

Municipal Code of Chicago

**CHAPTER 9-112
PUBLIC PASSENGER VEHICLES**

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9-112-010 Definitions.

Whenever used in this ordinance:

- (a) “Affiliation” means an association of public passenger vehicle license holders organized and incorporated for the purpose of providing its members with a Chicago business address, telephone

number registered to the affiliation, color scheme where applicable, a trade name or emblem where applicable, a two-way radio dispatch system, insurance and the designation of an authorized registered agent. Members of an affiliation shall be known as “affiliates”.

(a-1) “Alternative Fuel Taxi” means a cab where the vehicle is an alternative fuel vehicle (AFV, as defined by the Energy Policy Act of 1992 (EPAAct)), including any dedicated, flexible-fuel, or dual-fuel vehicle designed to operate on at least one alternative fuel. The alternative fuels include:

- a. Compressed natural gas (CNG)
- b. Biodiesel (B20 blend or higher)
- c. Propane
- d. Hydrogen
- e. Electricity

(b) “Cabman” means a person engaged in business as owner of one or more taxicabs.

(c) “Charter/sightseeing vehicle” means a public passenger vehicle for hire principally on sightseeing tours or charter trips or both.

(d) “Charter trip” means a group trip in a charter/sightseeing vehicle arranged in advance at a fixed rate per vehicle.

(e) “Chauffeur” means the driver of a public passenger vehicle licensed by the City of Chicago as a public chauffeur.

(f) “City” means the City of Chicago.

(g) “Coachman” means a person engaged in business as owner of one or more livery vehicles or charter/sightseeing vehicles.

(h) “Commissioner” means the commissioner of business affairs and consumer protection or such other body or officer as may have supervision over public passenger vehicle operations in the city.

(i) “Council” means the city council of the City of Chicago.

(j) “Licensee” means any person to whom one or more licenses have been issued pursuant to this ordinance.

(j-1) “License broker” means any individual, corporation or partnership, who, for another and whether or not acting for a fee, commission or other valuable consideration, acts as an agent or intermediary in negotiating the transfer of a public passenger vehicle license, and/or negotiating a loan secured or to be secured by an encumbrance upon or transfer of a public passenger vehicle license.

(j-2) “License manager” means any person who, in relation to a public passenger vehicle license not issued to him or his employer, assumes or undertakes any or all of the responsibilities of the public passenger vehicle license holder, including, but not limited to, those responsibilities relating to the

leasing of the vehicle.

(k) “Livery vehicle” means a public passenger vehicle for hire only at a charge or fare for each passenger per trip or for each vehicle per trip fixed by agreement in advance.

(k-1) “Local service taxicab” means a neighborhood electric vehicle that is licensed as a taxicab to provide local service only, and is not authorized to provide service to the airports and is not legally permitted to use expressways or streets with a speed limit greater than 30 miles per hour.

(l) “Medallion” means a metal plate, furnished by the commissioner, for display on the outside hood of a taxicab, of such size and shape and bearing such impression thereon as shall be required by this ordinance and by the commissioner.

(m) “Medical carrier” means any privately owned public passenger vehicle which is specifically designed, constructed or modified and equipped and is maintained or operated for the nonemergency transportation of persons for compensation for the purpose of obtaining medical services.

(n) “Medical carrier owner” means a person engaged in business as owner of one or more medical carriers.

(o) “Operation expenses” means all charges, costs and expenses properly incurred for any given period in accordance with good accounting practice in connection with a licensee’s public passenger vehicle operations.

(p) “Person” includes a natural person, partnership, firm or corporation.

(p-1) “Principal place of business in the City of Chicago” means that the following locations are all situated within the corporate boundaries of the City of Chicago: the location where notices of hearing or other notices from the department of business affairs and consumer protection to a licensee may be sent; and the location where a public passenger vehicle licensee maintains its business and financial records relating to the licenses involved.

(q) “Public passenger vehicle” means a motor vehicle, as defined in the motor vehicle law of the State of Illinois, which is used for the transportation of passengers for hire, excepting those devoted exclusively for funeral use or in operation of a metropolitan transit authority, and further excepting those motor vehicles (i) licensed for the transportation of passengers by the Interstate Commerce Commission to the extent that regulation of such vehicles by the city is prohibited by federal law, or (ii) operating pursuant to and in conformity with a certificate of authority issued by the Illinois Commerce Commission. Public passenger vehicles included in the provisions of this chapter shall specifically include but not be limited to: taxicabs, livery vehicles, charter/sightseeing vehicles and medical carrier vehicles.

(r) “Sightseeing tour” means a tour in a charter/sightseeing vehicle which is available to the general public in accordance with a published schedule or published itinerary, or to prearranged groups, at a charge or fare per passenger or per vehicle and which includes a lecture with regard to the subject matter of the tour.

(s) “Solicit” means an appeal by words or gestures for immediate patronage of a public passenger vehicle by a cabman, coachman, medical carrier owner, chauffeur or his agent directed at individuals or groups while the person making the appeal is upon the public way or public property, or the vehicle is

parked, stopped, standing or moving upon the public way or public property.

(t) “Taxicab” means a public passenger vehicle for hire only at lawful rates of fare which, when it is being operated between a point of origin and a destination are as recorded and indicated by a taximeter or at rates as set forth in this chapter.

(u) “Taximeter” means any mechanical or electronic device which records and indicates a charge or fare measured by distance traveled, waiting time and extra passengers.

(v) “Transfer of a license” means the buying, selling or assigning of a license or licenses or the buying, selling and assigning of more than 25 percent of the stock or other interest in a corporation, partnership or other entity which either owns a license or licenses, or through a subsidiary, successor or any other person, owns or controls a license or licenses.

(w) “Two-way radio dispatch system” means a method of radio communication by which a dispatcher may communicate with the drivers of all vehicles in the organization. With respect to an unaffiliated licensee, the term “organization” refers to the licensee and all vehicles for which a license is owned or controlled by him; with respect to an affiliation, the term “organization” refers to the affiliation and all its affiliate’s vehicles. A two-way radio dispatch system shall enable the dispatcher to communicate with the drivers of all vehicles in the organization simultaneously and for each driver to communicate with the dispatcher for the purpose of both providing service to customers and driver safety. In the case of an individual licensee who is not a member of an affiliation and who holds no more than one taxicab license and who certifies that no person other than the licensee, the licensee’s spouse or a natural or legally adopted child of the licensee will operate the taxicab throughout the entire license period, a “two-way radio dispatch system” may consist of any two-way radio communication device which permits direct customer communication with the driver of the vehicle, including a telephonic device.

(Prior code § 28-1; Added Coun. J. 1-27-88, p. 10273; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 6-16-94, p. 52109; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 2-8-06, p. 70098, § 1; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5; Amend Coun. J. 2-11-09, p. 55024, § 4)

9-112-020 Exclusive permission granted.

Subject to the conditions and limitations of this chapter, exclusive permission and authority are hereby granted to the licensees hereunder to operate the public passenger vehicles licensed hereunder upon the public streets and other public ways within the corporate limits of the city unless terminated or revoked as hereinafter provided.

It shall be unlawful and the city will not permit any public passenger vehicle not licensed hereunder to solicit business within the City of Chicago or to accept for transportation, sightseeing tours or charter trips, any passengers within the City of Chicago, excepting only passengers destined to the community in which such public passenger vehicle is licensed and then only when such transportation has been arranged for in advance by telephonic or written order.

(Prior code § 28-1.1; Amend Coun. J. 2-3-87, p. 39199; Amend Coun. J. 7-12-90, p. 18634)

9-112-030 License required.

(a) It is unlawful for any person other than a metropolitan transit authority to operate a motor

vehicle, or for the registered owner thereof to permit it to be operated, for the transportation of passengers for hire within the city, except on a funeral trip, unless it is licensed by the city as a public passenger vehicle pursuant to this chapter or unless it is exempt from licensure under Section 9-112-010 (q).

(b) Any person who solicits for the transportation of passengers for hire when such transportation would be in violation of subsection (a), and the registered owner of any motor vehicle who permits such solicitation, shall be in violation of this section.

(Prior code § 28-2; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 10-14-92, p. 22998)

9-112-040 Interurban operations.

Nothing in this chapter shall be construed to prohibit any public passenger vehicle not licensed under this chapter from coming into the city to discharge passengers accepted for transportation outside the city. While the vehicle is in the city no roof light or other special light shall be used to indicate that the vehicle is vacant or subject to hire, and a white card bearing the words "Not For Hire" printed in black letters not less than two inches in height shall be displayed at the windshield of the vehicle. No person shall be solicited in the vehicle for transportation, sightseeing or charter, from any place within the city. Violation of any of the provisions of this section shall be a misdemeanor, and any person in control or possession of such a vehicle who violates any of the provisions of this section shall be subject to arrest and may be punished upon conviction by incarceration in a penal institution other than a penitentiary for a term of 30 days for a first offense, 60 days for a second offense within 180 days of the first offense and 90 days for third offense within 180 days of the first offense and shall further be fined not less than \$100.00 nor more than \$500.00 for each offense under the procedures set forth in Section 1-2-1.1 of the Illinois Municipal Code. Illinois Revised Statutes Chapter 24, paragraph 1-2-1.1 (1985), as amended and the Illinois Code of Criminal Procedure. Illinois Revised Statutes Chapter 38, paragraph 100-1, et seq. (1985), as amended, in a separate proceeding.

(Prior code § 28-3; Amend Coun. J. 2-3-87, p. 39202; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634)

9-112-050 Inspections.

No vehicle shall be licensed as a public passenger vehicle until it has been inspected under the direction of the commissioner and found to be in safe operating condition, to have all equipment as required by this chapter, and to have adequate body and seating facilities which are clean and in good repair for the comfort and convenience of passengers. All public passenger vehicles are subject to annual inspection except that taxicabs must be submitted for inspection semiannually.

If any licensee fails to appear and make his vehicle available for inspection after receiving a notification from the commissioner to do so, the commissioner shall suspend the licensee's public passenger vehicle license for a period of two days and impose a fine of \$300.00. If the licensee again fails to so appear, the commissioner shall suspend his license until the vehicle has passed an inspection pursuant to this section.

(Prior code § 28-4; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 4-6-05, p. 46027, § 1)

9-112-051 Failed vehicle inspections.

If a vehicle fails a periodic inspection required by 9-112-050, the licensee must pay re-inspection fees of \$50.00.

(Added Coun. J. 4-6-05, p. 46027, § 1)

9-112-060 Specifications.

(a) The commissioner may issue licenses for motor vehicles to operate as public passenger vehicles only according to the following categories:

(1) Vehicles having a capacity for no more than eight passengers, excluding the driver, may only be licensed as taxicabs or liveries, except as provided in paragraph (3) of this subsection (a).

(2) Vehicles having a capacity for nine or more passengers, excluding the driver, may only be licensed as charter/sightseeing vehicles, except as provided in paragraph (3) of this subsection (a).

(3) Vehicles of any size licensed by the State of Illinois as medical carriers pursuant to the Illinois Vehicle Code, Illinois Revised Statutes Chapter 95 1/2, Paragraph 8-101 et seq. and Paragraph 13-101-1, et seq. (1985), as amended, may be licensed as medical carriers.

(4) Neighborhood electric vehicles, as defined in Section 9-4-010 of this Code, may be licensed only as local service taxicabs. The commissioner is authorized to promulgate rules and regulations regarding the operation of local service taxicabs.

(b) It shall not be a violation of this section for a medical carrier to transport ill, injured, infirm or handicapped persons for a purpose other than that of obtaining medical care or treatment.

(c) No vehicle shall be licensed as a public passenger vehicle unless it has two doors on each side other than vehicles designated under subsections (d) through (g), and except that any vehicle having seating capacity for more than eight adult passengers shall be so licensed provided it meets applicable Federal Motor Vehicle Safety Standards for vehicles of its size, type and proposed use.

(d) The commissioner may by rule provide that a motor vehicle to be licensed as a taxicab subsequent to January 1, 1998, as the result of the original issuance of a license, the transfer of a license, or the replacement of a previously licensed vehicle, must be a vehicle having a capacity of at least six passengers, excluding the driver, designated by the commissioner by rule; provided that this requirement shall not apply to a licensee who owns or controls fewer than four taxicab licenses; and provided that no more than 25 percent of the licensed taxicabs owned or controlled by a licensee shall be subject to this requirement. If more than one corporate licensee is controlled by the same person, or where the same person owns 25 percent or more of the stock in more than one corporate licensee, the total number of taxicab licenses that are so controlled or owned by the person shall be counted together in determining the requirements of this section.

(e) The commissioner may by rule provide that a motor vehicle to be licensed as a taxicab subsequent to January 1, 1998, as the result of the original issuance of a license, the transfer of a license, or the replacement of a previously licensed vehicle, must be a vehicle equipped for wheelchair access pursuant to standards established by the commissioner; unless (i) the licensee owns or controls fewer than fifteen licenses; (ii) or at least five percent or an aggregate number of 30, whichever is less, of the licensee's licensed taxicabs are currently equipped for wheelchair access. If more than one corporate licensee is controlled by the same person, or where the same person owns 25 percent or more of the stock in more than one corporate licensee, the total number of taxicab licenses that are so controlled or

owned by the person shall be counted together in determining the requirements of this section.

(f) Any motor vehicle to be licensed as a taxicab under a public passenger vehicle license which at any time after January 1, 2001 was distributed pursuant to an open and competitive bidding procedure and/or a random selection or seniority procedure provided for in Section 9-112-380 of this chapter must be a vehicle having a capacity of at least six passengers, excluding the driver.

(g) The commissioner may by rule provide that up to 50 percent of all motor vehicles to be licensed as a taxicab under a public passenger vehicle license which at any time after January 1, 2001 was distributed pursuant to an open and competitive bidding procedure provided for in Section 9-112-380 of this chapter must be a vehicle equipped for wheelchair access pursuant to standards established by the commissioner.

(h) Any taxicab license by which an owner complies with subsections (d) through (g) above shall be designated in the records of the department of business affairs and consumer protection as being so compliant, and that henceforth, any future motor vehicles to be licensed as a taxicab under that license must be in compliance of such designation, regardless of whether the license is subsequently transferred or otherwise assigned.

(i) For those licensees that own or control fifty or more licenses, subsequent to July 1, 2007, the commissioner may provide, by rule, that a motor vehicle to be licensed as a taxicab as the result of the original issuance of a license, the transfer of a license, or the replacement of a previously licensed vehicle, must be an “alternative fuel taxi” as defined in Section 9-112-010; provided, however, that no more than two percent of the licensee’s licensed taxicabs shall be subject to this requirement. If more than one corporate licensee is controlled by the same person, or where the same person owns 25 percent or more of the stock in more than one corporate licensee, the total number of taxicab licenses that are so controlled or owned by the person shall be counted together in determining the requirements of this section.

(Prior code § 28-4.1; Amend Coun. J. 2-3-87, p. 39199; Amend Coun. J. 10-15-87, p. 5217; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 2-8-06, p. 70098, § 1; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5; Amend Coun. J. 2-11-09, p. 55024, § 4)

Editor’s note – Coun. J. 2-8-06, p. 70098, § 1, added the provision herein designated subsection (i) as subsection (h). Because a prior existing subsection had been assigned that lettering, the provision has been relettered as subsection (i).

9-112-070 Application.

Application for public passenger vehicle licenses shall be made in writing, signed and sworn to by the applicant or if applicant is a corporation or partnership, by its duly authorized agent, upon forms provided by the commissioner. The application shall contain the full name, Chicago business address and residence address of the applicant, the names of the applicant’s partners, or if the applicant is a corporation, of its officers and directors, the business telephone number of the applicant, the manufacturer’s name, model, length of time in use, horsepower and seating capacity of the vehicle which applicant will use if a license is issued, and the class of public passenger vehicle license requested. If the applicant is affiliated or to become affiliated or identified with any affiliation by the color scheme of vehicles, trade name or emblem, telephone number, radio dispatch system, or service agreement, the application shall contain the full name, Chicago business address and telephone number of the affiliation, and a copy of the agreement with the affiliation shall be filed with the application.

(Prior code § 28-5; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634)

9-112-080 Qualifications.

In order to qualify for a public passenger vehicle license, whether upon initial application or upon application for renewal of a license:

(a) an applicant shall be in compliance with the provisions of this chapter; and

(b) 1. with respect to any corporate applicant, the corporation shall be organized or qualified to do business under the laws of Illinois and have its principal place of business in the City of Chicago; or

2. with respect to a partnership applicant, each partner shall meet the qualifications as if he were an individual applicant and the partnership shall leave* its principal place of business in the City of Chicago; or

* **Editor's note** – As set forth in Coun. J. 12-10-97, p. 59054; correct language appears to be “...shall have its...”

3. with respect to any applicant other than a corporation or partnership, he shall be a citizen or legal resident of the United States residing and domiciled in the City of Chicago, and in addition, if he is a member of an affiliation, the affiliation of which he is a member shall:

A. be a corporation organized or qualified to do business under the laws of Illinois;

B. have its principal place of business in the City of Chicago;

C. have a duly authorized agent registered with the commissioner and comply with this ordinance and all orders, rules and regulations duly promulgated by the commissioner governing the business of such affiliations; and

D. from and after January 1, 1989, provide a two-way radio dispatch system for his* affiliates; and

* **Editor's note** – As set forth in Coun. J. 12-10-97, p. 59054; correct language appears to be “its”.

4. any applicant for issuance or renewal of a taxicab license shall provide a two-way radio dispatch system or avail himself for the radio dispatch system provided by an affiliation for all taxicabs he will operate, if licenses are issued, in accordance with the following schedule:

A. any person licensed for the first time in 1988 or later and any transferee pursuant to other provisions of this chapter shall so equip all vehicles from and after January 1, 1989;

B. any person who holds 100 or more licenses shall so equip at least 50 percent of all his vehicles from and after January 1, 1989 and the remainder as each vehicle is replaced, but in no event later than January 1, 1994;

C. all other licenses* shall so equip each vehicle from and after January 1, 1989 as it is replaced, but in no event later than January 1, 1994; or

* **Editor's note** – As set forth in Coun. J. 12-10-97, p. 59054; correct language appears to be “licensees”.

5. for taxicab licensees, an applicant must successfully complete a mandatory course of study as prescribed in paragraph 6. of this section and pass an examination as prescribed by the commissioner. If the applicant is a corporation, an officer of the corporation completing the course and passing the examination shall satisfy this requirement. If the applicant is a partnership a partner completing the course and passing the examination shall satisfy this requirement. If the license is held by a corporation or a partnership, and the person having completed the course and passing the examination required in this section ceases to be an officer or a partner, the licensee shall have 60 days to achieve compliance with this section. Individuals which were licensed prior to the effective date of this ordinance and have continually been licensed shall be deemed to have met the requirements of this section. Corporations or partnerships which were licensed prior to the effective date of this ordinance shall be deemed to have met the requirements of this section as long as an officer or partner of the organization, as of the effective date of this ordinance, remains in such position within the organization licensed. The commissioner may require any license (or an officer or partner of a licensee) to complete this course again and pass the examination when such licensee is found to have engaged in conduct violative of any provision of this chapter or the rules and regulations promulgated thereunder; or

6. The commissioner shall provide or cause to be offered on an ongoing basis a course of study covering the requirements of this chapter 9-112, other relevant portions of the Municipal Code of Chicago, and the rules and regulations promulgated thereunder and such other additional subjects as the commissioner may require for all applicants for a taxicab license. The commissioner may contract with the city colleges or, with the approval of the mayor, with any state-approved vocational or technical school or not-for-profit organization to provide the required taxicab licensee course of study. No such course may be offered unless the curriculum for the course has been certified by the commissioner as being in compliance with this chapter. The certification shall be made annually and may be revoked at any time. The commissioner shall approve the tuition to be charged for such course; or

7. Beginning January 1, 1999, any applicant for issuance or renewal of a taxicab license shall submit proof that he is affiliated with an affiliation licensed by the city, except that a licensee who certifies at the time of application that he/she owns or controls no more than one taxicab license and that no person other than the licensee, the licensee's spouse or a natural or legally adopted child of the licensee shall operate the taxicab throughout the entire license period need not be affiliated.

8. Effective January 1, 2001, any public passenger vehicle licensee, who does not carry adequate worker's compensation insurance shall have its license(s) immediately suspended until such time as proof of such insurance is provided to the commissioner. In addition, if the commissioner finds that the public passenger vehicle was operated without adequate workers' compensation insurance, the license shall be subject to revocation.

9. Any public chauffeur upon filing a claim for temporary total disability with the Illinois Industrial Commission shall immediately surrender his public chauffeur license to the department. Such public chauffeur license shall remain surrendered for any period for which the chauffeur claims or receives benefits.

10. Any public chauffeur whose claim for benefits with the Illinois Industrial Commission is determined to be fraudulent, not credible, or otherwise not filed in good faith may have his public chauffeur license revoked.

(Prior code § 28-5.1; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 1-14-97, p. 37750; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1)

9-112-090 Qualifications – Criteria for consideration.

(a) In determining whether an applicant is qualified for a public passenger vehicle license or the renewal thereof, the commissioner shall take into consideration:

1. The character and reputation of the applicant or its members, officers or directors as law-abiding citizens, including, if applicable, the disciplinary record of the applicant in the operation of his public passenger vehicle and the disciplinary record of the applicant, or of any officer or director of a corporate applicant, as a public chauffeur;
2. The financial ability of the applicant to render lawful, safe, suitable and comfortable service and to maintain or replace the equipment for such service;
3. The financial responsibility of the applicant to maintain insurance for the payment of personal injury, death, and property damage claims;
4. The financial ability of the applicant to pay all judgments and awards which may be rendered for any cause arising out of the operation of a public passenger vehicle;
5. The color scheme proposed for use to prevent deception or confusion as to the ownership of the taxicab employed and the identity of the person or persons responsible for the service.

(b) No applicant shall be eligible for a public passenger vehicle license if any Chicago public passenger vehicle license or any Chicago public chauffeur license the applicant, or any officer or director of a corporate applicant or partner in a partnership applicant, has held within the previous five years was revoked, or if the applicant, or any officer or director of a corporate applicant or partner in a partnership applicant, within the five years immediately preceding the date of his application, has been either convicted, or in custody, under parole or under any other noncustodial supervision resulting from a conviction in a court of any jurisdiction for the commission of any felony as defined by Article 2 of the Illinois Criminal Code of 1961, as amended.

If the commissioner has knowledge that a licensee has been charged with the commission of a forcible felony, as defined in Article 2 of the Illinois Criminal Code of 1961, as amended, arising in connection with the provision of public passenger vehicle services, the commissioner shall suspend the public passenger vehicle license of the licensee until final adjudication is made with respect to such charges.

(Prior code § 28-5.2; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-10-97, p. 59054)

9-112-100 Investigation and issuance of license.

Upon receipt of an application for a public passenger vehicle license the commissioner shall, and in the case of an application for license renewal, upon good cause shown, the commissioner may cause an investigation to be made of: (1) the character and reputation of the applicant as a law-abiding citizen; and (2) the financial ability of the applicant to render safe and comfortable transportation service, to maintain or replace the equipment for such service and to pay all judgments and awards which may be

rendered for any cause arising out of the operation of a public passenger vehicle during the license period. If the commissioner shall find that the application, and all other statements and documents required to be filed with the application have been properly executed, and that the applicant is qualified to provide the services required of a license holder, the commissioner shall issue to him in his name a license for each public passenger vehicle applied for; provided, that each such vehicle is in safe and proper condition at the time the license is issued; and further provided, that the vehicle is either registered in applicant's name or, in the case of a leased vehicle, that the applicant has provided the commissioner with a copy of the lease, in a form acceptable to the commissioner, which lease must be a minimum of one year's duration with an expiration date of December 31st and must include an acknowledgment by the lessor/owner of the vehicle that he has given his consent for the vehicle to be used as the type of public passenger vehicle for which a license is sought.

All licenses issued pursuant to this chapter shall expire on December 31st following the date of issue unless they are renewed within the period specified in this section. Application for renewal of any license issued pursuant to this chapter shall be made no later than the last day of February of the year for which the license is to be renewed.

(Prior code § 28-6; Amend Coun. J. 1-27-88, pp. 10273, 10288; 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634)

9-112-105 Safety features – Required – Exceptions.

(a) No license for a taxicab shall be issued or renewed unless the taxicab is equipped with at least one of the following safety features or combination of safety features, all of which shall be in compliance with specifications set forth in regulations promulgated by the commissioner:

(1) A safety shield device capable of completely separating the driver's seat from the rear passenger compartment.

(2) A mounted camera unit that will take a visual record or photograph(s) of the passenger(s).

(3) Such other system that the commissioner determines by rule provides at least as much protection as the systems described above.

The specifications promulgated by the commissioner under this section shall be designed to maximize public chauffeur and passenger safety in light of current technology and reasonable economic concerns.

(b) The equipment required by this section shall be maintained in good working order at all times. The license of any licensee who violates this section shall be subject to immediate suspension until the licensee demonstrates compliance with this section.

(c) The requirements of this section do not apply to a licensee who owns or controls no more than one taxicab license and who certifies that no person other than the licensee, the licensee's spouse or natural or legally adopted child of the licensee will operate the taxicab throughout the entire license period. Any licensee who makes such a certification and permits any other person other than those persons specified above to operate the taxicab during the license period shall be subject to a fine not less than \$50.00 nor more than \$500.00 for each offense, plus the revocation of his or her taxicab license.

(Added Coun. J. 10-14-92, p. 22998; Amend Coun. J. 1-14-97, p. 37750; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 12-4-02, p. 99931, § 6.2; Amend Coun. J. 2-8-06, p. 70098, § 1)

9-112-110 License fees.

The annual fee for each public passenger vehicle license of the class herein set forth is as follows:

Charter/sightseeing vehicle \$500.00

Livery vehicle 500.00

Medical carriers 500.00

Taxicab 500.00

The fee shall be paid in advance when the license is issued and shall be applied to the cost of issuing such license, including without being limited to, the investigations, inspections and supervision necessary therefor, and to the cost of regulating all operations of public passenger vehicles as provided in this chapter.

Nothing in this section shall affect the right of the city to impose or collect a vehicle tax and any occupational tax, as authorized by the laws of the State of Illinois, in addition to the license fee herein provided.

The fees specified in this section shall be in addition to any amounts payable pursuant to the competitive bidding process.

(Prior code § 28-7; Amend Coun. J. 2-3-87, pp. 39199, 39202; Corrected. 3-11-87, p. 40423; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 11-17-93, p. 42192; Amend Coun. J. 3-26-96, p. 19271; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-19-08, p. 48243, Art. I, § 1)

9-112-120 Temporary permits – Fees.

The commissioner may issue temporary permits for the operation within the city of a charter/sightseeing vehicle by a person whose charter/sightseeing business is located outside the city, and who conducts that business within the city on an occasional basis. The commissioner may also issue temporary permits to a coachman of one or more charter/sightseeing vehicles licensed under this chapter in order to operate additional vehicles as charter/sightseeing vehicles on a temporary basis under the licensee's authority and control. The daily fee for any permit under this section shall not exceed \$25.00 per vehicle. Such vehicles shall be subject to all applicable provisions of Chapters 9-104 and 9-112 of the Chicago Municipal Code as well as all rules and regulations relating thereto promulgated pursuant to Section 2-24-040 of this Code.

(Prior code § 28-7.1; Amend Coun. J. 2-3-87, p. 39199; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 11-10-94, p. 59125)

9-112-140 Personal license – Fair employment practice.

It shall be unlawful for a licensee to lease or contract for the independent operation or management of the licensee's operation of any taxicab or livery licensed hereunder for any consideration whatsoever without first registering as a license manager as provided in Section 9-112-322 of this Code. The relationship between the licensee of any taxicab or livery and the driver thereof shall be such as they

mutually may agree upon by contract, and may be expressed or implied, subject to the restrictions contained in this chapter and regulations promulgated hereunder; and provided, that the driver thereof is duly licensed by the city as a public chauffeur as required by ordinance.

Each such lease or contract shall be in writing and in a form approved by the commissioner; provided, that where the relationship is one of employer-employee, no such writing shall be required. The licensee shall provide a copy of any such lease to the commissioner upon request. The commissioner shall issue regulations governing the following terms of such leases and contracts: (a) identification of the parties; (b) identification of the leased vehicle; (c) duration of the lease; (d) obligations of the lessor for maintaining the safety of the vehicle. In formulating such regulations, the commissioner shall consider the effect of the lease or contract on the safety of the public, the maintenance and care of taxicabs or liveries, and the availability of taxicab and/or livery service. Lessor shall not lease any taxicab or livery to any qualified driver unless that taxicab or livery is fit for service as a taxicab or livery.

It shall be unlawful for any person other than the lessee or contractor or an employee of the licensee to operate a taxicab during the term of such lease or contract. There shall be no discrimination against any person employed or seeking employment on account of race, color, religion, national origin or ancestry.

(Prior code § 28-9; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 11-15-00, p. 46957, § 1)

9-112-142 Liability for actions of public chauffeur.

(a) Subject to the exemption in paragraph (b) of this section, any licensee whose public passenger vehicle is operated by a public chauffeur found in violation of this chapter, Chapter 9-104, or any rules or regulations promulgated thereunder, shall be subject to a fine, or license suspension, or both, pursuant to rules and regulations promulgated under Section 9-112-260 for subsequent violations of the same ordinance or rules by the same chauffeur.

(b) In the event that a public chauffeur is found to have violated any provision of this chapter, Chapter 9-104, or any rules and regulations promulgated thereunder while operating a licensee's vehicle, the licensee shall not be liable under paragraph (a) of this section for the first subsequent violation by the chauffeur of the same ordinance or rule provided that the offense involved does not involve refusal of service and that the chauffeur, after the first offense and prior to the subsequent offense, has completed a retraining course, approved by the commissioner, at the licensee's expense.

(c) All licensees have an affirmative duty to respond to requests for service made by the general public and are responsible for the actions of any employee, chauffeur-lessee, affiliation, radio dispatch service of the licensee, in failing to respond to such a request for service.

(Added Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1)

9-112-145 Lease rate regulations.

(a) In addition to the rules and regulations otherwise provided for in this section, the commissioner shall, subject to the limitations provided in this section, establish by rule the maximum rates that a lessor may charge for the rental of a taxicab, including, to the extent permitted by law, rates for goods and services provided by the lessor in connection with such rental. The maximum rates shall be established at an amount determined by the commissioner to: (1) enable the lessor to receive adequate revenues to

pay the lessor's reasonable expenses and receive a just and reasonable rate of return on the lessor's investment; and (2) provide for safe and adequate taxicab service within the city by providing lessees with an opportunity to earn a fair and reasonable income. In establishing such rates, the commissioner shall consider: (1) vehicle, equipment and license costs; (2) asset depreciation; (3) the costs of insurance, operation and maintenance, uninsured repairs, wages and salaries, garage storage, taxes, fees, radio dispatching and administration, as well as all other periodic expenses paid by the lessor; (4) the extent to which the lessor or persons who have invested in the lessor also have investments in other persons or entities who may benefit directly or indirectly from the lease; and (5) such other factors that the commissioner considers appropriate to further the purposes of this chapter.

(b) No lease rate limitations shall be effective until the commissioner has conducted a public hearing on the proposed maximum lease rates. At least seven days before the public hearing, the commissioner shall publish in a newspaper of general circulation within the city a notice of the time, date, place and subject matter of the hearing. At the hearing, all interested persons shall be given a reasonable opportunity to be heard.

(c) The commissioner shall review periodically the maximum lease rates then in effect to ensure that such rates are consistent with the objectives expressed in this section. However, the commissioner may not revise the lease rate limitations in effect under this section more than once within any 12 month period unless the commissioner determines that extraordinary circumstances require the revision for the purposes of this section.

(d) Notwithstanding any lease rate limitation established under this section, including any limitation imposed by subsection (f), the commissioner may, upon petition of an individual lessor, permit the lessor to charge a rate in excess of that otherwise permitted if the lessor demonstrates that the rate limitation prevents the lessor from receiving adequate revenues to pay the lessor's reasonable expenses and receive a just and reasonable rate of return on the lessor's investment.

(e) The commissioner may require all holders of taxicab licenses to provide such financial information as may be reasonably necessary to establish maximum lease rates under this section. Any licensee who fails to provide such information may not file a petition under subsection (d) for permission to impose a higher lease rate, may not become a party to any proceeding under this section, and may not contest in a proceeding under this section or otherwise the rate limitations established under this section. Information that is submitted pursuant to this subsection shall be kept confidential and shall not be disclosed to the public.

(f) Notwithstanding any other provision of this section, no licensee may, within 90 days after the effective date of this section, charge a rate for the lease of a taxicab, including charges for related goods and services, at a rate higher than that which was in effect on December 1, 1993, provided that such licensee may within such period increase the rate by a total amount no greater than 2.8 percent, based on the percentage increase in the United States Average All Items All Urban Customers Consumer Price Index (CPIU) published by the United States Department of Labor, Bureau of Labor Statistics, for the 12 month period from October, 1992 to October, 1993.

(g) Any licensee who imposes a lease rate or other charge in excess of that which is permitted under this section, or who fails to provide financial information that is required under subsection (e), or who otherwise violates this section shall be subject to a fine of not less than \$200.00 and not more than 750 for each offense, and shall be subject to the suspension or revocation of his or her taxicab license in the manner provided in this chapter and the rules and regulations adopted under this chapter. Each day that a violation continues, and each unlawful lease that is executed, shall constitute a separate and distinct offense. In addition, the commissioner may request the city to bring an action in an appropriate

court for injunctive or other equitable relief against violations of this section.

(h) This section shall apply to all leases that are entered into, amended or extended on or after the effective date of this section.

(i) Each taxicab licensee must submit an affidavit at the time of renewal of his license indicating all lease rates, fees, and charges to be charged to public chauffeurs in connection with the leasing of the licensee's taxicabs. Taxicab licensees may not charge any public chauffeur a lease rate, fees, and/or charges in an amount greater than that indicated in the affidavit without having furnished in writing the commissioner 30 days advance notice of the proposed changes in the lease rates, fees, and/or other charges.

(Added Coun. J. 12-15-93, p. 44059; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1)

9-112-150 Vehicles other than taxicabs – Sticker license emblem to be affixed.

Except in the case of taxicabs, the commissioner shall deliver with each license a sticker license emblem which shall bear the words "Public Vehicle License" and "Chicago" and the numerals designating the year for which the license is issued, a reproduction of the corporate seal of the city, the names of the mayor and the commissioner and serial number identical with the number of the public vehicle license. The predominant background colors of such sticker license emblems shall be different from the city wheel tax license emblem for the same year and shall be changed annually. The cabman or coachman shall affix, or cause to be affixed, the sticker emblem on the inside of the glass part of the windshield of the vehicle.

(Prior code § 28-10; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-12-07, p. 16793, § 4)

9-112-160 Taxicabs – Metal plate to be affixed.

In the case of taxicabs, the commissioner shall deliver with each license, a metal plate, of such size, shape and material as he may determine, which shall bear the words: "City of Chicago", the public passenger vehicle license number and the year of issuance impressed thereon in letters and figures not less than three-quarters of an inch in height. The metal plate shall be affixed by the commissioner to the exterior of the cowl or hood of the taxicab in such location as to be easily visible. Within 120 days after the effective date of this ordinance each cabman who is granted a new license for a taxicab shall submit each of his taxicabs to the commissioner for inspection and the commissioner shall affix the metal plate to each such taxicab as required by this section. In each year after 1986 the metal plate shall be affixed by the commissioner at the time of renewal of a current year's public passenger vehicle license.

(Prior code § 28-10.1; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 10-15-87, p. 5217; Amend Coun. J. 7-12-90, p. 18634)

9-112-170 Unlawful to operate vehicle without current emblem.

It shall be unlawful for any person to operate a public passenger vehicle for hire without the metal plate or emblem for the current year affixed. In addition to any other penalty to which he may be subjected as provided in this chapter or under the rules and regulations promulgated pursuant to Section 2-24-040 of this Code, the chauffeur's license of such person found to be guilty of such an act shall be revoked.

(Prior code § 28-10.2; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634)

9-112-180 Unlawful for licensee to operate vehicle without current emblem.

It shall be unlawful for any licensee to operate or permit any person to operate a public passenger vehicle for hire without the metal plate or emblem for the current year affixed and, in addition to any other penalty provided by this chapter or under the rules and regulations promulgated pursuant to Section 2-24-040 of this Code, the license of such licensee shall be revoked.

(Prior code § 28-10.3; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634)

9-112-190 Tampering with emblem unlawful – Penalty.

It shall be unlawful for any person to tamper with, alter or reattach such metal plate or emblem to any vehicle or to cause the same to be done and any person guilty of such an act shall be subject to a fine of not less than \$200.00 nor more than \$500.00 for each offense, and if the person be a licensee, upon conviction thereof, his public passenger vehicle license for the vehicle shall be revoked.

(Prior code § 28-10-4; Amend Coun. J. 2-3-87, p. 39202; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634)

9-112-200 Replacement of damaged or stolen emblems – Fee.

In the event a cabman desires to replace either the vehicle or the portion of the vehicle to which the metal plate is affixed, or if the metal plate or the portion of the vehicle to which it is affixed becomes damaged so as to require replacement or repair, the cabman may remove the metal plate and shall immediately deliver it to the commissioner who shall reattach the same to the repaired or new vehicle for a fee of \$25.00 or, if the metal plate has been damaged or defaced, the commissioner shall obtain a duplicate and affix the same for an additional fee of \$10.00. In the event a metal plate, emblem, or license card shall become lost or stolen, the licensee shall furnish to the commissioner a statement under oath giving all of the facts pertaining to the loss or theft known to the licensee and the commissioner shall obtain and affix a duplicate metal plate for a fee of \$35.00, or a duplicate emblem or license card for a fee of \$25.00.

(Prior code § 28-10.5; Amend Coun. J. 2-3-87, p. 39202; Amend Coun. J. 10-15-87, p. 5217; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 11-17-93, p. 42192)

9-112-210 License card.

In addition to the license, the metal plate and sticker emblem the commissioner shall deliver a license card for each vehicle. This card shall contain the name of the cabman or coachman, the license number of the vehicle and the date of inspection thereof. It shall be signed by the commissioner and shall contain blank spaces upon which entries of the date of every inspection of the vehicle and such other entries as may be required shall be made, including but not limited to advertising permit information. It shall be of different color each year. The licensee shall provide a suitable frame with glass cover affixed on the inside of the vehicle in a conspicuous place in such manner as may be determined by the commissioner for insertion and removal of the public passenger vehicle license card. In every livery vehicle and taxicab the frame shall also be provided for insertion and removal of the chauffeur's license card and such other notice as may be required by the provisions of this chapter and the rules of the commissioner. It is unlawful to carry any passenger or his baggage unless the license cards are exposed in the frame as

provided in this section.

(Prior code § 28-11; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 2-8-06, p. 70098, § 1)

9-112-215 Underserved areas.

(a) By May 1, 1998, the commissioner shall establish by rule a plan for increasing service in areas of the city that are inadequately served by taxicabs. Prior to that date, the commissioner shall conduct one or more public hearings and shall seek recommendations from all interested persons. The plan may include provisions that certain areas of the city be provided with a certain number of taxicabs on an ongoing basis by an affiliation or affiliations. Any rule providing for a mandatory assignment of taxicabs may provide that such assignments be in a proportionate number to the total membership of each affiliation.

(b) The commissioner shall regularly review the effectiveness of the plan and revise, expand or update it for the purpose of insuring adequate service to all areas of the city.

(c) Each taxicab which is in service and leased by a public chauffeur must at all times have its two-way radio dispatch system activated to a level which is readily audible to the driver.

(d) Each taxicab which is in service and leased by a public chauffeur must respond in a timely manner to radio dispatch requests for service and convey passenger(s) requesting transportation originating from an underserved area to their destination at a minimum of at least once during the duration of a lease of 24 hours or less, or at least seven times during the duration of any weekly lease; provided, however, local service taxicabs shall be exempt from the requirement of conveying passenger (s) requesting transportation originating from an underserved area.

(e) Taxicab license holders and affiliations shall have an affirmative duty to insure compliance with this section by the drivers of vehicles with taxicab licenses issued to them or their affiliates. Taxicab license holders and affiliations shall immediately file a report to the commissioner on any driver who fails to comply with the requirements provided in paragraph (d) above.

(f) No taxicab licensee shall lease his or her vehicle to a public chauffeur unless the public chauffeur has already signed a pre-lease agreement with the licensee, in a form acceptable to the commissioner, whereby the public chauffeur acknowledges that he has an affirmative duty to accept passengers requesting service and may not refuse or deny service to or in any other way discriminate against individuals based on race, gender, ethnicity, or the geographical location of either the origination or destination of the fare; that he has an affirmative duty to transport persons with service dogs as required in 775 ILCS 30/1 et seq.; that he has an affirmative duty to keep his radio dispatch service equipment on and audible at all times when operating the taxicab; and that he has an affirmative duty to respond in a timely manner to radio dispatch requests for service and convey the passengers requesting transportation originating from an underserved area to their destination at a minimum of at least once during the duration of a lease of 24 hours or less, or at least seven times during the duration of any weekly lease; provided, however, no affirmative duty shall be imposed on a public chauffeur of a local service taxicab to transport persons outside of the geographical locations where local service taxicabs are licensed to provide service, or to convey passengers requesting transportation service originating from an underserved area. Taxicab licensees shall maintain copies of these pre-lease agreements and furnish them to the commissioner upon request.

(g) No public chauffeur license shall be issued or renewed unless the public chauffeur has already

signed an agreement with the department of business affairs and consumer protection whereby the applicant acknowledges that he has an affirmative duty to accept passengers requesting service and may not refuse or deny service to or in any way discriminate against individuals based on race, gender, ethnicity, or the geographical location of either the origination or destination of the fare; that he has an affirmative duty to transport persons with service dogs as required in 775 ILCS 30/1, et. seq.; that he has an affirmative duty to keep his radio dispatch service equipment on and audible at all times when operating the taxicab; and that he has an affirmative duty to respond in a timely manner to radio dispatch requests for service and convey the passengers requesting transportation originating from an underserved area to their destination at a minimum of at least once during the duration of a lease of 24 hours or less, or at least seven times during the duration of any weekly lease; provided, however, no affirmative duty shall be imposed on a public chauffeur of a local service taxicab to transport persons outside of the geographical locations where local service taxicabs are licensed to provide service, or to convey passengers requesting transportation service originating from an underserved area.

(h) Taxicab affiliations have an affirmative duty to insure that an adequate number of requests for service are received by affiliations and transmitted to the public chauffeurs operating affiliated taxicabs which would enable said public chauffeurs to meet their requirements under paragraph (d) of this section above. Affiliations which fail, during a licensing year, to receive a number of telephonic requests for service originating from underserved areas equal to the product of 300 times the number of affiliated taxicabs in the affiliation shall be deemed to be in violation of this section and shall be issued a probationary license for the subsequent year. Affiliations operating under a probationary license which fail to receive and answer a number of telephonic requests for service originating from underserved areas equal to the product of 300 times the number of affiliated taxicabs in the affiliation may have their applications for renewal of licensing denied.

(i) No public chauffeur license shall be renewed unless the public chauffeur submits proof, in a form acceptable to the commissioner, from the taxicab licensee and/or affiliation that the applicant for renewal has complied with the requirements of this section since the last time the applicant's public chauffeur license was issued or renewed.

(j) All taxicabs whose licenses were originally issued to qualified economically disadvantaged public chauffeurs responding to requests for qualifications issued by the commissioner pursuant to Section 9-112-380(b)(3) of this Code, as in effect subsequent to January 1, 1998 and prior to December 31, 2000, are required to operate exclusively in underserved areas a minimum of eight hours a day between 6:00 a.m. and 10:00 p.m. for three days per week. During that time, such cabs may discharge passengers at any location, but must only accept passengers in underserved areas. Affiliations with which such taxicabs are affiliated shall keep records on all radio dispatch calls answered by such taxicabs and furnish them to the department of business affairs and consumer protection upon request.

(k) The commissioner is authorized to promulgate all rules and regulations necessary for enforcement of this section, including, but not limited to, establishing the responsibilities of affiliations and their affiliates in monitoring compliance with this rule by the lessee-drivers of the taxicabs affiliated with the affiliation and the responsibilities of affiliations and their affiliates in maintaining and providing records to the department regarding compliance with this rule.

(l) An affiliation affiliate licensee, or public chauffeur may be subject to fines not to exceed \$750.00 per violation and/or suspension or revocation of its license for acts committed by them, their employees, contractors, or agents which result in material non-compliance with this ordinance, the plan or any rules or regulations promulgated pursuant to this section. In addition to fines and/or suspension or revocation of its license for failure to provide service to persons or locations within the City of Chicago, a taxicab licensed under this ordinance may be prohibited for a period of up to 29 days from accepting

passengers for transportation at any airport within the corporate limits of the City of Chicago.

(Added Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5; Amend Coun. J. 2-11-09, p. 55024, § 4)

9-112-220 Insurance.

Every licensee shall carry public liability and property damage insurance and, where applicable, workers compensation insurance for his employees with solvent and responsible insurers approved by the commissioner, licensed by and authorized to do business in the State of Illinois, and qualified under the laws of Illinois to assume the risk in the amounts hereinafter set forth, to secure payment by the licensee, his agents, employees or lessees of any final judgment or settlement of any claim against them resulting from any occurrence caused by or arising out of the operation or use of any of the licensee's public passenger vehicles.

Every insurance policy or contract for such insurance shall provide that suit may be brought in any court of competent jurisdiction upon such policy or contract by any person for the payment and satisfaction of any final judgment rendered against the licensee or person insured arising from the operation or use of such vehicle.

Every public liability insurance policy must meet the requirements of state law, including but not being limited to, Illinois Revised Statutes Chapter 73, paragraph 755a and paragraph 755a-2 governing coverage for damages from owners or operators of uninsured motor vehicles, hit-and-run motor vehicles, and underinsured motorists. Such public liability insurance policies must also be acceptable to the comptroller and to the corporation counsel, as to form and legality.

Each public liability insurance policy shall provide the following coverage:

For each vehicle with capacity of more than 10 seats	\$1,000,000.00 combined single limit coverage per occurrence;
For each vehicle with a capacity of up to 10 seats, until January 1, 1988, at least	\$50,000.00 for property damage, \$250,000.00 for injuries to or death of any one person, and \$300,000.00 for injuries to or death of more than one person, if any one accident; and
from and after January 1, 1988, at least	\$350,000.00 combined single limit coverage per occurrence.

The insurance policy shall contain a description of each public passenger vehicle insured, manufacturer's name and number, the state license number and the public passenger vehicle license number.

In lieu of an insurance policy or contract a surety bond or bonds with a corporate surety or sureties

licensed by and authorized to do business under the laws of Illinois, may be accepted by the commissioner for all or any part of such insurance; provided, that each bond shall be in the form and language prescribed by the comptroller and approved as to form and legality by the corporation counsel and shall provide terms and conditions for the payment and satisfaction of any final judgment in conformity with and containing equivalent indemnity provisions of an insurance policy or contract required by this section.

All insurance policies or contracts or surety bonds required by this section, or copies thereof certified by the insurers, or sureties shall be filed with the commissioner and no insurance policy or contract or bond shall be subject to cancellation except on thirty days' previous notice to the commissioner. If any insurance policy or contract or bond is cancelled or permitted to lapse for any reason, the commissioner shall suspend the license for the vehicle affected for a period not to exceed ten days to permit another insurance policy or contract or bond to be supplied in compliance with the provisions of this section. If such other insurance policy or contract or bond is not supplied within the period of suspension of the license, the mayor shall revoke the license for such vehicle. In the event that such insurance or bond is supplied, the commissioner shall nevertheless suspend the license for each vehicle affected for an additional period of five days for every day of noncompliance, except by reason of the insolvency of the insurer without advance written notice to the licensee, for the first such violation of insurance or bond requirements, and a period of ten days for every day of noncompliance for the second such violation within any three-year period. The third violation of this insurance or bond requirement within any three-year period shall result in revocation of the licenses of the affected vehicles.

(Prior code § 28-12; Amend Coun. J. 5-13-87, p. 361; Amend Coun. J. 7-12-90, p. 18634)

9-112-230 Affiliations.

(a) No organization may operate as an affiliation of City of Chicago public passenger vehicle license holders without first being licensed by the commissioner. Application for an affiliation license shall be made on such forms and accompanied by such documents as the commissioner may require and shall include, but not be limited to, proof that the affiliation has its principal place of business in Chicago and the name, Chicago business address and telephone number, residence address and license numbers of each licensee so affiliated. Subsequent to licensing, if there are changes in any material information contained in the submitted license application, such changes must be reported in writing to the commissioner within 48 hours. All of affiliation licenses expire on December 1. Renewal of affiliation licensing must be made during the month preceding expiration of the licensing.

(b) No affiliation may have as affiliates both taxicab and livery license holders. No taxicab affiliation may have more than 25 percent of the total number of city licensed taxicabs as affiliates. Affiliations properly registered with the department of business affairs and consumer protection before the effective date of this ordinance with a number of affiliated taxicabs greater than 25 percent of the total number of city licensed taxicabs may retain any affiliated taxicabs as members provided that the license of the affiliated taxicab is not transferred, and further provided that the affiliation not accept any additional licensed taxicabs as new affiliates until such time as the total number of affiliated vehicles in the affiliation is less than 25 percent of the total number of city licensed taxicabs.

(c) No affiliation licensed under this chapter may dispatch a taxicab or livery for the purpose of providing transportation to a customer unless the vehicle is properly licensed to provide the transportation requested. The commissioner will notify an affiliation in the event of the suspension or revocation of any of its affiliate's licenses.

(d) Whenever notice is required to be served by the commissioner on any licensee, service by

certified mail upon the registered address of an affiliation shall be deemed to have been made upon the affiliate to which the service applies within three business days after the affiliation is served.

(e) (1) All affiliate taxicabs and liveries licensed by the City of Chicago, when in service and for hire, must be equipped at all times to allow for the dispatch of the vehicle to a member of the general public requesting transportation. Affiliations and affiliates are responsible for ensuring that such equipment is activated and operating at all times when the affiliated taxicab is in service.

(2) In the event that an affiliation contracts with a radio dispatch service to provide a two-way radio dispatch system to its affiliates, the affiliation shall be liable for any acts or omissions of the radio dispatch service which may violate any of this ordinance or the rules and regulations promulgated thereunder.

(3) All radio dispatch systems used by affiliations shall be subject to the approval of the commissioner.

(4) No affiliation shall discriminate in the dispatch of service against any member of the general public requesting transportation on the basis of age, sex, race, religion, sexual orientation, disability or national origin.

(5) No affiliation shall refuse service to any person or location within the corporate limits of the City of Chicago.

(6) Every lease authorizing a person other than the affiliate to operate an affiliate's taxicab shall contain the following language: "As a condition of this lease, the lessee agrees that at all times when the taxicab is operated, to: keep its radio dispatch equipment activated in such a manner to be clearly audible to the driver; and respond to any and all requests for service which the affiliation may assign to this taxicab." Such language shall be printed in a font which is equal to or greater than the font size of any other language in the lease.

(f) Each affiliation must have on file with the commissioner a written agreement between its affiliates and the affiliation detailing the responsibilities of each towards the other. Each such written agreement must provide that it is not only the responsibility of the affiliate, but also the responsibility of the affiliation, acting as an agent of the affiliate pursuant to their agreement, to insure that any driver of the affiliate's taxicabs shall, at all times when the taxicab is operated, keep the radio dispatch equipment activated in such a manner to be clearly audible to the driver and respond to any and all requests for service which the affiliation may assign to the affiliated taxicab. Affiliations are authorized to include in such agreements that the affiliation be indemnified by their affiliate(s) for any judgment entered against the affiliation resulting from any occurrence caused by or arising out of the operation or use of any of the affiliate's public passenger vehicles.

(g) Each taxicab affiliation shall file with the commissioner a plan detailing the off-street parking of its affiliated taxicabs when such vehicles are not in use. Beginning September 1, 1998, the commissioner may provide by rule that each taxicab affiliation have available legal off-street parking for its affiliated vehicles when the vehicles are not in use.

(h) An affiliate may not have its membership in an affiliation terminated by the affiliation, except on 30 days prior written notice to the affiliate and the commissioner.

(i) If following notice to the last registered address of an affiliation and a hearing held by the

department of administrative hearings, an affiliation is found to have violated any of the provisions of this ordinance and the rules and regulations promulgated thereunder, the affiliation may be subject to a fine not exceeding \$750.00 for each offense, or may be subject to an order of restitution or other appropriate equitable relief. If an affiliation is found to have abandoned its principal place of business in the city or if official notice or legal process cannot be served upon it at the affiliation's last Chicago address filed with the commissioner, its license shall be revoked and the public passenger vehicles of all its affiliates shall be suspended until their affiliation is severed by removal of all equipment and the indicia of affiliation and cancellation of agreements with the affiliation and the licensees can demonstrate compliance with the insurance and two-way radio dispatch system requirements of this chapter.

(j) After January 1, 2003, no taxicab licensee may lease a taxicab or otherwise allow any person to operate a taxicab unless the person authorized to operate the taxicab has completed, within the past 24 months, a continuing public chauffeur retraining program, approved and in compliance with reasonable standards established by the commissioner, which is offered in compliance with state law. The commissioner may also contract with the city colleges or, with any state- approved vocational or technical school or any not-for- profit organization to provide such a course. In the event that a fee is charged for a continuing public chauffeur retraining program, the commissioner may, by rule, establish a maximum amount to be charged to the affiliate whose drivers are taking the training. Affiliations which fail to offer, either by itself or by contract with a state-approved vocational or technical school or not-for-profit organization, a continuing education program approved by the commissioner shall be assessed an annual fee of \$100.00 per vehicle affiliated with the affiliation.

(k) The annual fee for each affiliation license is \$100.00 plus \$5.00 for each public passenger vehicle license affiliated with the affiliation at the time of licensing. The affiliation shall be assessed a fee of \$25.00 for each public passenger vehicle license which becomes affiliated with the affiliation during the licensing year.

(Prior code § 28-12.1; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5)

9-112-240 Payment of judgments and awards.

Every licensee shall pay each judgment or award for loss or damage in the operation or use of a public passenger vehicle rendered against the licensee by any court or commission of competent jurisdiction within 90 days after its judgment or award shall have become final and not stayed by supersedeas. If any such judgment shall not be so paid, the mayor shall revoke the license of the public passenger vehicle licensee concerned.

(Prior code § 28-13; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634)

9-112-250 Cancellation of affiliates registration.

If the affiliation abandons its principal place of business in the City of Chicago, or if any official notice or legal process cannot be served upon it at its last Chicago address registered in the office of the commissioner, and it fails to respond to such notice, or appear in answer to legal process at the time fixed therein, or if it denies liability on the ground that it was not the owner or operator of such vehicle, or if any judgment or award against the affiliation is not paid within the time provided in Section 9-112-240, its registration shall be canceled and the public passenger vehicles of all its affiliated licensees shall

be declared unsafe by the commissioner and their licenses shall be suspended until their affiliation is severed by removal of all equipment and indicia of affiliation and cancellation of all agreements with the affiliation.

(Prior code § 28-13.1; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634)

9-112-260 Suspension or revocation of license; fines; equitable relief.

(a) If any public passenger vehicle shall become unsafe for operation or if its body or seating facilities shall be so damaged, deteriorated or unclean as to render the vehicle unfit for public use, the license therefor shall be suspended by the commissioner until the vehicle shall be made safe for operation and its body shall be repaired and painted and its seating facilities shall be reconditioned or replaced as directed by the commissioner. In determining whether any public passenger vehicle is unfit for public use, the commissioner shall give consideration to its effect on the health, comfort and convenience of passengers and its public appearance on the streets of the city.

(b) Except as otherwise provided in this code, the commissioner may seek suspension or revocation of the license of and/or the imposition of a fine not less than \$75.00 nor more than \$1,000.00 upon, and the commissioner may seek an order of restitution or other equitable relief against, any licensee who violates any of the provisions of this chapter or any rules or regulations adopted pursuant to this chapter. The commissioner shall promulgate rules and regulations regarding the lengths of suspension and the amounts of fines to be imposed, and the types of equitable relief to be ordered, for specific violations. Before any suspension or revocation or fine is imposed, or equitable relief is ordered, the licensee shall be notified of the specific charges against him and of his right to a hearing. The hearing shall be conducted in accordance with Section 9-104-040 of the Code.

Upon suspension or revocation of a license and/or imposition of any fine for cause under the provisions of this chapter, the license sticker emblem and metal plate shall be removed by the commissioner from the vehicle. In addition, upon suspension of a license and/or imposition of any fine for cause under the provisions of this chapter, an entry of the suspension and/or fine shall be made on the license card. When a fine is paid and the suspension, if any, is terminated, an entry thereof, shall be made on the license card by the commissioner and a duplicate license sticker shall be furnished by the commissioner and the commissioner shall reaffix the metal plate, for a fee of \$10.00. The commissioner shall notify the department of police of every suspension or revocation and of the termination of any suspension.

(Prior code § 28-14; Amend Coun. J. 2-3-87, p. 39202; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 7-10-96, p. 24982; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 12-4-02, p. 99931, § 6.3; Amend Coun. J. 7-27-05, p. 53211, § 1; Amend Coun. J. 4-9-08, p. 24917, § 4)

9-112-270 Revocation of license – Grounds.

If any licensee abandons his residence, domicile or place of business in city or if any official notice or legal process cannot be served upon him at his last Chicago address registered in the office of the commissioner and he fails to respond to such notice or appear in answer to legal process at the time fixed therein, or if any judgment or award against him is not paid within the time provided in Section 9-112-240 or if any licensee shall be convicted of a felony or any criminal offense involving moral turpitude or if, while in charge of a public passenger vehicle as a chauffeur, he shall have in his possession or under his control any narcotic drugs, or shall solicit any person for transportation to any

prostitute or house of ill-fame or disorderly place, or direct or inform any person where any prostitute, house of ill-fame or disorderly place is located, or if any cabman shall operate or permit to be operated more than one vehicle bearing the same public passenger vehicle license number painted on the door or shall obtain a duplicate metal plate, duplicate public passenger vehicle license, or duplicate license plates while remaining in possession of the originals and shall operate or permit to be operated any public passenger vehicle bearing such duplicate at the same time as he shall operate or permit to be operated any public passenger vehicle bearing the original metal plate, public passenger vehicle license or license plates, all his licenses shall be revoked.

Upon revocation of any license, the commissioner shall remove the license sticker emblem and the license card from the vehicle affected, and he shall cause to be removed the roof-light, taximeter and connecting cables, the metal plate and any other insignia identifying the vehicle as a public passenger vehicle and if any such identifying insignia be not removable it shall be painted over by the commissioner.

(Prior code § 28-15; Amend Coun. J. 7-12-90, p. 18634)

9-112-280 Revocation of license – Additional reasons.

In the event that the commissioner, after investigation and hearing, shall determine that any licensee has obtained any public passenger vehicle license by fraud or false representation or willful misstatement of material fact, or in case any licensee shall fail to carry out any representation made to the commissioner before the issuance of such license, or shall willfully make any material misstatement of fact on any statement filed with the commissioner, or shall willfully make any material misstatement of fact on any statement filed with the director of revenue or the department of business affairs and consumer protection in connection with the administration of any tax levied against the licensee, or if any licensee shall operate, or cause or suffer to be operated, any public passenger vehicle in violation of the provisions of this chapter or of the rules and regulations of the commissioner relating to the administration and enforcement of the provisions of this chapter, or if the licensee shall be convicted of a felony, or in the case of a corporate licensee if any officer or director shall be convicted of a felony, unless the licensee shall sever its relationship with any such officer or director immediately upon his conviction, or if the licensee has obtained his license pursuant to a foreclosure of a security interest without having provided the commissioner with the information required under Section 9-112-320(f)(2), the commissioner may institute proceedings with the department of administrative hearings seeking to revoke any or all public passenger vehicle licenses, or other licenses issued pursuant to this chapter, held by such licensee.

(Prior code § 28-15.1; Amend Coun. J. 2-3-87, p. 39202; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 3-26-96, p. 18807; Amend Coun. J. 7-27-05, p. 53211, § 1; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5)

9-112-285 Revocation of license – Exception.

Whenever a public passenger vehicle is used for the transportation of persons for hire by a person who does not have a valid public chauffeur license, or whose chauffeur license is under suspension for any reason, including, but not limited to, by reason of imposition of a penalty by the department of administrative hearings or for failure to take a course of study or pass an examination pursuant to Section 9-104-040(a), the public passenger vehicle license for the vehicle shall be revoked, unless the holder of the public passenger vehicle license was, at all relevant times, acting in accordance with procedures that are reasonably designed to prevent the operation of public passenger vehicles by unlicensed persons. The procedures must be expressly approved by the commissioner. In addition, the

chauffeur license of any person to whom the vehicle is leased, shall be revoked if another person is determined to have operated the vehicle during the lease period.

(Added Coun. J. 12-1-93, p. 43380; Amend Coun. J. 11-15-00, p. 46957, § 1)

9-112-290 Interference with commissioner's duties.

Every licensee shall deliver or submit his public passenger vehicles for inspection or the performance of any other duty by the commissioner upon demand. It is unlawful for any person to interfere with or hinder or prevent the commissioner from discharging any duty in the enforcement of this chapter.

(Prior code § 28-16; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 7-12-90, p. 18634)

9-112-300 Advertising signs permitted when.

(a) It is unlawful for any public passenger vehicles licensed pursuant to this chapter to display any advertising sign or device, except as permitted by this section.

(b) Taxicab licensees may apply for permits to display advertising on the exterior and interior of the vehicle. Separate permits are required for each exterior and interior advertising display. The commissioner shall promulgate regulations specifying the locations on the taxicab where advertising may be displayed, as well as describing the permissible design, construction and method of affixing the display to the vehicle, and also may include additional guidelines for such displays and the permit process. In establishing such criteria, considerations shall include:

- (1) visual clutter and aesthetics on the public way;
- (2) the safety and comfort of passengers, drivers, pedestrians and other motorists;
- (3) the visibility of all information required by this chapter to be displayed on the exterior of taxicabs, including but not limited to vehicle numbers, ownership indicia, dome light and availability signal; and
- (4) the visibility of all information required by this chapter to be displayed on the interior of taxicabs, including but not limited to the taximeter, license card display, chauffeur's license display, rate sheets, and braille information card.

(c) Public passenger vehicle charter/sightseeing licensees may apply for permits to display advertising on the exterior and interior of the vehicle. Separate permits are required for exterior and interior advertising displays. The commissioner shall promulgate regulations specifying the locations on charter/sightseeing vehicles where advertising may be displayed, as well as describing the permissible design, construction and method of affixing the display to the vehicle, and also may include additional guidelines for such displays and the permit process. In establishing such criteria, considerations shall include:

- (1) visual clutter and aesthetics on the public way;
- (2) the safety and comfort of passengers, drivers, pedestrians and other motorists;
- (3) the visibility of any information that may be required by the commissioner to be displayed on the exterior and interior of charter/sightseeing vehicles.

(d) The department shall inform applicants for an advertising display permit under this section whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business days and the reasons therefor. If the application is approved, the department shall issue an advertising display permit. If the department denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and regulations that form the basis for such denial. If the department fails to so act within thirty business days after receipt of the application, or sixty business days if it has given advance notice of the need for an additional review period, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.

(e) The fee for the issuance of any interior or exterior advertising display permit shall be \$100.00 for each display, payable at time of application. This fee shall be in addition to the personal property lease transaction tax that applies to lease or rental payments pursuant to Chapter 3-32 of the municipal code.

(f) Where the commissioner has by rule approved any type of advertising display device that involves the installation of a physical apparatus on or in the public passenger vehicle, an inspection of the initial installation of such device is required. The fee for such initial installation inspection shall be \$100.00, payable at the time of inspection by the person or entity installing an advertising display device.

(g) An interior or exterior advertising permit issued under this section shall expire one year after the date of issue, unless sooner surrendered, revoked or terminated.

(h) No permit for interior or exterior advertising issued pursuant to this section shall be transferred or assigned.

(i) The suspension or revocation of a public passenger vehicle license issued pursuant to this chapter shall act as the suspension or revocation of any advertising permit issued hereunder to the affected public passenger vehicles.

(j) Each licensee to whom a permit is issued under this section shall maintain complete and accurate records of all revenues received from the display of any advertising sign or device. Each such licensee shall submit to the commissioner, on a monthly basis, an affidavit in such form as may be required by the commissioner, stating the gross revenues received by the licensee from the display of any advertising sign or device, and any other financial information that the commissioner may determine is relevant in monitoring advertising revenues.

(Prior code § 28-17; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 2-8-06, p. 70098, § 1)

9-112-310 Change of address – Notice to city required.

It is the duty of every licensee to notify the commissioner whenever any change in his Chicago address or telephone number is made. Any notice required to be given to the licensee shall be sufficient if addressed to the last Chicago address recorded in the office of the commissioner.

(Prior code § 28-18; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 7-12-90, p. 18634)

9-112-320 Medallion transfer.

(a) [*Reserved.*]

(b) [*Reserved.*]

(c) Except as limited in this Section 9-112-320, each person who holds one or more uncanceled, unsurrendered and unrevoked taxicab or livery licenses at the end of any calendar year shall be entitled to renewal of each such license for the seceding* year, unless the applicant has ceased to be qualified to obtain a license under this chapter or unless cause exists under this chapter to cancel, revoke or require surrender of a particular license, or particular licenses, held by such person.

* **Editor's note** – As set forth in Coun. J. 7-27-05, p. 53211; correct language appears to be “succeeding”.

(d) [*Reserved.*]

(e) No person shall own in whole or in part, directly or indirectly or have a security interest in more than 25 percent of the authorized livery licenses or more than 25 percent of the authorized taxicab licenses. No person who owns in whole or in part, directly or indirectly, or has a security interest in more than 25 percent of the authorized livery licenses or more than 1,000 Chicago taxicab licenses shall be eligible to acquire additional licenses, including by transfer pursuant to Section 9-112-320(f)

(f) (1) Subject to the limitations set forth in subsection (e) and in other provisions of this chapter governing distribution of licenses, all licenses issued pursuant to this chapter shall be freely transferable to any person qualified under the provisions of this chapter to be a license holder but before any transfer may become effective, the transferor and the transferee shall apply to the commissioner who shall approve the transfer if he shall determine that the transferee is qualified as a license holder under this chapter. The commissioner shall apply the standards and requirements for determining whether a proposed taxicab or livery license transferee is qualified to obtain a license under this chapter in a manner which is reasonable and consistent with the purpose of making such licenses available to all qualified applicants, within the quantity limits and subject to the retention and renewal rights established in this chapter. No license may be transferred if revocation proceedings with respect to the license have been filed with the department of administrative hearings, and if the proceedings are pending at the time the transfer is attempted. Any such attempt to transfer a license that does not comply with this section shall result in the automatic expiration of the license as of the date of the attempted transfer. The nonrefundable fee for any transfer of license shall be payable by the transferee at the time of application. The amount of the fee shall be determined as follows: (i) if the transfer occurs less than one year after the transferor had acquired the license through a random selection process authorized in Section 9-112-380: 25 percent of the purchase price or 25 percent of the average market value, whichever is higher; (ii) if the transfer occurs one year or more but less than two years after the transferor had acquired the license through a random selection process authorized in Section 9-112-380 or at any time less than two years after the transferor has acquired the license by any other means: ten percent of the purchase price or ten percent of the average market value, whichever is higher; (iii) if the transfer occurs two or more years after the transferor had acquired the license, or if the transferor is a natural person and the transferee is the transferor's spouse or a natural or legally adopted child of the transferor, or if the transferor is the executor or administrator of the estate of a deceased licensee or the executor or administrator of a deceased person who held 100 percent of the stock or other interest in a corporation which was the licensee and the transferee is not a person adjudged to be the heir of the deceased person, or if the transfer was pursuant to a foreclosure upon a pledged or encumbered license: five percent of the purchase price or five percent of the average market value, whichever is higher. The average market value shall be an amount determined by the commissioner to be the approximate average purchase price for licenses in arms length transactions in the previous calendar year. No transfer fee shall be assessed if

the transferor is a natural person and the transferee is a corporation in which the transferor holds 100 percent of the stock or other equitable interest; or if the transferor is the executor or administrator of the estate of a deceased licensee or the executor or administrator of a deceased person who held 100 percent of the stock or other interest in a corporation which was the licensee and the transferee is the heir of the deceased person.

(2) Pledging or otherwise encumbering a license shall be permitted; provided, that the licensee shall notify the commissioner in advance and in writing of any such encumbrance and provide the commissioner with such information with respect to the person to whom the license is to be pledged as the commissioner may reasonably require to assure that the provisions of this chapter are being complied with. Any foreclosure upon a pledged or encumbered license shall constitute a transfer subject to the provisions of Section 9-112-320(f)(1).

(3) In the event of a licensee's death, the authority to operate granted under the license shall cease, except that the executor or administrator of the estate of any deceased licensee, upon application to and approval by the commissioner, may continue to exercise the privileges of the deceased licensee, including the limited privilege of transfer granted in this chapter, until the expiration of the license but no longer than six months after the licensee's death.

(g) No person shall be qualified for a livery vehicle license and a taxicab license at the same time; nor shall any coachman become affiliated or identified with any cabman or with an affiliation of any cabmen.

(Prior code § 28-19; Amend Coun. J. 4-1-87, p. 41265; Amend Coun. J. 1-27-88, p. 10289; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 4-6-05, p. 46027, § 1; Amend Coun. J. 7-27-05, p. 53211, § 1)

9-112-322 License managers.

(a) Effective April 1, 2001, no person shall act as a license manager for any license not issued to him or to a corporation of which he is an officer or to a partnership of which he is a partner without first registering as a license manager with the commissioner.

(b) No public passenger vehicle licensee shall allow any person to assume or undertake any or all of his responsibilities relating to the leasing of his license(s) unless that person is a registered license manager with the commissioner. In the event that a licensee allows any person, not registered as a license manager with the commissioner, to assume or undertake any such responsibilities, the license shall be suspended until such time as the licensee appears in the office of the commissioner and sufficiently establishes that either the person assuming the responsibilities is a registered license manager or that the licensee is meeting those responsibilities. In addition, any licensee who allows an unregistered license manager to assume or undertake his responsibilities may have his license revoked.

(c) No person shall be eligible to be registered as a license manager unless they can meet the eligibility requirements for a license holder listed in Sections 9-112-080, 9-112-090, and 9-112-100 of this Code.

(d) License managers and public passenger vehicle licensees shall be jointly and severally liable for any violations of this ordinance or the rules and regulations promulgated thereunder.

(e) All persons registering as a license manager shall deposit with the commissioner a bond, in the penal sum of \$100,000.00, containing one or more sureties to be approved by the commissioner. Such

bond shall be payable to the City of Chicago and shall be conditioned that the registered license manager shall comply with the provisions of the Municipal Code of Chicago and the rules and regulations promulgated thereunder, and shall pay all fines, orders of restitution, or judgments for damages ordered by the department of administrative hearings, or a court of competent jurisdiction, based on a violation of the Municipal Code and the rules and regulations promulgated thereunder, committed by the registered license manager, his agents or employees, while acting within the scope of their employment. The registered license manager is immediately liable for satisfaction upon determination of the fine or award judgment, or, if timely appeal is taken, upon final determination of the appeal.

(f) The commissioner is authorized to promulgate any and all rules and regulations for the effective administration of this section including, but not limited to, the process of registration, fines not to exceed \$750.00 for violations of the rules, and cancellation of the license manager's registration with the department.

(Added Coun. J. 11-15-00, p. 46957, § 1)

9-112-325 License brokers.

(a) Effective April 1, 2001, no person shall operate as a license broker without first being licensed by the commissioner. Application for a license broker license shall be made on such forms and accompanied by such documents as the commissioner may require and shall include, but not be limited to proof that the license broker has its principal place of business in Chicago, information as to whether the applicant for the license, or any principal thereof has a financial interest in any lender, insurance brokerage firm or automobile dealership.

(b) All applicants for a license broker license shall deposit with the commissioner a bond, in the penal sum of \$100,000.00, containing one or more sureties to be approved by the commissioner. Such bond shall be payable to the City of Chicago and shall be conditioned that the license applicant or licensee will comply with the provisions of the Municipal Code of Chicago and the rules and regulations promulgated thereunder, and shall pay all fines, orders of restitution, or judgments for damages ordered by the department of administrative hearings, or a court of competent jurisdiction, based on a violation of the Municipal Code of Chicago and the rules and regulations promulgated thereunder, committed by such licensee, his agents or employees, while acting within the scope of their employment. The broker is immediately liable for satisfaction upon determination of the fine or award judgment, or, if timely appeal is taken, upon final determination of the appeal.

(c) All license broker licenses shall expire on October 31. Renewal of license broker licensing must be made during the month preceding expiration of the license. The annual fee for each license broker license is \$300.00.

(d) A license broker shall conspicuously display a license or copy thereof at all times in every place of business maintained by such broker.

(e) A license broker shall not display a taxicab broker's license which is expired, suspended or revoked, but shall surrender same to the commissioner immediately.

(f) A broker:

(1) May not request nor permit a party to sign a power of attorney or any other instrument in blank nor accept any such instrument signed in blank;

(2) Who requests any instrument or document to be signed by any interested party and returned to said broker, shall provide said interested party with a duplicate copy of the instrument for the party's own records;

(3) Upon completion of a closing, or other transaction, shall, within ten business days of such completion, deliver to the interested party copies of all documents prepared by the broker or under the broker's supervision on behalf of such party; and

(4) Shall request the party receiving such papers to acknowledge, in writing, receipt of same.

(g) A license broker shall keep and maintain for a period of three years all records involving the sale or encumbrance of a license and shall furnish the commissioner copies of any said documents within three days of such request.

(h) The commissioner is authorized to promulgate rules and regulations governing the conduct of license brokers including, but not limited to: the form, duration and limitations on listing agreements for the transfer of licenses; disclosures by the license broker to any client or potential client regarding possible conflicts of interest based on the license broker's activities as a lender, insurance broker, or automobile dealer or the license broker's contractual relationship or financial or other interest in a lender, insurance broker or automobile dealer; advertising by the broker; forms to be used in the transfer or encumbrance of a license; and fines not to exceed \$750.00 per violation and/or license suspension or revocation for violation of any provision of this ordinance or the rules promulgated thereunder.

(i) Any monies paid in connection with the transfer of a license, prior to approval of such transfer by the department, must be held in a separate interest-bearing escrow account until at least such time as the transfer of the license is approved by the department.

(j) In addition to the authority of the commissioner to enforce the provisions of this section and the rules and regulations promulgated thereunder, any person suffering injury due to a violation of this act may bring a private cause of action in a court of competent jurisdiction seeking damages.

(Added Coun. J. 11-15-00, p. 46957, § 1)

9-112-330 Unlawful to operate livery vehicle with meter.

It is unlawful for any person to operate or drive a livery vehicle equipped with a meter which registers a charge or fare or indicates the distance traveled by which the charge or fare to be paid by a passenger is measured.

(Prior code § 28-19.1; Amend Coun. J. 7-12-90, p. 18634)

9-112-340 Solicitation of passengers prohibited.

It is unlawful for any person to solicit passengers for transportation on any public way or in any city airport except as specifically provided by contract as approved by the city council of the City of Chicago, pursuant to Section 10-36-270 of the Municipal Code of the City of Chicago. No such vehicle shall be parked on any public way for a time longer than is reasonably necessary to accept passengers in answer to a call for service and no passenger shall be accepted for any trip in such vehicle without previous engagement for such trip, at a fixed charge or fare, through the station or office from which said vehicle is operated. Any person found guilty of violating this section upon conviction thereof shall be punished by a fine of not less than \$100.00 and not more than \$300.00 and/or be incarcerated in a

penal institution for a term of up to seven days for the first offense and not less than \$300.00 and not more than \$500.00 and/or be incarcerated in a penal institution for a term of up to 14 days for the second and each subsequent offense in any 180-day period, under the procedure set forth in Section 1-2-1.1 of the Illinois Municipal Code, as amended. A separate and distinct offense shall be regarded as committed each day upon which said person shall continue any such violation, or permit any such violation to exist after notification thereof.

(Prior code § 28-19.2; Amend Coun. J. 2-3-87, pp. 39186, 39202; Amend Coun. J. 10-15-87, p. 5217; Amend Coun. J. 10-4-89, p. 5321; Amend Coun. J. 7-12-90, p. 18634)

9-112-350 Livery vehicles – Exterior.

The outside of the body of livery vehicles shall be solid black or blue-black in color, unless otherwise authorized by the commissioner, without any inscription thereon. No lights shall be attached to or exposed outside of such vehicle, unless required or permitted by the law of the State of Illinois regulating traffic.

It is unlawful for any person other than the coachman of a livery vehicle or his agent to represent to the public that he renders livery service, or for any coachman or his agent to use the words “cab”, “cabman”, “taxi”, or “taxicab” in connection with or as part of his operations of such vehicle.

(Prior code § 28-20; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 2-8-06, p. 70098, § 1)

9-112-360 Sightseeing vehicles.

No vehicle shall operate as a charter/sightseeing vehicle unless so licensed under Section 9-112-110. Charter/sightseeing vehicles shall not be used for transportation of passengers except on sightseeing tours or charter trips. No person shall solicit passengers for sightseeing tours upon any public way except at bus stands specially designated by the city council for sightseeing vehicles, nor shall any person other than a coachman of such a vehicle or his authorized agent or the person or entity hiring the vehicle solicit passengers for such a tour. No charter/sightseeing vehicles may display advertising without first obtaining an advertising permit as set forth in Section 9-112-300.

(Prior code § 28-21; Amend Coun. J. 2-3-87, p. 39199; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 2-8-06, p. 70098, § 1)

9-112-370 Vehicle out of service – Notice to city required.

Every taxicab or livery shall be operated regularly to the extent reasonably necessary to meet the public demand for service. If the service of any taxicab or livery is discontinued for a period of 20 continuous days for any reason except on account of strike, act of God, shortages of gasoline or other necessary materials or cause beyond the control of the licensee other than the inability of the licensee to lease his taxicab or livery, the licensee must notify the commissioner that such taxicab or livery is out of service. The commissioner may give written notice to the licensee to restore the taxicab or livery to service, and if it is not restored within five days after notice, the commissioner may recommend to the mayor that the license be revoked and the mayor, in his discretion, may revoke same.

(Prior code § 28-22; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 7-12-90, p. 18634)

9-112-380 Number of available licenses – Distribution.

(a) In each calendar year, an additional two taxicab licenses shall be distributed pursuant to the “driver excellence” program established under subsection (b)(2). Additional taxicab licenses as determined necessary by the commissioner, plus any other available taxicab licenses, shall be distributed periodically pursuant to open and competitive bidding procedures established under subsection (c).

As used in this section, the term “available licenses” means all licenses which may be issued under this subsection (a), including any licenses that are available for reissuance because they have been canceled, surrendered, not renewed, or revoked with no timely appeal or other legal challenge pending, but not including licenses which are retained or renewed in accordance with Section 9-112-320(c).

(b) (1) The commissioner shall apply the standards and requirements for determining whether a taxicab or livery license applicant is qualified to obtain a license under this chapter in a manner which is reasonable and consistent with the purpose of making taxicab and livery licenses available to as many qualified applicants as practicable, subject to the retention and renewal rights established in this chapter.

a. Each person awarded licenses pursuant to this subsection shall maintain at least 50 percent of his licensed vehicles as being equipped for wheelchair access pursuant to standards established by the commissioner;

b. Each licensed vehicle shall be connected with a centralized dispatch system for all vehicles issued to the licensee under this subsection (b)(3);

c. Each licensee shall advertise its service to the disabled and underserved communities in accordance with rules and regulations promulgated by the commissioner;

d. For each day that a vehicle licensed under this subsection (b)(3) is in service, the vehicle shall provide service to the disabled and underserved communities not less than 40 percent of the time the vehicle is in service;

e. Licenses may be transferred only if the commissioner approves the transfer after determining that the purposes of this subsection (b)(3) will be furthered by the transfer.

(2) In each calendar year two taxicab licenses shall be awarded: one to the person who has demonstrated, through their actions as licensed public chauffeurs in the previous calendar year, the greatest dedication to providing to the public excellent taxicab service within the city; and one to the public chauffeur who has demonstrated the greatest dedication to improving the excellence of other drivers through their participation in master chauffeur training programs for new drivers. These licenses shall be awarded by the mayor pursuant to the recommendations of the taxicab driver excellence committee, which is hereby created. The committee shall consist of not more than eight persons appointed by the mayor representing: the hotel/motel industry; the restaurant industry; the tourism industry; the disabled community; persons needing wheelchair accessible vehicles for transportation; neighborhood community groups; the taxicab industry; and the general public at large. Members of the committee shall serve at the pleasure of the mayor. The commissioner shall serve ex officio as chair of the committee.

(c) The commissioner shall promulgate regulations to set forth procedures by which all available taxicab licenses, other than those awarded pursuant to subsection (b)(2), shall be distributed periodically pursuant to open and competitive bidding procedures. The procedures shall be designed to produce the maximum amount of revenues to the city consistent with serving the public interest, and to ensure that only applicants that are qualified under this chapter are awarded licenses.

(Prior code § 28-22.1; Added Coun. J. 1-27-88, p. 10289; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 4-6-05, p. 46027, § 1; Amend Coun. J. 9-13-06, p. 83965, § 1)

9-112-390 License number and driver identification – Display.

Every taxicab shall have the public passenger vehicle license number and the cabman's name and telephone number painted in one of the following locations: (1) the center of the main panel of the rear doors of the vehicle, or (2) on the rear panels of the vehicle if an advertising permit has been issued for the rear door. If the cabman is affiliated or identified with any affiliation, as described in Section 9-112-070, the affiliation's color scheme, trade name or emblem and telephone number shall be substituted and, without being limited thereto, any of these indicia of affiliation shall be sufficient to establish the responsibility of the affiliation in the operation of the taxicab. All names and numbers shall be painted in plain Gothic letters and figures of one-half-inch stroke and at least four inches in height. The public vehicle license number assigned to any taxicab shall be assigned to the same vehicle or to any vehicle substituted therefor by the licensee. The commissioner may also provide, pursuant to rule, that other information of interest to the public, including, but not limited to, the licensee's or affiliation's website or e-mail address and/or the current taximeter rates of fare be permanently and prominently affixed to the outside of the vehicle. No other name, number, emblem, or advertisement of any kind excepting signs required or permitted by this chapter, official license emblems or metal plate shall be painted or carried so as to be visible on the outside of any taxicab unless otherwise required by state law.

(Prior code § 28-23; Amend Coun. J. 2-3-87, pp. 39184, 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 2-8-06, p. 70098, § 1)

9-112-400 Information sheet required – Contents.

Every taxicab shall have an information sheet permanently fixed in a manner set forth by the commissioner. The information sheet shall have printed on it, in letters and numerals large enough to be plainly visible to the passenger, the public passenger vehicle license number, the rate schedule from the airport to (i) designated suburbs and (ii) other destinations beyond city limits as provided in Section 9-112-460 of this chapter, a telephone number of the department of business affairs and consumer protection inviting passenger comments, and such other information as the commissioner may direct.

(Prior code § 28-23.1; Amend Coun. J. 2-3-87, p. 39193; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5)

9-112-410 Taximeter specifications.

Every taxicab shall be equipped with a taximeter connected with and operated from the transmission of the taxicab to which it is attached. The taximeter shall be on whenever the taxicab is engaged for hire within the city limits, unless otherwise provided for in this chapter.

Taximeters shall be equipped with a device to register the tariff in accordance with the lawful rates and charges. The taximeter shall display the fare in a manner and size so as to be plainly visible to the passenger while riding in the back seat of the vehicle. Effective with the passage of this ordinance, any replacement or any new taximeter shall be equipped with a receipt dispensing mechanism. The commissioner shall promulgate rules governing the information required on the receipt.

It is unlawful to operate a taxicab for hire within the city unless the taximeter attached thereto has

been sealed by the commissioner.

(Prior code § 28-24; Amend Coun. J. 2-3-87, p. 39193; Amend Coun. J. 7-12-90, p. 18634)

9-112-420 Taximeter inspection.

At the time a taxicab license is issued and semiannually thereafter the taximeter shall be inspected and tested by the commissioner to determine if it complies with the specifications of this chapter and accurately registers the lawful rates and charges. If it is in proper condition for use, the taximeter shall be sealed and a written report of inspection shall be kept on file by the commissioner. Upon complaint by any person that a taximeter is out of working order or does not accurately register the lawful rates and charges it shall be again inspected and tested and, if found to be in improper working condition or inaccurate, it shall be unlawful to operate the taxicab to which it is attached until it is equipped with a taximeter which has been inspected and tested by the commissioner, found to be in proper condition, sealed and written report of inspection therefor is completed by the inspector.

The cabman or person in control or possession of any taxicab shall deliver it with the taximeter attached for inspection and test as requested by the commissioner. The cabman may be present or represented when such inspection and test is made.

(Prior code § 28-25; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 7-12-90, p. 18634)

9-112-430 Tampering with meters prohibited.

It is unlawful for any person to tamper with, mutilate or break any taximeter or the seal thereof or to transfer a taximeter from one taxicab to another for use in transportation of passengers for hire before delivery of the taxicab with a transferred taximeter for inspection test and report by the commissioner as provided in Section 9-112-420.

(Prior code § 28-25; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 7-12-90, p. 18634)

9-112-440 Taximeter inspection fee.

The fee for each inspection pursuant to complaint shall be \$10.00, but no charge shall be made when as the result of the inspection and test it is found that the taximeter is in proper working condition and accurately registers the lawful rates and charges.

(Prior code § 28-27; Amend Coun. J. 2-3-87, p. 39202; Amend Coun. J. 7-12-90, p. 18634)

9-112-450 Unlawful to refuse transportation unless out of service.

It is unlawful to refuse any person transportation to any place within the city or those suburbs listed in Section 9-112-460 of this chapter in any taxicab which is unoccupied by a passenger for hire unless it is on its way to pick up a passenger in answer to a call for service or it is out of service for any other reason. When any taxicab is answering a call for service or is otherwise out of service it shall not be parked at a cabstand, and a white card bearing the words "Not For Hire" printed in black letters not less than two inches in height shall be displayed at its windshield. The public chauffeur license, public passenger vehicle license or both such licenses of any person who violates this section or any rule promulgated under this section five or more times within any 24 month period shall be subject to revocation.

Nothing herein contained shall be construed to allow drivers of local service taxicabs to transport

persons outside of the geographical location where local service taxicabs are licensed to provide service.

(Prior code § 28-28; Amend Coun. J. 2-3-87, p. 39193; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-1-93, p. 43380; Amend Coun. J. 2-11-09, p. 55024, § 4)

9-112-455 Radio dispatch.

(a) Effective January 1, 2001, no affiliation or any radio dispatch service who contracts with an affiliation may provide a two-way radio dispatch system to the affiliates of the affiliation without first having obtained a radio dispatch service license from the department of business affairs and consumer protection.

(b) Application for a radio dispatch service license shall be made on such forms and accompanied by such documents as the commissioner may require and shall include, but not be limited to, proof that the radio dispatch system has its principal place of business in Chicago and the name, Chicago business address and telephone number, and the name of the affiliation with which the radio dispatch system has a contract to provide service. Subsequent to licensing, if there are changes in any material information contained in the submitted license application, such changes must be reported in writing to the commissioner within 48 hours. All radio dispatch service licenses expire on December 1st. Renewal of radio dispatch licensing must be made during the month preceding expiration of the licensing.

(c) The annual fee for each radio dispatch service license is \$100.00.

(d) Each radio dispatch service licensee and affiliation shall provide or cause to be offered to its dispatchers a course or courses, approved and in compliance with reasonable standards established by the commissioner, on dispatching taxicabs. Such course shall include, but not be limited to: customer service, the responsibilities of the radio dispatch service involved in the dispatching of taxicabs; and operation of the radio dispatch licensee's equipment. No person shall dispatch taxicabs for a radio dispatch service or an affiliation without having completed the approved dispatching course for that radio dispatch service or affiliation.

(e) For the purpose of ensuring adequate service to customers who request transportation to or from all portions of the city and to the suburbs listed in Section 9-112-460, the commissioner may promulgate rules and regulations governing the dispatch of public passenger vehicles. These rules and regulations shall include, but not be limited to: standards for determining adequate and timely service; the responsibilities of affiliations, radio dispatch services, public passenger vehicle licensees, and public chauffeurs in responding to requests for service within a specified time frame; and penalties, including fines not to exceed \$750.00 per violation and/or suspension or revocation of licensing for failure to provide such service in a timely manner. Following a public hearing, the commissioner may also provide by rule reasonable minimum standards, based on the number of affiliates served by the radio dispatch service, regarding the number of radio dispatch requests received and answered in a timely manner annually by an affiliation(s), its members, and contractors. Any radio dispatch service and/or affiliation, applying for renewal of their license, which failed to meet these standards in the previous year shall be issued a probationary license. Any radio dispatch service and/or affiliation, applying for renewal of a probationary license, which failed to meet these standards during the year they operated under a probationary license, may, in the discretion of the commissioner, have their application for renewal denied.

(Added Coun. J. 1-14-97, p. 37750; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5)

9-112-460 Airport service.

Every driver of a taxicab licensed by the City of Chicago as a public passenger vehicle, when at or upon the premises of the Chicago-O'Hare International Airport or the Chicago Midway Airport and not otherwise engaged in the transportation of a person or persons, shall service the airports by transporting, when requested, any person from the airports to any suburb of the City of Chicago and the driver shall not charge more than the rate of transportation hereinafter set forth to such suburb. It shall be unlawful for a driver of a taxicab to refuse any person transportation from those airports. It shall be unlawful for any driver of any taxicab not licensed as such by the City of Chicago to solicit or accept for transportation any person or persons at or upon the premises of the airports for transportation within or without the City of Chicago; provided, however, that this provision shall not apply where the person at the airports desiring other taxicab service has personally or through his agent previously by letter, telegram or telephone specifically engaged a suburban taxicab to transport him to any of the suburbs of the City of Chicago.

Nothing herein contained shall be construed to allow drivers of local service taxicabs to provide service to the airports.

Nothing herein contained shall be construed to prohibit any public passenger vehicle from entering those airports to discharge passengers previously accepted outside the City of Chicago for that purpose.

The taxicab rates of maximum fares from those airports to the towns, villages, municipalities or unincorporated areas herein listed shall be those set forth in Section 9-112-510 of the Municipal Code of Chicago as amended from time to time. The towns, villages, municipalities or unincorporated areas to which the foregoing taxicab rates shall apply are as follows:

Alsip	Hines Hospital
Bedford Park	Hometown
Burbank	Lincolnwood
Blue Island	Merrionette Park
Burnham	Niles
Calumet City	Norridge
Calumet Park	Oak Lawn
Cicero	Oak Park
Des Plaines	Park Ridge
Dolton	Riverdale
Elk Grove	River Grove
Elmwood Park	Rosemont
Evanston	Skokie
Evergreen Park	Stickney
Forest View	Summit
Harwood Heights	

Transportation of any person or persons from those airports to any suburb or unincorporated area not included in the foregoing list of towns, villages, municipalities or unincorporated areas shall be at the maximum meter fare as determined by the rates and charges set forth in Section 9-112-510 of the Municipal Code of Chicago plus an additional sum equal to 50 percent of said maximum meter fare.

(Prior code § 28-28.1; Amend Coun. J. 2-3-87, p. 39193; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 8-2-95, p. 5794; Amend Coun. J. 9-4-03, p.7224, § 1; Amend Coun. J. 4-9-08, p. 24917, § 5; Amend Coun. J. 2-11-09, p. 55024, § 4)

9-112-465 C.T.A.-T.A.P. Program compliance – Wheelchair accessible vehicle dispatch.

(a) As a condition of being licensed, every affiliation and every taxicab affiliated with that affiliation shall participate fully in the Chicago Transit Authority Taxi Access Program (C.T.A.-T.A.P.) or similar program providing for increased access to taxicab service to persons with disabilities.

(b) All affiliations with wheelchair accessible vehicles licensed by their affiliates must jointly prepare and submit to the commissioner by March 1, 2001, a proposed plan involving a coordinated or centralized dispatch system for the dispatch of wheelchair accessible taxicabs to ensure prompt service to people with disabilities. In the event that no such plan is timely filed or the commissioner does not approve the plan, the commissioner is authorized to provide by rule a plan requiring all affiliations to participate in a central dispatch system for wheelchair accessible taxicabs. The commissioner is authorized to assess the costs of such a central dispatch system upon those medallion owners with wheelchair accessible taxicabs.

(c) The commissioner is authorized to promulgate all other rules and regulations necessary and reasonable to insure the timely and proper dispatching of wheelchair accessible taxicabs. These rules and regulations shall include, but not be limited to: standards for determining adequate and timely service; the responsibilities of any central or coordinated dispatch system, affiliations, taxicab licensees and public chauffeurs in responding to such requests for service; and penalties for violation of such rules. In addition, the commissioner is authorized to provide by rule a minimum number of rides per day which must be provided by wheelchair accessible taxicabs to persons needing such transportation.

(d) Each affiliation must have verifiable records, in a form designated by the commissioner by regulation, regarding the response of the affiliation to each request for a wheelchair accessible vehicle. Each affiliation shall provide such records to the commissioner within 48 hours of a request for same.

(Added Coun. J. 11-15-00, p. 46957, § 1)

9-112-470 Taxicabs operating as intrastate motor carriers – Compliance with state requirements.

Nothing in this chapter shall be construed as barring the operation of taxicabs as intrastate motor carriers of property; provided, that they have met all of the requirements set forth by the Illinois Commerce Commission pursuant to the Illinois Commercial Transportation Law, Illinois Revised Statutes Chapter 95-1/2, Paragraph 18c-1101, et seq. or its successors. It shall be a violation of this section for any taxicab to operate as an intrastate motor carrier of property if it has not met all of the requirements of the Illinois Commerce Commission.

(Prior code § 28-28.2; Amend Coun. J. 2-3-87, p. 39184; Amend Coun. J. 7-12-90, p. 18634)

9-112-480 Jitney service.

(a) Public passenger vehicles licensed under this chapter may operate jitney service as provided in this section. Jitney service is unscheduled service along a prescribed route or within specified zones, providing street hail service to passengers only at a flat fare (prescribed by the commissioner by regulation) for each individual passenger; passengers may enter and depart the public passenger vehicle at any point along the route or within the zone. A vehicle providing jitney service must travel the entire prescribed route or must remain within the specified zone, must prominently display a “jitney” sign in its front windshield, and must accept and discharge passengers at any place along the route or within the zone (subject to traffic and safety restrictions) up to the maximum capacity of the vehicle. While providing jitney service, only the flat per- passenger fare may be charged and the taximeter may not be used for any part of the jitney trip. Jitney service shall be allowed only on routes or within zones authorized by the commissioner as provided below in subsection (b). It shall be unlawful for any person to operate a jitney service along any unauthorized route or outside authorized zones, or without a permit issued pursuant to subsection (d) of this ordinance.

(b) The commissioner or any licensed public chauffeur may initiate the procedures for authorizing jitney routes or zones. The commissioner shall hold a public hearing to determine whether the public convenience would best be served by the authorization of jitney service along any proposed route or within any proposed zone. Before such a hearing, the commissioner shall give at least 45 days notice in writing to the Chicago transit authority and by publication to all licensed public chauffeurs, and the hearing shall be scheduled within 60 days of application by any public chauffeur to initiate procedures. During the 45-day notice period the Chicago transit authority may comment to the commissioner and present evidence as to the effect of any proposed jitney route or zone upon the authority’s service revenues, its then existing service or its plans for service adjustments. The commissioner shall include the authority’s comments and evidence in the record of the public hearing and may request testimony by the authority at the public hearing.

(c) With respect to any application for a jitney route or zone and within ten days after the public hearing, the commissioner shall issue his or her findings as to whether the public convenience would best be served by the authorization of jitney service along that route or within that zone. For every jitney route or zone authorized hereunder, the commissioner shall issue a street description of the route or zone, including the end points for any single jitney trip, any time restrictions on such jitney service, and shall make such descriptions available to all licensed public chauffeurs. Whenever the commissioner determines not to authorize jitney service along a proposed route or within a proposed zone, the commissioner shall issue his or her determination in writing.

(d) The commissioner shall promulgate rules and regulations establishing the procedures for applying and the qualification for obtaining permission for any public chauffeur to operate as a jitney along any authorized route or within an authorized zone.

(e) The commissioner shall from time to time review all authorized jitney routes and zones and solicit comment from any interested persons as to whether the routes or any of them are serving the public convenience. The commissioner may after notice and a public hearing as provided in subsection (b) revoke authorization for any jitney route or zone.

(Prior code § 28-28.3; Amend Coun. J. 4-1-87, p. 41263; Amend Coun. J. 2-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-1-93, p. 43380; Amend Coun. J. 11-15-00, p. 46957, § 1)

9-112-490 Group riding.

Not more than six passengers shall be accepted for transportation at one time on any trip in a taxicab;

provided, that additional passengers under the age of 12 years accompanied by an adult passenger shall be accepted if the taxicab has seating capacity for them.

(Prior code § 28-29; Amend Coun. J. 7-12-90, p. 18634)

9-112-500 Group riding permitted when.

Group, shared or multiple riding is permitted in taxicabs only where:

(a) The passenger first hiring the taxicab has directed or agreed voluntarily that he be carried as part of a group, multiple or shared ride; provided, that in such a situation the total rate of fare charged to all of the passengers shall not in the aggregate exceed the rate of fare permitted for such trip under Section 9-112-510; or

(b) The commissioner has, by regulation or rule, designated specified places, time or routes where groups of passengers may be carried in a single taxicab at rates of fare which the commissioner may specify for such group trips.

(Prior code § 28-29.1; Amend Coun. J. 2-3-87, p. 39193; Amend Coun. J. 7-12-90, p. 18634)

9-112-510 Taxicab rates of fare – Revision.

(a) Commencing with the effective date of this ordinance, the rates of fare for taxicabs shall be as set forth in this section, which rates are hereby declared to be just and reasonable:

For the first 1/9 mile or fraction thereof	\$2.25
Forty-five cents of this initial mileage rate for the first ten taxicab fares which a driver transports per day is hereby designated for payment of workers' compensation insurance.	
For each additional 1/9 mile or fraction thereof	0.20
For each 36 seconds of time elapsed	0.20
For the first additional passenger over the age of 12 years and under the age of 65 years	1.00
For each additional passenger, after the first additional passenger, over the age of 12 and under the age of 65 years	0.50

The commissioner is authorized to issue rules and regulations necessary to require and regulate the installation of Global Position System (GPS) in all taxicabs; provided, however, that the technology will not be required to be installed in any cab before January 1, 2007.

Effective March 1, 2001, the commissioner is authorized to issue rules and regulations necessary to regulate the payment of fares by alternatives to cash, including but not limited to, credit cards, debit cards, cyber-cash and other generally acceptable means of purchasing goods and services. The commissioner may authorize by rule the production and sale of coupons which shall be accepted in all taxicabs licensed under this chapter. The commissioner may also require the acceptance of debit cards issued by the C.T.A. or other governmental agencies as payment for fares. Such rules may also provide the maximum amount charged to the chauffeur, directly or indirectly, by any taxicab licensee or affiliation in processing any non-cash payment of a fare.

The commissioner may provide by rule for flat rate(s) to be charged by taxicabs for trips to and from

Gary International Airport and locations within the City of Chicago.

Except when inconsistent with this ordinance, taximeters shall be designed, calibrated and tested to register fares pursuant to the standards published by the National Institute of Standards and Technology (N.I.S.T.) in N.I.S.T. Handbook 44, as amended.

The fare-indicating mechanism of the taximeter shall be actuated by the distance mechanism whenever the vehicle is in motion at such a speed that the rate of distance revenue equals or exceeds the time rate, and may be actuated by the time mechanism whenever the vehicle speed is less than this and when the vehicle is not in motion.

If a taxicab is dispatched to transport a customer at the customer's request, the taximeter may be activated two minutes after the arrival of the taxicab at the location to which it has been called, or at the time at which the taxicab was scheduled to arrive, whichever is later. At all other times, the taximeter may be activated only upon the passenger's entering the vehicle.

Every passenger under 12 years of age when accompanied by an adult shall be carried without charge.

Baggage of passengers shall be transported without charge.

Immediately on arrival at the passenger's destination it shall be the duty of the chauffeur to put the meter in the nonrecording position and to call the passenger's attention to the fare registered. It is unlawful for any person to demand or collect any fare for taxicab service which is more than the rates established by the foregoing schedule, or for any passenger to refuse payment of the fare so registered. However, a public chauffeur may, by agreement made with each passenger prior to the beginning of a trip, charge and collect a fare that is less than the specified fare whenever the length of the trip is reasonably estimated to exceed five miles. In such case the chauffeur may collect no more than the fare at the rate agreed upon, and no passenger may refuse to pay the fare at the rate agreed upon.

Any holder of a taxicab license who sells or makes available for sale coupons or vouchers that are accepted by the licensee in lieu of cash for taxicab fares shall provide a ten percent discount to purchasers who are 65 years of age or older. No person other than the purchaser may use a coupon or a voucher that has been purchased at a discount pursuant to this paragraph.

(b) For destinations beyond the city limits, other than from Midway or O'Hare Airports, fares shall be as follows: meter to city limits plus meter and one-half beyond city limits to destination.

(c) The council may from time to time revise the rates of fare by general ordinance in conformity with the provision hereinafter set forth, which rates shall be just and reasonable. The council, through its committee on local transportation, may, and upon the application of not less than one-third of the licensees or ten percent of chauffeurs currently licensed under Chapter 9-104 of the Municipal Code, shall within 60 days after such application, hold hearings (but not more often than once in each period of 12 consecutive months) to determine whether a revision of the rates of fare is necessary. At such hearings each petitioning licensee or chauffeur may be required to submit a sworn statement of the gross income derived from the operation of taxicabs by him or under his control and all such expenses exclusive of Federal Income Taxes incurred during the immediately preceding period of 12 full calendar months. At such hearings the committee shall:

I. consider the sworn statements of gross income and expenses submitted by the licensees or

chauffeurs;

II. consider the testimony and other evidence from any licensee or chauffeur who may wish to testify in support of the requested increase;

III. consider the effect of an increase in fares upon the public and take testimony from any interested individual or organization;

IV. consider the fares and practices with respect to similar services in other cities of the United States;

V. consider all other evidence or testimony which the committee deems to be relevant and material to a proper determination.

Upon completion of such hearings, said committee shall report to the council its findings and recommendations concerning a just and reasonable rate of fare. If after receiving said findings and recommendations from the committee the council determines that a rate increase is proper, it shall increase the rates in an amount to insure adequate and efficient service to the public.

Any revision of rates of fares may be made by a change in the charge for the length of the first designated portion to the trip, or by a change in the charge for the balance of the trip, for waiting time or for each additional passenger or by any combination of such changes. In making any such revision, the council may presume the average length of a trip to be as established by the licensee's most current available records.

(d) In addition to the revision of rates of fare as provided in Section 9-112-510(c) hereof, the council may from time to time impose a surcharge on the rates of fare described in Section 9-112-500(a) hereof, in conformity with the provisions hereinafter set forth.

The council, through its committee on local transportation, shall hold hearings to determine whether a general ordinance authorizing such a surcharge may be necessary due to economic conditions affecting all licenses in general. A surcharge authorized by general ordinance under this section shall be of such duration, not to exceed 60 days, as the council may impose by such general ordinance. Provided, however, that no hearings or general ordinance authorizing a surcharge on the rates of fare shall be required if a fuel surcharge on such rates of fare is permitted under subsection (e) of this section.

(e) A fuel surcharge may be added by the driver of a taxicab to every taxicab fare, as follows:

(1) Except as otherwise provided in item (4) of this subsection, if the price of gasoline equals or exceeds \$2.70 per gallon for seven consecutive business days and the commissioner issues a taxi industry advisory notice authorizing a \$0.50 fuel surcharge on the rates of fare, the driver of a taxicab may add to the total taxicab fare that would otherwise apply a fuel surcharge not to exceed \$0.50. Provided, however, that if the price of gasoline falls below \$2.70 per gallon for seven consecutive business days at any time after such taxi industry advisory notice is issued under this item (1), the fuel surcharge authorized under this item (1) shall expire at midnight on such seventh consecutive business day.

(2) Except as otherwise provided in item (4) of this subsection, if the price of gasoline equals or exceeds \$3.20 per gallon for seven consecutive business days and the commissioner issues a taxi industry advisory notice authorizing a \$1.00 fuel surcharge on the rates of fare, the driver of a taxicab

may add to the total taxicab fare that would otherwise apply a fuel surcharge not to exceed \$1.00. Provided, however, that if the price of gasoline falls below \$3.20 per gallon for seven consecutive business days at any time after such taxi industry advisory notice is issued under this item (2), but remains at or above \$2.70 per gallon throughout such seven consecutive business day period, the driver of the taxicab shall adjust the \$1.00 fuel surcharge downward to an amount not to exceed \$0.50. Such downward adjusted fuel surcharge shall not be readjusted upward to \$1.00 by any taxicab driver unless a taxi industry advisory notice authorizing such upward adjustment is issued by the commissioner. Provided further, that if the price of gasoline falls below \$2.70 per gallon for seven consecutive business days at any time after a taxi industry advisory notice is issued under this item (2), any fuel surcharge authorized under this item (2) shall expire at midnight on such seventh consecutive business day.

(3) If a fuel surcharge is authorized by the commissioner under items (1) or (2) of this subsection, no taxicab driver shall add such fuel surcharge to any rate of fare unless a clearly visible sign, approved by the commissioner and notifying passengers of the surcharge, is posted in a prominent place within the taxicab. The commissioner may, by regulation, specify the location, wording, size and other features of the sign required by this item (3).

(4) If the city council by general ordinance revises the rates of fare set forth in Section 9-112-510(1), the provisions of items (1) and (2) of this subsection shall not apply for a period of twelve months, as measured from the effective date of such general ordinance.

(5) It shall be unlawful for any person to add any fuel surcharge to any rate of fare in violation of the requirements of this subsection (e). In addition to any other penalty provided by law, any person who violates this item (5) shall be fined not less than \$100.00 nor more than \$500.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(6) All taxi industry advisory notice issued by the commissioner under this subsection (e) shall be posted on the department of consumer services' official City of Chicago website, and may be made available by the commissioner to taxicab drivers and their affiliates using other appropriate means as determined by the commissioner.

(7) As used in this subsection (e):

“Commissioner” means the commissioner of business affairs and consumer protection.

“Department” means the department of business affairs and consumer protection.

“Price of gasoline” means the average retail regular reformulated gasoline price for the Chicago Metropolitan Statistical Area as published in AAA's Daily Fuel Gauge Report.

(f) Effective March 1, 2001, the commissioner is authorized to issue rules and regulations necessary to regulate the payment of fares by alternatives to cash, including but not limited to, credit cards, debit cards, cyber-cash and other generally acceptable means of purchasing goods and services. The commissioner may authorize by rule the production and sale of coupons which shall be accepted in all taxicabs licensed under this chapter. The commissioner may also require the acceptance of debit cards issued by the C.T.A. or other governmental agencies as payment for fares. Such rules may also provide the maximum amount charged to the chauffeur, directly or indirectly, by any taxicab licensee or affiliation in processing any non-cash payment of a fare.

The commissioner may provide by rule for flat rate(s) to be charged by taxicabs for trips to and from Gary International Airport and locations within the City of Chicago.

(Prior code § 28-30; Amend Coun. J. 2-3-87, p. 39193; Amend Coun. J. 4-1-87, p. 41263; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-1-93, p. 43380; Amend Coun. J. 1-14-97, p. 37750, § 3; Amend Coun. J. 11-15-00, p. 46957, § 1; Amend Coun. J. 4-6-05, p. 46027, § 1; Amend Coun. J. 4-9-08, p. 24917, § 6; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5)

9-112-520 Recordkeeping – Annual reports.

Every licensee and affiliation shall keep and provide accurate books and records of account of his operations at his place of business in the city. On or before May 1st of each year, every licensee and affiliation shall file with the commissioner a profit and loss statement for the preceding calendar year, showing all his earnings and expenditures for operation, maintenance and repair of property, depreciation expense, premiums paid for workers compensation and public liability insurance, and taxes for unemployment insurance and social security, and all state and local license fees, property taxes and federal income taxes, and a balance sheet taken at the close of said year.

The commissioner, or the authorized committee of the council shall have access to the property, books, contracts, accounts and records during normal business hours at said place of business, for such information as may be required for the effective administration and enforcement of the provisions of this chapter, or for the adoption of any ordinances, rules or regulations affecting taxicab operations.

In addition to the foregoing reports, each cabman shall within 30 days after the six months' period ended December 31st and within 30 days after the six months' period ended June 30th of each year file a sworn statement with the commissioner showing his gross revenues and his operating expenses for the six months immediately preceding those dates.

(Prior code § 28-30.1; Amend Coun. J. 2-3-87, p. 39186; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 7-12-90, p. 18634)

9-112-530 Ordinance not to limit city authority.

Nothing in this ordinance shall be construed to limit the city in the exercise of its police powers, and the city hereby expressly reserves the right to pass all reasonable ordinances and regulations affecting the licensees which may be necessary to promote or secure health, safety, morale, comfort, and general welfare.

(Prior code § 28-31.1; Amend Coun. J. 4-1-87, p. 41265; Amend Coun. J. 7-12-90, p. 18634)

9-112-540 Revoked, surrendered licenses – Reissuance.

Any license for which an application for renewal has not been made within the period specified in Section 9-112-100, or which has been revoked, surrendered, cancelled or otherwise forfeited, may be reissued by the commissioner pursuant to the provisions of this chapter.

(Prior code § 28-31.2; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634)

9-112-550 Violation – Penalty.

Any person found guilty of violating any provision of this chapter for which a penalty is not

otherwise provided upon conviction thereof shall be fined not less than \$100.00 nor more than \$200.00 and/or be incarcerated in a penal institution for a term of up to seven days for the first offense, not less than* \$200.00 nor more than \$300.00 and/or be incarcerated in a penal institution for a term of up to 14 days for the second offense, and not less than \$300.00 nor more than \$750.00 and/or be incarcerated in a penal institution for a term of up to 21 days for the third and succeeding offenses during the same calendar year, under the procedure set forth in Section 1-2-1.1 of the Illinois Municipal Code, as amended. Each day that such violation shall continue shall be deemed a separate and distinct offense. In addition, when any one vehicle is involved in more than five violations of this chapter or the rules and regulations relating thereto within a 12-month period, the license for that vehicle shall be revoked.

(Prior code § 28-32; Amend Coun. J. 2-3-87, p. 39202; Amend Coun. J. 1-27-88, p. 10273; Amend Coun. J. 10-4-89, p. 5321; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-10-97, p. 59054)

* **Editor's note** – As set forth in Coun. J. 10-12-97, p. 59054; correct language appears to be “than”.

9-112-555 Impoundment of vehicle – Notification of owner – Penalty.

(a) The owner of record of any motor vehicle that is used for the transportation or the solicitation for the transportation of passengers for hire in violation of Section 9-112-030 shall be liable to the city for an administrative penalty of \$750.00 plus any towing and storage fees applicable under Section 9-92-080. Any such vehicle shall be subject to seizure and impoundment pursuant to this section. This subsection shall not apply if the vehicle used in the violation was stolen at that time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered. Notwithstanding any other provision of this section, no vehicle shall be subject to towing and impoundment under this section prior to 60 days after the effective date of this amendment; provided that this amendment shall not affect the towing and impoundment of any vehicle that is towed prior to the effective date of this amendment.

(b) Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this section, the police officer shall provide for the towing of the vehicle to a facility controlled by the city or its agents. Before or at the time the vehicle is towed, the police officer shall notify any person identifying himself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violations, of the fact of the seizure and of the vehicle owner's right to request a vehicle impoundment hearing to be conducted under Section 2-14-132 of this Code.

(c) The provisions of Section 2-14-132 shall apply whenever a motor vehicle is seized and impounded pursuant to this section.

(Added Coun. J. 10-14-92, p. 22998; Amend Coun. J. 3-8-93, p. 29485; Amend Coun. J. 7-10-96, p. 24982; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 4-29-98, p. 66564; Amend Coun. J. 12-7-05, p. 64870, § 1.8)

9-112-560 Severability.

The invalidity of any section or part of any section of this ordinance shall not affect the validity of any other section or part thereof.

(Prior code § 28-35; Amend Coun. J. 7-12-90, p. 18634)

9-112-570 Effective date.

This ordinance shall be effective upon its passage and publication.

(Prior code § 28-36; Amend Coun. J. 7-12-90, p. 18634)

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