

ADOPTED

JUN 24 2008

ORDINANCE NO. 155A-2

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 21, TAXICABS AND OTHER FOR-HIRE VEHICLES, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 21-5, INDEMNITY BOND OR LIABILITY INSURANCE REQUIRED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 21, Taxicabs and Other For-Hire Vehicles, is hereby amended and reordained by amending Section 21-5, Certificate of self-insurance or liability insurance required.

Chapter 21. Taxicabs and Other For-Hire Vehicles

Sec. 21-5. ~~Indemnity bond~~ *Certificate of self-insurance or liability insurance required.*

(a) No certificate shall be issued or continued in operation unless there is in full force and effect a liability insurance policy issued by an insurance company authorized to do business in the commonwealth. Said policy shall cover each authorized vehicle and shall provide for coverage in amounts at least equal to the minimum liability limits then required by the Virginia State Corporation Commission. Such policy shall require ~~15~~ 30 days' notice to the county administrator by the issuing insurer prior to cancellation. The applicant shall deliver to the county administrator a certificate of insurance demonstrating the existence of such insurance coverage together with a written certification from the Virginia State Corporation Commission showing that such insurance meets all current regulatory requirements of the commission regarding liability insurance.

~~(b) In no event shall a certificate be issued hereunder to a self-insured applicant. If, however, the applicant has filed with the Virginia State Corporation Commission surety bonds in lieu of liability insurance coverage as permitted by applicable Virginia law, the county administrator shall accept the bonds in lieu of the insurance required hereunder upon the following conditions; provided, however, such bonds shall be approved as to form by the county attorney:~~

~~(1) The bonds shall cover each authorized vehicle; and~~

~~(2) The applicant shall provide to the county administrator copies of the bonds certified by the clerk of the Virginia State Corporation Commission together with the commission's certification that such bonds meet all commission regulatory requirements regarding surety bonds given in lieu of liability insurance.~~

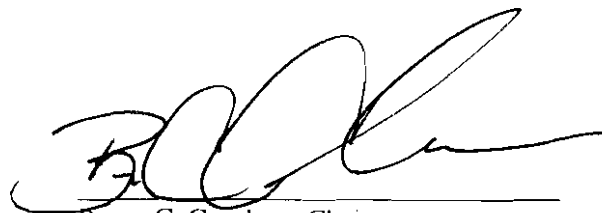
In lieu of the insurance required under subsection (a), if all vehicles to be used by the applicant as taxicabs in the county are titled in the applicant's name, a certificate of self-

insurance issued by the Commissioner of the Virginia Department of Motor Vehicles (hereafter "CSI") to the applicant may be accepted by the county administrator as meeting such insurance requirements if the applicant is the registered owner of such vehicles and further provided that the applicant shall at all times have in force a policy of excess liability insurance of not less than \$250,000 over and above the minimum insurance coverage amounts stated in subsection (a) hereinabove, that covers each vehicle used by the applicant in providing taxicab services in the county.

(c) The applicant shall deliver to the county administrator a certificate of insurance showing the existence of the insurance coverage required under subsection (a) or in lieu thereof in accordance with subsection (b) a current CSI certified as a true copy by the Commissioner of the Virginia Department of Motor Vehicles covering all vehicles to be used by the applicant in providing taxicab service in the county together with proof of ownership of each vehicle to be used in providing taxicab services in the county and a certificate of insurance showing that the required excess insurance coverage is in force and that such coverage will not be modified or canceled without 30 days written notice to the county administrator by the issuing insurer prior to modification or cancellation of coverage. Further an applicant who proposes to use a CSI in lieu of the insurance required in subsection (a) must sign an agreement to give written notice regarding any revocation, lapse, or modification of the CSI to the county administrator within 10 days of said applicant's receipt of notice of such revocation, lapse, or modification.


(d) Failure of the holder of a certificate issued pursuant to this chapter to at all times provide or maintain with the county administrator evidence of current insurance or self-insurance together with excess coverage as provided hereinabove, as well as the failure to give timely notice to the county administrator of any revocation, lapse, or modification of the applicant's CSI, shall be cause for immediate suspension of the certificate, which suspension shall remain effective until such holder has complied with the requirements of section 21-5; however, that such suspension shall not preclude the revocation of such certificate after reasonable notice to the certificate holder that a hearing for that purpose will be conducted by the county administrator.

~~State law references-Surety bonds, insurance and securities required prior to issuance of certificate or permit, Code of Va., § 56-299; when taxicab operator a self-insurer, Code of Va., § 56-299.1 Certificate of self-insurance, Code of Va., § 46.2-368.~~



Bruce C. Goodson, Chairman
Board of Supervisors

ATTEST:


Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
ICENHOUR	AYE
MCGLENNON	AYE
JONES	AYE
KENNEDY	AYE
GOODSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, on this 24th day of June,
2008.

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