The City of Chicago’s Department of Business Affairs and Consumer Protection (BACP) is charged with licensing and regulating licenses issued pursuant to Chapter 9-114 of the Municipal Code of Chicago (MCC), titled “Public Passenger Vehicles Other Than Taxicabs,” which establishes a licensing and regulatory framework for Charter/Sightseeing Public Passenger Vehicles.


Chart/Sightseeing Vehicle License information, documents, and updates are posted at www.cityofchicago.org/bacp.


BACP has received many questions regarding MCC section 9-114-320(b) “Trips that include alcohol.” This document provides responses to frequently asked questions specific to MCC section 9-114-320(b). MCC section 9-114-320(b) states:

   (b) Trips that include alcohol. In addition to the requirements of subsection (a), the requirements and restrictions of this subsection (b) apply to each trip with fifteen or more passengers that includes the opportunity for passengers to consume alcoholic liquor either: (i) while on the vehicle, or (ii) during an interim stop on the trip (i.e. a stop other than the point of origin or final destination).

   Each charter/sightseeing vehicle shall both: (i) contain a security guard to accompany the driver for the entire trip, and (ii) be equipped with one or more fully operational security cameras meeting specifications set by rule.

   The owner, driver of a charter/sightseeing vehicle or security guard shall take affirmative measures to determine that no passenger is in violation of Section 9-114-315(b)(4).

   Upon commencing a trip in the City of Chicago, or upon or prior to entering the City of Chicago, the driver of a charter/sightseeing vehicle or security guard shall present to each passenger the text of subsections 9-114-315(b) and (c). This text may be presented via an information sheet or placard, a spoken presentation to the passengers, or a video. The presentation shall be subject to discretionary audit by Authorized City Personnel, as that term is defined in Section 9-114-315.

   No charter/sightseeing vehicle shall include a stop for purposes of visiting any public park during the hours the park is closed.

The responses provided in this document are examples intended to provide clarity and do not create new laws or regulations. As a different factual situation may result in a different answer, these examples are only illustrations and should not be taken to be binding.

Charter/sightseeing vehicle operators must refer to the Municipal Code of Chicago for licensing and regulatory laws which apply to their business activity and should consult their own attorney for legal advice. These examples are not a substitute for informed legal advice.
Q1: Bus full of 15 passengers, kids and two chaperones, going from suburbs to a museum to another location for lunch and back to museum.

- R1: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

  - Assuming the museum and/or restaurant has a liquor license; alcohol will not be served on the bus; the children are under the legal drinking age; and if the trip prohibits chaperones from drinking during the trip, there should not be a legal opportunity to drink alcohol on the bus or at an interim stop; a security guard and operational security camera would not be required during the transport of this trip.

Q2: Proms- Chicago proms typically are held at the major loop hotels. A group of 15 or more students are under 21 and will be picked up from residence(s) to a prom venue with a return after the prom to their residences without any other stops.

- R2: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

  - Assuming alcohol will not be served on the bus and all the bus passengers are under the legal drinking age, there should not be a legal opportunity to drink alcohol on the bus or at an interim stop; therefore, a security guard and operational security camera would not be required on transport of this trip.

Q3: Senior citizens from suburbs to dinner, then to a play and back to suburbs.

- R3: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

  - Assuming the bus is transporting less than 15 passengers, MCC section 9-114-320(b) does not apply.

  - Assuming the bus is transporting 15 passengers or more and either alcohol will be served on the bus or there is an opportunity to drink alcohol at interim stop(s), a security guard and operational security camera are required during the transport of this trip.

  - Note, the security guard must be present and the security camera must be operational during the transport. When the bus is stationary or parked while the passengers are eating dinner in the restaurant or watching the play in the theatre, the security guard does not need to be on an empty stationary bus.
Q4: A wedding party of 15 or more passengers requests pick up from a hotel; stop and exit at Buckingham Fountain (there are kiosks with alcohol) for photos; and a drop off at the church for the wedding service. Same bus picks up groomsman to another picturesque location in Chicago then to church. After ceremony, bridal party is taken to different locations for pictures, then to venue for reception.

- At midnight, same wedding. Continuous shuttle from venue to hotels.

- R4: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- Assuming the bus has 15 or more passengers and there is an opportunity to drink alcohol on the bus or at interim stops, a security guard and operational security camera are required during the transport of this trip.

- Note, the security guard must be present and the security camera must be operational during the transport. While the bus is stationary or parked during the time the passengers are at the wedding ceremony or reception, the security guard does not need to be on an empty stationary bus.

- BACP considers a shuttle bus service as transportation of a passenger from passenger’s point of origin to passenger’s final destination, as long as the passenger does not exit the bus until final destination even if the bus makes stops to load or discharge other passengers. The stops the bus makes to load or discharge other passengers are not interim stops for the passenger who does not exit the bus.

Q5: Pharmaceutical, medical, or banking convention: continuous shuttle service is provided from different hotels to McCormick Place to attend the convention or continuous shuttle service is provided from McCormick Place to different hotels.

- R5: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- BACP considers a shuttle bus service as transportation of a passenger from passenger’s point of origin to passenger’s final destination, as long as the passenger does not exit the bus until final destination even if the bus makes stops to load or discharge other passengers. The stops the bus makes to load or discharge other passengers are not interim stops for the passenger who does not exit the bus.

- Assuming the bus has 15 or more passengers; there is no opportunity to drink alcohol on the bus; and the bus is performing shuttle bus service transporting passengers from point of origin (McCormick Place) to final destination (hotel), a security guard and operational security camera are not required during the transport of this trip.
Q6: Same convention: From McCormick Place to a restaurant for dinner and then to a hotel – all the passengers exit the bus at the restaurant do dine.

- R6: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- Assuming the bus has 15 or more passengers and there is an opportunity to drink alcohol on the bus or at interim stops, a security guard and operational security camera are required during the transport of this trip.

- In this example, the restaurant is an interim stop of this trip.

Q7: Group of tourists from out of town, in Chicago to watch a weekend of baseball or any sport with their favorite team against ours – all passengers exit the bus at the event venue for the sporting event.

- Hotel to Wrigley and back to hotel.
- Hotel to Sox Park and back to hotel.
- Hotel to Soldier Field and back to hotel.
- Hotel to United Center and back to hotel.

- R7: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- Assuming the bus has 15 or more passengers and there is an opportunity to drink alcohol on the bus or at interim stops, a security guard and operational security camera are required during the transport of this trip.

- In this example, the event venue is an interim stop of this trip.

Q8: Transporting group from a hotel to a dinner cruise and then back to hotel – all passengers exit the bus to attend the dinner cruise.

- R8: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- Assuming the bus has 15 or more passengers and there is an opportunity to drink alcohol on the bus or at interim stops, a security guard and operational security camera are required during the transport of this trip.

- In this example, the dinner cruise is an interim stop of this trip.
Q9: Financial roadshow – for hours at a time, during the week, midday; they stop at several different locations throughout the city of Chicago to pitch their product.

- R9: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- Question 9 is vague and not specific as to locations to determine interim stops.

- Assuming the bus is transporting less than 15 passengers, MCC section 9-114-320(b) does not apply.

- Assuming the bus is transporting 15 passengers or more and neither alcohol will be served on the bus nor is there an opportunity to drink alcohol at interim stop(s), a security guard and operational security camera are not required during the transport of this trip.

- Assuming the bus has 15 or more passengers and there is an opportunity to drink alcohol on the bus or at interim stops, a security guard and operational security camera are required during the transport of this trip.

Q10: Transportation of different individuals from different hotels to take all to their final destination – the airport. Or the reverse: transportation of different individual from the airport to drop off at different hotels as their final destination.

- R10: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- BACP considers a shuttle bus service as transportation of a passenger from passenger’s point of origin to passenger’s final destination, as long as the passenger does not exit the bus until final destination even if the bus makes stops to load or discharge other passengers. The stops the bus makes to load or discharge other passengers are not interim stops for the passenger who does not exit the bus.

- Assuming the bus has 15 or more passengers; there is no opportunity to drink alcohol on the bus; and the bus is performing shuttle bus service transporting passengers from point of origin (hotel) to final destination (airport), a security guard and operational security camera are not required during the transport of this trip.
Q11: Continuous morning commute one-way shuttling of employees from train stations to corporate offices and then evening commute one-way shuttling of employees from corporate offices to train stations. There is an opportunity to drink at train station as well as corporate buildings that have restaurants in them. Per the itinerary there would be numerous stops as it is a daily shuttle.

- R11: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- BACP considers a shuttle bus service as transportation of a passenger from passenger’s point of origin to passenger’s final destination, as long as the passenger does not exit the bus until final destination even if the bus makes stops to load or discharge other passengers. The stops the bus makes to load or discharge other passengers are not interim stops for the passenger who does not exit the bus.

- Assuming the bus has 15 or more passengers; there is no opportunity to drink alcohol on the bus; and the bus is performing shuttle bus service transporting passengers from point of origin (train station) to final destination (office building), a security guard and operational security camera are not required during the transport of this trip.

Q12: Trip transporting passengers from the suburbs to Indiana with a stop in Chicago to pick up additional passengers towards the Indiana destination.

- R12: MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

- BACP considers a shuttle bus service as transportation of a passenger from passenger’s point of origin to passenger’s final destination, as long as the passenger does not exit the bus until final destination even if the bus makes stops to load or discharge other passengers. The stops the bus makes to load or discharge other passengers are not interim stops for the passenger who does not exit the bus.

- Assuming the bus has 15 or more passengers; there is no opportunity to drink alcohol on the bus; and the bus is performing shuttle bus service transporting passengers from point of origin to final destination, a security guard and operational security camera are not required during the transport of this trip.
OTHER QUESTIONS:

- What are the ramifications if stopped and itinerary shows an interim stop and no security guard?

  - Penalties for violations for Chapter 9-114 of the Municipal Code of Chicago are listed in the ordinance:

  9-114-410 Violation – Penalty.

  (a) Any person who violates any provision of this chapter for which a penalty is not otherwise provided shall be fined not less than $100.00 nor more than $10,000.00. Each day that such violation shall continue shall be deemed a separate and distinct offense. In addition to fines, penalties for any violations of this chapter may include license suspension or revocation.

  (b) Any person who violates Section 9-114-150, 9-114-280, 9-114-315 or 9-114-320 shall be fined not less than $250.00 nor more than $10,000.00 for each offense.

  (c) Any person who violates Section 9-114-020 or 9-114-170 shall be fined not less than $1,000.00 nor more than $10,000.00 for each offense. In addition to the fine provided by this subsection (c) for unlicensed operation, the commissioner is authorized to issue a cease-and-desist order directing immediate cessation of unlicensed operation until proper licensure is obtained. A second or subsequent incident of unlicensed operation, or operation in violation of a cease-and-desist order, shall subject the violator to a minimum fine of $5,000.00.

- 38 cease and desist letters have been issued, what were some of the reasons pertaining to this ordinance?

  - BACP has authority to issue “Cease and Desist” letters or order when a person or entity is engaged in unlicensed activity in the City of Chicago.

- Is the entire company shut down when a cease and desist is issued?

  - Yes. A person or entity may not operate without required City of Chicago licenses within the City of Chicago. The company may operate outside the City of Chicago, possibly subject to local laws of other jurisdictions.

- How long does it take to rectify a cease and desist order and continue operations?

  - As soon as the person or entity secures required licenses to operate in the City of Chicago.
What happens if the security guard is late and customers insist that the bus continue without because they will be late for all their plans if they don’t? Such as weddings, meetings, dinner reservations, plays, sporting events, etc.

-BACP recommends all business operators itemize potential “what if” scenarios and develop plans to resolve “what if” scenarios when they arise. Also, businesses should consider obtaining legal advice to address potential “what if” scenarios in contracts or agreements.

-MCC section 9-114-320(b) requires a bus to have a security guard and operational security camera equipment if the bus: (1) is transporting at least 15 passengers and (2) there is an opportunity for passengers to drink alcohol on the bus or at an interim stop. Chapter 9-114 of the MCC does not list exemptions to the legal requirements to secure a security guard or operational security camera equipment if the bus is transporting 15 or more passengers and there is an opportunity for passengers to drink alcohol on the bus or at an interim stop.

For questions, comments, or to join the City of Chicago's Department of Business Affairs and Consumer Protection-Public Vehicle Operations (BACPPV) e-mail list to receive industry notices and other news, send an email to BACPPV@cityofchicago.org.

Rules and Regulations governing City of Chicago licensed public vehicles and public chauffeurs are available at www.cityofchicago.org/bacp.


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