



Office of the City Clerk

City Hall
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Legislation Details (With Text)

File #: O2018-9321

Type: Ordinance **Status:** Failed to Pass

File created: 12/12/2018 **In control:** City Council

Final action:

Title: Amendment of Municipal Code Chapter 8-4 by adding new Section 8-4 305 regarding unlawful representation as transportation network driver

Sponsors: Burke, Edward M., Beale, Anthony, Reilly, Brendan, Smith, Michele

Indexes: Ch. 4 Public Peace & Welfare

Attachments:

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
12/12/2018	1	City Council	Referred	

ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, as the ride-share industry expands, the impersonation of transportation network drivers is an increasingly prevalent concern and threat to the safety and well-being of Chicagoans and those who visit this City; and

WHEREAS, reports of individuals misrepresenting themselves as ride-share drivers and making crime victims out of would-be passengers have unfortunately become commonplace; and

WHEREAS, in March of 2017, a man posing as a transportation network driver was arrested for abducting women from outside bars and nightclubs in Wrigleyville and taking them to secluded locations where he would force them to perform sex acts; and

WHEREAS, through the use of DNA evidence and photos on his phone, the man was linked to at least five rapes over the last two years; and

WHEREAS, in 2015, the Chicago Police Department had already issued an alert warning residents of transportation network driver impersonators; and

WHEREAS, the alert came in response to two incidents where two men in a vehicle posed as transportation network drivers only to rob those who entered the vehicle of their debit cards and then demanding their personal identification numbers; and

WHEREAS, a pair of women posing as transportation network drivers are suspected of having committed at least nine robberies in Chicago's River North area from August through November of 2018 and they remain at large; and

WHEREAS, on December 1, 2018 it was reported that two women were arrested after posing as Uber drivers in Chicago's downtown neighborhoods, soliciting rides, and offering to sell cocaine to potential passengers; and

WHEREAS, according to the Los Angeles Times, a Santa Clarita man posing as a transportation network driver has been charged with the rapes of at least seven women over a span of fifteen months beginning in 2016 and, if convicted pursuant to his 2018 arrest, faces up to 300 years in prison; and

WHEREAS, in a 2017 Rhode Island incident, an unaccompanied minor was abducted by an adult male posing as an Uber driver who drove to a secluded parking lot where he sexually assaulted her and recorded the incident on his cellphone; and

WHEREAS, in Springfield, Missouri a man posing as an Uber and Lyft driver was arrested in 2018 and charged with rape, sodomy, and sexual assault after picking up two intoxicated women and refusing to let them exit his vehicle; and

WHEREAS, a man in Texas was stabbed to death by a Lyft driver impersonator in 2017; and

WHEREAS, in 2018 in Athens-Clarke County, a University of Georgia student was raped by a man posing as an Uber driver; and

WHEREAS, in that instance, the victim was able to capture several images with her phone that lead to the identification and arrest of the perpetrator, who was linked to several other similar incidents; and

WHEREAS, the University of Arizona Police Department has released safety tips for students after three reported incidents of people impersonating Uber or Lyft drivers in Tucson; and

WHEREAS, in 2015, at Texas Christian University in a case where no suspect has yet been apprehended, police were searching for a man posing as a transportation network driver after multiple women reported experiencing inappropriate conversations and solicitations prior to escaping his vehicle; and

WHEREAS, transportation network providers are aware of this issue with Uber, for example, issuing a warning specifically about rideshare impersonators which urges customers to match license plates and physical descriptions of vehicles before entering them; and

WHEREAS, incidents are not limited to Chicago or the United States alone, becoming a problem anywhere rideshare services are available; and

WHEREAS, the New Delhi Police Department has issued warnings about rideshare impersonators after several attempted abductions of young women; and

WHEREAS, until now, the impersonation of a transportation network driver has not been treated as a distinct offense, making the issue difficult to track or analyze and, therefore, combat; and

WHEREAS, the members of this City Council have taken note of the number of incidents related to those who pose as or falsely hold themselves out as transportation network drivers; and

WHEREAS, the City of Chicago already prohibits the impersonation of police officers, firefighters, and other City officials and employees, thereby protecting the public from surrendering safety to those pretending to engage in official business; and

WHEREAS, there is no legitimate purpose for pretending to be a transportation network driver and ill-intent could be presumed in most cases; and

WHEREAS, more heinous crimes can be averted if the impersonation itself can be reported or detected before serious harm befalls a victim; and

WHEREAS, such a measure would advance the City's mission to safeguard its residents and visitors; NOW, THEREFORE

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

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 8-4 of the Municipal Code of Chicago is hereby amended by inserting a new Section 8-4-305 as follows:

8-4-305 Unlawful representation as transportation network driver.

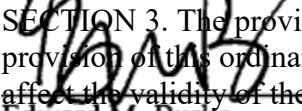
(a) It shall be unlawful for any person, with the intent to defraud or deceive any other person, to impersonate a transportation network driver or to falsely represent him or herself to be a transportation network driver. For purposes of this Section, "transportation network driver" has the same definition as set forth in Section 9-115-010 of this Code.

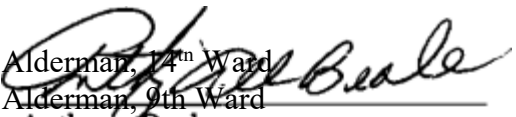
(b) It shall be unlawful for any person who is otherwise not lawfully in possession of signage or an emblem issued by a transportation network provider in compliance with Section 9-115-120 of this Code to display or use such signage or emblem or one that is counterfeit or an imitation thereof. For purposes of this Section, "transportation network provider" has the same definition as set forth in Section 9-115-010 of this Code.

(c) It shall be unlawful for any person who is otherwise not lawfully in possession of identification issued to a transportation network driver in compliance with Section 9-115-170 of this Code to display or use such identification or one that is counterfeit or an imitation thereof.

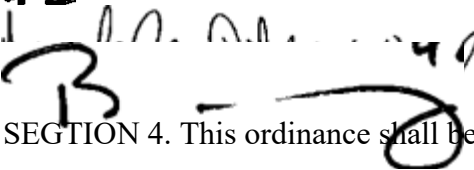
(d) Any person who violates this Section shall be subject to a fine of not less than \$500.00 nor more than \$1,000, or imprisonment for a period not to exceed ninety (90) days, or both, for each offense. Each day that a

violation continues shall constitute a separate and distinct offense.


SECTION 3. The provisions of this ordinance are declared to be separate and severable. The invalidity of any provision of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.


Alderman, 14th Ward
Alderman, 9th Ward
Anthony Beale

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SECTION 4. This ordinance shall be in full force and effect thirty (30) days after passage.