



# City of Chicago



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Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	9/9/2020
<b>Sponsor(s):</b>	Lightfoot (Mayor)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Municipal Code Chapters 3-46, 9-48 and 9-114 regulating low-speed electric public passenger vehicles
<b>Committee(s) Assignment:</b>	Committee on License and Consumer Protection

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OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

September 9, 2020

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Business Affairs and Consumer Protection, I transmit herewith an ordinance amending various Municipal Code provisions regarding licensing three-wheeled Public Passenger Electric Vehicles.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink, reading "Lori E. Lightfoot".  
Mayor

## **ORDINANCE**

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

**SECTION 1.** Section 3-46-020 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

#### **3-46-020 Definitions.**

When any of the following words or terms are used in this chapter, they shall have the meaning set forth below:

*(Omitted text is not affected by this ordinance)*

D. "Ground transportation vehicle" means any for-hire vehicle used to provide transportation for a charge or other consideration to passengers, regardless of whether the consideration is paid by the passengers or by any other person. This term includes, but is not limited to, water taxis, as defined in Section 4-250-010 of this Code, low-speed electric public passenger vehicles, as defined in Section 9-114-010, horse-drawn carriages, pedicabs and taxicabs and all automobiles, limousines, buses and other vehicles used to provide transportation to passengers for a charge, whether or not licensed by the city or registered or titled with the State of Illinois. For purposes of this chapter, the phrase "for-hire vehicle used to provide transportation for a charge or other consideration" shall include a transportation network vehicle, and the term "charge or other consideration" shall include a suggested donation transferred in connection with the receipt of transportation network services.

The term "ground transportation vehicle" does not include vehicles operated by a government transportation agency or on behalf of a government transportation agency pursuant to a contract or a grant, vehicles devoted exclusively to funeral use, or vehicles used as ambulances.

*(Omitted text is not affected by this ordinance)*

**SECTION 2.** Chapter 9-48 of the Municipal Code of Chicago is hereby amended by adding a new section 9-48-110, as follows:

#### **9-48-110 Restrictions on operation of low-speed electric public passenger vehicles.**

(a) The city council may from time to time define areas, in the interest of preserving public health and safety or avoiding traffic congestion, in which no low-speed electric public passenger vehicle shall be operated. Any ordinance defining such areas shall be codified as an amendment to this section.

(b) No low-speed electric public passenger vehicle shall be operated Monday through Friday, except on holidays as defined in Section 9-4-010, between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m. on public ways under the jurisdiction of the city in the area bounded in the north and west by Chicago River, on the east by Lake Michigan, and on the south by Ida B. Wells Drive.

(c) No low-speed electric public passenger vehicle shall be operated on Michigan Avenue and State Street from Ida B. Wells Drive to Oak Street.

(d) Low-speed electric public passenger vehicles shall be permitted only upon streets and alleys which are subject to a speed limit of 30 miles per hour or less. It shall be unlawful to operate low-speed electric public passenger vehicles upon any street in the city where the posted speed limit is more than 30 miles per hour. Provided, however, such vehicles may cross any street which has a posted speed limit of more than 30 miles per hour at an intersection controlled by a traffic light or a stop sign.

(e) For purposes of this section, the term "low-speed electric public passenger vehicle" shall have the meaning ascribed to this term in Section 9-114-010.

**SECTION 3.** Chapter 9-114 of the Municipal Code of Chicago is hereby amended by deleting the language struck through, by inserting the language underscored, and by adding new sections 9-114-155, 9-114-375, 9-114-380, 9-114-385, 9-114-390, 9-114-395 and 9-114-400, as follows:

#### **9-114-010 Definitions.**

*(Omitted text is not affected by this ordinance)*

"Livery vehicle" means a public passenger vehicle for hire only at a charge or fare for each passenger per trip or for each vehicle per trip fixed by agreement in advance.

"Low-speed electric public passenger vehicle" means: (i) a three-wheeled or four-wheeled vehicle; (ii) exclusively powered by an electric motor that is capable of propelling the vehicle at a maximum speed of 30 miles per hour on a paved level surface; and (iii) which is used for the transportation of passengers for hire.

*(Omitted text is not affected by this ordinance)*

"Public passenger vehicle" means a motor vehicle, as defined in the motor vehicle law of the State of Illinois, which is used for the transportation of passengers for hire, excepting those (1) devoted exclusively for funeral use; (2) in operation of a metropolitan transit authority; (3) interstate carriers licensed for the transportation of passengers by the United States Department of Transportation solely to the extent that specific regulation of such vehicles by the City is preempted by federal law; (4) interstate carriers operating pursuant to and in conformity with a certificate of authority issued by the Illinois Commerce Commission solely to the extent that specific regulation of such vehicles by the City is prohibited by federal or state law; (5) taxicabs regulated pursuant to Chapter 9-112 of this Code; and (6) vehicles used to provide a transportation network service pursuant to Chapter 9-115. Public passenger vehicles included in the provisions of this chapter include, but are not limited to, livery vehicles, charter/sightseeing vehicles, ~~neighborhood electric vehicles~~, jitney car services, ~~and~~ medical carrier vehicles, and low-speed electric public passenger vehicles.

#### **9-114-070 License fees.**

The annual license fee for each public passenger vehicle of the class herein set forth is as follows:

Livery vehicle	\$500.00 for a licensing term from January 1 to December 31
Charter/sightseeing vehicle	\$500.00 for a licensing term from July 1 to June 30
Medical carrier	\$500.00 for a licensing term from July 1 to June 30
Jitney car service	\$250.00 for a licensing term from July 1 to June 30
Low-speed electric public passenger vehicles	\$500.00 for a licensing term from July 1 to June 30

The fee shall be paid before the license is issued. The Commissioner is authorized to set the renewal process for each category of public passenger vehicles by rules and regulations.

Nothing in this section shall affect the right of the city to impose or collect a vehicle tax and any occupational tax, as permitted by law, in addition to the license fee herein provided.

**9-114-155 Public passenger vehicle inspection.**

No licensee shall allow any vehicle to be used as a public passenger vehicle unless such vehicle is annually inspected according to standards approved by the Commissioner, and has passed such inspection. A public passenger vehicle inspection shall include, but is not limited to, ensuring that all required equipment is installed and operating as intended, and that the interior and exterior of the vehicle are clean and in good condition for the safety of the vehicle drivers and passengers. The Commissioner may determine that an annual public passenger vehicle inspection by a government agency authorized to undertake such inspections to be sufficient to meet the inspection requirement of this section.

**ARTICLE V. JITNEY CAR SERVICES (9-114-350 9-114-345 et seq.)**

**9-114-350 9-114-345 Specifications.**

*(Omitted text is not affected by this ordinance)*

**9-114-360 9-114-350 Fees and service.**

*(Omitted text is not affected by this ordinance)*

**9-114-370 9-114-355 Signage.**

*(Omitted text is not affected by this ordinance)*

**9-114-380 9-114-360 License – Required.**

*(Omitted text is not affected by this ordinance)*

**9-114-390 9-114-365 Prohibited areas of operation.**

*(Omitted text is not affected by this ordinance)*

**9-114-400 9-114-370 Rules and regulations.**

*(Omitted text is not affected by this ordinance)*

## **ARTICLE VI. LOW-SPEED ELECTRIC PUBLIC PASSENGER VEHICLES (9-114-375 et seq.)**

### **9-114-375 License – Required.**

It shall be unlawful for any person to operate a low-speed electric public passenger vehicle without obtaining a license for each such vehicle pursuant to this chapter.

### **9-114-380 Specifications.**

In addition to other requirements provided by law, no vehicle shall be licensed as a low-speed electric public passenger vehicle unless:

(1) the vehicle has a manufacturer's rated seating capacity of ten or less persons, including the driver; and

(2) the vehicle meets applicable Federal Motor Vehicle Safety Standards for vehicles of its size, type and proposed use.

### **9-114-385 Operating requirements.**

(a) It shall be unlawful for any person:

- (1) to operate, or cause to be operated, a low-speed electric public passenger vehicle unless such operator holds a valid restricted chauffeur license, as defined in Section 9-104-010;
- (2) to operate a low-speed electric public passenger vehicle while under the influence of alcoholic beverages or controlled substances other than medication prescribed by a physician, provided that such prescribed medication does not warn that the user may not operate machinery while taking the medication;
- (3) to operate a low-speed electric public passenger vehicle within the City while not in possession of a valid driver's license issued by the State of Illinois, or a valid driver's license of another state, district or territory of the United States;
- (4) to operate, or cause to be operated, a low-speed electric public passenger vehicle within the City while not in possession of proof of liability insurance as specified in Section 9-114-170; or
- (5) to operate or cause to be operated a low-speed electric public passenger vehicle that is not in compliance with Section 9-114-380.

(b) No low-speed electric public passenger vehicle licensee shall offer any food or beverage for consumption in the vehicle.

(c) No person may drink any alcoholic liquor while such person is operating or being transported by a low-speed electric public passenger vehicle, nor may any person transport, carry, possess or have any alcoholic liquor while being transported by a low-speed electric public passenger vehicle, except in the original package with the seal unbroken.

### **9-114-390 Advertising displays.**

(a) It is unlawful for any low-speed electric public passenger vehicle licensee to display any advertising sign or device on or in such vehicle before the advertising sign or device is approved by the Commissioner and permitted pursuant to this section.

(b) Low-speed electric public passenger vehicle licensees or licensed advertising vendors may apply for permits to display an advertising sign or device on or in the vehicle.

Separate permits are required for each advertising display. The Commissioner shall promulgate rules specifying the locations on the vehicle where advertising signs or devices may be displayed, as well as describing the permissible design, construction, and method of affixing the display to the vehicle, and also may include additional guidelines for such displays and the permit process. In establishing such criteria, considerations shall include:

- (1) visual clutter and aesthetics on the public way;
- (2) the safety and comfort of passengers, low-speed electric public passenger vehicle chauffeurs, pedestrians, bicyclists, and motorists; and
- (3) the visibility of all information required by this chapter, Department rules, or any other law to be displayed on the interior or exterior of low-speed electric public passenger vehicles, including, but not limited to, identifying numbers, ownership indicia, lights, and safety signals.

(c) The fee for the issuance of any advertising display permit shall be \$100.00 for each display, due at time of application. This fee shall be in addition to the personal property lease transaction tax that applies to lease or rental payments pursuant to Chapter 3-32 of the Code. An advertising display permit applicant shall have satisfied all debt, as defined in Section 4-4-150, to the City before the Department may issue the permit.

(d) When the Commissioner has approved any type of advertising display device that involves the installation of a physical apparatus, the installation of the physical apparatus must pass inspection prior to issuance of the permit. The fee for such inspection shall be \$100.00, due prior to the inspection.

(e) The Department shall inform applicants for an advertising display permit under this section whether the application is approved or disapproved within thirty business days after its receipt of the completed application, unless it gives the applicant written notice that it needs an additional thirty business days and the reasons therefor. If the application is approved and the applicant is in compliance with subsections (c) and (d), the Department shall issue an advertising display permit. If the Department denies the permit application, it shall provide written notice of its decision within such time period, stating the specific grounds and rules that form the basis for such denial. If the Department fails to so act within thirty business days, or within sixty business days if it has given notice of the need for an additional review period, after receipt of the application, the application shall be deemed granted and the permit shall be issued, provided that the permit fee has been paid.

(f) An advertising permit issued under this section shall expire one year after the date of issue, unless it is surrendered, revoked, or terminated prior to that date.

(g) No permit for advertising issued pursuant to this section shall be transferred or assigned.

(h) The denial, rescission, suspension, or revocation of a low-speed electric public passenger vehicle license issued pursuant to this chapter shall act as the suspension or revocation of any advertising permit issued hereunder to the affected vehicle.

#### **9-114-395 Solicitation of passengers prohibited.**

(a) No low-speed electric public passenger vehicle licensee or low-speed electric public passenger vehicle chauffeur shall solicit potential passengers. Low-speed electric public passenger vehicles may only be used to provide a transportation service prearranged through an Internet-enabled application or digital platform, telephone, or other electronic means. For

purposes of this subsection, the term "solicit" means a licensee's or restricted chauffeur's appeal by words or gestures, attempting to direct people to a low-speed electric public passenger vehicle that is parked, stopped, standing or moving upon the public way.

(b) No low-speed electric public passenger vehicle chauffeur shall accept or respond to passengers' or potential passengers' requests for service via traditional street hail, including hand gestures and verbal statements.

(c) No low-speed electric public passenger vehicle shall be parked on designated taxicab stands. In addition, no low-speed electric public passenger vehicle shall be parked on any public way for a time longer than is reasonably necessary to accept passengers in answer to a prearranged transportation service.

**9-114-400 Prohibited or restricted areas of operation.**

No person may operate a low-speed electric public passenger vehicle in areas where, and times when, such operation is prohibited under Section 9-48-110.

**ARTICLE VII. ENFORCEMENT (9-114-410 et seq.)**

*(Omitted text is not affected by this ordinance)*

**SECTION 4.** This ordinance shall take effect upon its passage and approval.