



Office of the City Clerk

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Legislation Details (With Text)

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Title: Amendment of Municipal Code Sections 2-14-132 and 8-4-305 regarding vehicle impoundment and issuance of fine for unlawful representation as transportation network driver
Sponsors: Reilly, Brendan
Indexes: Ch. 14 Dept. of Administrative Hearings, Ch. 4 Public Peace & Welfare
Attachments: 1. O2020-831.pdf

Date	Ver.	Action By	Action	Result
5/24/2023	1	City Council	Failed to Pass	
2/19/2020	1	City Council	Referred	

Committee on Public Safety City Council Meeting February
19, 2020 Alderman Brendan Reilly

ORDINANCE

SECTION 1. Chapter 2-14-132 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

2 14-132 Impoundment.

(a) (1) Whenever the owner of a vehicle seized and impounded pursuant to Sections 3-46-076, 3 56-155, 4-68-195, 9-80-220, 9-112-640 or 9-114-420 of this Code (for purposes of this section, the "status-related offense sections"), or Sections 7-24-225, 7-24-226, 7-28-390, 7-28-440, 7-38-115(c-5), 8-4-130, 8-4-305, 8-8-060, 8-20-070, 9-12-090, 9-32-040, 9-76-145, 9-80-225, 9-80-240, 9-92-035, 10-8-480(c), 11-4-1410, 11-4-1500 or 15-20-270 of this Code (for purposes of this section, the "use-related offense sections") requests a preliminary hearing in person and in writing at the department of administrative hearings, within 15 days after the vehicle is seized and impounded, an administrative law officer of the department of administrative hearings shall conduct such preliminary hearing within 48 hours of request, excluding Saturdays, Sundays and legal holidays, unless the vehicle was seized and impounded pursuant to Section 7-24-225 and the department of police determines that it must retain custody of the vehicle under the applicable state or federal forfeiture law. If, after the hearing, the administrative law officer determines that there is probable cause to believe that the vehicle was used in a violation of this Code for which seizure and impoundment applies, or, if the impoundment is pursuant to Section 9-92-035, that the subject vehicle is eligible for impoundment under that section, the administrative law officer shall order the continued impoundment of the vehicle as provided in this section unless the owner of the vehicle pays to the city the amount of the administrative penalty prescribed for the code violation plus fees for towing and storing the vehicle.

SECTION 2. Chapter 8-4-305 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

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

a) It shall be unlawful for any person to impersonate a transportation network driver or falsely represent themselves as a transportation network driver with the intent to defraud or deceive any other person by any of the following means: (1) a false statement; (2) a false display of any signage or emblems issued under Section 9-115-120 of this Code, any other distinctive signage or emblems known as trade dress, trademark, branding, or logo of a transportation network provider, or any counterfeit or imitation of the foregoing; (3) any act which falsely represents that the person has a current affiliation with a transportation network provider; or (4) any act which falsely represents that person is responding to a passenger ride request for transportation network service. For purposes of this Section, "transportation network provider" and "transportation network service" have the respective definitions set forth in Section 9-115-010 of this Code.

b) Any person who violates this Section shall be subject to a fine of not less than \$10,000 nor more than \$20,000, or imprisonment for a period not to exceed 90 days, or both, for each offense. Each violation shall constitute a separate and distinct offense.

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(ci (1) A motor vehicle that is used in the violation of this Section shall be subject to seizure and impoundment under this subsection. The owner of record of such vehicle shall be liable to the City for an administrative penalty of \$2,000 in addition to fees for the towing and storage of the vehicle.

2) Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this Section, the police officer shall provide for the towing of the vehicle to a facility controlled by the City or its agents. When the vehicle is towed, the police officer shall notify the person who is found to be in control of the vehicle at the time of the alleged violation, if there is such a person, of the fact of the seizure and of the vehicle owner's right to request a preliminary hearing to be conducted under Section 2-14-132 of this Code.

3) The provisions of Section 2-14-132 shall apply whenever a motor vehicle is seized and impounded pursuant to this Section.

SECTION 3. This ordinance shall be in full force and effect 10 days after passage and publication.