

S U B S T I T U T E

O R D I N A N C E

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 9-104-030 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-104-030 Application–Qualifications.

(1) Applications for public chauffeur licenses shall be made in writing to the commissioner of consumer services upon forms provided therefor by the commissioner. Applications shall state the full name and residential address of the applicant and such other information as may be required by the commissioner to properly identify the applicant and to disclose any relevant information as to the applicant's qualifications, age, physical condition and criminal record.

(2) A person is qualified to receive a public chauffeur license:

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*(Subsections (a) through (f) of this section are not affected by this ordinance,
and are not shown here for editorial convenience)*

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(g) Who has not, within ~~the 18 months~~ 5 years prior to filing the application, had a public chauffeur's license issued under this chapter revoked for any reason; and

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*(The remainder of this section is not affected by this ordinance,
and is not shown here for editorial convenience)*

SECTION 2. Section 9-104-040 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-104-040 License–Suspension and revocation.

(a) If Except as otherwise provided in this code, if any licensee violates any traffic law or any of the provisions of this chapter or Chapter 9-112 or rules or regulations adopted pursuant to

this chapter or Chapter 9-112, the commissioner may seek revocation or suspension of the licensee's license and/or the imposition of a fine up to ~~\$750.00~~ \$1000.00 and/or the issuance of an order of restitution or other appropriate equitable relief.

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(The remainder of this subsection (a) and subsection (b) of this section are not affected by this ordinance, and are not shown here for editorial convenience)

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(c) Before any revocation or suspension or fine is imposed, or equitable relief is ordered, the licensee shall be notified by: (i) first class or express mail, or overnight carrier; or (ii) personal service, of the specific charges against him and of his right to a hearing. The licensee may request such a hearing by making a written demand for the hearing not more than ten days after receiving notification of charges. Any person who makes a timely request for a hearing shall be notified of the time, date and place of the hearing not less than seven days prior to the date of the hearing.

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(Items (i) and (ii) of this subsection (c) are not affected by this ordinance, and are not shown here for editorial convenience)

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- (iii) Notwithstanding the exercise of exclusive jurisdiction by the department of administrative hearings, if no timely request is made for a hearing and the commissioner determines that a violation has occurred, the commissioner shall enter an order suspending or revoking the license and/or imposing a fine. If the commissioner has knowledge that a licensee has been charged with the commission of a 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 may suspend the chauffeur license of the licensee until final adjudication is made with respect to such charges.

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(The remainder of this section is not affected by this ordinance, and is not shown here for editorial convenience)

SECTION 3. Section 9-104-140 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

9-104-140 Violation–Penalty.

If any chauffeur violates any provision of Chapter 9-112 of this code or of this chapter for which a penalty is not otherwise provided, ~~he~~ such chauffeur shall be fined not less than ~~\$25.00~~ \$75.00 nor more than ~~\$750.00~~ \$1,000 for each offense.

SECTION 4. Section 9-112-260 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

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) The 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 ~~\$50.00~~ \$75.00 nor more than ~~\$750.00~~ \$1000.00 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, and 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.

SECTION 5. Section 9-112-460 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, in correct alphabetical order, as follows:

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.

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*(Omitted text is not affected by this ordinance,
and is not shown here for editorial convenience)*

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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
Bedford Park
Burbank
Blue Island
Burnham
Calumet City
Calumet Park
Cicero
Des Plaines
Dolton
Elk Grove
Elmwood Park
Evanston
Evergreen Park
Forest View
Harwood Heights
Hines Hospital
Hometown
Lincolnwood
Merrionette Park

Niles
Norridge
Oak Lawn
Oak Park
Park Ridge
Riverdale
River Grove
Rosemont
Skokie
Stickney
Summitt

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*(The remainder of this section is not affected by this ordinance,
and is not shown here for editorial convenience)*

SECTION 6. Section 9-112-510 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

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:

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*(The remainder of this subsection (a) and subsections (b) and (c) of this section
are not affected by this ordinance, and are not shown here for editorial convenience)*

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(d) In addition to the revision of the 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 temporary 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 notices 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 consumer services.

“Department” means the department of consumer services.

“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.

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*(The remainder of this section is not affected by this ordinance,
and is not shown here for editorial convenience)*

SECTION 7. This ordinance shall take full force and effect on April 28, 2008, following its passage and approval.

Document No. 502008 1330

PASSED by the City Council of the City of
Chicago and deposited in the office of the
City Clerk of said City.

APR - 9 2008

Myra D. Bell
City Clerk
City of Chicago