

AUTOBUSES

Chapter 19

AUTOBUSES

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[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 2-7-24. Amendments noted where applicable.]

GENERAL REFERENCES

Taxicabs — See Ch. 82.

Tow cars — See Ch. 84.

Vehicles and traffic, generally — See Ch. 87.

Abandoned or inoperable vehicles — See Ch. 88.

Be it ordained by the Mayor and Common Council of the City of Gloucester City, in the County of Camden and State of New Jersey, that:

§ 19-1. Definitions.

AUTOBUS — As used herein, shall mean and include any automobile or motor bus, commonly called jitney, engaged in the business of carrying passengers for hire, which is held out, announced or advertised to operate or run, or which is operated or run, over any of the "streets" or public places in any city of this state, and indiscriminately accepts and discharges such "persons" as may offer themselves for transportation either at the termini or points along the way or route on which it is used or operated or may be running.

PERSON — As used herein, shall mean and include any individual, copartnership, association, corporation or joint-stock company, their lessees, trustees or receivers appointed by any court whatsoever.

STREET — As used herein, shall mean and include any "street," avenue, park, parkway, highway or other public place.

§ 19-2. License required; conditions of issuance.

- A. It shall not be lawful for any autobus or jitney to be operated upon any street wholly or partly in the City of Gloucester City until the owner thereof shall have obtained a license for that purpose from the Common Council as hereinafter provided. Such license shall be issued to the owner of such autobus or jitney for operation thereof by the said owner or by his agent or servant duly accredited by such owner for that purpose, and such license shall not be deemed to authorize the operation of any autobus by any lessee or person other than the owner or his duly accredited agent or servant.
- B. Such license shall not be issued except upon compliance by the owner of any autobus with the following conditions:
- (1) There shall be filed with the City Clerk an application which shall contain the name of the owner, his age, residence and business address, if any, and a request for permission to operate the autobus for which the application is made. It shall also contain a statement of the character and estimated capacity of the said autobus and the basis of such estimate; it shall also definitely state whether said autobus is to be operated by said owner personally or by agents or servants duly accredited by such owner.
 - (2) No person shall be licensed to operate an autobus under the terms of this ordinance unless he shall be a citizen of the United States, over the age of twenty-one (21) years, or a corporation duly incor-

porated under the laws of New Jersey to operate autobuses.

- (3) No person shall be licensed to operate an autobus as hereinafter provided until he shall have been duly licensed to operate a motor vehicle by the State Department of Motor Vehicles.

§ 19-3. Investigation and report by City Clerk; approval of application; additional requirements.

The City Clerk, upon receiving such application and proof that the applicant has been duly licensed to operate a motor vehicle by the State Department of Motor Vehicles, shall immediately investigate the merits of said application, shall determine whether such transportation is necessary in the interest of public welfare, and shall report thereon to the Common Council. If the Council, after receiving said report, shall consent to issue a license to the applicant, said applicant shall thereupon file with the City Clerk a schedule showing the regular stopping places for taking on and letting off passengers within the city; a schedule showing the time when such bus or buses will arrive at such stopping points; a statement of the entire route, both within and without the city, to be traveled by such bus or buses; and a schedule showing the time when such bus or buses will leave their respective termini of each route. No such autobus or jitney shall be permitted to stop on the tracks of any street railway to take on or discharge passengers.

§ 19-4. Issuance of license; conditions.

- A. The City Clerk shall thereupon issue a license to such applicant to operate such autobus in person or by his duly accredited agent or servant, upon complying with

the provisions heretofore stated and § 19-6 of this ordinance, and upon the payment of the license fee provided in § 19-14.

- B. Said license shall bear the date of issue and shall be in force for the calendar year thereof. Such license shall further set forth the name and address of the owner, the street or streets over which permission to operate is granted and the termini between which said autobus may operate, and manufacture's number of the autobus and the number of persons who may be carried at one (1) time.
- C. No such license shall be issued until the owner shall also have filed with the City Clerk an agreement wherein he shall bind himself, his agents and servants to operate said autobus only such street or streets as is or are set forth in said license; that he will not carry at any one (1) time passengers in excess of the number mentioned in his application; that he will not permit said autobus to be operated except by a person satisfactory to the Common Council, according to the restrictions of operations provided by this ordinance; and that he, his agents or servants operating such autobus will comply with the regulations now in force or hereafter to be adopted concerning the operation of autobuses in the streets of the City of Gloucester.

§ 19-5. Supervision of operations.

The Mayor shall designate a police officer as an inspector to supervise the operation of jitneys licensed hereunder and to require licensees to comply with the provisions of this ordinance and the statutes of the state applicable to the licensing and operation of motor vehicles. Such inspector shall file with the City Clerk a monthly report in writing of his work for the preceding month.

§ 19-6. Insurance policy and power of attorney to be filed.

No such license shall become effective and no operation of such autobus shall be permitted until the owner of such autobus shall have complied with the following requirements:

A. Insurance policy.

- (1) He shall file with the City Clerk an original insurance policy of a company duly licensed to transact business under the insurance laws of the State of New Jersey, in the sum of five thousand dollars (\$5,000.), against loss from the liability imposed by law upon the autobus owner for damages on account of bodily injury or death suffered by any person or persons as the result of an accident occurring by reason of the ownership, maintenance or use of such autobus upon the public streets of the City of Gloucester, and such license shall continue effective and such operation be permitted only so long as such insurance shall remain in force.
- (2) All policies filed with the City Clerk shall state that the liability of such policy shall be exclusively for damages sustained while such autobus is operating within the limits of the city.
- (3) Such insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance or use of such autobus or of any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.

B. Power of attorney. He shall execute and deliver to the City Clerk concurrently with the filing of the policy hereinbefore referred to, a power of attorney wherein and

whereby he shall nominate, constitute and appoint the said City Clerk his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against insured by virtue of the indemnity granted under the insurance policy filed.

§ 19-7. Revocation of license.

Any such license may be revoked by the Common Council after notice and hearing whenever it shall appear that the person to whom such license was granted has failed to furnish and keep in force the insurance and power of attorney hereinbefore required, or to comply with any of the terms of this ordinance or with any rules or regulations adopted by the Common Council.

§ 19-8. General operating regulations.

- A. Any person to whom a license has been granted to operate an autobus over any of the streets of the City of Gloucester shall register with the City Clerk the name of each and every driver before permitting him to operate the said autobus.
- B. The holder of any license may substitute one car for another under the provisions of this ordinance, but before doing so, a description of such car shall be filed with the City Clerk and the necessary changes made in the insurance policy so as to cover the new car.
- C. No transfer of any license or permit granted under this ordinance shall be made without first obtaining consent of the Common Council, and upon such transfer being made, it shall be the duty of the City Clerk to see that the necessary changes are made in the insurance policy so as to cover the new owner.

D. Every driver duly registered in the City of Gloucester to operate an autobus for which a license has been issued by the Common Council of said city shall display conspicuously in said autobus his registered right to so operate. Said autobus shall also bear conspicuously displayed upon it the number of such license, which number shall be obtained from the City Clerk, who shall keep a record of each license issued and of the number thereof.

§ 19-9. Display of license number, fare schedule and seating capacity.

Every autobus for the operation of which a license shall be granted as herein provided shall bear prominently displayed within it a placard issued by the City Clerk bearing the number of such license and the route for which the license has been granted, with the fare to be charged in all cases where such fare exceeds five cents (\$0.05), and the capacity of said autobus as stated in said license.

§ 19-10. Operating restrictions.

It shall be unlawful to drive any autobus when any passenger is standing on the running board, fender, mudguard or back thereof, or while any passenger is riding on said autobus outside the body thereof or in such manner as to obstruct the driver's view or his control of the vehicle, or while said autobus contains a greater number of passengers than the number stated in said license, or to drive rapidly to pass any autobus, trolley car or vehicle in order to obtain any prospective passengers, or to refuse to carry any persons who properly apply for transportation. All autobus drivers shall take on and discharge passengers only at curblines, on the near side of intersecting streets.

§ 19-11. Collection of fares.

No fare shall be collected on said autobus, or no passenger shall be received or discharged by the driver thereof, while such autobus is in motion.

§ 19-12. When nonskid tires, chains or other safety devices required.

It shall be unlawful for any person to operate or drive any autobus when the streets are covered with rainwater, snow or ice unless the rear wheels thereof be equipped with nonskid tires or with skid chains or other safety devices for use in operating said autobus.

§ 19-13. Cleaning, ventilation, lighting and heating of buses.

Every autobus or jitney operating on the streets of the city shall be thoroughly clean and ventilated at all times, and the interior of the same be properly lighted and heated.

§ 19-14. License fee.

The license fee for operating each autobus as herein provided shall be one hundred dollars (\$100.) per year, payable at the time said license is issued. All license fees shall be paid to the City Clerk.

§ 19-15. Smoking or lighting matches on buses prohibited.

No person shall smoke, strike matches, carry lighted cigars, cigarettes or pipes while riding in or driving any vehicle used for the transportation of passengers for hire.

§ 19-16. Violations and penalties.¹

Any person violating any of the provisions of this ordinance shall, upon conviction thereof, for each and every offense, be punishable by a fine of not exceeding five hundred dollars (\$500.), or by imprisonment in the county jail for a period not exceeding ninety (90) days, or both, at the option of the Judge before whom any conviction may be had under this ordinance, and in default of the payment of any fine so imposed upon any person, such person shall be imprisoned in the county jail for a period not exceeding ninety (90) days.

§ 19-17. Severability.

If any section, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, clause or provision so adjudged to be invalid, and the rest of this ordinance shall remain valid and effective.

§ 19-18. When effective.

This ordinance shall become effective immediately.

¹ Editor's Note: Amended at time of adoption of Code. See Ch. 1, § 1-6B(1).