

CHAPTER 118: TAXICABS

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*GENERAL PROVISIONS***§ 118.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DRIVER. Any person actually driving a taxicab.

IDENTIFICATION DATA.

- (1) When applied to a taxicab, the following items of information:
 - (a) Make, model, and year of manufacture;
 - (b) Engine number;
 - (c) Serial number;
 - (d) Illinois state certificate of title number and license number;
 - (e) Number of passengers capable of being accommodated therein at one time.
- (2) When applied to driver, the following items of information:
 - (a) Full name of driver;

- (b) Present residence address;
- (c) Residence for three years past;
- (d) Age, color, height, and color of eyes and hair;
- (e) Citizenship and marital status;
- (f) Date and place of any convictions of felonies or misdemeanors, if any, and a statement of the nature of the offense for which convicted;
- (g) Whether he/she has ever been previously licensed as a driver, and if so, when and by what authority; whether he/she has ever been revoked or suspended, and if so, for what cause;
- (h) State motor vehicle operator's license number.

LICENSED DRIVER. Any person who shall have been properly identified by a licensee and authorized to drive licensee's taxicabs under a certificate of public conveyance and necessity in accordance with the terms of this chapter.

LICENSEE. Any owner, operator, firm, association, or corporation in whose name a certificate of public conveyance and necessity shall have been issued by the Village Clerk for the operation of taxicabs.

STANDARD NUMBER OF TAXICABS. The next whole number larger than the quotient obtained on dividing by 100 the number of occupied family dwelling units within the municipality, as determined from time to time by the Village Clerk.

TAXICAB. All vehicles transporting passengers for remuneration for which patronage is solicited publicly, but shall not include vehicles operating on established routes which are regulated by the Illinois Commerce Commission; nor vehicles rented to be driven by the renter or his/her agent commonly known as rent-a-cars; nor vehicles operated solely as funeral cars or ambulances; nor vehicles owned or operated by any unit or agency of federal, state, or local government. ('79 Code, § 114.01) (Ord. 503, passed 3-21-60; Am. Ord. 508, passed 7-5-60)

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

§ 118.15 CERTIFICATE REQUIRED.

No person shall operate a taxicab within the municipality unless the taxicab shall have been licensed under a certificate of public convenience and necessity as provided in this chapter, except that a taxicab

may enter the municipality for the purpose of discharging a passenger or passengers therein on the immediate request of such passenger or passengers.

('79 Code, § 114.02) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.16 APPLICATION FOR A CERTIFICATE.

Any application for a certificate of public convenience and necessity to operate taxicabs in the municipality shall be made in writing, signed by the applicant or applicants, sworn to before the Village Clerk or other officer authorized to administer oaths, and shall set forth the following information pertaining to the prospective licensee:

(A) Name and address of applicant; and, if a corporation, name and address of the chief executive official of the corporation; and, if a firm or association, names and addresses of all shareholders or partners;

(B) Identification data of all vehicles which applicant proposes to operate as taxicabs;

(C) Whether there are any liens, mortgages, or encumbrances on such taxicabs, and if so, the amount and character thereof;

(D) Applicant's statement as to where and for what period of time he/she has previously engaged in the taxicab business;

(E) Schedule of all rates of fare which applicant proposes to charge for hire of taxicabs. ('79 Code, § 114.03)

§ 118.17 PRESENTATION OF APPLICATION.

The Village Clerk shall present each application to the Board of Trustees at its next regular meeting. The Board shall approve such application by resolution authorizing the issuance of a certificate of public convenience and necessity, unless after a public hearing it finds that the public convenience and necessity would not be served by the proposed operation of taxicabs. The resolution shall state the name of the licensee, and the number of vehicles authorized to be licensed under the certificate; and said number of vehicles authorized in the resolution shall not be different from the number set forth in the application.

('79 Code, § 114.04) (Ord. 503, passed 3-21-60; Am. Ord. 508, passed 7-5-60)

§ 118.18 INSURANCE REQUIRED; CANCELLATION OF INSURANCE.

(A) No certificate of public convenience and necessity shall be issued until the applicant deposits with the Village Clerk a policy or policies of liability insurance covering all vehicles to be licensed under

the certificate, or evidence satisfactory to the Village Attorney that such a policy or policies are in full force and effect. Such policy or policies shall be issued by a company licensed to do business in the State of Illinois, and shall insure the licensee against loss from liability to the amount of \$50,000 for the injury or death of one person in any one accident; and to the amount of \$100,000 for the injury or death of more than one person in any one accident; and to the amount of \$10,000 for damage to the property of such vehicle. The policy or policies of insurance shall be approved by the Village Attorney as to conformity with the terms of this chapter, and shall contain a provision that the same may not be canceled before the expiration of its term except on ten days written notice to the municipality.

(B) The cancellation or other termination of any insurance policy or policies issued in compliance with division (A) of this section shall automatically revoke and terminate the validity of the certificate of public convenience and necessity under which the vehicles covered by such insurance policy were licensed, unless another policy or policies shall have been filed and approved pursuant to this section and shall be in effect at the time of such cancellation or termination. ('79 Code, § 114.05) (Ord. 503, passed 3-21-60; Am. Ord. 508, passed 7-5-60)

§ 118.19 CERTIFICATE HOLDER TO PAY LICENSING FEE.

Every individual, partnership, or corporation, in whose name a certificate of public convenience shall have been issued, shall pay a licensing fee of \$80 for the period from May 1, 1997, to December 31, 1997, being the date of termination as a prerequisite for the operation of any taxicab or taxicabs within the corporate limits of the village. Commencing on January 1, 1998, and on January 1 of each year following issuance, the annual license fee shall be \$125. ('79 Code, § 114.06) (Ord. 503, passed 3-21-60; Am. Ord. 628, passed 11-1-65; Am. Ord. 629, passed 12-20-65; Am. Ord. 1348, passed 4-18-88; Am. Ord. passed - -97)

§ 118.20 EXPIRATION AND RENEWAL OF CERTIFICATE.

The Village Clerk shall issue a certificate of public convenience and necessity for the operation of taxicabs only on payment of fees, after proper authorization by the Board of Trustees, and when the required insurance policies or evidence thereof have been deposited. Such certificates shall set forth all of the information on the application therefor. Certificates of public convenience and necessity shall expire one year from the date of issuance, except that any such certificate shall be automatically renewed on payment of the annual fee herein provided. However, the Clerk shall determine that the certificate is valid and in force in accordance with all provisions of this chapter before such renewal fees may be accepted by the Collector. ('79 Code, § 114.07) (Ord. 503, passed 3-21-60)

§ 118.21 AUTHORIZATION TO ALTER CERTIFICATE; ADDITIONAL ALTERATION AND FEE.

(A) The Village Clerk is authorized to alter, by endorsement on a certificate of public convenience and necessity, the identification data of licensed vehicles at any time on written request of licensee, provided that the number of vehicles licensed under one certificate is thereby neither increased nor decreased, or delete the name of any of the licensed drivers, provided that, in the case of new names being added, each such name shall be followed in the endorsement by the identification data for the new licensed driver. Identification cards for new licensed drivers shall be provided as hereinabove provided; and identification cards for drivers deleted shall be returned to the Clerk by the licensee.

(B) Any other amendments of a certificate of public convenience and necessity may be only by written application for an amended certificate, made by the licensee to the Clerk for presentation to the Board of Trustees. The additional fee of \$2 shall be payable by licensee to the Collector, after approval of such amendment by the Board, before endorsement thereof on the certificate shall be made.

('79 Code, § 114.08) (Ord. 503, passed 3-21-60)

§ 118.22 REVOCATION OF CERTIFICATE.

The Board of Trustees may at any time by resolution revoke and terminate the validity of any certificate of public convenience and necessity for any conduct by the licensee or by any licensed driver which is prejudicial to the public safety, welfare, morals, or good order of the community; or for repeated violation of any provision of this chapter.

('79 Code, § 114.09) (Ord. 503, passed 3-21-60)

LICENSES**§ 118.35 LICENSES FOR TAXICAB DRIVERS; LICENSE FEE.**

(A) Licenses for taxicab drivers shall be issued by the Village Clerk, and shall be renewable annually on May 1 of each year.

(B) The Clerk shall collect a fee of \$2 for issuing a license and \$1 for renewing a license.

('79 Code, § 114.10) (Ord. 503, passed 3-21-60)

§ 118.36 APPLICATION FOR LICENSE.

No license shall be issued to any person unless such person presents an application signed by a taxicab operator, licensed under a certificate of public convenience and necessity, duly issued pursuant to this chapter. Said application shall set forth the identification data for the applicant, and shall be sworn to by the applicant. Applicant's fingerprints shall be recorded by the Police Department, and application shall be accompanied by three copies of a photograph of applicant, suitable for mounting on identification cards. If a license is granted by the Village Clerk, the driver shall be furnished with a serially numbered identification card bearing his/her name, photograph, and the words "Cab Driver, Municipality of Matteson." The Clerk shall also furnish the Police Department with a copy of all such cards issued, together with identification data for the licensed drivers.

('79 Code, § 114.11) (Ord. 503, passed 3-21-60)

§ 118.37 CLERK TO GRANT, DENY, SUSPEND, OR REVOKE DRIVER'S LICENSE.

The Village Clerk shall have the power to grant, deny, suspend, or revoke taxicab driver's licenses whenever, in his/her opinion, the circumstance warrants such action. In case of denial or revocation, appeal may be made by the driver to the Board of Trustees for hearing thereon. The Board may affirm or reverse the action of the Clerk. If no appeal has been taken within 20 days after notice given to the driver and licensee of action to deny or revoke a taxicab driver's license, the action of the Clerk shall be final.

('79 Code, § 114.12) (Ord. 503, passed 3-21-60)

§ 118.38 UNLAWFUL FOR OWNER TO ALLOW UNLICENSED DRIVER TO OPERATE TAXICAB.

No owner or operator of any taxicab, whether or not licensed under this chapter, shall permit such taxicab to be operated for hire within the municipality unless the driver of said taxicab has been licensed according to the foregoing procedure.

('79 Code, § 114.13) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.39 PERSON PROHIBITED FROM OBTAINING LICENSE.

No vehicle license shall be issued to any person under 18 years of age.

('79 Code, § 114.14) (Ord. 380, passed 8-1-49)

§ 118.40 LICENSED DRIVER TO WEAR IDENTIFICATION CARD.

Every licensed driver, while actually engaged in driving a taxicab, shall at all times wear conspicuously on his/her person his/her identification card as hereinabove provided for. ('79 Code, § 114.15) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

RATES OF FARE**§ 118.50 MAXIMUM RATES.**

The prices or rates of fare to be asked or charged by the operator or owner of any such vehicle shall not exceed the following: For the first one-half mile or fraction thereof, \$0.25. For each additional one-quarter mile or fraction thereof, \$0.10. For each two minutes of waiting, \$0.10. For each additional person for the entire journey, \$0.10. ('79 Code, § 114.16) (Ord. 380, passed 8-1-49)

§ 118.51 SIGN TO BE POSTED SETTING FORTH RATES.

Licensees shall cause to be conspicuously posted and displayed at all times in every taxicab licensed under his/her name a card or sign setting forth the rates of fare for the use of such cab. The posted rates of fare shall be identical with those shown on the certificate of public convenience and necessity. No passenger shall be charged a fare other than is shown on said card or sign. ('79 Code, § 114.17) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.52 OVERCHARGING.

The owner or driver of any such vehicle, licensed under this chapter, who may have demanded and received any fare in excess of what is provided for in this chapter, shall return the excess received, and in addition, be liable to a penalty of \$5 and revocation of his/her license. ('79 Code, § 114.18) (Ord. 380, passed 8-1-49) Penalty, see § 10.99

§ 118.53 TAXICAB METERS.

(A) The distance to which the rates in § 118.50 shall be determined is by the nearest traveled route from the point where the passenger enters the vehicle to the point where the passenger shall alight therefrom.

(B) When operating on a mileage basis, each taxicab shall be provided with a taximeter or instrument so devised as to register, in plain view of the passenger, the fares as accumulated while the cab is in operation.

(C) The meter shall provide but one uniform tariff rate, and shall be equipped with a "vacant" flag which, when adjusted by the operator to a perpendicular position, will stop the running of said meter. Said flag shall be placed in a horizontal position immediately on entry by the passenger into the cab, and shall be turned to a perpendicular position immediately on arrival at the passenger's destination.

('79 Code, § 114.19) (Ord. 380, passed 8-1-49) Penalty, see § 10.99

§ 118.54 RECEIPT SHALL BE GIVEN WHEN REQUESTED.

Every licensed driver, when requested by a passenger, shall issue a signed receipt for the fare showing the date, name of licensee, and the amount of fare paid.

('79 Code, § 114.20) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.55 DRIVER MAY ASK FOR ADVANCE PAYMENT.

Every such owner or driver shall have the right to demand in advance his/her fare of the person or persons so employing him/her or entering his/her vehicle, and may refuse to convey any person who shall not comply with said demand.

('79 Code, § 114.21) (Ord. 380, passed 8-1-49)

RULES AND REGULATIONS

§ 118.65 DRIVER MUST CARRY ANY ORDERLY PERSON.

No licensed taxicab driver shall refuse to carry any orderly person to or from any part of the village with reasonable promptness at any time, whenever requested by such passenger to do so.

('79 Code, § 114.22) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.66 BAGGAGE TO BE CONVEYED WITHOUT CHARGE.

Any passenger shall be allowed to have conveyed on any of the vehicles aforesaid, without charge, his/her ordinary traveling baggage, provided that ordinary hand baggage shall not be construed to mean trunks or sample cases.

('79 Code, § 114.23) (Ord. 380, passed 8-1-49) Penalty, see § 10.99

§ 118.67 SOLICITING PATRONAGE.

No taxicab driver shall at any time solicit the patronage of any person by word of mouth or by gesture within the village limits.

('79 Code, § 114.24) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.68 PARKING OR STANDING LIMITATIONS FOR TAXICABS.

No taxicab other than one licensed as provided by this chapter shall stop or stand on any street, road, boulevard, driveway, or within any parking area in the village for more than five minutes during any one period of time that such taxicab shall have prominently displayed a sign reading "Not for Hire."

('79 Code, § 114.25) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.69 DRIVER STANDING ON RAILROAD PLATFORM.

It shall be unlawful for the driver of any such vehicle to stand or be on the platform of any railway until the expiration of three minutes after departure of such train, except to assist persons who have indicated a desire of patronizing the vehicle in his/her charge.

('79 Code, § 114.26) (Ord. 380, passed 8-1-49) Penalty, see § 10.99

§ 118.70 MECHANICAL EQUIPMENT TO BE KEPT IN GOOD CONDITION; INSPECTION.

(A) The licensee shall maintain or cause to be maintained all brakes, horns, lights, tires, steering gear, speedometers, and windshield wipers in all taxicabs licensed under his/her name in satisfactory condition to insure safe operation.

(B) All mechanical equipment, including any taximeter, installed in or as part of any such taxicab may be inspected by the Chief of Police or his/her authorized representative at any time. Whenever the Chief of Police finds any such equipment to be in unsatisfactory condition, he/she may, by written notice to the licensee, require specific adjustment or repairs to be made at the licensee's expense.

('79 Code, § 114.27) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.71 TAXICAB TO HAVE NAME PRINTED ON AND TO BE KEPT CLEAN.

Every licensed taxicab shall be distinctly marked on two sides with the licensee's name; and it shall be the duty of the licensee to keep each taxicab in a well painted, clean, and sanitary condition.

('79 Code, § 114.28) (Ord. 503, passed 3-21-60; Am. Ord. 508, passed 7-5-60) Penalty, see § 10.99

§ 118.72 DRIVER TO MAINTAIN DAILY MANIFEST.

The licensee shall require each driver to maintain a daily manifest on which are recorded the serial number of the taxicab, the speedometer total mileage reading at beginning and end of the driver's tour of duty, and, for each revenue trip made, the date, time, and place of origin, place of destination, speedometer total mileage reading at both origin and destination, number of passengers, and amount of fare collected. Manifest forms shall be furnished to the driver by the licensee and shall, on completion of the driver's tour of duty, be returned to the licensee, who shall retain every manifest as part of his/her records, available for inspection by municipal officers on request, for at least six months.

('79 Code, § 114.29) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.73 UNLAWFUL TO DRIVE MORE THAN 12 HOURS A DAY.

It shall be unlawful for any licensed driver to engage in driving a taxicab more than 12 hours out of every 24. A driver shall be deemed to be driving a taxicab within the terms of this section whenever he/she is in charge of a taxicab and holding himself or herself in readiness to convey passengers.

('79 Code, § 114.30) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

§ 118.74 REPORT OF AN ACCIDENT.

It shall be the duty of every licensed taxicab to report to the Police Department within 12 hours after its occurrence any accident resulting in any injury to persons or damage to property wherein a taxicab driven by him/her was involved.

('79 Code, § 114.31) (Ord. 503, passed 3-21-60) Penalty, see § 10.99

