



Office of the City Clerk

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Legislation Details (With Text)

File #: R2014-68
Type: Resolution **Status:** Failed to Pass
File created: 2/5/2014 **In control:** City Council
Final action: 5/20/2015
Title: Call for enforcement of municipal code provision against transportation network providers unlawfully operating as de facto taxicab and livery companies
Sponsors: Beale, Anthony, Burke, Edward M.
Indexes: Business Affairs & Consumer Protection, Police
Attachments: 1. R2014-68.pdf

Date	Ver.	Action By	Action	Result
5/20/2015	1	City Council	Failed to Pass	Fail
2/5/2014	1	City Council	Referred	

RESOLUTION

WHEREAS, transportation of the public requested by passengers and provided by companies who dispatch taxicabs and liveries is governed by Chapter 9-112 (taxicabs) and Chapter 9-114 (livery vehicles) of the Municipal Code of Chicago; and

WHEREAS, Section 9-112-020 of the Municipal Code provides, "It is unlawful for any person to operate a motor vehicle, or for the registered owner thereof to permit it to be operated, for the transportation of passengers for hire within the city unless it is licensed by the city as a taxicab pursuant to this chapter, or as a public passenger vehicle pursuant to Chapter 9-114."; and

WHEREAS, despite the applicability of the Municipal Code to such transportation services, certain companies offer taxi and limousine services within the city in apparent violation of city law; and

WHEREAS, such companies, hereinafter referred to as "transportation network providers," receive requests for transportation from the public, contact drivers or operators to dispatch vehicles to transport the public for hire, collect the fares for transportation using customer credit cards, and pay the drivers after deducting a percentage of the fare; and

WHEREAS, transportation network providers, like licensed taxicabs and licensed taxicab affiliations, use internet and smartphone based applications to dispatch transportation to customers; and

WHEREAS, unlike licensed taxicabs and licensed liveries, transportation network providers have not been required to: maintain liability and worker's compensation insurance; have their vehicles inspected by the city; use newer vehicles; use only trained drivers with chauffeur licenses who are required to maintain continuing education requirements; adhere to maximum rates established by the city; respond to calls from all areas of the city; provide wheelchair accessible vehicles; accept alternative forms of payment, including cash; or pay any city taxes; and

WHEREAS, according to the Illinois Department of Insurance, if a ride-sharing vehicle is involved in an accident, the driver's personal insurance policy typically will not cover any passengers, occupants of other vehicles, pedestrians or property involved; and

WHEREAS, as a result, the public is being transported in vehicles without proper insurance and passengers, pedestrians, and other motorists are unprotected by the personal auto insurance policies of underinsured drivers; and

WHEREAS, according to reports, one transportation network provider has denied the use of its excess insurance policy in connection with a motor vehicle crash in San Francisco, which resulted in the death of a 6-year-old girl; and

WHEREAS, transportation network providers have been permitted to operate much like taxicab companies without being required to hold taxicab medallion licenses; and

WHEREAS, prior to the activities of transportation network providers in the city, the 6,800 taxicab medallions currently issued by and in use within the city had an aggregate market value of more than \$2.3 billion; and

WHEREAS, on September 13, 2013, the city announced that it would auction 50 taxicab medallions at a minimum price of \$360,000; and

WHEREAS, the value of the city's taxicab medallion licenses is threatened and undercut by the activities of transportation network providers, which permit unauthorized vehicles to provide transportation for hire within the City of Chicago; and

WHEREAS, the licensed taxicab industry pays more than \$24 million in taxes and fees to the city annually; and

WHEREAS, the City of Chicago regulates for the protection of public safety and intends to ensure that persons engaged in the transportation of passengers for hire within the city adhere to the regulations set forth in the Municipal Code of Chicago; now, therefore

BE IT RESOLVED, that we, the members of the City Council of the City of Chicago, do hereby direct the Superintendent of Police and the Commissioner of the Department of Business Affairs and Consumer Protection to take all necessary action to enforce the Municipal Code of Chicago against any and all transportation network providers unlawfully operating as de facto taxicab and livery companies within the City of Chicago.

