



CITY OF URBANA, ILLINOIS
FINANCE DEPARTMENT

MEMORANDUM

TO: Mayor Marlin and City Council Members

FROM: Elizabeth Beaty, Administrative Services Manager
Elizabeth Hannan, Finance Director

DATE: August 2, 2018

SUBJECT: Revised Vehicles for Hire Ordinance Amending the Urbana City Code

Introduction: Staff presented proposed changes to Chapter 26 of the Urbana City Code to City Council on July 23, 2018 at the Committee of the Whole meeting. No council action was required, except to forward to the City Council meeting on August 6, 2018 for action then.

Background: At the July 23, 2018 meeting, City Council directed staff to clarify felony offense language in Sections 26-28(a)(4) and 26-43(a)(1) regarding the qualifications of vehicle for hire driver's and business owners. Staff's proposed change per Council's direction is the following:

Who has been convicted, within the past four (4) years, of driving under the influence of drugs or alcohol, fraud, sexual offense, use of a motor vehicle to commit a felony, or any felony involving property damage, theft, an act of violence, or an act of terror;

Other minor corrective changes to Chapter 26 should also include the following:

- Change June 30th expiration date to October 31st in Section 26-19 to be consistent with the proposed expiration date cited in Section 26-26 and 26-41.
- Add the words "issuing authority's" before human relations commission in Section 26-28(d) and 26-43(c) so it's clear who the hearing body will be.
- Change the location for display of the license sticker in Section 26-93 to read "left-hand" so it matches up with the driver's side corner of front windshield of the vehicle.
- Add "/certified" after the word qualified in Section 26-94(b) to make it clear inspections are to be performed by certified mechanics.

Fiscal impact: No fiscal impact is expected.

Recommendation: Staff recommends approval of the attached ordinance amending Chapter 26 of the Urbana City Code of Ordinances.

ORDINANCE NO. 2018-07-052

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 26 REGARDING
VEHICLES FOR HIRE**

(2018)

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 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 desires to make certain changes to Chapter 26 to modernize the language, concepts, and procedures contained therein, to delete obsolete provisions, and to clarify the Chapter; and

WHEREAS, the City Council, after due consideration, finds that amending Chapter 26 as herein provided will protect the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF URBANA, ILLINOIS**, as follows:

Section 1.

Urbana City Code Chapter 26, “Vehicles for Hire,” Article II, “Vehicles for Hire,” is hereby amended and as amended shall read as set forth in Exhibit “A,” which is attached hereto and incorporated herein by reference.

Section 2.

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 3.

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 4.

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 and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

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:

ABSTENTIONS:

Charles A. Smyth, City Clerk

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

Diane Wolfe Marlin, Mayor

Exhibit A

Chapter 26 - VEHICLES FOR HIRE

ARTICLE II. - VEHICLES FOR HIRE

DIVISION 1. - GENERALLY

Sec. 26-16. - Definitions.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this chapter, unless the context otherwise requires.

Applicant shall mean any person who makes an application for a vehicle for hire driver's license or vehicle for hire business license as provided in this article.

Charter service shall mean the exclusive use of a bus for transporting a group of persons for a common purpose, under a single contract, at a fixed or negotiated charge, paid for in whole or in part by a third party, for the use of said bus in order for the group to travel together pursuant to a pre-determined itinerary or such itinerary which is modified after leaving the place of origin.

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

Operating shall mean furnishing a service described herein.

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

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 shall mean any motor vehicle engaged in the business of carrying persons for hire on the streets of the city, 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 that transport passengers from one (1) 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 (1) 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 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, intended to be used for, and 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 for drivers and for operators. Applicants 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 article shall expire on the thirty-first day of October of the fiscal year for which it is issued.

Secs. 26-20—26-25. - Reserved.

DIVISION 2. - DRIVERS' LICENSES

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 finance director may issue a provisional vehicle for hire driver's license if he/she finds the applicant is qualified but he/she has not received the results of the traffic and criminal history investigation 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.
- (3) The finance director shall immediately revoke the provisional license upon receipt of information that would disqualify the applicant under sections 26-28, 26-33, or 26-43. The applicant shall be notified of such in writing.
- (4) Renewal. An applicant shall submit the application to renew a vehicle for hire driver's license before October 25. Applications submitted on or after October 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 October 31.

Sec. 26-27. - Application.

A verified application for a vehicle for hire driver's license shall be made in writing to the finance director, upon forms provided. The application shall state the full name of the applicant, his/her age, his/her residence address and mailing address, if different, his/her telephone number(s), his/her electronic mail address, the name and address of his/her employer, and such other information as the finance director may reasonably require. The applicant must undergo a state and national criminal background check, must submit to fingerprinting by the police department, and must complete any forms required to undergo the 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 cannot safely drive a motor vehicle;
 - (2) Who is not familiar with the traffic laws and ordinances;
 - (3) Who has had more than three (3) moving violations in the prior three-year period, or at least one major violation in the prior three-year period including, but not limited to, attempting to evade the police, reckless driving, or driving on a suspended or revoked license;
 - (4) Who has been convicted, within the past four (4) years, of driving under the influence of drugs or alcohol, fraud, sexual offense, use of a motor vehicle to commit a felony, or any felony involving property damage, theft, an act of violence, or an act of terror;
 - (5) Who is a match in the National Sex Offenders Registry database;
 - (6) Who is not properly licensed by the State of Illinois to operate the particular registered vehicle which is to be utilized for hire;
 - (7) Whose license to drive a vehicle for hire in any jurisdiction has been suspended or revoked during the preceding six (6) months; or
 - (8) Who is under the age of eighteen (18) years.
- (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 meets the qualifications set forth in this section.
- (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.
- (d) Any applicant denied a vehicle for hire driver's license based on reasons listed in subsection (a)(4) above shall have a right to appeal the denial decision. The applicant shall file an appeal in writing to the finance director or his/her designee no later than fourteen (14) days from the date of the denial notification letter. The appeal hearing will be held no later than thirty (30) days after the date of the filing of the appeal request. The issuing authority's human relations commission will act as the hearing body. The purpose of the appeal process is to offer the applicant an opportunity to show that, in spite of the disqualifying conviction, he/she would not present a public safety risk. Hearing procedures and rules will be established by the human relations commission and will be provided to those using the appeal process.

Sec. 26-29. - Issuance.

The 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, the vehicle for hire business name and the number of his/her license. Any such license issued shall be conditioned on the applicant successfully passing the background check required herein.

Sec. 26-30. - Identification badge.

The finance director shall issue to all qualified applicants an identification badge containing the driver's name, the vehicle for hire business name and license number and his/her photograph attached thereto.

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

A driver shall have his/her 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 badges upon request of a passenger, city officer, or peace officer. Other drivers shall conspicuously display their identification badges on their persons at all times while on duty.

Sec. 26-32. - Duplicate licenses.

Whenever a driver has lost or destroyed his/her city-issued vehicle for hire driver's license or identification badge, he/she shall submit an affidavit in writing to the finance director, stating that the license or badge has been lost or destroyed. The 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 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 division if the driver commits one (1) or more major 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 division when the driver'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 to the residence address of the driver filed with the finance director. The revocation shall be in effect from the date of the notice. The driver shall be entitled to a post-deprivation hearing as soon as practical, but no later than seven (7) days after issuance of the notice.
- (c) Any person whose city-issued vehicle for hire driver's license has been revoked shall immediately surrender his/her vehicle for hire driver's license and identification badge to the finance director.

Secs. 26-34—26-40. - Reserved.

DIVISION 3. - BUSINESS LICENSE

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 business license therefore as provided in this division.
- (b) Renewal. To renew a business license before it expires, a license holder must submit the renewal application and all applicable fees before October 25. Applications and fees for renewal submitted on or after October 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 renewed license, the existing license shall lapse as of midnight October 31.

Sec. 26-42. – Business license application.

A verified application for a vehicle for hire business license shall be made in writing by the owner, operator or manager of the vehicle for hire to the finance director or his/her designee upon forms provided. The application shall include, at a minimum:

- (1) The full name of the applicant; or, if the applicant is a firm or corporation, the corporate name, business address, state of incorporation, and the titles, addresses, and telephone numbers of its corporate officers;
- (2) The applicant's business address, local office address and mailing address, if different, telephone number(s), and electronic mail address;
- (3) The full name and intended place of business, the telephone number of the business, the full name of the owner/operator/manager, and a blank original receipt that complies with section 26-79 of this Code;
- (4) The number of vehicles to be operated; an accurate copy of the current registration identification card for each vehicle to be operated that indicates the year, make, type, state license number, vehicle identification number, and the registered owner; the proposed vehicle classification as defined in division 6 of this article; the seating capacity thereof according to its trade rating; the company assigned number; the names of all drivers; the body style and color of the vehicle; and recent color photographs of each vehicle to be operated, clearly showing front, side, and back views;
- (5) A statement that the applicant meets the qualifications contained in section 26-43 of the Urbana Code of Ordinances;
- (6) Proof of valid automobile liability insurance for each vehicle to be operated; and
- (7) Signature of applicant.

Sec. 26-43. - Qualifications of business 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, within the past four (4) years, of driving under the influence of drugs or alcohol, fraud, sexual offense, use of a motor vehicle to commit a felony, or any felony involving property damage, theft, an act of violence, or an act of terror;
 - (2) Who is a match in the National Sex Offenders Registry database; or
 - (3) 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.
- (c) Any applicant denied a vehicle for hire business license based on reasons listed in subsection (a)(1) above shall have a right to appeal the denial decision. The applicant shall file an appeal in writing to the finance director or his/her designee no later than fourteen (14) days from the date of the denial notification letter. The appeal hearing will be held no later than thirty (30) days after the date of the appeal request. The issuing authority's human relations commission will act as the hearing body. The purpose of the appeal process is to offer the applicant an opportunity to show that, in spite of the disqualifying conviction, he/she would not present a public safety risk. Hearing procedures and rules will be established by the human relations commission and will be provided to those using the appeal process.

Sec. 26-44. - Issuance.

- (a) The finance director or his/her designee is authorized to issue a business license to any qualified applicant. The license shall contain a distinguishing number and the name and address of the person owning or operating the vehicle for hire, including firm and/or corporation information, if applicable.
- (b) The business license shall be nonassignable and nontransferable.

Sec. 26-45. - Duplicate licenses.

Whenever an operator has lost or destroyed his/her city-issued business license or a vehicle license sticker issued to the operator, he/she shall submit an affidavit in writing to the finance director, stating that the license or sticker has been lost or destroyed. The 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 finance director 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 vehicle for hire;
 - (2) Allowing any person without a valid Illinois driver's license to operate a vehicle licensed under this chapter;
 - (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 city-issued business license has been revoked shall immediately surrender to the finance director his/her business license, all vehicle license stickers issued to his/her business, and all city issued driver's licenses and identification badges issued to vehicle for hire drivers for his/her business.

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

Operator's shall report any change in information furnished in the application for a vehicle for hire license pursuant to this division to the finance director in writing within ten (10) days of the change. Failure to so report shall be cause for suspension or revocation of the license.

Secs. 26-48—26-59. - Reserved.

DIVISION 4. - RATES

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

Every operator shall establish a method for calculating rates and fares. The following methods are approved: i) taximeters, ii) individual written contract terms, iii) per person or flat rates, iv) mileage, or v) hourly.

Sec. 26-61. - Established; posting.

- (a) All operators shall provide the finance director with a written schedule of all rates charged, including but not limited to, per person or flat rates, taximeter rates, mileage, hourly rates, and rates for transportation and carrying of luggage, hand luggage and parcels. The 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, all operators shall post conspicuously in each vehicle for hire and keep posted conspicuously at all times a written notice setting out (1) the schedule of all rates charged by that operator and as are on file with the finance director; and (2) a city telephone number and electronic mail address, as specified by the finance director, for customer complaints. The fares set out in this notice shall not vary from the schedule filed with the finance director.
- (c) No operator shall charge a fare in excess of the effective schedule of fares on file with the finance director.
- (d) If the vehicle for hire is equipped with a taximeter, but the driver of such vehicle is not charging a rate based on the taximeter, said driver must clearly inform all passengers of 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, 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 operator shall operate 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 operator shall operate a vehicle for hire with a defaced or missing schedule of rates. This shall be a strict liability offense.
- (h) Service pursuant to written contract. Whenever a operator 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 vehicle for hire shall have a copy of the contract documents in the vehicle and available for inspection at all times. However, operators who do not exclusively provide service pursuant to written contracts, shall file a written schedule of all rates charged with the finance director and post said rates, as required in paragraph (b) of this section. At such times as a 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 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.

Secs. 26-64—26-75. - Reserved.

DIVISION 5. - RULES AND REGULATIONS

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 finance director prior to the issuance of any license.
- (b) Every operator shall provide proof of valid registration of the vehicle as prescribed by the Illinois Vehicle Code at the time of initial licensing or license renewal for each year in which the vehicle is used as a vehicle for hire.

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

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

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

Upon paying the fare, each passenger may demand a receipt. Upon such demand the driver 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 while on duty shall use any profane or obscene language or gestures, shout or call to prospective passengers, or engage in violent, abusive, indecent, or profane conduct.
- (b) Every driver shall maintain a reasonable degree of personal hygiene and be dressed in clean and well maintained clothing.

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 shall have in his/her possession or in or about the driver's compartment of the vehicle any alcoholic liquor except in the original container and with the seal unbroken.

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

Every driver shall obey all traffic rules established by statute or ordinance.

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

- (a) No driver shall induce or attempt to make anyone employ 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 driver shall take his/her passenger to his/her destination by the most direct available route from the place where the passenger enters the vehicle for hire.

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

Any driver 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 operator 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 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:

- (1) Exceed the number of manufacturer-installed seats and seatbelts available for each passenger in said vehicle; or
- (2) Exceed the number allowed by state or federal law(s) for that vehicle type.

Sec. 26-88. – Fare payment.

- (a) Except when operating pursuant to a written contract, every operator that requires passengers to pay fares in cash shall post conspicuously inside the rear of the vehicle a sign stating "Cash Only." Every operator shall inform passengers prior to the start of any trip that a cash payment is the only acceptable method of payment.
- (b) No passenger shall fail or refuse to pay the lawful fare at the termination of a trip.

Sec. 26-89. - Sounding horn unnecessarily.

- (a) The driver shall refrain from using the horn to announce the arrival of the vehicle for hire. Persistent sounding of the horn to the disturbance of the public shall be grounds for revoking the vehicle for hire driver's license.
- (b) The sounding of horns by 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 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 vehicle for hire.

DIVISION 6. - EQUIPMENT

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, two-door coupe vehicles, motorcycles, mopeds or Segway's.

Sec. 26-91. - Vehicle classification.

All vehicles for hire shall be registered and classified by the State of Illinois as a commercial or public transportation vehicle.

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

An operator shall pay a fee as set forth in section 14-7 of the Urbana City Code for any transfer of registration from one (1) vehicle to another vehicle or a reclassification of a vehicle.

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

Upon the issuance of the vehicle for hire business license, the finance director or his/her designee shall deliver a valid vehicle license sticker to the operator of each vehicle for which a license is procured. The applicant shall affix the vehicle license sticker to the lower inside left-hand (driver's side) corner of the front windshield of the vehicle. 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 sticker is affixed thereto as required by this section.

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 exterior of the vehicle is free from significant cracks, breaks, or other damage, except for dents no larger than six inches (6") in diameter or rust spots no larger than three inches (3") in diameter;
- (4) The vehicle for hire has been thoroughly and carefully inspected by a certified mechanic and found by the city to be in clean, sanitary, safe, and good mechanical condition for the transportation of passengers; and

- (5) A written certificate of the inspection required by this section is filed with the finance director upon forms provided.
- (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 shall be performed by duly qualified/certified automotive mechanics at facilities approved by the finance director. The schedule of inspections shall be as follows:
 - (1) A vehicle that was manufactured fewer than seven (7) years from the date of inspection 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)(5) above shall be filed with the finance director.
 - (2) A vehicle that was manufactured seven (7) or more years from the date of inspection 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)(5) above shall be filed with the finance director.
 - (3) Additional inspections may be required as often as the apparent condition of the vehicle warrants or upon complaint received by the finance director.
- (c) Failure to file the certificate required under subsection (a)(5) above at the time and in accordance with the requirements of the above shall require the payment of a late fee 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 operator 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) 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; and
 - (2) The name of the operator operating it or the operator's trade name as provided to the finance director in visible lettering at least three (3) inches in height; and
 - (3) The vehicle number as provided to the finance director.
- (b) 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 the rear of the vehicle the name of the operator operating the vehicle or the trade name as provided to the 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 shall be affixed, painted, or carried so as to be visible on the outside of any vehicle for hire unless approved by the 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 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.

Taximeters are subject to inspection from time to time by finance director or designee. Any inspector or other officer designated by the 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.