



PROCEDURES FOR MOTORIZED SPECIAL LIVERY VEHICLE DRIVER'S LICENSE

1. Applicant must be at least 18 years of age.
2. Applicant must complete driver's application and receive a copy of the ordinance.
3. The applicant must supply the following information:
 - a. 3 recent unretouched photographs - 2" x 2"
WHEN TAKING PHOTOGRAPHS YOU MAY NOT WEAR A HAT OR SUNGLASSES
 - b. Abstract of applicant's driving record, obtained by applicant from the NYS Department of Motor Vehicles. Must be dated within the last 30 days of the date of application.
 - c. A copy of the applicant's NYS motor vehicle driver's license, must be class A, B, C, or E, and not expired.
4. Applicant must sign the application before a Notary Public or Commissioner of Deeds.
5. Fees:
 - a. **License - we accept cash, money orders or checks made payable to the "City Clerk":**
 \$10.00 for first time license
 \$35.00 for renewal of license
 - b. **FINGERPRINTING: \$100.00 Money Order Only—Payable to Commissioner of Finance**
6. Once your application has been completed, bring the paper work to the City Clerk's office.
 - A. If you are a first time applicant, we will give you two copies to take to the City Police Department along with the above noted fee for fingerprinting.
 - B. If you are a renewal driver's license, fingerprinting will not be required unless your Motorized Special Livery driver's license has been expired for a period of 6 months or longer.
7. If required, make an appointment for the fingerprinting with the Saratoga Springs Police Department. It could take about one week to get an appointment. The number is:

584-1800 ASK FOR ABBEY TEMPLE



Motorized Special Livery Driver's License - Chapter 200 of the City Code

(To review the City Code on line, enter www.saratoga-springs.org and click on 'Forms & Permits')

[§ 200-1. Legislative intent](#)

The Saratoga Springs City Council finds that the public interest will be served by the reasonable regulation of specialized livery services. Such services can provide a novel and entertaining way to enjoy local attractions and events. However, their frequent use by the public generates a substantial need for licensing, regulation, and supervision. This chapter is intended to create reasonable regulations for special livery vehicles.

[§ 200-2. Definitions](#)

The following terms shall have the meanings indicated:

CARRIAGE – A special livery vehicle for hire drawn by equine and carrying passengers only.

DRIVER – Any person who drives a special livery vehicle for hire, whether such person is the owner of said vehicle or an employee of the owner of said vehicle.

EQUINE – Any member of the family Equidae, including horses, mules, and asses.

HUMANE CARE – The provision of adequate food, water, shelter, and medical care consistent with the normal requirements and feeding habits of the equine's size, species and breed.

LICENSE – Permission granted by the City of Saratoga Springs to any person, firm, corporation, or other legal entity to engage in activities described in this chapter.

MOTORIZED SPECIAL LIVERY VEHICLE – Any special livery vehicle powered entirely or in part by a motor or engine. The term shall include all motorized vehicles used as special livery vehicles and not as taxicabs as defined in Chapter 215 of the City Code.

OWNER – Any person, firm, corporation or legal entity that engages in the business of operating special livery vehicles for hire.

PEDICAB – A special livery vehicle for hire powered exclusively by human power through a drive train and having three (3) or more wheels.

SPECIAL LIVERY VEHICLE – Any conveyance, powered by motor, animal or otherwise, hired by persons for entertainment or recreational purposes and not intended or operated as a means of public transportation.

VETERINARIAN – Any person licensed by the State of New York to practice veterinary medicine and who specializes in equine or large animal medicine.

[§ 200-3. General Operating Requirements](#)

No person shall own, operate, drive or offer for rental in the City of Saratoga Springs any manner of Special Livery Vehicle unless such Special Livery Vehicle is of a kind or type regulated under this chapter and all required licenses have been obtained.

§ 200-12. Licenses required.

- A. No person, firm, corporation or legal entity shall engage in the business for profit of operating a motorized special livery vehicle for hire in the City of Saratoga Springs, without first obtaining an owner's license as described in this article.
- B. No person shall act as a driver of a motorized special livery vehicle without first obtaining a driver's license as described in this article.
- C. No license shall be required for any person, firm, corporation or legal entity who engages in the business for profit of operating a motorized special livery vehicle for hire, or who drives said vehicle or vehicles, as part of a special event as permitted by Chapter 69 of the City Code or in any circumstance where said vehicle or vehicles are hired for private use upon private property or upon property owned by the State of New York.

§ 200-13. Application for owner's license.

A. An application for an owner's license under this article shall be filed in the office of the Commissioner of Accounts. The application shall be signed and sworn to by the applicant and shall contain the following information:

- (1) The name, address, and telephone number of the applicant, and, if the applicant is a partnership or operating under an assumed name, a certified copy of the certificate of partnership or assumed name or names, and, if the applicant is a corporation, the names and addresses of all corporate officers and stockholders.
- (2) A publicly listed telephone number maintained by the applicant.
- (3) The name, home address, telephone number and date of birth of each driver who will drive vehicles for the applicant, and a copy of each driver's valid New York State motor vehicle driver's license of Class E.
- (4) Insurance.
 - (a) Proof of commercial general liability insurance, including personal injury liability insurance specific to motorized vehicles for hire in the amount of \$1,000,000.00 per occurrence and \$2,000,000.00 aggregate, and \$1,000,000 combined single-limit automobile liability insurance for owned, nonowned and hired vehicles. The City shall be included as an additional insured on said insurance.
 - (b) Proof of statutory workers' compensation and employer's liability insurance for all employees.
 - (c) A fully executed hold harmless agreement, in a form satisfactory to the City, by which the applicant shall indemnify and save harmless the City and its agents and employees from and against all claims, damages, loss and expense (including but not limited to attorney's fees) arising out of or resulting from the licensed activity, sustained by any person or persons, provided that any such claims, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of property caused by the tortious or negligent act or omission of the applicant, or the applicant's employees, agents, or subcontractors.
- (5) One or more photographs of each vehicle to be used by the applicant, and a description of each such vehicle, including length, width, and passenger capacity.
- (6) A New York State tax identification certificate.
- (7) Proof that the applicant is the holder of a valid New York State motor vehicle driver's license of Class E.
- (8) A copy of the applicant's driving record obtained from the Department of Motor Vehicles.
- (9) An affidavit from the applicant stating that each vehicle for which a license is requested complies with all requirements of the New York Motor Vehicle and Traffic Law.
- (10) A set of the applicant's fingerprints, or, if the applicant is a legal entity other than an individual, a set of fingerprints of the chief executive officer or chief representative of that legal entity, to be taken by the Saratoga Springs Police Department.

B. The Saratoga Springs Police Department shall investigate the applicant's qualifications and background. The Police Department shall initiate a criminal history record search through the State Division of Criminal Justice Services (DCJS) by submitting the applicant's fingerprints and required procedures fee, which shall be paid by

the applicant, to the DCJS. The results of the criminal history record search shall be reviewed by the Chief of Police, or by a member of the Police Department designated by the Chief of Police.

[§ 200-14. Application for driver's license.](#)

- A. An application for a driver's license shall be filed in the office of the Commissioner of Accounts. The application shall be signed and sworn to by the applicant and shall contain the following information:
1. Proof that the applicant is at least 18 years old.
 2. Proof that the applicant is the holder of a valid New York State motor vehicle driver's license of Class E.
 3. A copy of the applicant's driving record obtained from the Department of Motor Vehicles.
 4. A statement that the applicant is in good health and not subject to any infirmity of mind or body that might render the applicant incapable or unfit to safely operate a motorized vehicle.
 5. A statement that the applicant is able to communicate effectively in English.
 6. A statement that the applicant does not use unlawfully any drug or controlled substance.
 7. A set of the applicant's fingerprints, or, if the applicant is a legal entity other than an individual, a set of fingerprints of the chief executive officer or chief representative of that legal entity, to be taken by the Saratoga Springs Police Department.
- B. The Saratoga Springs Police Department shall investigate the applicant's qualifications and background. The Police Department shall initiate a criminal history record search through the State Division of Criminal Justice Services (DCJS) by submitting the applicant's fingerprints and required procedures fee, which shall be paid by the applicant, to the DCJS. The results of the criminal history record search shall be reviewed by the Chief of Police, or by a member of the Police Department designated by the Chief of Police.
- C. No driver's license shall be issued to any applicant who fails to meet the standards established in Article 23-A of the Corrections Law of the State of New York. In addition to and not in limitation of the foregoing, no driver's license shall be issued to any applicant who is at the time of application under indictment for a felony anywhere in the United States, or who has been convicted of a felony anywhere in the United States within the past five years preceding the application, or who has been convicted of two or more misdemeanors within the past two years preceding the application or who has been convicted of more than one moving violation in the past year.
- D. No licenses shall be issued to any applicant who has been convicted of any of the following crimes: robbery, rape, sexual abuse, aggravated sexual abuse, or course of sexual conduct against a child, or of the crime of assault with intent to commit any of the aforementioned crimes.
- E. No driver's license shall be issued to any applicant who has been convicted of the crime of criminal sale of a controlled substance in any degree as established in the Penal Law.

[§ 200-15. Issuance of license.](#)

Upon consideration of the factors listed in §§ [200-13](#) and [200-14](#) above, the Commissioner of Accounts may issue a license to the applicant. Each license shall expire on December 31 in the year issued. The Commissioner of Accounts shall have authority to impose reasonable conditions upon any license issued. The Commissioner may also refuse to issue a license to an applicant based upon a determination that the applicant fails to satisfactorily meet the requirements stated in those sections. Denial of an application shall be sent to the applicant in writing at the address indicated on the application. Upon the applicant's written request, a hearing may be conducted at which the applicant may provide evidence that he or she should be issued a license.

[§ 200-16. Fees.](#)

The following fees shall be paid for licenses under this article:

License	Fee
Owner's License	\$250.00, plus \$50.00 for each additional vehicle
Driver's License	
Initial application	\$10.00
Each renewal	\$35.00

[§ 200-17. Construal of provisions.](#)

A. Nothing in this article shall be construed so as to supersede any provision of the New York State Vehicle and Traffic Law, and/or any regulation of the New York State Insurance Department, and/or any provision of City Code Chapter [225](#), entitled "Vehicles and Traffic." No license granted under this article shall be construed so as to give permission to the licensee to do any act or engage in any activity contrary to the aforementioned state and City laws.

[§ 200-18. Suspension or revocation of license.](#)

The Commissioner of Accounts may, upon due notice, revoke, suspend or refuse to renew any license issued for a violation of any of the provisions of this article or for any other act or omission that demonstrates the licensee's inability to safely and properly conduct the licensed activity. When a license shall be revoked or suspended, no refund of any portion of the license fee shall be made. Notice of such revocation, suspension or refusal to renew and the reason or reasons therefore in writing shall be served by the Commissioner of Accounts upon the licensee or mailed to the licensee's address as stated on the application.

[§ 200-19. Penalties for offenses.](#)

Any person who, by himself or herself or by an agent or employee, shall conduct any activity described in this article, without a license, or who shall violate any of the provisions of this article, or who, having had a license revoked or suspended, shall continue to conduct any activity described in this article, shall, upon conviction, be subject to the penalties set forth in Chapter [1](#), General Provisions, Article [III](#), of the Code.



APPLICATION FOR MOTORIZED SPECIAL LIVERY DRIVER LICENSE

1. Full name _____
List any other names you have used in the past _____
List any name under which you have been granted a driver's license, if the name differs from the one you are now using _____
2. Street address _____ City _____
3. Phone # _____ Age _____ Height _____ Weight _____
4. Color of eyes _____ Color of hair _____
5. Date of birth _____ Place of birth _____
6. DMV License # _____ Class _____ Exp. Date _____
A copy of New York State driving record attached? YES NO
7. Social Security # _____
8. Citizen of U.S.? YES NO
9. Are you of sound mind and body and not subject to any other infirmity of mind or body which might render you incapable or unfit to safely operate a motorized vehicle? YES NO
If no, give particulars _____
10. Are you able to communicate effectively in English? YES NO
11. Do you unlawfully use any drugs, controlled substances, or alcohol? YES NO
12. Have you ever been convicted of a felony, misdemeanor, or currently under indictment for a felony anywhere in the U.S.? YES NO
If yes, give the following information:
State _____ City _____ Date _____
Original Charge _____

If convicted of a misdemeanor, you are required to produce a certificate of disposition.

If convicted of a class A misdemeanor or felony, you are required to state:

Facts of original charge _____

YOU MUST ALSO PRODUCE ONE OF THE FOLLOWING:

1. Certificate of release of disposition
2. Certificate of good conduct from parole board
3. Executive pardon from office of sentencing judge

13. Have you ever been previously licensed as a motorized special livery vehicle driver? YES NO
If yes, where were you licensed? _____

If yes, has your motorized special livery vehicle driver's license ever been revoked? YES NO

If yes, for what cause? _____

Signature of applicant

I, _____, being duly sworn deposes and says:

1. I am the person who completed this application and I have signed it.
2. I understand that I am under oath and I swear that all the information contained in the application is true.
3. I understand that any false information given by me in the application would be perjury and I know that perjury is a crime.

Signature of applicant

Subscribed and sworn to on this _____ day of _____, 20 _____
before me.

Notary Public or Commissioner of Deeds

NOTE: THE SARATOGA SPRINGS POLICE DEPARTMENT WILL CONDUCT AN INVESTIGATION OF YOUR BACKGROUND, INCLUDING A FINGERPRINT SEARCH THROUGH THE DIVISION OF CRIMINAL JUSTICE SERVICES. IF IT IS DETERMINED THAT YOU HAVE GIVEN FALSE OR MISLEADING INFORMATION ON THIS APPLICATION, ANY LICENSE ISSUED TO YOU WILL BE SUBJECT TO IMMEDIATE REVOCATION.

IF THIS APPLICATION IS FOR RENEWAL OF YOUR MOTORIZED SPECIAL LIVERY VEHICLE LICENSE, PLEASE BE ADVISED THAT FINGERPRINTING WILL NOT BE REQUIRED. IF YOUR LICENSE HAS EXPIRED FOR A PERIOD OF 6 MONTHS OR MORE, A NEW SET OF FINGERPRINTS WILL BE REQUIRED.