

MITCHELL POLICE DEPARTMENT

Vehicle For Hire Inspection

DATE OF INSPECTION: _____

COMPANY NAME: _____

ADDRESS: _____

OWNERS NAME: _____

ADDRESS: _____

PHONE: _____

VEHICLE MAKE: _____ MODEL: _____ COLOR: _____

LICENSE NUMBER: _____ LICENSE YEAR: _____

VIN: _____ INSP.# _____

INSPECTED BY: _____ ID: _____

Vehicle Registration 32-5-91

32-5-91. Inspection of registration by peace officer--Possession of registration--Violation as petty offense. The registration referred to in § 32-5-90 is subject to inspection by any peace officer at any time. The registration shall, at all times, while the motor vehicle, trailer, or semitrailer for which it was issued is being operated within this state, be in the possession of the operator. A violation of this section is a petty offense.

PASS: _____ FAIL: _____

**Maintenance of Financial Responsibility
32-35-113**

32-35-113. Maintenance of financial responsibility--Violation as misdemeanor. Every driver or owner of a motor vehicle shall at all times maintain in force one of the forms of financial responsibility on the motor vehicle by one of the following methods:

(1) Having in force on the motor vehicle an owner's policy of liability insurance as provided in § 32-35-70;

(2) Having in force a bond as provided in § 32-35-83;

(3) Having a certificate of deposit of money or securities as provided in § 32-35-87, but in the amount of fifty thousand dollars; or

(4) Having a certificate of self-insurance, as provided in §§ 32-35-90 and 32-35-91, supplemented by an agreement by the self-insurer that, with respect to accidents occurring while the certificate is in force, he will pay the same amounts that an insurer would have been obligated to pay under an owner's motor vehicle liability policy if it had issued such a policy to said self-insurer.

Failure to maintain financial responsibility is a Class 2 misdemeanor.

PASS: _____ FAIL: _____

**City Ordinance
Sec. 4-4-2F Insurance (City Code)**

4-4-2: OPERATOR'S LICENSE REQUIREMENTS:

F. Insurance Requirements:

1. Before an operator's license shall be issued or renewed under this chapter, the applicant therefor shall file with the finance officer a public liability policy in protective amounts of not less than one million dollars (\$1,000,000.00) for one person, one hundred fifty thousand dollars (\$150,000.00) for one accident and fifty thousand dollars (\$50,000.00) property damage; provided, that if any law of the state shall require greater protective amounts, then the protective amounts specified by such law shall be required prior to the issuance of a license. Such policy of insurance shall remain in effect throughout the period during which the license is used. (Ord. 1667, 7-16-1990; amd. 2005 Code)
2. Such policy of insurance shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, and that until the policy is revoked, as provided in this chapter, the insurance company will not be relieved from liability on account of nonpayment of premium, failure to renew license or any act or omission of the named insured. Any insurance company whose policy has been so filed

pursuant to this subsection may file a notice in the office of the finance officer of its intention to terminate and cancel such policy and give notice thereof to the named licensee.

3. Ten (10) days after such notice of termination has been filed by the insurance company, the licensee shall cease to operate or cause to be operated within the city any taxicab or motor vehicle for hire, and the license issued shall be automatically revoked, and liability of the insurance company thereon for any act or omission of the licensee occurring prior to the effective date of the cancellation shall not be thereby discharged or impaired.
4. The licensee may continue operation if, before the expiration of the ten (10) day period, a satisfactory policy of insurance to replace the one being canceled has been furnished to the finance officer. (Ord. 1667, 7-16-1990)

PASS: _____ FAIL: _____

**Commercial Motor Vehicle Certificates
32-9-1 (3)**

32-9-1. Definitions. Terms used in this chapter mean: (3) "Commercial motor vehicle," any motor vehicle used or maintained for the transportation of persons or property for hire, compensation or profit or designed, used or maintained primarily for the transportation of property, and not specifically excluded under § 32-9-3

PASS: _____ FAIL: _____

**Commercial Vehicle Plates
32-9-7**

32-9-7. Issuance of receipt for application--Distinctive numbering--Commercial motor vehicle certificate--Conspicuous affixation to vehicle--Costs of mailing plates or stickers--Commercial vehicle plates--Distinctive design--Violation as misdemeanor. On receipt of an application under § 32-9-6 and payment of the commercial motor vehicle fee, required by this chapter, and upon satisfactory evidence that the applicant has complied with all laws, rules, and regulations of this state covering motor vehicles and motor carriers, and if a motor carrier for hire, that the applicant has received from the Public Utilities Commission a certificate, permit, or registration under chapter 49-28, the county treasurer shall issue to the applicant a receipt which shall identify the motor vehicle, trailer, or semitrailer, and shall assign to it a number, which shall be endorsed upon the application and receipt, and shall issue to the applicant a commercial motor vehicle certificate bearing the number. The certificate shall be placed and carried in the vehicle in a conspicuous place and is subject to examination upon demand by any officer of this state, county, or municipality. The county treasurer shall issue to the applicant two commercial motor vehicle plates for each motor vehicle. The applicant may request the county treasurer to mail the plates for a fee. If the applicant requests that the plates be mailed, the applicant shall pay the actual costs of postage and handling. If the applicant requests that the plates or decals be express mailed, the applicant shall pay any costs for the express mailing service. The plates shall set forth the amount of gross weight in figures, and shall be in colors and designs for each

classification specified in § 32- 9-15. The plates shall be securely fastened to the front and rear end of each commercial motor vehicle in a conspicuous place. The county treasurer shall deposit in the county general fund any fees received for mailing or expressing the plates or stickers. A violation of this section is a Class 2 misdemeanor.

PASS:_____ FAIL:_____

**Horn Required
32-15-10**

32-15-10. Horn required--Audibility distance--Violation as petty offense. Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order capable of emitting sound audible under normal conditions from a distance of at least two hundred feet. A violation of this section is a petty offense.

PASS:_____ FAIL:_____

**Glass
32-15-2.3**

32-15-2.3. Glass impairing operator's vision prohibited. No glass or glazing material may be cracked, broken, shattered, or distorted to the extent that it significantly impairs the vision of the motor vehicle operator.

PASS:_____ FAIL:_____

**Rearview Mirror
32-15-8**

32-15-8. Rear-vision mirrors required--Visibility distance--Violation as petty offense. Every motor vehicle entitled to be licensed in South Dakota shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle, whether operated singly or towing another vehicle. A violation of this section is a petty offense

PASS:_____ FAIL:_____

**Headlights
32-17-1**

32-17-1. Headlamps required--Exceptions--Violation as petty offense. Every motor vehicle other than a motorcycle, road roller, road machinery, or farm tractor shall be equipped with at least two headlamps with at least one on each side of the front of the motor vehicle. A violation of this section is a petty offense.

PASS:_____ FAIL:_____

**Tail Lights
32-17-8**

32-17-8. Rear lamps required--Visibility--Combination of vehicles--Height of mounting--Violation as petty offense. Every motor vehicle, trailer, semitrailer, and pole trailer, except as otherwise provided in this section, and any other vehicle which is being drawn at the end of a combination of vehicles shall be equipped with at least two tail lamps mounted on the rear, which when lighted as required in § 32-17-4 shall emit a red light plainly visible from a distance of one thousand feet to the rear. However, motor vehicles, trailers, semitrailers, and pole trailers manufactured and assembled prior to July 1, 1973, shall have one tail lamp mounted on the left side of the rear which when lighted as required in § 32-17-4 shall emit a red light plainly visible from a distance of five hundred feet to the rear. Motorcycles and motor driven cycles, except mopeds as defined in § 32-20-1, shall have at least one tail lamp, which when lighted as required in § 32-17-4 shall emit a red light plainly visible from a distance of five hundred feet to the rear. Mopeds shall have at least one tail lamp which when lighted as required in § 32-17-4 shall emit a red light plainly visible from a distance of two hundred and fifty feet to the rear. Farm vehicles which are being drawn at the end of a train of vehicles may be equipped with two four-inch reflectors in lieu of lighted lamps as provided in this section so as to exhibit a red light plainly visible from a distance of five hundred feet to the rear. On a combination of vehicles, only the tail lamps on the rearmost vehicle need actually be seen from the distance specified. On vehicles with more than one tail lamp, the lamps shall be mounted on the same level and as widely spaced laterally as practicable. Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two inches nor less than fifteen inches. A violation of this section is a petty offense.

PASS:_____ FAIL:_____

**Brake Lights
32-17-8.1**

32-17-8.1. Stop lamps required--Previously manufactured vehicles--Mounting--Visibility--Violation as petty offense. Except for vehicles equipped with slow-moving vehicle emblems in compliance with §§ 32-15-20 and 32-15-21 every motor vehicle, trailer, semitrailer, and pole trailer shall be equipped with two or more stop lamps, except that motor vehicles, trailers, semitrailers, and pole trailers manufactured and assembled prior to July 1, 1973, and motorcycles and motor driven cycles shall be equipped with at least one stop lamp. The stop lamp shall be mounted on the rear of the vehicle at a height of no more than seventy inches nor less than fifteen inches. The stop lamp shall display a red light visible from a

distance of not less than three hundred feet to the rear in normal sunlight, except for a moped, which distance shall be not less than one hundred fifty feet. The stop lamp shall be actuated upon application of the service (foot) brake which may be incorporated with one or more rear lamps. A violation of this section is a petty offense.

PASS:_____ FAIL:_____

**Registration Plate Illumination
32-17-11**

32-17-11. Registration plate illumination--Requirements respecting on-off switch--Violation as petty offense. Either the rear lamps required by § 32-17-8 or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty feet to the rear. If the rear registration plate is illuminated by an electric lamp other than the required rear lamps, the lamps shall be turned on or off only by the same control switch at all times whenever headlamps are lighted. A violation of this section is a petty offense

PASS:_____ FAIL:_____

**Turn Signals
32-17-18**

32-17-18. Turn light requirements--Visibility--Violation as petty offense. If a motor vehicle is equipped with a signal lamp to comply with the provisions of § 32-26-23, the signal lamp shall be so constructed and located on the vehicle as to give a signal, yellow or red in color, which shall be plainly visible in normal sunlight from a distance of one hundred feet to the rear of the vehicle but may not project a glaring or dazzling light. A violation of this section is a petty offense.

PASS:_____ FAIL:_____

**Tires
32-19-13**

32-19-13. Operation with cut or worn tire as misdemeanor--Minimum tread. No person may operate on the public highways of this state a licensed motor vehicle which has a mounted tire having a cut into the fabric, or worn so that the fabric is visible, having knots or bulges in the sidewall or tread, or having a minimum tread depth less than two thirty-seconds of an inch on any two adjacent tread grooves. In addition, the tires mounted on the front axle of a motor vehicle of ten passenger or more capacity or exceeding a gross weight of twenty-six thousand pounds shall have a minimum tread depth of not less than three thirty-seconds of an inch on any two adjacent tread grooves. A violation of this section is a Class 2 misdemeanor.

PASS:_____ FAIL:_____

**Exhaust System
32-15-17**

32-15-17. Exhaust system and muffler required--Exhaust location--Muffler cut-out prohibited--Misdemeanor. No person may drive a motor vehicle on a highway unless the motor vehicle is equipped with an exhaust system and a muffler both in good working condition and in constant operation to prevent excessive or unusual noise.

Exhaust systems on passenger or passenger-carrying vehicles used on any highway shall discharge the exhaust fumes at a location to the rear of the vehicle body or direct the exhaust fumes outward from the side of the vehicle body at a location rearward of any operable side windows. Any motor vehicle equipped with side exhaust according to the original vehicle manufacturer specifications is exempt from the location requirements. A bus used for the purpose of carrying school children may discharge the exhaust on the left side in front of the rear axle.

Exhaust systems on property-carrying vehicles used on any highway shall discharge the exhaust fumes at a point rearward of the passenger-carrying compartment.

No person may use a muffler cut-out on any motor vehicle upon a highway.

A violation of this section is a Class 2 misdemeanor.

PASS:_____ FAIL:_____

**Door & Hood Latches
32-15-32**

32-15-32. Door levers, handles, and devices of egress--Hood latches. Door levers, handles, and other suitable devices, installed on motor vehicles by the original vehicle manufacturer as original equipment, and actuated from the inside of the vehicle as a means of egress, shall be maintained and kept in an operable condition. Both the primary and secondary latches, installed on motor vehicles by the original vehicle manufacturer as original equipment, which are used to secure the vehicle front opening compartment hood in a closed position shall be maintained and kept in an operable condition.

A motor vehicle that has been modified so that previously available means of egress from seating accommodations are no longer available shall be equipped with another means of egress from such seating accommodations using a mechanically actuated door latch which firmly and automatically secures the door when pushed closed and which allows the door providing this new means of egress to be opened from the inside by the actuation of a convenient lever, handle, or other suitable device.

PASS:_____ FAIL:_____

**Inspection of Vehicle
4-4-6 (City Code)**

4-4-6: VEHICLE REQUIREMENTS:

A. Inspection Of Vehicle:

1. No vehicle for hire shall be operated within the city until it has been inspected by the police department and found to be in a safe operating condition for the transportation of passengers, and clean, fit, of good appearance and well painted. (Ord. 1667, 7-16-1990)
2. If the vehicle is approved as a vehicle for hire, the chief of police or his designated representative shall execute a certificate of inspection. If the inspector finds the vehicle unsatisfactory, he shall so indicate on the inspection form, briefly stating the reason for his refusing approval. (Ord. 1667, 7-16-1990; amd. 2005 Code)
3. It shall be the duty of the owner of each vehicle for hire to submit to the chief of police or his designated representative each cab or motor bus for inspection at any time upon complaint, and the police department may inspect such vehicles at such other times as may be deemed necessary which shall, in any case, be not less than once each year in conjunction with their operator's application for operator's license or renewal thereof.

B. Proof Of Vehicle Ownership And Inspection: Before any vehicle is put to use for hire in the city by any holder of a license issued under this chapter, the licensee shall first furnish the finance officer with a duplicate of a valid inspection certificate, together with proof of ownership of such vehicle by the licensee, properly executed as provided for herein showing that such vehicle has been approved, and the licensee shall post such inspection certificate in the vehicle where it can easily be seen and read by the passengers. No vehicle shall be operated by any operator licensed under the provisions of this chapter unless such vehicle is owned by such licensee.

C. Condemned Vehicles: It shall be unlawful for the owner or other person in charge of any vehicle for hire to use or permit its use if such vehicle has been condemned by the chief of police or designated representative until such vehicle has been repaired to the satisfaction of the chief of police or designated representative. (Ord. 1667, 7-16-1990)



Interior

PASS

FAIL

Clean

Seat covers/upoholstry
floor mats, etc

General appearance

Safety

Mechanical (brakes / ball joints / tie rods / back up lights) etc.

PASS

FAIL

Items that do not pass: _____

Exterior

PASS

FAIL

Paint

Body

Vinyl roof

General Appearance

**Application for License
Sec. 4-4-2 (City Code)**

OPERATOR'S LICENSE REQUIREMENTS:

- A. License Required: No person shall engage in the business of operating a vehicle for hire upon the streets or act as a driver of any such vehicle for hire without a license so to do.
- B. Application For License: Every person desiring a license to engage in business as an operator of a vehicle for hire in the city shall make verified application, in writing, to the city council in general form required and shall also state:

1. Business address of the applicant.

2. Name and residence of the active manager.
3. Name and residence address of owner, if an individual.
4. Previous experience in motor vehicle transportation business.
5. A description of the motor vehicle equipment proposed to be operated, including the seating capacity, the make, model, horsepower and license number, and where such information is available. (Ord. 1667, 7-16-1990)
6. A general statement of reasons supporting the granting of the application, including, in respect to general taxi service license, substantiation of need in the community for the service to be provided by the applicant.

C. Action By City Council: An application for an operator's license shall be filed with the finance officer together with the license fee provided for herein. The application shall be on file in the office of the finance officer for not less than five (5) days and then shall be presented by the finance officer to the city council at its first regular, adjourned regular or special meeting thereafter. The city council shall take action on such application within thirty (30) days after its first presentment to the city council by either rejecting, approving or conditionally rejecting or approving the application. The action taken by the city council shall be endorsed on the back side of the application and shall be signed by the mayor and attested by the finance officer who shall immediately notify the applicant of the action of the city council. An application for general taxi service may be denied if the city council finds that no public need exists in regard to the service proposal to be provided pursuant to the license to be applied for. (Ord. 1667, 7-16-1990; amd. 2005 Code)

D. License Fee; Term: The license fee for a general operator's license shall be as established from time to time by resolution of the city council for a full year from January 1 to January 1. However, the license fee required shall be on a pro rata basis determined by the number of months remaining before the expiration date of the license applied for. The pro rata provision applies only to operator's license fees. All licenses issued under this chapter shall expire on January 1 of each year, however if the licensee has made an application for renewal or transfer of said license prior to January 1, the prior license will not expire until January 31. (Ord. 2259, 11-20-2007)

E. Issuance And Term: If the application for an operator's license is approved, such license shall be issued to the applicant, good until January 1 of the following year from its issuance, signed by the mayor and attested by the finance officer, and showing on its face that it immediately becomes invalid if the holder thereof, by agent or otherwise, fails to comply with all provisions of this chapter.

F. Insurance Requirements:

1. Before an operator's license shall be issued or renewed under this chapter, the applicant therefor shall file with the finance officer a public liability policy in protective amounts of not less than one million dollars (\$1,000,000.00) for one person, one hundred fifty thousand dollars (\$150,000.00) for one accident and fifty thousand dollars (\$50,000.00) property damage; provided, that if any law of the state shall require greater protective amounts, then the protective amounts specified by such law shall be required prior to the issuance of

a license. Such policy of insurance shall remain in effect throughout the period during which the license is used. (Ord. 1667, 7-16-1990; amd. 2005 Code)

2. Such policy of insurance shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, and that until the policy is revoked, as provided in this chapter, the insurance company will not be relieved from liability on account of nonpayment of premium, failure to renew license or any act or omission of the named insured. Any insurance company whose policy has been so filed pursuant to this subsection may file a notice in the office of the finance officer of its intention to terminate and cancel such policy and give notice thereof to the named licensee.
3. Ten (10) days after such notice of termination has been filed by the insurance company, the licensee shall cease to operate or cause to be operated within the city any taxicab or motor vehicle for hire, and the license issued shall be automatically revoked, and liability of the insurance company thereon for any act or omission of the licensee occurring prior to the effective date of the cancellation shall not be thereby discharged or impaired.
4. The licensee may continue operation if, before the expiration of the ten (10) day period, a satisfactory policy of insurance to replace the one being canceled has been furnished to the finance officer. (Ord. 1667, 7-16-1990)



Application filed with the Finance Office Yes_____ No_____

**Rates to be posted
Sec. 4-4-5 (City Code)**

4-4-5: RATES:

- A. Rates Established: The city council may establish such maximum taxi rates for the city as the city council shall from time to time by resolution deem to be in the best interests of the citizens of the city.
- B. Rates Posted: Each licensee shall conspicuously place in each vehicle a schedule of the rates charged by the operator to the public. (Ord. 1667, 7-16-1990)



PASS _____ FAIL _____

Certificate of Inspection and Proof of Ownership
Sec. 4-4-6


VEHICLE REQUIREMENTS:

A. Inspection Of Vehicle:

1. No vehicle for hire shall be operated within the city until it has been inspected by the police department and found to be in a safe operating condition for the transportation of passengers, and clean, fit, of good appearance and well painted. (Ord. 1667, 7-16-1990)
2. If the vehicle is approved as a vehicle for hire, the chief of police or his designated representative shall execute a certificate of inspection. If the inspector finds the vehicle unsatisfactory, he shall so indicate on the inspection form, briefly stating the reason for his refusing approval. (Ord. 1667, 7-16-1990; amd. 2005 Code)
3. It shall be the duty of the owner of each vehicle for hire to submit to the chief of police or his designated representative each cab or motor bus for inspection at any time upon complaint, and the police department may inspect such vehicles at such other times as may be deemed necessary which shall, in any case, be not less than once each year in conjunction with their operator's application for operator's license or renewal thereof.

B. Proof Of Vehicle Ownership And Inspection: Before any vehicle is put to use for hire in the city by any holder of a license issued under this chapter, the licensee shall first furnish the finance officer with a duplicate of a valid inspection certificate, together with proof of ownership of such vehicle by the licensee, properly executed as provided for herein showing that such vehicle has been approved, and the licensee shall post such inspection certificate in the vehicle where it can easily be seen and read by the passengers. No vehicle shall be operated by any operator licensed under the provisions of this chapter unless such vehicle is owned by such licensee.

C. Condemned Vehicles: It shall be unlawful for the owner or other person in charge of any vehicle for hire to use or permit its use if such vehicle has been condemned by the chief of police or designated representative until such vehicle has been repaired to the satisfaction of the chief of police or designated representative. (Ord. 1667, 7-16-1990)

 **Drivers License**
32-12-22

32-12-22. Prohibition against driving without license--Misdemeanor. No person, except those expressly exempted in §§ 32-12-22.1 to 32-12-28, inclusive, may drive any motor vehicle upon a highway in this state unless the person has a valid driver license under the provisions of this chapter. Any person convicted for a violation of this section is guilty of a Class 2 misdemeanor.

**Taxi Drivers License
4-4-3A**

DRIVER'S LICENSE REQUIREMENTS:

- A. License Required; Temporary License: No person, whether owner, agent or operator, shall drive any vehicle in the city, which vehicle is in the business of conveying passengers for hire within the city, without first having procured a driver's license to do so as herein provided; provided, that a temporary driver's license may be issued to an applicant, pending action upon his application for driver's license as hereinafter provided, by recommendation for such temporary license endorsed upon the application by the chief of police or his designated representative. All other provisions hereinafter contained shall apply to such a temporary driver's license.

No operator of any taxicab or motor bus shall permit a vehicle licensed under the provisions of this chapter to be driven by any person unless such person has a valid license to operate a motor vehicle under the provisions of the statutes and laws of the state¹.

PASS

FAIL
