

CITY OF CHICAGO

RULES



AMENDMENTS TO

TAXICAB MEDALLION LICENSE HOLDER RULES AND REGULATIONS

Amendments Effective Date: Month XX, 2016



City of Chicago
Mayor Rahm Emanuel

Department of Business Affairs and Consumer Protection
Maria Guerra Lapacek, Commissioner

**AMENDMENTS TO
TAXICAB MEDALLION LICENSE HOLDER
RULES AND REGULATIONS**

AUTHORITY AND USAGES

WHEREAS, pursuant to the authority granted in Chapters 2-25 and 9-112 of the Municipal Code of Chicago, the Commissioner of Business Affairs and Consumer Protection is authorized to issue and amend rules and regulations prescribed in Chapters 9-112 and 9-104 of the Municipal Code of Chicago; therefore

I, MARIA GUERRA LAPACEK, Commissioner of Business Affairs and Consumer Protection of the City of Chicago, issue the following amendments to the Taxicab Medallion License Holder Rules and Regulations.

By Order of the Commissioner:

Maria Guerra Lapacek, Commissioner

Effective Date of Amendments: Month XX, 2016

PROPOSED AMENDMENTS TO TAXICAB MEDALLION LICENSE HOLDER RULES AND REGULATIONS

The City of Chicago Department of Business Affairs and Consumer Protection proposes to amend its Taxicab Medallion License Holder Rules and Regulations by deleting the language struck through and by inserting the language underscored, as follows:

RULE TX3.04 Taxicab Vehicles Unfit for Public Use

- a. In determining whether any taxicab vehicle is unfit for public use, the Commissioner shall give consideration to its effect on the safety, health, comfort and convenience of the drivers and passengers, and its public appearance on the streets of the City. If the Department finds a taxicab vehicle to be unfit for public use, the Department shall suspend the vehicle until it passes an inspection and is found to be fit for public use.
- b. Medallion licensees shall keep its City of Chicago licensed taxicab vehicles in an undamaged and safe condition. At a minimum, the “safe condition” of a vehicle is determined by compliance with the provisions of Articles I through VI of the Illinois Equipment of Vehicles Law (625 ILCS 5/12-101 et seq.).
- c. Medallion licensees shall not operate a City of Chicago licensed taxicab vehicle unless the vehicle is in a clean and undamaged condition. Minimum standards of cleanliness include, but are not limited to:
 - 1. The interior of the vehicle (including the trunk) shall be kept free from all waste paper, cans, garbage, or any other item not intrinsic to the vehicle or to the conduct of operating a taxicab;
 - 2. The interior of the vehicle (including the trunk) shall be kept free from all dirt, grease, oil, adhesive resin, or any other item which can be transferred onto the person, clothing or possessions of a passenger by incidental contact;
 - 3. The interior of the vehicle (including the trunk) shall be kept free from all infectious species (e.g. bed bugs and

- lice) which can be transferred onto the person, clothing or possessions of a passenger by incidental contact;
4. The interior of the vehicle shall be kept free of any material or odor which a reasonable person would find noxious or unpleasant; and
 5. The exterior of the vehicle shall be kept free from all dirt, grease, oil, or any other substance besides water or snow which can be transferred onto the person, clothing or possessions of a passenger by incidental contact. A taxicab vehicle must not operate with significant exterior body damage (i.e major dents or scrapes, etc.). It shall be an affirmative defense to a violation of the vehicle's exterior cleanliness standard if the medallion licensee can establish that the vehicle was washed within twenty-four (24) hours prior to the alleged violation date and time.
 6. The interior of a wheelchair accessible vehicle (WAV) shall be kept free of all boxes and items that may obstruct the wheelchair securement area of the WAV.
- d. If a medallion licensee receives three (3) or more complaints and/or citations in a twelve-month period regarding the cleanliness, condition, and/or safety of its taxicab vehicle, the medallion licensee may be subject to suspension or revocation of the license in addition to any other applicable penalties.
- e. It is the medallion licensee's affirmative duty to ensure that its vehicle(s) are in compliance with this rule, regardless of whether or not the vehicle is operated pursuant to a lease.

RULE TX5.08.05

Credit Card Processing Convenience Fee

The convenience fee or technology fee referenced in MCC 9-112-600 (b-1) for non-cash payment of taxicab fares, may only be collected via the rear-seat installed credit card processing equipment. The convenience or technology fee must be pre-programmed in the rear-seat electronic transaction process. This fee shall not be assessed on the taxicab meter. A taxi chauffeur may not add this fee manually as a meter extra nor request the payment of this fee for unauthorized non-cash payment processing. The assessment, collection and processing of this fee must be in compliance with Federal, State, and City laws.

RULE TX6.03

Security Cameras

- a. The technical specifications for security camera equipment installed in licensed taxicabs are:
 1. The security camera must be 100% solid state design and must be designed to operate using a standard 12 volt battery;
 2. The security camera must be tamperproof and not operate with an "ON/OFF" switch;
 3. The security camera must have system protections to ensure against voltage irregularities and power failures;
 4. The security camera must use non-volatile flash memory and record images using a first-in, first-out methodology, with a overwrite protected memory for emergency events that cannot be overwritten;
 5. The security camera must be impact and shock resistant;
 6. The security camera must clearly record images in all lighting conditions, including bright sunshine, shade, darkness, total darkness, and when strong backlighting is present;
 7. The security camera must mark each image with the date, time, and vehicle number, and serial number of the camera;
 8. The security camera must have a field of vision to capture all of the occupants of the vehicle;
 9. The security camera must be installed so that it will not interfere with the driver's field of vision or impede the use of any of the vehicle's mirrors;
 10. The security camera system must be able to safeguard a minimum of 4 days (96 hours) of recorded data before overwrite begins have a minimum of 32-GB memory with system settings that ensure a minimum of 3 days (72 hours) of recorded data before overwrite begins;
 11. The security camera must have memory storage that is inconspicuous and not stored inside camera unit;
 12. Camera units with internal memory storage must have supplemental storage in vehicle in the form of hard drive, memory card, or USB flash drive;
 13. The security camera must be capable of recording images at a resolution of at least 640 x 368 pixels;
 14. The security camera must be capable of storing as or converting to standard digital image formats such as .JPEG, .AVI and .MPEG image formats;

15. The security camera must have all lead-free components; and
16. The security camera recording must comply with all applicable Federal, State, and City laws.

b. The technical specifications for security camera image recording and storage are:

- ~~1. Still image recording must be triggered by any vehicle door opening.~~
 - ~~2. Upon trigger, still images must be recorded at a rate of 1 image every 5 seconds for 60 seconds, followed by 1 image every 15 seconds.~~
 - ~~3. Video images must be recorded on a looping basis, and image storage must be triggered by any vehicle door opening.~~
 - ~~4. Upon trigger, video images must be recorded for 60 seconds prior to the door opening and 60 seconds after the door is closed.~~
1. Camera system must be able to record at all times when ignition is in the ON/RUN mode or ACCESSORY mode.
 2. In an emergency event, system must be able to store 2.5 minutes worth of images prior to the trigger and 2.5 minutes after the trigger in an overwrite protected format.
 3. Camera software must have the ability to perform batch downloads, or save multiple events at the same time.
 4. Camera video must display cab number, date, and time for inspection and when retrieved for future viewing

c. Security Camera Passenger Signage - All vehicles equipped with a security camera system must have a decal on passenger and driver side rear windows notifying passengers that the vehicle is equipped with a security camera. Signage must comply with all applicable Federal, State, and City laws.

d. Use of Security Camera Images

- i. The Department and the Chicago Police Department have the authority to request access to a taxicab and its camera equipment to download recorded images of the interior or exterior of the taxicab.
- ii. A taxicab medallion license holder and licensed taxicab medallion license manager may have direct access to

download recorded images of the interior or exterior of the taxicab they own or manage. Medallion licensees and licensed taxicab medallion license managers may only access and download taxicab security camera images for fact-finding and investigative purposes (criminal, traffic, insurance, civil, or complaint investigations) or for educational and training purposes.

- iv. A taxicab medallion license holder and license taxicab license manager shall enter into a log book all instances of requests for, access to, and dissemination and use of any recorded material made or captured by the required security cameras, including the date and time such entry was made, the reason why such entry was made, and the name of the person making the request or accessing, disseminating or using the recorded material. The licensee shall make copies of the log book available, upon request, for inspection by the Department, the police department or other authorized government personnel.
- v. Licensees may not tamper with, alter or edit security camera images.
- vi. Licensees must comply with Federal, State, and City laws, specifically laws regarding the use of recorded images and privacy.

e. Security Camera Inspections

- 1. Security camera systems must have the capability for inspection of the equipment that will indicate the system is functioning properly. Vendor or manufacturer of approved security camera systems will be required to provide the inspection facility with all necessary equipment and software at no cost to inspect, test, or extract data to ensure system compliance. The serial number of the camera must be visible to the Department inspector.
- 2. The Department may also inspect the viewing facilities of the medallion licensee and may ask for verification of viewing logs and/or all other documentation and equipment.

f. Optional Outward Facing Cameras

1. Medallion licensee may install and use optional outward facing cameras on their taxicabs. Outward facing cameras are optional and are not approved safety devices. Taxicab medallion license holders and licensed taxicab medallion license managers must comply with Federal, State, and City laws, specifically laws regarding the use of recorded images and privacy.
2. The Department or the Chicago Police Department may request and view any reports and images captured and stored by the outward facing camera.

RULE TX7.02

Specifications for Licensed WAV Taxicabs

Specifications of all WAV taxicabs must be pre-approved by the Commissioner to ensure that the vehicle is in compliance with the Americans with Disabilities Act - Accessibility Guidelines for Transportation Vehicles.

At a minimum, WAV taxicabs must meet the following standards:

- a. Passengers in wheelchairs must be able to safely and expeditiously enter and exit the WAV taxicab directly from the curb side of the vehicle (“curb-to-curb entry and exit service”);
- b. The curb side of the WAV taxicab for entry and exit of the passenger must be on the passenger / right side of the vehicle;
- c. The WAV taxicab is equipped with securement devices to ensure that the wheelchair and passenger will be safely secured when the WAV taxicab is in motion;
- d. The WAV taxicab is equipped with passenger restraints in addition to wheelchair restraints ~~“seat belt and shoulder harnesses”~~ to ensure that passengers will be safely secured when the vehicle is in motion;
- e. The WAV taxicab is capable of transporting at least one passenger using a “wheelchair” as defined in Code of Federal Regulations, title 49 section 37.3;
- f. The WAV taxicab must have an interior volume index greater than or equal to 160 cubic feet;

- g. The WAV taxicab must display stickers at least 6 inches by 6 inches in size depicting the universal logo for wheelchairs on the rear window and both side windows.
- h. A WAV taxicab that is a post-manufacture or after-market mechanical conversion/modification to a wheelchair accessible vehicle must display, in a conspicuous location, a label identifying the vendor/company responsible for performing such work, and that the vehicle meets all requirements of the Americans with Disabilities Act - Accessibility Guidelines for Transportation Vehicles.

RULE TX7.07

Accessibility Fund (formerly known as the WAV Taxicab Fund)

- a. The Accessibility Fund will be used to support the Centralized WAV Taxicab Dispatch System and the purchase of WAV taxicabs by taxicab medallion license holders.
 - i. Taxicab medallion license holders who purchase WAV taxicabs are eligible to apply for disbursement from the Accessibility Fund.
 - ii. Taxicab medallion license holders that are eligible to apply for disbursement from the Accessibility Fund must apply for funding in writing, in a format prescribed by the Commissioner.
 - iii. Only a taxicab medallion license holder may apply for the Accessibility Fund on behalf of a taxicab medallion license owned by that same license holder.
 - iv. A taxicab medallion license holder's application for funding must be associated with a wheelchair accessible vehicle that is owned by that license holder or will be owned by that license holder during the life of the vehicle as a licensed Chicago taxicab.
 - v. Taxicab medallion license holders must designate the recipient of the Accessibility Fund payment at the time of application. However, the taxicab medallion license holder may not designate the lessor of the WAV vehicle as the payment recipient, and vehicle lessors are not eligible to receive Accessibility Fund payments, unless the taxicab medallion license holder will own that WAV vehicle at the end of the vehicle lease period or unless the license holder and that vehicle's lessor are the same person or the license holder has a controlling interest in the company leasing that WAV vehicle to the license holder.

- b. A medallion licensee that places a WAV voluntarily or by MCC mandate on its taxicab medallion is eligible for the following maximum money disbursement per taxicab from the Accessibility Fund the year the WAV Taxicab is placed into service:
1. \$20,000.00 reimbursement for a brand new, factory manufactured wheelchair accessible vehicle as a taxicab.
 2. \$15,000.00 reimbursement for a post-manufacture or after-market mechanical conversion/modification of a brand new vehicle to a wheelchair accessible vehicle as a taxicab.
 3. The Commissioner has the authority to increase the above listed reimbursement ceilings based on the integration of funds secured and available through grants.
- c. A medallion licensee that places a WAV by MCC mandate on its taxicab medallion is eligible to apply for the maximum money disbursement specified in sub-paragraph "b." above per taxicab from the Accessibility Fund the year the WAV Taxicab is placed into service.
- d. Medallion licensees that are mandated by a settlement agreement or court order may not apply for disbursement from the Accessibility Fund.
- e. Medallion licensees must be in complete compliance with all City laws to be eligible to apply for Accessibility Fund monies.
- f. Medallion licensees may only apply for disbursements from the Accessibility Fund for "new" vehicles purchased directly from a manufacturer or manufacturer authorized dealer. A "new" vehicle is defined as follows as a vehicle that meets the following requirements at the time the Accessibility Fund application is submitted to BACP: 1) vehicle is no more than two model years old AND 2) vehicle has less than 35,000 miles on the odometer. A vehicle that has never been titled and is purchased directly from the manufacture or manufacturer authorized dealer may be considered "new" by the Department if the vehicle is or is less than three model years old and has less than 250 miles on the odometer. The Commissioner has the authority to set additional requirements for vehicles eligible for reimbursements, including as necessary

for the integration of funds secured and available through grants.

- g. ~~Medallion licensees that are eligible to apply for disbursement from the Accessibility Fund may apply for funding in writing in a format prescribed by the Commissioner. Medallion licensees must designate the payment recipient at the time of application.~~
- h. The Department will prioritize the disbursement of Accessibility Fund monies to medallion licensees.
- i. If there are more applications for Accessibility Fund monies than the amount of the money in the fund, the Department will select the medallion licensee awardees by a lottery system prescribed by the Commissioner.
- j. After an applicant is notified that its Accessibility application is approved and it is eligible to receive Accessibility Fund disbursements, the applicant must place a WAV taxicab into service within four months. A vehicle is considered placed into service as a taxicab the date it passes a vehicle inspection and is approved by the Department. An approved applicant's failure to meet the four month deadline results in the termination of its eligibility to receive Accessibility Fund disbursement that year or for the next five (5) years.
- k. The Department will disburse Accessibility Fund monies to medallion licensees no more than ninety (90) days after receipt and verification of all paid receipts and invoices and vehicle has passed inspection.
- l. Medallion licensees awarded Accessibility Fund monies must keep that WAV Taxicab on the designated taxicab medallion for the life of the vehicle in accordance with the MCC §9-112-070 and RULE TX3.02 of these rules and regulations. Licensees awarded Accessibility Fund monies must keep that WAV Taxicab in service for a minimum of seven (7) years; unless, the vehicle is determined to be permanently unfit for public use by City of Chicago public vehicle inspectors or BACP designated equivalent.
- m. A medallion license holder who fails to comply with the terms and conditions associated with Accessibility Funding, shall be assessed penalties and/or demands for full or partial reimbursement of funds received. If the WAV taxicab is

~~removed during the license term, the medallion licensee will be assessed an additional \$100 medallion license fee per year which shall not be prorated in addition to any penalties or demands for full or partial reimbursement of funds received that may be assessed for failure to comply with the MCC or these rules and regulations.~~

- n. Medallion licensees awarded Accessibility Fund monies must cooperate with the Department in regards to reporting requirements in relation to use of WAV taxicab vehicle subsidized with Accessibility Fund monies. Medallion licensees may be required to submit reports in form and format prescribed by the Commissioner in regards to Accessibility Fund subsidized WAV taxicab.
- o. Additional Monetary Incentives. Commissioner has the authority to introduce and make available additional monetary incentives funded by the Accessibility Fund to taxicab medallion license holders and taxicab public chauffeurs. Additional Accessibility Fund incentives may be used towards:
 - i. increasing the number of WAV taxicabs;
 - ii. increasing the number of taxicabs with audible accessible credit card processing equipment; and/or
 - iii. other vehicle or equipment accessible features.

The Commissioner shall publish additional incentives in detail, including incentive criteria, the amount of incentive, any restrictions associated with the funding, and the process to apply for the incentive, by posting the information at the BACP web page and disseminating the information through BACP Public Vehicle Industry Notices.

RULE TX7.08

WAV Public Chauffeur Excellence Award

- a. Pursuant to MCC §9-112-575, WAV Taxicab drivers are eligible to compete to receive a free taxicab medallion license for their dedication to providing service to persons needing wheelchair accessible vehicles. The awardee must place the awarded medallion license onto a WAV.
- b. WAV Public Chauffeur Excellence Award Nominee Eligibility

1. Nominees must hold a valid City of Chicago Public Chauffeur license.
2. Nominees must be in compliance with all City laws.
3. Nominees must have been driving a Chicago licensed taxicab for at least three consecutive years prior to nomination.
4. Nominees must verify that they have been driving a Chicago licensed WAV Taxicab for at least 250 days within the last 12 consecutive months servicing passengers using wheelchairs ~~at least two times for every twelve hour shift worked.~~

c. WAV Public Chauffeur Excellence Award Nominations

1. Nominees must be nominated by a member of the public or by the Mayor's Office for People with Disabilities.
2. Public Chauffeurs may not nominate themselves or be nominated by a family member by blood, marriage, or legal proceeding (e.g. spouse, parent, grand-parent, sibling, child, or legal guardian).
3. Taxicab Medallion License Holders, Taxicab Affiliations, and Taxicab Medallion License Managers cannot nominate a public chauffeur.
4. Nominations must be made on a form prescribed by the Commissioner.

d. WAV Public Chauffeur Excellence Awardee Selection Criteria

1. The Commissioner will assemble a WAV Public Chauffeur Excellence Awardee Selection Committee comprised of both public and private members.
2. Nominees may be recognized for a variety of achievements and characteristics, including training and guidance to other drivers; a demonstrated record of serving people with disabilities; integrity; and career service as a licensed public chauffeur.
3. Nominees must have gone above and beyond the basic requirements of their job to provide excellent customer service to any passenger in general.
4. Nominees should have demonstrated commitment to raising the quality of life for residents in their community.

5. Nominees' dedication as public chauffeurs should also be reflected in their professional, personal and civic lives.
 6. Nominees' contributions to their community through volunteering, leadership and other community activities will be evaluated during the selection process.
- e. A WAV Public Chauffeur Excellence Awardee bestowed a taxicab medallion with a WAV restriction since the creation of the Accessibility Fund is eligible to apply for the following maximum money disbursement per taxicab from the Accessibility Fund the year the WAV Taxicab is placed into service:
1. \$20,000.00 reimbursement for a brand new, factory manufactured wheelchair accessible vehicle as a taxicab.
 2. \$15,000.00 reimbursement for a post-manufacture or after-market mechanical conversion/modification of a brand new vehicle to a wheelchair accessible vehicle as a taxicab.
 3. The Commissioner has the authority to increase the above listed reimbursement ceilings based on the integration of funds secured and available through grants.

RULE TX12.01

~~RESERVED. Restrictions on Ownership Interests at Time of Medallion Transfer~~

~~No medallion license, either in whole or in part, may be transferred, bought, assigned or otherwise converted to another where the stock or other ownership interest of the medallion license holder is held by a corporation, LLC, trust, or other legal entity.~~