



**FINANCE DEPARTMENT
MUNICIPAL COLLECTOR'S DIVISION
M E M O R A N D U M**

TO: Mayor Laurel Prussing and City Council
FROM: Elizabeth S. Beaty, Finance Office Manager
DATE: April 22, 2013
RE: Proposed Revisions - Chapter 26 Vehicles for Hire Ordinance

Brief Description of the item

Revise the Vehicles for Hire Ordinance to better define vehicle for hire, update vehicle inspection schedules, update application requirements, add additional late fees for drivers and owners and add additional requirements for vehicle markings.

Identification of the Issues and any approvals required

Although the proposed revisions reflect a general reordering, renumbering and removal of unnecessary language, there are specific changes being made to further define what criteria a vehicle for hire must meet in order to be licensed by the City. The City licenses several different types of vehicles (i.e. taxicabs, limousines, shuttles, buses, etc.). Vehicles for hire need to clearly represent themselves to the public. The distinction is necessary in order to protect the public, because although contract service can charge whatever they please, the service must be on a prearranged contract basis and not at the curb, and whereas service based on mileage, per person, etc., must comply with rates on file with the City. In addition to how a vehicle operates, it needs to be clear what company is operating what vehicles. The approvals required would be passage of the revised ordinance.

Background / Facts

1. History. In 1995 the cities of Urbana and Champaign entered into an intergovernmental agreement for the joint licensing of taxicab/limousine businesses and drivers. The combined licensing makes it easier for private enterprises to conduct business in both cities. Each city maintains its own ordinances and establishes its own license fees; however, both ordinances are virtually identical. Urbana handles the license registration process for both cities. The business owners find the licensing process seamless. This fiscal year, the City has licensed 44 companies, 96 vehicles and 170 drivers.

2. Complaints. The cities of Urbana and Champaign receive numerous complaints from vehicle for hire business owners and drivers concerning violations of provisions of both municipal codes governing vehicles for hire. Competitors rather than citizens make most of the complaints. In order to address these concerns, staff has met on multiple occasions with representatives from the City of Champaign. In addition, a letter was mailed out to all licensed business owners and interested parties requesting their

feedback on the proposed changes. Complaints have pertained to various code provisions, including vehicle markings, false representation, magnetic signage, classification of vehicles, inspection schedule, not posting rates, visibility of the driver's license to passengers, failure to issue a receipt upon demand and owners not sending in their drivers to license.

3. City Code Changes under Consideration. Staff has revised Chapter 26 of the Urbana City Code to address the above mentioned issues. Most of the changes address compliance, vehicular operation and licensing standards. A copy of Chapter 26 showing the proposed additions and deletions is attached to this memorandum. The following is a brief description of the more significant changes:

- Under Sec. 26/36-16 Definitions.
 - added definition for charter service;
 - changed definition of operating and operator;
 - removed definitions for limousine, taxi and public transportation vehicle;
 - redefined definition for vehicle for hire; and
- Under Sec. 26/36-17 Applicability.
 - added item (7) for charter services; and
- Under Sec. 26/36-26 Licensed required.
 - changed item (3) section reference codes;
 - added item (4) for vehicle for hire driver license renewals and late fees; and
- Under Sec. 26/36-31 Display of license and identification card.
 - added information for service pursuant to a written contract; and
- Under Sec. 26/36-42 Application.
 - added additional requirements (2) email address, (3) copy of receipt and (4) list of names of current drivers and color photos of each vehicle; and
- Under Sec. 26/36-47 Changes in license information.
 - new section in the code; and
- Under Sec. 26/36-60 Method of calculation.
 - added mileage and hourly rate calculation; and
- Under Sec. 26/36-61 Established; posting.
 - changed items (b) and (h); and
- Under Sec. 26/36-78 False representation.
 - divided into two (2) separate parts; and
- Under Sec. 26/36-81 Use of vehicle for crime; alcoholic beverages.
 - Removed unnecessary language; and
- Under Sec. 26/36-91 Vehicle classification.
 - changed to reflect State of Illinois classification for commercial or public transportation vehicle; and
- Under Sec. 26/36-94 Condition of vehicle for hire; inspections.
 - change scheduled inspections based on year and mileage; and
- Under Sec. 26/36-95 Vehicle markings; similar markings prohibited.
 - Major changes and additions made throughout this section
 - added item (c) prohibiting the use of magnetic or other removable signage
 - added item (d) prohibiting certain types of signage, unless approved by the comptroller/finance director

- added item (e) requiring all vehicles belonging to a single operator to display a uniform color scheme and logo
- added item (f) prohibiting the licensing of vehicles whose color schemes, identifying design, monogram or insignia imitate another vehicle for hire company

Options and their consequences

Option 1 - Approve the proposed ordinance changes for vehicles for hire, considering any recommendations from Council.

Advantages

- Provide clarification to licensees and enforcement personnel of the provisions.
- Provide better definition to staff, enforcement and licensees of the provisions and classification of vehicles for hire.
- Address complaints and concerns expressed over the past two years.
- Improved code compliance from owners and drivers with stricter penalties and clearer definitions.

Disadvantages

- Time for licensees, staff and enforcement personnel to adjust to the new provisions.

Option 2 - Do not approve the proposed ordinance changes and defer the proposed changes to staff to consider other alternatives for vehicles for hire.

Advantages

- Would consider alternatives not already addressed by staff.

Disadvantages

- Would delay addressing outstanding issues and concerns regarding vehicles for hire.
- Require additional staff time to determine how best to apply the alternatives.

Option 3 – Not recommend changes to any of the current provisions governing vehicles for hire.

Advantages

- Would not require staff, enforcement or licensees to adjust to new provisions.

Disadvantages

- Would not provide needed clarification, improved definition, compliance considerations or address complaints.

Community Impact

Staff sent out a letter requesting comment from vehicle for hire business owners and interested parties to address complaints and concerns to the proposed changes. Several business owners and drivers expressed their support of the proposed changes; however, only two written responses were actually received. Staff did not receive any opposition to the proposed changes. The responses received were in support of a uniform color scheme and logo and prohibiting magnetic signage.

Fiscal impact

There would be no additional costs to the city to approve the proposed changes.

Recommendation

Staff recommends approval of Option 1.

ORDINANCE NO. 2013-04-037

AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER TWENTY-SIX,
ARTICLE II

(Vehicles for Hire - 2013)

WHEREAS, the City of Urbana ("City") is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, Section 5/11-42-6 of the Illinois Municipal Code (65 ILCS 5/11-42-6) provides that the corporate authorities of each municipality may license, tax, and regulate hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, and all others pursuing like occupations and may prescribe their compensation; and

WHEREAS, the City Council heretofore has enacted Urbana City Code Chapter 26 to regulate vehicles for hire and the drivers of such vehicles within the City for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council finds that the best interests of the City are served by amending said Chapter.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

Urbana City Code Chapter 26, "Vehicles for Hire," Article II, Vehicles for Hire, is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.

Section 2.

Urbana City Code Chapter 14, "Licenses and Permits," Section 14-7, "Schedule of fees," subsection (B), "General," Part 4, "Miscellaneous," Subpart (b), "Vehicles for Hire," is hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as follows:

- | | |
|---|-----------------|
| 1. Drivers <u>Driver's</u> License Annual Fee | \$ 20.00 |
| Duplicate License | \$ 7.00 |
| <u>Late Filing Fee</u> | <u>\$ 25.00</u> |
| 2. Business License Annual Fee | \$ 130.00 |
| Duplicate License | \$ 7.00 |
| Late Filing Fee (plus ten dollars (\$10.00) per day after June 25th)..... | \$ 25.00 |
| 3. Vehicle Registration Fee (per vehicle) | \$ 50.00 |
| Replacement Registration (plate/sticker) | \$ 10.00 |

Transfer Vehicle Registration \$ 10.00

4. A late filing fee of ten dollars (\$10.00) shall be added for each day that a certificate of vehicle inspection, certificate of insurance or state vehicle registration is filed after stated due date.

Section 3.

This ordinance will take effect on July 1, 2013.

Section 4.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 5.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 6.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSENT:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor

Chapter 26 - VEHICLES FOR HIRE

ARTICLE I. - IN GENERAL

ARTICLE II. - VEHICLES FOR HIRE

ARTICLE I. - IN GENERAL

Secs. 26-1—26-15. - Reserved.

ARTICLE II. - VEHICLES FOR HIRE

DIVISION 1. - GENERALLY

DIVISION 2. - DRIVERS' LICENSES

DIVISION 3. - BUSINESS LICENSE

DIVISION 4. - RATES

DIVISION 5. - RULES AND REGULATIONS

DIVISION 6. - EQUIPMENT

DIVISION 1. - GENERALLY

Sec. 26-16. - Definitions.

Sec. 26-17. - Applicability.

Sec. 26-18. - Reciprocal issuance.

Sec. 26-19. - Expiration.

Secs. 26-20—26-25. - Reserved.

Sec. 26-16. - Definitions.

The following words and phrases, when used in this [articlechapter](#), shall have the meanings respectively ascribed to them in this [articlechapter](#), unless the context otherwise requires.

[Charter service.](#) Charter service shall mean transportation, using a bus, of a group of persons who, pursuant to a common purpose, under a single contract, at a fixed charge for the bus, paid for in whole or in part by a third party, have acquired the exclusive use of the bus to travel together for a negotiated price for the group.

Driver. Driver shall mean the person in actual physical control of a vehicle for hire.

Licensee. Licensee shall mean the owner of vehicle for hire or the driver of said vehicle.

~~*Limousine.* Limousine shall mean a vehicle classified as such pursuant to division 6 of this chapter, and used to carry passengers for hire based primarily on an hourly rate rather than mileage or a zone rate and is arranged between the passenger and operator prior to the arrival of the vehicle at the passenger's location.~~

Operating. Operating shall mean ~~owning a vehicle for hire~~ furnishing a service described herein.

Operator. Operator shall mean ~~owner of any person owning or operating~~ a vehicle for hire.

~~*Public Transportation Vehicle.* Public Transportation Vehicle shall mean a privately-owned vehicle which is required to have registration plates with a "PT" suffix and designed to lawfully carry 10 or more passengers, including, but not limited to, passenger vans.~~

~~*Taxi.* Taxi, also referred to as "taxicab" and "cab", shall mean any vehicle used in the city to carry passengers for hire based on mileage, a per person or flat rate, or a zone rate.~~

Taximeter. Taximeter shall mean any mechanical or electronic device that records and indicates a charge or fare measured by distance traveled, waiting time and extra passengers.

Vehicle for hire. Vehicle for hire shall mean any motor vehicle engaged in the business of carrying persons for hire on the streets of the ~~c~~City of Urbana, including taxicabs, limousines, and public transportation vehicles, classified as provided in Section 26-91, and not operated on a fixed route.

Sec. 26-17. - Applicability.

(a) The provisions of this chapter shall be applicable to all vehicles for hire, ~~whether to transport persons within or outside the corporate limits of the City of Urbana and to the drivers of such vehicles that transport passengers from one location to another location within the Urbana/Champaign city limits. For purposes of enforcement, a business license for a vehicle for hire, taxicab, or limousine in any other jurisdiction shall permit the license holder either to pick up or to drop off passengers but not to transport passengers from one location to another location within the Urbana/Champaign city limits.~~

(b) These provisions shall not apply to: (1) vehicles operated as school buses as defined by the Illinois Vehicle Code, as amended from time to time; (2) vehicles provided by employers for the exclusive use of ~~its~~their employees; (3) vehicles devoted exclusively for funeral use; (4) vehicles used in operation of a metropolitan transit authority; (5) vehicles used as shuttles or courtesy vehicles by a business for the convenience of its customers and

at no charge to said customers; (6) vehicles specifically designed, constructed or modified and equipped, ~~and are~~ intended to be used for, and ~~are~~ maintained or operated exclusively for the emergency or non-emergency transportation of persons for compensation for the purpose of obtaining medical services; or (7) vehicles used in charter service as herein defined.

Sec. 26-18. - Reciprocal issuance.

Licenses issued by or on behalf of the City of Champaign shall constitute the issuance of a license within the ~~City of Urbana~~ for drivers ~~of vehicles for hire~~ and for ~~the business of operating vehicles for hire operators~~. Licensees shall pay all applicable fees required by each city, regardless of which city may issue the license.

Sec. 26-19. - Expiration.

Each license, other than a provisional license, issued under this chapter shall expire on the thirtieth day of June of the fiscal year for which ~~they are~~ it is issued.

Secs. 26-20—26-25. - Reserved.

DIVISION 2. - DRIVERS' LICENSES

Sec. 26-26. - License required.

Sec. 26-27. - Application; photograph required.

Sec. 26-28. - Qualification of driver; certification of driving ability.

Sec. 26-29. - Issuance.

Sec. 26-30. - Identification card.

Sec. 26-31. - Display of license and identification card.

Sec. 26-32. - Duplicate licenses.

Sec. 26-33. - Suspension or revocation.

Secs. 26-34—26-40. - Reserved.

Sec. 26-26. - License required.

No person shall drive a vehicle for hire or be hired or permitted to do so, unless he/she is a duly licensed driver by the State of Illinois and has a valid city-issued vehicle for hire driver's license.

- (1) The issuing authority may issue a provisional vehicle for hire driver's license to a person who has applied for a said license if the issuing authority finds the applicant is qualified but at the time of issuance, the issuing authority has not received information from the State of Illinois regarding the existence or nonexistence of a criminal history of the applicant.
- (2) Such provisional license shall be valid for sixty (60) days from the date of issuance, but shall expire sooner upon the issuance of the annual vehicle for hire driver's license ~~that the applicant applied for.~~
- (3) The provisional license shall be revoked immediately upon receipt of information that would disqualify the applicant under sections ~~26-54~~ 26-28, 26-33, or 26-43. The applicant shall be notified of such in writing.
- ~~(3)~~(4) Renewal. An applicant shall submit the application to renew a vehicle for hire driver's license before June 25. Applications submitted on or after June 25 shall incur a late fee as provided in section 14-7 of the Urbana Code of Ordinances. If the late fee is not paid prior to issuance of the license, the existing license shall lapse as of midnight June 30.

Sec. 26-27. - Application; photograph required.

A verified application for a vehicle for hire driver's license shall be made in writing to the comptroller/finance director, upon forms provided. The application shall state the full name of the applicant, his/her age, his/her residence address, [his/her telephone number\(s\)](#), [his/her electronic mail address](#), the name and address of his/her employer, and whether or not he/she has ever been convicted of a felony. The applicant must undergo a state criminal background check and must complete any forms required by the state to undergo such a background check.

Sec. 26-28. - Qualification of driver; certification of driving ability.

- (a) No vehicle for hire driver's license shall be issued to any person:
 - (1) Who is not competent to drive a motor vehicle;
 - (2) Who is not familiar with the traffic laws and ordinances;
 - (3) Who has been convicted of a felony within four (4) years of the date of application or has been released from prison or jail for a felony conviction within four (4) years of the date of application;

- (4) Whose license to drive a vehicle for hire in any jurisdiction has been suspended or revoked during the preceding six (6) months;
 - (5) Who is under the age of eighteen (18) years; or
 - (6) Who is not trained and properly licensed by the State of Illinois to operate the particular registered vehicle which is to be utilized for hire.
- (b) The chief of police, or his/her designee, shall examine each applicant for a vehicle for hire driver's license to determine the eligibility of the applicant. No such license shall be issued except on certificate of the chief of police, or his/her designee that the applicant has demonstrated no traffic violations during the preceding six (6) months.
- (c) Repeat violations of this chapter [or the Urbana Code of Ordinances](#) shall be grounds for rejection of a license application, non-renewal of a license or revocation of a current license.

Sec. 26-29. - Issuance.

The comptroller/finance director or his/her designee is authorized to issue a vehicle for hire driver's license to any qualified applicant. The license shall contain the name of the driver and the number of his/her license. Any such license issued shall be conditioned on the licensee successfully passing the state background check required herein.

Sec. 26-30. - Identification card.

The comptroller/finance director shall issue to all qualified applicants an identification card containing the driver's ~~first~~ name and license number and his/her photograph attached thereto.

Sec. 26-31. - Display of license and identification card.

~~The A~~ driver ~~of a vehicle for hire~~ shall have his/her ~~c~~City-issued vehicle for hire license in possession at all times while on duty, and said license shall be conspicuously posted in the passenger area of the vehicle so as to be readily visible to any passenger. [Drivers providing service pursuant to a written contract shall display their identification cards upon request of a passenger, city officer, or peace officer.](#) Other drivers ~~The driver of a vehicle for hire~~ shall ~~also~~ conspicuously display ~~his/her~~ [their](#) identification cards on ~~his/her~~ [their](#) persons at all times while on duty.

Sec. 26-32. - Duplicate licenses.

Whenever a driver has lost or destroyed his/her ~~c~~City-issued vehicle for hire driver's license, identification card, or plate, he/she shall submit an affidavit in writing to the

comptroller/finance director, stating that the card, license, or plate has been lost or destroyed. The comptroller/finance director shall issue a duplicate copy or substitute thereof upon payment of the sum set forth in section 14-7 of the Urbana Code of Ordinances to the comptroller/finance director for each item so duplicated or substituted.

Sec. 26-33. - Suspension or revocation.

(a) In addition to the provisions of chapter 14 of the Urbana Code of Ordinances, the issuing authority may initiate suspension and/or revocation proceedings for a license issued under this chapter if the licensee commits one (1) or more moving violations pursuant to the Illinois Vehicle Code, [as amended from time to time](#).

(b) Notwithstanding the provisions of chapter 14 of this Code, the issuing authority may immediately revoke any license issued under this chapter when the licensee's driving privileges have been suspended or revoked pursuant to the Illinois Vehicle Code, [as amended from time to time](#). The issuing authority shall send a notice of revocation ~~advising of the revocation~~ to the residence address of the licensee filed with the comptroller/finance director. The revocation shall be in effect from the date of the notice. The licensee shall be entitled to a post-deprivation hearing as soon as practical, but no later than seven (7) days after issuance of the notice.

(b) Any person whose driver's license has been revoked shall immediately return every license, identification card, licensee's plate, etc., to the comptroller/finance director.

Secs. 26-34—26-40. - Reserved.

DIVISION 3. - BUSINESS LICENSE

Sec. 26-41. - License required.

Sec. 26-42. - Application.

Sec. 26-43. - Qualifications of applicant.

Sec. 26-44. - Issuance.

Sec. 26-45. - Duplicate licenses.

Sec. 26-46. - Suspension or revocation.

[Sec. 26-47. - Changes in license information.](#)

Secs. 26-478—26-59. - Reserved.

Sec. 26-41. - License required.

- (a) No person shall engage in the business of operating a vehicle for hire in the city without first having secured a license therefore as provided in this division.
- (b) Renewal. ~~If a license holder wants to renew their license to offer a vehicle for hire so that the renewal takes effect immediately upon the expiration of the prior annual license, such license holder~~ To renew a license before it expires, a license holder must submit the renewal application before June 25. Applications for renewal submitted on or after June 25 shall incur a late fee ~~of twenty five dollars (\$25.00), plus a per diem late fee of ten dollars (\$10.00) per day for each day after June 25th that the application is submitted~~ as provided in section 14-7 of the Urbana Code of Ordinances. If the late fee is not paid prior to issuance of the renewed license, the existing license shall lapse as of midnight June 30.

Sec. 26-42. - Application.

A verified application for a vehicle for hire license shall be made in writing by the owner, operator or manager of the vehicle for hire to the comptroller/finance director or his/her designee upon forms furnished by the city. The application shall state:

- (1) The full name of the applicant (if a firm or corporation, provide names, telephone numbers and addresses of the president, secretary and treasurer);
- (2) The applicant's residence (local and permanent) address, telephone number(s), and electronic mail address;
- (3) The full name and intended place of business, the telephone number of the business, the owner/operator/manager, and a blank original receipt of the kind to be issued to passengers in accordance with Section 26-79 of this Code;
- (4) The number of vehicles to be operated, the year, make and type of each motor vehicle to be used, the vehicle identification number for each vehicle, the proposed vehicle classification as defined in division 6 of this chapter, the state license number thereof, the seating capacity thereof according to its trade rating, the company assigned number, the registered owner of the vehicle, the names of all drivers, the body style, and the color, and color

photographs of each vehicle to be operated, clearly showing front, side, and back views;

- (5) Whether or not the applicant has ever been convicted of a felony. If the applicant is a firm or corporation, the names and addresses of the president, secretary and treasurer ~~and secretary~~ shall be given;
- (6) Issuance and validity statement and insurance certificates; and
- (7) Signature of applicant.

Sec. 26-43. - Qualifications of applicant.

- (a) No license to engage in the business of operating a vehicle for hire shall be issued to or held by any person:
 - (1) Who has been convicted of a felony within four (4) years of the date of application or has been released from prison or jail upon a felony conviction within four (4) years of the date of application; or
 - (2) Whose license to operate a vehicle for hire in any jurisdiction has been suspended or revoked during the preceding six (6) months.
- (b) No license to operate a vehicle for hire business shall be issued to or held by any firm or corporation if any officer thereof would be ineligible for a license under the foregoing conditions.

Sec. 26-44. - Issuance.

- (a) The comptroller/finance director or his/her designee is authorized to issue a license to any qualified applicant for the operation of a vehicle for hire. The license shall contain a distinguishing number, name of the person owning such vehicle for hire, his/her business address, and the number of vehicles to be operated, the make and type of each vehicle to be used, the vehicle identification number thereof, and the state license number thereof.
- (b) The vehicle for hire license shall be non-assignable and nontransferable.

Sec. 26-45. - Duplicate licenses.

Whenever an operator has lost or destroyed his license, identification card, or plate, he/she shall submit an affidavit in writing to the comptroller/finance director, stating that the card, license or badge has been lost or destroyed. The comptroller/finance director

shall issue a duplicate copy or substitute thereof upon payment of the sum set forth in section 14-7 of the Urbana Code of Ordinances for each item so duplicated or substituted.

Sec. 26-46. - Suspension or revocation.

- (a) In addition to the provisions of chapter 14 of the Urbana Code of Ordinances, the issuing authority may initiate suspension and/or revocation proceedings for a license issued under this chapter for any of the following:
 - (1) Violation of any ordinance provisions regulating a licensee of a vehicle for hire;
 - (2) Knowingly ~~suffering-allowing~~ a driver of a licensee to drive a vehicle for hire with a driver's license that is suspended or revoked under the [State-Illinois Vehicle Code \(625 ILCS 5/1-100, et. seq\), as amended from time to time](#);
 - (3) Having as a driver a person who is not licensed as a vehicle for hire driver pursuant to this chapter.
- (b) Any person whose operator's license has been revoked shall immediately return every such license, identification card, licensee's plate, driver's badge, etc., to the comptroller/finance director.

Sec. 26-47. - Changes in license information.

[Licensees shall report any change in information furnished in the application for a vehicle for hire license pursuant to this division to the comptroller/finance director in writing within 10 days of the change. Failure to so report shall be cause for suspension or revocation of the license.](#)

Secs. 26-478—26-59. - Reserved.

DIVISION 4. - RATES

- Sec. 26-60. - Method of rate calculation.
- Sec. 26-61. - Established; posting.
- Sec. 26-62. - Waiting time.
- Sec. 26-63. - Clearance of taximeter.
- Sec. 26-64. - Sounding horn unnecessarily.

Sec. 26-60. - Method of rate calculation.

- (a) Every operator shall establish a method for calculating rates and fares. The following methods are approved: i) taximeters, ii) zone rates, iii) individual written contract terms, ~~or~~ iv) per person or flat rates, ~~v) mileage, or vi) hourly.~~
- (b) Zones. A licensee that uses the zoned method for rate calculation shall use the following boundaries when establishing rates:
- (1) Zone 1: bounded by I-74 on the north; Lincoln Ave. on the east; Kirby Ave. on the south; and State St. to Bloomington Rd. to Prospect Ave. on the west.
 - (2) Zone 2: bounded by I-74 on the north; Smith Rd. to Main St. (Springfield Ave.) to Philo Rd. on the east; Kirby Ave. on the south; and Lincoln Ave. on the west.
 - (3) Zone 3: bounded by Ford Harris Rd. on the north; Lincoln Ave. on the east; I-74 on the south; and I-74 on the west.
 - (4) Zone 4: bounded by I-74 on the north; Prospect Ave. to Bloomington Rd. to State St. on the east; Springfield Ave. on the south; and I-57 on the west.
 - (5) Zone 5: bounded by Springfield Ave. on the north; State St. to Kirby Ave. to Prospect Ave. on the east; Windsor Rd. on the south; and ~~I-57~~ Mattis Ave. on the west.
 - (6) Zone 6: bounded by Kirby Ave. on the north; Race St. on the east; Old Church Rd. on the south; and Prospect Ave. on the west.
 - (7) Zone 7: bounded by Kirby Ave. on the north; Cottonwood Rd. on the east; Old Church Rd. on the south; and Race St. on the west.
 - (8) Zone 8: bounded by University Ave. on the north; Cottonwood Rd. on the east; Kirby Ave. on the south; and Philo Rd. to Main St. (Springfield Ave.) to Smith Rd. on the west.
 - (9) Zone 9: bounded by Ford Harris Rd. on the north; Cottonwood Rd. on the east; I-74 on the south; and Lincoln Ave. on the west.

(10) Zone 10: bounded by Springfield Ave. on the north; Mattis Ave. on the east; Windsor Rd. on the south; and I-57 on the west.

(11) Zone 11: bounded by Windsor Rd. on the north; Prospect Ave. on the east; Old Church Rd. on the south; and I-57 on the west.

(12) Zone 12: bounded by Ford Harris Rd. on the north; I-74 and I-57 on the east; Springfield Ave. on the south; and Rising Road on the west.

(13) Zone_13: bounded by Springfield Ave. on the north; I-57 on the east; Old Church Rd. on the south; and Rising Rd. on the west.

Sec. 26-61. - Established; posting.

- (a) All licensees shall provide the comptroller/finance director with a written schedule of all rates charged, including but not limited to, per person or flat rates, zone rates, taximeter rates, flag, ~~and~~ mileage, ~~hourly~~ rates, and rates for transportation and carrying of luggage, hand luggage and parcels. The comptroller/finance director shall be notified in writing ten (10) days prior to the effective date of any rate changes.
- (b) Except when carrying passengers for hire pursuant to a written contract, ~~a~~All licensees, ~~excluding limousines,~~ shall post conspicuously in each vehicle for hire and keep posted conspicuously at all times a written notice setting out the schedule of all rates charged by that person-licensee and as are on file with the comptroller/finance director. The fares set out in this notice shall not vary from the schedule filed with the comptroller/finance director.
- (c) No licensee or driver shall charge a fare in excess of the effective schedule of fares on file with the comptroller/finance director.
- (d) If the vehicle for hire is equipped with a taximeter, but the driver of such vehicle is charging passengers a per person rate or zone rate, said driver must clearly state that fact; provide the exact rate to all passengers for their destination; and receive their consent before that trip may proceed. If the taximeter is being utilized to charge passengers, then no fare shall be charged other than that recorded on the dial of the meter for the trip where such meter is utilized.
- (e) No licensee shall operate and no driver shall drive a vehicle for hire unless the fare to be charged is determined in accordance with the posted schedule of rates provided.

- (f) No person shall remove or deface the notice required to be posted in a vehicle for hire or post the notice in a place so as to not be easily readable by a passenger located in the rear of the vehicle.
- (g) No licensee shall operate a vehicle for hire with a defaced or missing schedule of rates. This shall be a strict liability offense.
- (h) ~~Limousine-only~~ Service pursuant to written contract. ~~In the event a vehicle is classified as a limousine~~ Whenever a licensee provides service pursuant to a written contract, the parties to the contract may establish the rate for services. Said rates must be in writing and a copy of the contract shall be presented to the person who has contracted for such service prior to or at the time of commencement of service. The driver of the ~~limousine-vehicle for hire~~ shall have a copy of the contract documents in the vehicle and available for inspection at all times. However, ~~any vehicle, otherwise classified as a limousine and defined as a "Livery Vehicle" by the State of Illinois, but is utilized from time to time as a taxi, as defined in Sec. 26-16 of this chapter~~ operators who do not exclusively provide service pursuant to written contracts, shall file a written schedule of all rates charged ~~the meter rates, zone rates, and per person rates~~ with the comptroller/finance director and post said rates, as required in ~~p~~Paragraph (b) of this ~~s~~Section. At such times as a ~~limousine may be used as a taxi~~ vehicle for hire may be used to provide service without a written contract, that vehicle and its driver shall be regulated as such by the applicable provisions of this ~~c~~Chapter.

Sec. 26-62. - Waiting time.

Waiting time shall include the time when the vehicle for hire is not in motion, beginning three (3) minutes after arrival at the place to which it has been called, the time consumed by unavoidable delays at street intersections, and the time consumed while standing at the direction of the passenger. No charge shall be made for time lost for inefficiency of the vehicle for hire or its driver or the time consumed by premature response to a call.

Sec. 26-63. - Clearance of taximeter.

- (a) The taximeter shall be cleared at the destination of each passenger or group of passengers, unless a passenger declares to the driver at or before the time the first destination is reached that no clearance of the meter shall be made until all or certain designated passengers in such vehicle for hire reach their respective destination. The passenger making such declaration shall be liable for the whole fare upon reaching his/her destination.

- (b) The clearance of the taximeter at the destination of a passenger or group of passengers shall constitute the end of one (1) trip. Any passengers remaining in the vehicle for transportation to a different destination after the clearance of the meter shall constitute the commencement of a new trip, and shall not be liable for any fare whatsoever until such new trip is commenced.

Sec. 26-64. - Sounding horn unnecessarily.

- (a) The driver shall call in person for a prospective passenger and shall refrain from using the horn to announce the arrival of the ~~taxicab~~ vehicle for hire. Persistent sounding of the horn to the disturbance of the public shall be grounds for revoking the ~~taxicab~~ driver's license.
- (b) The sounding of horns by ~~taxicab~~ vehicle for hire drivers while picking up passengers in the B-4 central commercial area of the city as classified under the zoning ordinance shall be permitted. However, such ~~taxicab~~ drivers shall not indulge in persistent sounding of horns in such area and may only sound such horns when reasonably necessary to indicate to the prospective passenger the arrival of the ~~taxicab~~ vehicle for hire.

Secs. 26-65—26-75. - Reserved.

DIVISION 5. - RULES AND REGULATIONS

Sec. 26-76. - Proof of insurance, bond and registration.

Sec. 26-77. - Responsibility for unlicensed drivers.

Sec. 26-78. - False representation.

Sec. 26-79. - Issuing receipt upon demand.

Sec. 26-80. - Conduct and appearance of drivers.

Sec. 26-81. - Use of vehicle for crime; alcoholic beverages.

Sec. 26-82. - Obedience to traffic rules.

Sec. 26-83. - Soliciting passengers; direct route to be used.

Sec. 26-84. - Duty to accept passengers.

Sec. 26-85. - Parking in taxicab stand.

Sec. 26-86. - Occupancy by person not a passenger.

Sec. 26-87. - Number of passengers; seating arrangement.

Sec. 26-88. - Failure to pay fare prohibited.

Sec. 26-89. - Reserved.

Sec. 26-76. - Proof of insurance, bond and registration.

(a) No person shall operate or drive a vehicle for hire unless such vehicle is covered by a bond or an insurance policy or other proof of insurance in a form prescribed by the secretary of state and in at least the minimum amounts required by 625 ILCS 5/8-104 or 625 ILCS 5/8-108, as amended from time to time. Evidence that the applicant has filed with the secretary of state such bond or insurance policy shall be filed with the comptroller/finance director prior to the issuance of any license.

(b) ~~Every~~ The operator ~~of a vehicle for hire~~ shall provide proof of valid registration of the vehicle as prescribed by the Illinois Vehicle Code on or before January 2 of each year in which the vehicle is used as a vehicle for hire.

Sec. 26-77. - Responsibility for unlicensed drivers.

No operator shall ~~have as a driver of one of the operator's vehicles for hire a driver~~ allow any person who is not licensed pursuant to this chapter to drive a vehicle for hire. This shall be a strict liability offense.

Sec. 26-78. - False representation.

~~(a)~~ No operator, driver or other employee of a licensee shall imitate the vehicle for hire name, colors, emblems, cap bands, caps or uniforms previously adopted and in use by any other licensee ~~or represent himself as an employee of any other licensee~~.

~~(b)~~ No operator, driver or other employee of a licensee shall represent himself/herself as an employee of any other licensee.

Sec. 26-79. - Issuing receipt upon demand.

Upon paying the fare, each passenger may demand a receipt. Upon such demand the driver ~~of any vehicle for hire~~ shall give the passenger a receipt in legible type or writing showing the date and amount so paid, the pick-up and drop-off location of the passenger,

the trade name of the vehicle for hire, and the name and the license number of the driver.

Sec. 26-80. - Conduct and appearance of drivers.

- (a) No driver ~~of a vehicle for hire~~ while on duty shall use any profane or obscene language or gestures, shout or call to prospective passengers, or engage in violent, abusive, indecent, profane, boisterous, or unreasonably loud conduct.
- (b) Every driver ~~of a vehicle for hire~~ shall maintain a reasonable degree of personal hygiene and be dressed in clean clothing that is not soiled or otherwise offensive.

Sec. 26-81. - Use of vehicle for crime; alcoholic beverages.

- (a) No person shall knowingly permit any vehicle for hire to be used in the commission of a crime.
- (b) No driver ~~of any vehicle for hire~~ shall have in his/her possession or in or about the driver's compartment of the vehicle any alcoholic liquor ~~while on any street or on public property except in the original container and with the seal unbroken.~~
- ~~(c) No driver of any vehicle for hire shall use a vehicle for hire for the purpose of transporting or delivering any alcoholic liquor except alcoholic liquor in its original unopened packaging in the possession of and the property of a paying passenger.~~
- ~~(d) No driver of any vehicle for hire while on duty, shall possess or consume any alcoholic liquor.~~

Sec. 26-82. - Obedience to traffic rules.

Every driver ~~of a vehicle for hire~~ shall obey all traffic rules established by statute or ordinance.

Sec. 26-83. - Soliciting passengers; direct route to be used.

- (a) No ~~vehicle for hire~~ driver shall induce or attempt to make anyone employ ~~him or his/her~~ vehicle for hire by any false statement or representation of the place or time of arrival or departure of any public conveyance or common carrier.

- (b) No person shall be admitted to a vehicle for hire occupied by a passenger without the consent of the original passenger.
- (c) The ~~vehicle for hire~~ driver shall take his/her passenger to his/her destination by the most direct available route from the place where the passenger enters the ~~cab~~ vehicle for hire.

Sec. 26-84. - Duty to accept passengers.

Any driver ~~of any vehicle for hire~~ shall accept as a passenger any person who seeks to so use the vehicle for hire, provided such person is not under the influence of alcohol or drugs and conducts himself herself in an orderly manner.

Sec. 26-85. - Parking in taxicab stand.

A vehicle for hire may be parked in any taxicab stand only while such vehicle is under the control of its driver on duty awaiting a fare. The driver of such vehicle for hire shall remain in the vehicle unless providing immediate assistance to a passenger.

Sec. 26-86. - Occupancy by person not a passenger.

- (a) No licensee or driver ~~of a vehicle for hire~~ shall permit any person except a passenger for hire to occupy or be seated in such vehicle when the vehicle is engaged in the business of transporting passengers.
- (b) Operators may temporarily occupy a vehicle for hire for training purposes when a new trainee has obtained a vehicle for hire driver's license. The operator shall notify the comptroller/finance director of the training activities and shall provide a date certain for when said training activities will be concluded.

Sec. 26-87. - Number of passengers; seating arrangement.

The number of passengers transported at any one (1) time by a vehicle for hire shall not:

- (a) Exceed the number of manufacturer-installed seats and seatbelts available for each ~~and every~~ passenger in said vehicle; or
- (b) Exceed the number allowed by sState or fFederal law(s) for that vehicle type.

Sec. 26-88. - Failure to pay fare prohibited.

No passenger shall fail or refuse to pay the lawful fare at the termination of a trip.

Sec. 26-89. - Reserved.

DIVISION 6. – EQUIPMENT

Sec. 26-90. - Ineligible vehicles.

Sec. 26-91. - Vehicle classification.

Sec. 26-92. - Transfer or reclassification of vehicle registration.

Sec. 26-93. - Display of license plate.

Sec. 26-94. - Condition of vehicle for hire; inspections.

Sec. 26-95. - Vehicle markings; similar markings prohibited.

Sec. 26-96. - Testing of meters.

Sec. 26-97. - Condition of meters.

Sec. 26-98. - Meter flag.

Sec. 26-90. - Ineligible vehicles.

No license to engage in the business of operating a vehicle for hire shall be issued for pick-up trucks of any kind or two-door coupe vehicles.

Sec. 26-91. - Vehicle classification.

All vehicles for hire shall be registered and classified by the State of Illinois as ~~either a limousine, public transportation vehicle, or taxicab, as defined in this Chapter~~ commercial or public transportation vehicle.

Sec. 26-92. - Transfer or reclassification of vehicle registration.

A fee as set forth in section 14-7 of the Urbana City Code shall be payable to the city whenever a licensee requests a transfer of registration from one (1) vehicle to another vehicle or a reclassification of a vehicle.

Sec. 26-93. - Display of license plate.

Upon the issuance of the vehicle for hire license the comptroller/finance director or his/her designee, shall deliver to the licensee a valid vehicle for hire plate and a sticker ~~with the year for which the license is issued,~~ for each ~~and every~~ vehicle for hire for which a license is procured. The applicant shall affix such plate in an approved place upon the rear of the vehicle for hire. No vehicle for hire, although licensed in accordance with the provisions of this division, shall be used upon the streets, avenues or alleys of the city unless such plate is attached thereto.

Sec. 26-94. - Condition of vehicle for hire; inspections.

(a) No license to engage in the business of operating a vehicle for hire shall be issued unless:

- (1) The vehicle for hire bears a state license plate duly issued, valid, and appropriate for vehicles for hire;
- (2) The vehicle for hire is equipped with proper brakes, lights, tires, horn, muffler, rear vision mirror, windshield wiper, speedometer, and when applicable, an approved taximeter in good condition to record the amount of fare to be charged for each trip;
- (3) The vehicle for hire has been thoroughly and carefully inspected and found by the city to be in clean, sanitary, safe, and good mechanical condition for the transportation of passengers; and
- (4) A written certificate of the inspection required by this section is filed with the comptroller/finance director.

(b) Every vehicle for hire in operation shall be inspected at the intervals set forth below to determine if such vehicle meets the requirements of this chapter. The inspections required may be conducted by the city or by such duly qualified persons as the comptroller/finance director may direct. The schedule of inspections shall be as follows:

- (1) A vehicle that was manufactured fewer than ~~three~~five (~~53~~) years from the date of inspection, or that has fewer than one hundred twenty-five thousand seven hundred and fifty (~~125,750~~) miles on the odometer shall be inspected one (1) year after the date of the last inspection of such vehicle, and the written certificate of such inspection required under subsection (a) ~~(4)~~ for above shall be filed with the comptroller/finance director.
- (2) A vehicle that was manufactured ~~five more than three~~ (~~53~~) or more years ~~but fewer than five~~ (~~5~~) years from the date of inspection or that has one hundred twenty-five thousand more than seventy-five thousand and one (~~125,000~~~~75,001~~) miles ~~but less than one hundred twenty-five thousand~~ (~~125,000~~) miles or more on the odometer shall be inspected one hundred eighty (180) days after the date of the last inspection of such vehicle, and the written certificate of such

inspection required under subsection (a)(4) above shall be filed with the comptroller/finance director.

~~(3) A vehicle that was manufactured more than five (5) years from the date of inspection or has greater than one hundred twenty five thousand (125,000) miles on the odometer shall be inspected one hundred twenty (120) days after the date of the last inspection of such vehicle and the written certificate of such inspection required under subsection (a) (4) above shall be filed with the comptroller/finance director.~~

~~(4)(3)~~ Additional inspections may be required as often as the apparent condition of the vehicle warrants or upon complaint received by the comptroller/finance director.

- (c) Failure to file the certificate required under subsection (a)(4) above at the time and in accordance with the requirements of the above shall require the payment of a late fee of ten dollars (\$10.00) as provided in section 14-7 of the Urbana Code of Ordinances for each day that such certificate is not on file after such date that it was due to be filed.
- (d) The licensee shall pay all required fees for all inspections before a certificate of inspection will be issued.

Sec. 26-95. - Vehicle markings; similar markings prohibited.

- (a) ~~All vehicles for hire, excluding limousines shall, Except when operating pursuant to a written contract, all vehicles for hire,~~ while engaged in or available for the transportation of persons, shall have affixed by decal or painted on each side of the vehicle, the following:
 - (1) The word "cab", "vehicle for hire", or "taxi" in lettering at least four (4) inches in height, ~~except that, any vehicle which does not have said lettering, pursuant to the limousine exception in Subsection (a) above, must be registered as a livery vehicle and display State of Illinois license plates with a "LY" suffix;~~ and
 - (2) The name of the licensee operating it or the licensee's his trade name as provided to the comptroller/finance director in visible lettering at least three (3) inches in height; and
 - (3) The vehicle number as provided to the comptroller/finance director.

(b) All vehicles for hire, excluding limousines, Except when operating pursuant to a written contract, all vehicles for hire, shall, while engaged in or available for the transportation of persons, shall have affixed by decal or painted on the rear of the vehicle, the name of the licensee operating the vehicle or the trade name as provided to the comptroller/finance director, and the vehicle number in approved and visible letters.

(c) The use of magnetic or other removable signage is prohibited.

(d) No other name, number, emblem, or advertisement of any kind except signs or advertisements required or permitted by this chapter, official license emblems, or a metal plate shall be affixed, painted, or carried so as to be visible on the outside of any vehicle for hire unless approved by the comptroller/finance director.

(e) Except when operating pursuant to a written contract, all vehicles for hire belonging to a single operator shall display that operator's uniform color scheme and logo.

(f) No vehicle covered by this chapter shall be licensed whose color scheme, identifying design, monogram, or insignia to be used thereon shall, in the opinion of the comptroller/finance director, imitate any color scheme, identifying design, monogram, or insignia used on a vehicle or vehicles already operating under this chapter.

Sec. 26-96. - Testing of meters.

~~(a) In the event a vehicle for hire is equipped with a taximeter, every applicant for a license to operate a vehicle for hire and every licensee, shall deliver for testing the vehicle for hire with the meter attached thereto to such person as the comptroller/finance director may direct. Any such applicant or licensee may be present or represented at the time such test is made.~~

~~(b) Every meter shall be tested to determine the accuracy of its recording mechanism with respect to distance traveled, either by running the vehicle for hire to which it is attached over a course of standard two (2) miles in length or by a mechanical test. Both of the foregoing tests may be made in the discretion of the comptroller/finance director.~~

~~(c) In order to determine whether any meter correctly registers waiting time, the person, such as the comptroller/finance director shall designate, shall test such meter by comparing the time recorded as shown by the care computed on the dial thereof with the standard time.~~

~~(d) When any test shows that a meter correctly records the charge of fare, measured by distance traveled, waiting time and additional passengers, it shall be sealed and a written certificate of the test shall be issued by such person as the comptroller/finance director designates to the licensee.~~

Taximeters are subject to inspection from time to time by comptroller/finance director or designee. Any inspector or other officer designated by the comptroller/finance director is hereby authorized, either on complaint of any person or without such complaint, to inspect any meter, and, discovering any inaccuracy therein, to notify the person operating the vehicle for hire to cease operation. Thereupon such vehicle shall be kept off the streets of the city until the taximeter is repaired and passes a reinspection.

Sec. 26-97. - Condition of meters.

- (a) No vehicle for hire equipped with a taximeter shall be operated unless it is equipped with an approved meter in good condition to record the amount of fare to be charged on each trip. The amount shall be shown on the dial of the meter in figures visible to the passenger, and shall also be equipped with a steady, continuous light illuminating the figures during the period between sunset and sunrise.
- (b) No operator shall use or permit the use of a meter that shall record the rate of fare in excess of five (5) percent error to the prejudice of any passenger.

Sec. 26-98. - Meter flag.

An approved metal flag or indicator with the "For Hire" or words of similar import embossed thereon shall be attached to the taximeter so that the meter cannot operate whenever such meter flag is in an upright position. The meter flag shall be placed and kept in an upright position by the driver of the vehicle for hire at all times except during the trip of a passenger.

State law reference: 65 ILCS 5/11-42-6.