

## Chapter 26 - PUBLIC PASSENGER VEHICLES

### ARTICLE I. - IN GENERAL

#### Sec. 26-1. - Scope.

This chapter shall be applicable to all taxicabs, livery vehicles, and persons and businesses providing public passenger transportation based or operating within the village.

#### Sec. 26-2. - Definitions.

As used in this chapter:

*License year* means January 1 through December 31 of each year.

*Livery operator's license* means a license issued to the owner of a livery service that is eligible to operate livery vehicles or limousines in the village.

*Livery vehicle* means any public passenger vehicle transporting passengers for hire on a prearranged contract, trip, hourly or daily nonmileage metered basis. Also referred to as a limousine.

*Owner* means any person having the use or control of one or more taxicabs or livery vehicles as herein defined.

*Public passenger vehicle* means taxicabs and livery vehicles used for transportation of passengers for hire.

*Public passenger operator's license* means a taxicab operator's license or a livery operator's license issued pursuant to the provisions of this chapter.

*Taxicab* means any public passenger vehicle equipped with a taximeter and used for the carriage of passengers for hire to or from destinations as directed by such passenger(s) and any vehicle registered as a taxicab by the secretary of state.

*Taxicab operator's license* means a license issued to the owner of a taxicab service that is eligible to operate as a taxicab within the village.

*Taximeter* means any mechanical or electrical device attached to a taxicab that records and indicates a charge or fare in dollars and cents measured by distance traveled or waiting time or both.

#### Sec. 26-3. - Licensing and enforcement.

The licensing of taxicab operators and livery operators, and the enforcement of the provisions of this chapter, shall be under the control and supervision of the village manager. The village manager shall have the authority to designate such persons as deemed necessary to perform the duties that are under the control and supervision of the village manager.

#### Secs. 26-4—26-9. - Reserved.

### ARTICLE II. - LICENSING

#### Sec. 26-10. - Licenses required.

- (a) *Taxicab service operator.* It shall be unlawful for any person to own or operate a taxicab service that solicits business, accepts for transportation any passengers within the village boundaries within the corporate limits of the village without having first obtained a taxicab operator's license. Each taxicab operator's license shall specify the maximum number of taxicabs that may be operated by the taxicab service.

- (b) *Livery service operator.* It shall be unlawful for any person to own or operate a livery service that solicits business within the village, or accepts for transportation any passenger within the corporate limits of the village without having first obtained a livery service operator's license. Each livery service operator's license shall specify the maximum number of limousines that may be operated by the livery service.
- (c) *Exceptions to licensure requirements.* The provisions of this chapter shall not apply to: (i) prevent taxicabs and limousines licensed by other municipalities from entering the village limits for the purpose of depositing passengers who were legally picked up outside the village, or (ii) taxicabs and limousines that do not stop within the village for the purpose of picking up or depositing passengers.

Sec. 26-11. - Applications for licenses.

- (a) *Application forms.* Applications for all licenses required by this chapter shall be made upon forms furnished by the village.
- (b) *Application fees.* The annual fee for all licenses under this chapter shall be established by the annual fee ordinance. All fees shall be prorated if the license is issued for a partial license year.
- (c) *Application requirements.* All applications for any license under this chapter shall contain, at a minimum, the following information:
  - (1) The full name, address and telephone number of the applicant. Applicants for taxicab operator's license or a livery operator's license shall be made by the owner, or person with legal control over, the business operating within the village.
  - (2) A schedule of rates for various services offered.
  - (3) Where the applicant is not an individual, the form and state of organization (i.e., corporation, partnership) and the name, title and telephone number of the contact person for the applicant.
  - (4) Whether the applicant has previously received licenses under this chapter.
  - (5) The number of vehicles to be operated under the license.
  - (6) An affirmation by the applicant that the drivers of all vehicles under the license meet the requirements set forth in this Chapter.
  - (7) An affirmation by the applicant that all vehicles to be operated under the license have been inspected and meet the requirements set forth in this Chapter.
  - (8) An affirmation by the applicant that each vehicle proposed to be covered by the license is adequately insured and in compliance with the statutes of the State of Illinois now, or as the same may be, in force and effect, relating to the bonding or insuring of motor vehicles used for the carriage of passengers for hire.

Sec. 26-12. - Term, issuance, display and transfer of licenses.

- (a) All licenses provided for under this chapter shall be valid only for the license year for which or during which the license was issued.
- (b) A copy of the taxicab operator's license or livery operator's license shall be prominently displayed in each vehicle operated pursuant to the license at all times.
- (c) It shall be unlawful to transfer any license issued under this chapter from one person, entity, or vehicle to another.
- (d) Any person issued a license pursuant to this Chapter must inform the village within ten days after any change of name, address or phone number.

Sec. 26-13. - Renewal.

Any person requesting that a taxicab operator's or livery operator's license be renewed shall submit an application to the village prior to the date of expiration. No such license will be renewed unless the village manager determines that the operator continues to meet the taxicab operator's license or livery vehicle operator's license requirements, as applicable.

#### Sec. 26-14. Requirements for Public Passenger Vehicle Drivers.

- (a) All drivers of public passenger vehicles must:
  - (1) Be at least 18 years of age.
  - (2) Not be afflicted with any infirmity of body or mind which may render the driver unfit for safe operation of a public passenger vehicle.
  - (3) Have a valid Illinois driver's license.
  - (4) Have not been convicted of a Class A misdemeanor or felony charge within the last five years, or show a previous background that indicates a tendency to act in a manner that may place the public at risk.
  - (5) Have not have had a driver's license suspended or revoked in any state within the last three years for any violation of law concerning the operation of a motor vehicle other than a single failure to comply with emissions testing requirements.
  - (6) Have had no more than two convictions for violation of traffic regulations governing the movement of vehicles within one year prior to the date of the operator's license application.
  - (7) Never have caused, through the unlawful operation of a motor vehicle, an accident resulting in the death of any person.
- (b) Taxicab operators and livery operators shall not employ or otherwise allow a driver to operate a public passenger vehicle pursuant to a public passenger operator's license unless the driver meets all of the requirements set forth in subsection (a) of this section.

#### Sec. 26-15. – Records

- (a) In addition to the requirement to keep records regarding vehicle maintenance set forth in sec. 26-22 of this code, each public passenger operator's licensee must keep the following records:
  - (1) Records identifying all drivers of the public passenger vehicles operated pursuant to the license and documentation that each driver meets the requirements of this chapter;
  - (2) Records for each vehicle to be operated under the license including the identify the owner, a complete description of the vehicle or taxicab including make, model, year, color, state registration number, vehicle identification number, company assigned vehicle number, copy of vehicle registration card and copy of document containing evidence of required insurance and compliance with the statutes of the State of Illinois now, or as the same may be, in force and effect, relating to the bonding or insuring of motor vehicles used for the carriage of passengers for hire.
- (b) A taxicab operator or livery operator must make the records set forth in subsection (a) of this section available upon request of the village manager or the village manager's designee.

Secs. 26-16—26-19. - Reserved.

### ARTICLE III. - SERVICE STANDARDS

Sec. 26-20. - Taxicab service and livery service.

{00120033.1}

- (a) It shall be unlawful for any person to operate a taxicab or livery vehicle upon the streets of the village unless such person and the vehicle being operated comply in all respects with the applicable state and village laws, statutes, ordinances, codes, rules and regulations.
- (b) Every taxicab operator and livery operator shall provide to the village manager a schedule of rates and charges not less than ten days prior to such rates becoming effective.
- (c) Every taxicab service and every livery service which is licensed by the village shall keep in operation at all times regular telephone service within the village so that a person desiring to hire a public passenger vehicle may call the taxicab or livery service. The owner of the taxicab or livery service shall list the telephone number in the local and regional telephone directories which are published for the village by the phone company which furnishes local telephone service.
- (d) Every taxicab operator which is licensed by the village shall operate public passenger vehicles regularly in the village so as to meet the public demand for passenger service. They shall maintain a central place of business available for receiving telephone calls and dispatching vehicles 24 hours a day; or, provide, at a minimum, telephone service consisting of an automatic answering device which refers the public to a taxicab service licensed by the village providing the desired 24 hour service.
- (e) Every livery operator shall maintain a central place of business available for receiving telephone calls and dispatching vehicles during normal business hours.
- (f) It shall be unlawful to knowingly permit any taxicab or livery vehicle to be used in the perpetration of a crime or misdemeanor.

Sec.26-21. - Reserved.

Sec.26-22. – Maintenance and inspection of taxicabs and livery vehicles.

- (a) No taxicab operator's license or livery operator's license will be issued by the Village unless each vehicle proposed to be operated pursuant to the license has been inspected by a safety inspection station approved by the State of Illinois and displays an official inspection seal issued not more than six months prior to the date of application.
- (b) Each vehicle operated pursuant to a taxicab operator's license or livery operator's license must be maintained at all times in a clean, well-painted and safe condition for the transportation of passengers and shall be reinspected by an official state safety inspection station not less than every six months. The costs of such inspection shall be paid by the licensee. Such inspections shall include, but need not be limited to, the following:
  - (1) Vehicle make, year and vehicle identification number;
  - (2) State license number and year;
  - (3) Village vehicle license number and year;
  - (4) Vehicle color;
  - (5) Vehicle number;
  - (6) Company name;
  - (7) Service brakes;
  - (8) Emergency brakes;
  - (9) Horn;
  - (10) Rear view mirror;
  - (11) Windshield wipers and washers;
  - (12) Headlights;
  - (13) Tail lights;

- (14) Stop lights;
  - (15) Turn signals;
  - (16) Speedometer;
  - (17) Taximeter;
  - (18) Rates displayed;
  - (19) Steering;
  - (20) Interior condition;
  - (21) Exterior condition;
  - (22) Windows; and
  - (23) Tires.
- (c) Each vehicle must display a vehicle inspection sticker issued by official state safety inspection station with the date of the most recent inspection.
  - (d) Any time a public passenger vehicle is involved in an accident that causes damage that may affect the safety of prospective passengers, it must be taken out of service immediately, repaired and reported to the village. Before such vehicle may be returned to service, it must be certified at a state safety inspection station.
  - (e) The village manager, or the village manager's designees, shall have the authority to immediately remove from service any public passenger vehicle which has been designated unfit for service or unsafe.
  - (f) A taxicab operator or livery operator must keep thorough and complete records related to the maintenance of each vehicle operated pursuant to a license issued under this Chapter and maintain, for a period of not less than two years, all work orders, receipts and other documents relating to any maintenance work performed on each vehicle. A taxicab operator or livery operator must make such records available upon request of the village manager or the village manager's designee. The maintenance records shall contain at least the following information:
    - (1) The type of maintenance work performed;
    - (2) The location where the maintenance work was performed;
    - (3) The date the maintenance work was performed; and
    - (4) The mileage of the vehicle when the maintenance work was performed.
  - (g) The village manager may require a taxicab or livery vehicle operated pursuant to a license issued under this Chapter to be reinspected as a result of a complaint by any person, or if the village manager or chief of police has reason to believe that the condition of the taxicab or livery vehicle may pose a threat to the safety of its passengers or has reason to believe that the taxicab or livery vehicle is not in compliance with provisions of this chapter.

Sec. 26-23. - Public passenger vehicle operation.

- (a) No operator of a public passenger vehicle shall carry more than the rated passenger load per vehicle.
- (b) After a public passenger vehicle has been hired by one or more persons traveling together, the operator shall not pick up other passengers.
- (c) No operator of a public passenger vehicle shall receive or discharge passengers in an established traffic lane of any roadway. Passengers shall be received and discharged at street curbs or on shoulders of roadways.
- (d) The driver of a public passenger vehicle shall transport passengers to the point of destination by the most direct route available.

- (e) Any taxicab passenger paying a fare shall, upon request, be given a receipt indicating the amount paid.

Sec. 26-24–26-25. – Reserved.

Sec. 26-26. - Taximeters.

- (a) All taxicabs must have a taximeter that has been tested and certified to be accurate and sealed.
- (b) No taxicab shall operate for hire in the village unless the taximeter is accurately recording the fare to be charged.
- (c) The taximeter will be located so that its face can be seen by any passenger riding in the taxi.
- (d) Each taximeter will display a sign or flag to denote when the taxicab is employed and when the taxicab is not employed.
- (e) Adequate illumination shall be provided for the face of the taximeter so that it may be read by the passenger whenever the vehicle is in operation.
- (f) No person operating or owning any taxicab or taxicab service shall transfer any taximeter to any other vehicle unless the meter is inspected, reprogrammed and certified.
- (g) If a taxicab has service performed on or changes made to the transmission, any drive train component, or the size of the tire, the owner of the taxicab service must have the taximeter inspected, reprogrammed and certified at an authorized taximeter testing center.
- (h) It shall be unlawful to have more than one taximeter in any taxicab.
- (i) Any person convicted of tampering with or otherwise manipulating a taximeter will be subject to a fine as established in this code. In addition, the public passenger operator's license pursuant to which the vehicle is being operated will be revoked for a second offense.
- (j) Any taxicab which has a taximeter found to be in violation of any provisions of this chapter may be immediately removed from service.

Sec. 26-27. - Fixing of rates.

It shall be unlawful for any person, firm or corporation licensed under the provisions of this chapter to conspire among themselves or with other persons to fix or control rates for public passenger vehicles within the village. It is the purpose of this chapter to provide for free and uncontrolled rates. Any scheme, device or other subterfuge employed by any person to evade this purpose shall be deemed to be in violation of this chapter and grounds for revocation.

Sec. 26-28. - Rates of fare.

Every taxicab operator and livery operator shall furnish safe and adequate service at equitable and accurate rates within the village as may be required to meet the public demand for taxicab and livery service. The following information must be prominently and accurately displayed in the interior of each taxicab and clearly visible to all passengers at all times: the entire schedule of rates and charges for services provided and recorded by the taximeter; all nonmetered service charges imposed, including, without limitation, waiting time, premium service hours or days and excess baggage; the telephone number where service complaints will be received; and a copy of the public passenger operator's license.

Sec. 26-29. – Reserved.

Sec. 26-30. - Vehicle and Driver identification.

- (a) Every taxicab operated pursuant to a taxicab operator's license in the village shall bear on both sides of the vehicle in a color contrasting to that of the vehicle itself the name and phone number of the

company which it serves. The lettering shall be a minimum of two inches in height and ¼ inch brush stroke.

- (b) The identification number assigned to the taxicab by the company shall be affixed to the exterior of the vehicle on each front fender and trunk. These letters must be a minimum of two inches in height and ¼ inch brush stroke.
- (c) No taxicab shall be painted or labeled so as to be similar to the vehicles of any other person or business which has been issued a village taxicab operator's license.
- (d) Each vehicle must be issued a unique vehicle identification number by the operator; which identification number must be prominently displayed inside the vehicle so that it is legible by vehicle passengers.
- (e) The name and photograph of the vehicle driver must be prominently displayed inside the vehicle so that they are legible by vehicle passengers.

Secs. 26-31—26-40. - Reserved.

#### ARTICLE IV. - ENFORCEMENT

Sec. 26-41. - Penalties.

Any violation of any provision of this chapter shall be subject to the fines and penalties established in section 1-13 of this code.

Sec. 26-42. - Suspension and revocation of licenses.

- (a) If any licensee, or driver of a public passenger vehicle operating pursuant to the licensee's license, under this chapter is found guilty of three or more violations of this chapter in any one license period, or, if a taxicab service or a livery service which is licensed by the village is completely abandoned for ten consecutive days or more, the village manager may suspend or revoke the licensee's license.
- (b) Prior to suspending or revoking a license, the village manager shall conduct an informal hearing. Notice of the date and time of the hearing shall be delivered to the licensee or mailed to the licensee's last known address on file with the village not less than five days before the date of the hearing. The licensee shall be entitled to present testimony and documentary evidence at the hearing as to why the license should not be revoked or suspended. The licensee shall have the right to cross examine any person who testifies against the licensee during the hearing. The licensee may be represented at the hearing by counsel. The decision of the village manager shall be in writing and shall be delivered or mailed to the licensee's last known address on file with the village.

Sec. 26-43. - Immediate removal from service.

- (a) Where this chapter provides that a public passenger vehicle shall be or may be immediately removed from service, the vehicle may be removed from service by towing by a person of the licensee's choosing or by the village.
- (b) If a vehicle is removed from service, the owner or operator is wholly responsible for any towing and impound charges that the village may incur for such removal from service, unless the village manager determines that there was no basis for removing the vehicle from service.
- (c) If a public passenger vehicle is immediately removed from service as provided in this chapter, the vehicle is immediately removed from service, the owner of the public passenger vehicle may file a request for a hearing with the village manager. Such request shall be filed within two business days after the vehicle is removed from service. Upon receipt of such a request, a hearing shall be scheduled before the village manager within not more than ten days after the date such a request is received.