



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2021-761

**Type:** Ordinance      **Status:** Passed

**File created:** 2/26/2021      **In control:** City Council

**Final action:** 11/17/2021

**Title:** Amendment of Municipal Code Titles 2, 4, 8, 9, 10 and 13 to update language regarding urban mobility, traffic safety and crash data and call for Committee on Pedestrian and Traffic Safety to hold hearing(s) to discuss implementation of Vision Zero policies and equitable mobility

**Sponsors:** La Spata, Daniel

**Indexes:** Ch. 16 Offenses By or Against Minors, Ch. 20 Building Inspection, Ch. 28 Structures On & Under Public Ways, Ch. 29 Office of Emergency Management & Communications, Ch. 36 Fire Dept., Ch. 44 Towing Disabled Vehicles, Ch. 52 Bicycles-Operation, Ch. 56 Reporting of Accidents, Ch. 68 Ambulances, Ch. 76 Vehicle Equipment, Ch. 84 Dept. of Police, Ch. 88 Duties of Police Department, Ch. 115 Transportation Network Providers, Ch. 124 Transportation Services & Rail Transportation, Committee on Pedestrian and Traffic Safety

**Attachments:** 1. O2021-761.pdf

Date	Ver.	Action By	Action	Result
11/17/2021	1	City Council	Passed	Pass
11/8/2021	1	Committee on Pedestrian and Traffic Safety	Recommended to Pass	
2/26/2021	1	City Council	Referred	

Committee on Pedestrian and Traffic Safety  
February 24, 2021 City Council Meeting

### ORDINANCE

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

The purpose and intent of this Ordinance is to ensure that the Municipal Code of Chicago reflects up-to-date language concerning urban mobility and traffic safety, and encourages the achievement of Vision Zero goals. Thus, the Municipal Code of Chicago shall refer to wrecks that involve automobiles as "crashes" instead of "accidents."

This Ordinance is organized in the following manner:

ARTICLE I: ARTICLE II: ARTICLE III: ARTICLE IV: ARTICLE V: ARTICLE VI: ARTICLE VII: ARTICLE VIII:

Call for a hearing on equitable mobility in Chicago Amendments to Title 2 Amendments to Chapter 4-68 Amendments to Section 8-16-020 Amendments to Title 9 Amendments to Chapter 10-28 Amendments to Chapter 13-20 Effective Date

#### **ARTICLE I**

## Call for a hearing on equitable mobility in Chicago

Section 1. The Committee on Pedestrian and Traffic Safety shall call a hearing in conjunction with the hearing of this Ordinance, to discuss the implementation of Vision Zero policies and equitable mobility for all people in Chicago. The hearing may involve the Chicago Department of Transportation, transportation advocates, academic experts on pedestrian safety and public transit, and any related professionals.

### ARTICLE II AMENDMENTS TO TITLE 2

Section 1. Section 2-29-040 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

#### **2-29-040 Executive Director - Powers and duties.**

The Executive Director and such employees as designated shall have the following powers and duties:

*(Omitted text unaffected by this Ordinance)*

11. To establish and operate a traffic management authority charged with overseeing traffic movement, traffic control and traffic safety; and

a) To enforce parking and compliance ordinances, to designate traffic control aides as defined in Section 9-4-010 of this Code and to supervise traffic control aides in conformity with the requirements of this Code; and

b) To develop and implement traffic control technologies, including but not limited to traffic signal timing and traffic and traffic accident crash data collection and compiling, and planning traffic signals; and

*(Omitted text unaffected by this Ordinance)*

Section 2. Section 2-36-820 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

#### **2-36-820 Fires or emergencies - Authority to cordon areas - Unlawful act.**

The fire commissioner or uniformed service incident commander may cordon the area in the vicinity of any firefighting operation, in order to prevent accidents, crashes or interference with the lawful efforts of the department to manage and control such fire or emergency, by placing ropes, barricades or other obstructions across any street, alley, place or private property in such vicinity. It shall be unlawful for any person to enter within any such cordoned area except with the permission of the fire commissioner or uniformed service incident commander. Any person who violates this section shall be fined not less than \$1,000.00 nor more than \$5,000.00, or imprisoned for a term not to

exceed six months, or both, for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

Section 3. Section 2-84-054 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

**2-84-054 Notification to state's attorney.**

*(Omitted text unaffected by Ordinance)*

For purposes of this section, "officer-involved death" means any death of a person that results directly from an action or directly from an intentional omission, including unreasonable delay involving a person in custody or intentional failure to seek medical attention when the need for treatment is apparent, of a member of the department while the member is on duty, or otherwise acting within the scope of his or her employment, or while the member is off duty, but performing activities that are within the scope of his

or her law enforcement duties. "Officer-involved death" includes any death resulting from a motor vehicle ~~accident~~ crash, if the member of the department was engaged in law enforcement activity involving the individual or the individual's vehicle in the process of apprehension or attempt to apprehend.

**ARTICLE III AMENDMENTS TO CHAPTER 4-68**

Section 1. Section 4-68-100 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

**4-68-100 Patient destination.**

*(Omitted text unaffected by this Ordinance)*

Whenever any private ambulance is offering basic life support services, no sick or injured person shall be conveyed against his/her will by the private ambulance from the place where he/she was overcome by sickness or from the scene of the ~~accident~~ crash in which he/she was injured, nor to a place to which he/she is unwilling to go; provided, that if such sick or injured person is unable to give any direction in his/her own behalf and there is no immediate relative present to direct where he/she shall be taken, such sick or injured person shall be conveyed to the nearest emergency medical facility approved by the City of Chicago department of health for the provision of emergency medical care services.

*(Omitted text unaffected by this Ordinance)*

## ARTICLE IV AMENDMENTS TO SECTION 8-16-020

Section 1. Section 8-16-020 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

8-16-020 Curfew hours for minors, (a) Definitions. Whenever used in this section:

*(Omitted text unaffected by this Ordinance)*

(2) "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, crash or any situation requiring immediate action to prevent serious bodily injury or loss of life.

*(Omitted text unaffected by this Ordinance)*

## ARTICLE V AMENDMENTS TO TITLE 9

Section 1. Title 9 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

### TITLE 9

#### VEHICLES, TRAFFIC AND RAIL TRANSPORTATION

- Ch. 9-4 Traffic Definitions and General Provisions
- Ch. 9-8 Traffic Control Devices and Signals
- Ch. 9-12 Traffic and Speed Restrictions
- Ch. 9-16 Turning Movements
- Ch. 9-20 Movement of Traffic
- Ch. 9-24 Right-of-Way
- Ch. 9-28 Railroad and Bridge Crossings
- Ch. 9-32 Funeral Processions
- Ch. 9-36 Overtaking Vehicles
- Ch. 9-40 Driving Rules
- Ch. 9-44 Towing Disabled Vehicles
- Ch. 9-48 Types of Vehicles - Regulations
- Ch. 9-52 Bicycles - Operation
- Ch. 9-56 Reporting of Accidents Crashes

Section 2. Section 9-44-050 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

**9-44-050 Tow truck operators - Insurance.**

Every tow truck operator shall maintain a liability insurance policy insuring the-owner and the operator (1) for injury to person, in an amount not less than \$100,000.00 to any one person and \$300,000.00 for any one ~~accident~~ crash: (2) for damage to property other than a vehicle being towed, in an amount not less than \$50,000.00 for any one ~~accident~~ crash: and (3) for damage to any vehicle towed by the tower, in an amount not less than \$15,000.00 per vehicle. Such insurance policy shall be issued by a firm properly qualified to do business in the State of Illinois, and a certificate of the policy shall be carried in the cab of such tow truck and displayed on demand to a police officer or other authorized government official.

Section 3. Section 9-52-110 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

**9-52-110 Use of communication devices while operating a bicycle.**

*(Omitted text unaffected by Ordinance)*

(e) In addition to any fine provided for in this section, if a violation of subsection (b) of this section occurs at the time of a traffic ~~accident~~ crash, the person operating the bicycle may be fined in an amount not to exceed \$500.00.

Section 4. Chapter 9-56 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

**CHAPTER 9-56 REPORTING OF ACCIDENTS CRASH**

**9-56-010 Report of ~~accident~~ crash.**

**9-56-020 Duty upon striking unattended vehicle.**

**9-56-030 Duty upon striking fixtures or other property.**

**9-56-010 Report of ~~accident~~ crash.**

The operator of a vehicle involved in any ~~accident~~ crash resulting in injury to or death of any person or in property damage to an apparent extent of \$250.00 or more, if such operator is physically capable of doing so, shall immediately report such ~~accident~~ crash to the police department.

*(Omitted text unaffected by this Ordinance)*

**9-56-030 Duty upon striking fixtures or other property.**

The operator of any vehicle involved in an ~~accident~~ a crash resulting only in damage to fixtures

or other property legally upon or adjacent to public way shall take reasonable steps to locate and notify the owner or persons in charge of such property of such fact and of his name, address and telephone number and of the state registration number of the vehicle he is driving and shall, upon request and if available, exhibit his operator's or chauffeur's license.

Section 5. Section 9-76-230 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

**9-76-230 Use of mobile telephones.**

*(Omitted text unaffected by Ordinance)*

(c) If a violation of subsection (a) of this section occurs at the time of a traffic ~~accident~~ crash, the driver may be subject to a fine not to exceed \$500.00 which shall be assessed in addition to the fine provided by Section 9-4-020.

Section 6. Chapter 9-88 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

**CHAPTER 9-88 DUTIES OF POLICE DEPARTMENT 9-88-010**

**Traffic regulations and vehicle laws - Enforcement. 9-88-020 Traffic violation notices.**

**9-88-030 Disposal of traffic or parking notices, complaints and records. 9-88-040 ~~Accident and traffic~~ Traffic reports.**

**9-88-010 Traffic regulations and vehicle laws - Enforcement.**

(a) It shall be the duty of the superintendent of police to enforce the traffic regulations of this city and all of the state vehicle laws applicable to street traffic in this city, to make arrests for traffic violations, to investigate ~~accidents~~ crashes and to cooperate with the commissioner of transportation, the executive director of emergency management and communications and other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties imposed by the traffic code or other ordinances of this city.

*(Omitted text unaffected by this Ordinance)*

**9-88-040 ~~Accident and traffic~~ Traffic reports.**

a) The police department shall receive and properly file all ~~accident~~ crash reports made to it under state law or under any ordinance of this city, but all such ~~accident~~ crash reports made by drivers shall be for the confidential use of the police department, the corporation counsel, the commissioner of transportation, and other officers of the city for official use. All other ~~accident~~ crash reports made by police officers or others may be furnished to persons or organizations having an interest therein, and the police department shall charge a fee of \$5.00 for each such report or, in the

case of an-~~accident~~ a crash which was investigated by an-~~accident~~ a crash reconstruction officer or ~~accident~~ crash reconstruction team, \$20.00 for each such report. The police department shall also maintain a suitable record of all traffic ~~accidents~~ crashes reported for each driver.

b) The police department shall maintain records of all ~~accidents~~ crashes in which the use of a mobile, cellular, analog, wireless or digital telephone while driving is a contributing factor.

c) The superintendent of police shall annually prepare a traffic report which shall be filed with the mayor and the city council. Such report shall contain information on:

1) the number of traffic ~~accidents~~ crashes, the number of persons killed, the number of persons injured and the other pertinent traffic ~~accident~~ crash data;

2) the number of traffic ~~accidents~~ crashes investigated and other pertinent data on the safety activities of the police;

3) the plans and recommendations of the superintendent of police for future traffic safety activities.

d) Whenever the ~~accidents~~ crashes at any particular location become numerous, the superintendent of police shall cooperate with the commissioner of transportation in conducting studies of such ~~accidents~~ crashes and determining remedial measures.

Section 7. Section 9-115-090 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

### **9-115-090 Transportation network provider license - Insurance required.**

*(Omitted text unaffected by this Ordinance)*

(f) Any driver shall provide to any authorized law enforcement officer, in addition to any applicable insurance, proof of the insurance policies required by this section in case of an-~~accident~~ a crash involving a transportation network vehicle while he is operating a transportation network vehicle.

Section 8. Section 9-124-220 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

### **9-124-220 Exceptions to schedule requirements.**

If said person or his agent is able to prove that it was physically impracticable for him or his agent to comply with the standard of car loading required, owing to unusual or extraordinary physical conditions not under his control, such as ~~accidents~~ crashes, breaking wires, or blockades resulting in obstruction of right-of-way, or by reason of severe storms, or that the failure to comply with the said standard of car loading was due to unusual conditions, or to abnormal traffic conditions arising from such causes as conventions, open-air gatherings or other similar large assemblies, then such person or his agent shall not be held to be in default of the car-loading provisions of this chapter, but any such person or his agent shall not be permitted to claim immunity by reason of physical causes hereinbefore mentioned unless he or his agent is able to prove that any car passing a checking point has been delayed behind its schedule time for a period of ten minutes or more, and then only in the

event that such delay or delays shall have occurred within a period of one hour prior to the beginning of the period at which the car loading was being checked at said checking point.

## **ARTICLE VI AMENDMENTS TO CHAPTER 10- 28**

Section 1. Section 10-28-250 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

### **10-28-520 Covers over openings.**

Every opening in any vault or coalhole or aperture in the sidewalk over such coalhole or vault shall be covered with a substantial iron plate with a rough surface to prevent ~~accidents~~ crashes, and the entire construction of coalholes and vaults shall be subject to the direction and supervision of the commissioner of transportation or such other person as the city council may designate.

*(Omitted text unaffected by Ordinance)*

## **ARTICLE VII AMENDMENTS TO CHAPTER 13- 20**

Section 1. Section 13-20-700 of the Code is hereby amended by deleting the struck-through language and inserting the underscored language, as follows:

### **13-20-700 Insurance and indemnification.**

*(Omitted text unaffected by Ordinance)*

(b) Every general contractor who erects, maintains, or removes a sign or sign structure; every person who erects, maintains, or removes a sign or sign structure where this Code does not require a general contractor under Section 13-20-560(a)(1); and the owner of the real property and the lessee of the real property where the sign is located shall indemnify, defend and hold harmless the City of Chicago, its officials, and employees from any claims, damages, liabilities, losses, actions, suits, or judgments which may be presented, sustained, brought, or obtained against the City of Chicago or against any of its officials, or employees because of the maintenance, alteration, or removal of any sign or sign structure, or by reason of any ~~accident~~ crash, caused by or resulting therefrom.



**ARTICLE VIII EFFECTIVE DATE**

**Section 1. This ordinance shall be effective upon its passage and publication.**

**Alderman, 1<sup>st</sup> Ward**