, motor vehicle, or motor bus, the clerk of the Board of Supervisors shall issue a certificate to the owner of the said automobile, auto stage, motor vehicle, or motor bus, for hire as a common carrier, which said certificate shall in terms authorize the operation of said automobile, auto stage, motor vehicle, or motor bus, over the route designated in application and between the termini mentioned, in said application, or as modified and upon the schedule mentioned in said application, or as modified and the grantees of said license shall thereafter have the right to operate in accordance with said certificate for the period of three months from the date thereof, subject to forfeiture and right of revocation as elsewhere in this ordinance provided but shall have no right to operate said automobile, auto stage, motor vehicle, or motor bus, upon any other route, or between any other termini, or according to any other schedule, or schedule of rates and fares except by leave of the Board of Supervisors, first had and obtained upon application had therefore, filed and heard in accordance with the provisions of Section three hereof.

Provided, further, that the Board of Supervisors may at any time for good cause shown suspend, cancel, or annul any license granted under the provisions thereof.

Each person to whom such certificate be issued shall cause to be placed and kept in a conspicuous place on said automobile, auto stage, motor vehicle, or motor bus, an aluminum or other metal seal, to be furnished by the County, bearing the words, "Solano County License for Motor Bus No.--" and bearing a number which shall correspond with the number which shall be placed upon said certificate, and shall also display in a conspicuous place a card or sign showing the name of the owner, the business address of the owner, the route, rates, and termini, as prescribed by the said certificate.

Section 7. Any person whose application is granted shall within ten days after receipt of said certificate and seal commence operation of said automobile, auto stage, motor vehicle, or motor bus upon and over the route and between the termini and upon the time schedule and schedule of rates specified in said certificate, and in case of failure to commence operation of said automobile, auto stage, motor vehicle, or motor bus, within said period of ten days, the license therefore, together with the deposit or bond with sureties herein provided for shall ipso facto become immediately forfeited.

Section 8. Where passengers are carried the amount shall be based on the seating capacity according to the trade or factory rating of the automobile, auto stage, motor vehicle, or motor bus, and for a seating capacity of one passenger, the license shall be $5.00 for the three months period, and for seating capacity of each additional passenger there shall be added $5.00 for said three months period. Said seating capacity shall include the driver. Where freight is carried the amount for each three months period for each automobile, auto stage, motor vehicle, or motor bus, shall be as follows:

For carrying capacity of 750 lbs, or less, $50.00.

For carrying capacity of more than 750 lbs, and not exceeding 1000 lbs. $75.00

For carrying capacity of more than 1000 lbs, and not exceeding 1500 lbs. $100.00

For carrying capacity of more than 2000 lbs. $150.00

and not exceeding 3 tons
For carrying capacity of more than 3 tons, and not exceeding 5 tons, $200.00.

Where the license carries on a peddling business in conjunction with regular carriage for hire the license fee shall be 25% in addition to the license fees above provided for.

All fees received for the issuance of licenses shall be paid directly into the road fund of the County and used in the upkeep and improvement of the County highways.

Section 9; In order to insure the safety of the public, it shall be unlawful for any person to drive or operate, an automobile, auto stage, motor vehicle, or motor bus or to obtain a license therefor, unless he shall have given and there is in full force and effect at all times while such person is driving and operating such automobile, auto stage, motor vehicle, or motor bus, on file with the Board of Supervisors of the County of Solano, a policy of insurance in a Company authorized to do business in the State of California, insuring said owner or lessee of said automobile, auto stage, motor vehicle, or motor bus, against loss by reason of damage that may result to any person or persons from the operation of said automobile, auto stage, motor vehicle, or motor bus, said policy of insurance to be in the penal sum of $5000.00.

Section 10. All applicants for a license to drive an automobile, auto stage, motor vehicle, or motor bus, for hire as a common carrier, upon the public highways of the County of Solano shall be over the age of 21 years.

Section 11. It shall be unlawful and shall work a forfeiture of his license and bond for the owner, or his agents, or any of his employees, of any automobile, auto stage, motor vehicle, or motor bus, to commit, any of the following acts:

(a) To drive or operate any automobile, auto stage, motor vehicle, or motor bus, upon or along any public highway, as a common carrier, for hire unless there is outstanding a valid certificate of the granting of a license for each such automobile, auto stage, motor vehicle, or motor bus obtained as in this ordinance provided.

(b) To drive or operate as a common carrier for hire any automobile, auto stage, motor vehicle, or motor bus, over a route or between termini, or according to a time schedule, or a schedule of rates and fares, other than the route, termini or time schedule of schedule of rates and fares, stated in the certificate issued to the owner by the clerk of the Board of Supervisors.

(c) To refuse or neglect to operate as a common carrier for hire any automobile, auto stage, motor vehicle, or motor bus, over the route, between the termini and according to the schedule, or over the route, or between the termini or according to the time schedule or schedule of rates and fares, as stated in the said certificate, except when caused by accident, or act of God, or by special leave granted by the Board of Supervisors, or in case roads are made impassable by rain.

(d) To drive or operate an automobile, auto stage, motor vehicle, or motor bus, as a common carrier for hire, without the seal bearing the county number displayed in a prominent place, as herein provided.
(e) To fail to pay the license fee or fees at the time and
in the manner provided by this ordinance.

Section 12: The holder of a license may substitute one car for
another but if such substitution continues for more than six (6) months a de-
scription of such substituted car shall be filed with the Clerk of the Board of
Supervisors.

Section 13: If any section, sub-section, sentence, clause, or
phrase, of this ordinance is for any reason held to be unconstitutional or invalid,
such decision shall not affect the remaining portion of this ordinance. The
Board of Supervisors hereby declares that it would have passed this or-
dinance and each section and sub-section thereof irrespective of the fact
that any one or more of the sections, sub-sections, sentences, clauses, or
phrases, be declared unconstitutional or invalid.

Section 14. Any violation by the grantee, his agents, or any
of his employees of any of the terms or conditions of the license granted under
this ordinance, or of this ordinance, shall ipso facto, forfeit said license
and bond, and the Board of Supervisors shall be the sole and exclusive judge
of the violation of any provision of said license, or of this ordi-
ance and in the event said license shall be so forfeited or if said grantee
shall cease, to operate the automobile, auto stage, motor vehicle, or motor
bus, prior to the expiration of the full three months for which said license
was granted, then in that event the license as hereinafter provided shall be
immediately forfeited to the County of Solano as liquidated damages and said
sum shall be paid by the clerk of the said Board of Supervisors into the
Road Fund of said County.

Section 15: The Board of Supervisors shall have the right to
grant a temporary license provided said grantee has made the deposit or given
the bond with sureties as hereinafter provided for and has made application for
a license, said temporary license shall not extend for a period of more than
sixty (60) days from the passage of this ordinance.

Section 16: Any person who shall operate upon any of the pub-
lic highways within the County of Solano, any automobile, auto stage, motor vehicle
or motor bus, as a common carrier for hire, without having first obtained a license
so to do under the terms and conditions in this ordinance provided, shall be
guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine
not exceeding $500.00 or by imprisonment in the County Jail, not exceeding
six (6) months, or by both such fine and imprisonment.

Section 17. All ordinances or parts of ordinances in conflict
herewith are hereby repealed in so far as the same may be in conflict.

Section 18. This ordinance shall take effect and be in force
from and after its passage and publication according to law.

Passed and adopted this 5th day of May, 1919, by the following
vote:

Ayes: Clausen, Connelly, McCormack, Pennycook, and Fleming.
Nones: None.

Absent: None.

Chairman,

Clerk.