

CHAPTER 8 - TAXICAB SERVICES

SECTION:

3-8-1: - DEFINITIONS:

For the purposes of this Chapter:

ADMINISTRATOR:	The City Clerk or his or her designee.
DRIVE:	To move or be in physical control of a taxicab.
DRIVER:	A person who drives a taxicab within the City through a licensed taxi company.
LICENSEE:	Any person who has been approved to operate a taxi within the City.
MILEAGE:	The distance in the registered fare from passenger pick up to passenger delivery.
MINIMUM FARE RATE:	A flat fee for a minimum amount of miles driven.
OPERATE:	Any activity involved in providing public passenger services under this Chapter.
OWNER:	Any individual or corporation owning, leasing, or operating one or more taxicabs in the City.
PREMIUM RATE:	Rates charged from 11:00 p.m. to 5:00 a.m.
PUBLIC PASSENGER SERVICE:	Providing transportation of passengers for hire using taxicabs.
PUBLIC PASSENGER VEHICLE:	A taxicab used for transportation of passengers for hire.
RATE SHEET:	The schedule of rates and fares charged for transport in a taxicab.
TAXI STAND:	A designated area reserved for the use of taxicabs only.
TAXICAB:	Any first division motor propelled vehicle properly licensed, equipped with a taximeter and operated for transportation of passengers.
TAXI COMPANY:	A business or dispatch service that provides transportation via a taxicab.
TAXIMETER:	Any mechanical, electric or electronic device installed in a public passenger vehicle, which calculates and indicates the fares, measures the distance traveled and time elapsed, and indicates other charges.

3-8-2: - PUBLIC PASSENGER SERVICES:

1.

It shall be unlawful for any person, or company to solicit or accept passengers for hire from any location in the City of Naperville without first obtaining a taxi license. Any taxicab waiting in a designated area shall be considered soliciting passengers.

1.1.

Taxicabs shall post its company's name, telephone number on its rate and fees schedule attached to the back of the front seat.

1.2.

Taxi rates shall be listed as an initial rate plus an additional fee for every mile or portion. Taxis may impose a fee for waiting time. Licensees must accept credit cards for the payment of fares.

1.3.

If requested, the driver shall provide a legible receipt, with the name of the driver, the driver's license number, listing all charges, the date, and the total amount paid.

1.4.

Licensees are subject to the cell phone laws applicable in the City and State.

2.

Service Refusal: Every licensee shall transport any person requesting service.

2.1.

Every licensee may refuse to transport a disorderly person requesting service.

2.2.

It shall be unlawful for any licensee to discriminate against individuals with disabilities including, but not limited to, refusing to provide service to individuals with disabilities who can use taxicabs, individuals with service animals, refusing to assist with the stowing of mobility devices, and charging higher fares or fees for carrying individuals with disabilities and their equipment than are charged to others.

2.3.

It shall be unlawful to refuse any person transportation in an unoccupied taxicab, unless such taxicab is on its way to pick up a passenger or otherwise out of service. When the taxicab is out of service or carrying a passenger, a sign indicating the taxicab is "not for hire" shall be visibly displayed on the outside of the taxicab.

3-8-3: - COMPANY REQUIREMENTS:

1.

Licenses Required: Any company operating a taxicab in the City, is required to have a license.

1.1.

Operators shall be at least eighteen (18) years of age and hold a valid Illinois driver's license.

1.2.

Operators and drivers must not have been convicted of a felony within the last seven (7) years.

3-8-4: - APPLICATION PROCESS:

1.

Any company or dispatch service, also known as the applicant, seeking licensure shall make application to the City Clerk. The City Clerk shall have the authority to confirm the application. Applications for licenses and renewals shall include the following:

2.

General Identification Form: Applicant and driver's contact and identifying information, the registered agent if the applicant is a corporation, and the general or managing partners, if the applicant is a partnership.

3.

Criminal Background and Fingerprinting: A completed affidavit certifying that all drivers have been fingerprinted within five (5) years and a statement describing all criminal offenses of each driver, including driver's license suspensions or revocations. The affidavit provided by the taxicab company shall include language that the taxicab company agrees to indemnify and hold the City of Naperville harmless from any liability which may arise out of any errors or misrepresentations contained in the affidavit provided to the City Clerk. The Naperville Police Department will conduct a background check on all drivers. If the applicant is a corporation, such statement, affidavit, and background checks shall include applicant's officers, directors, and any stockholder(s) owning more than twenty percent (20%) of the stock. If the applicant is a partnership, such statement, affidavit, and background checks shall include all general partners, and any limited partner owning more than twenty percent (20%) of the limited partner interest.

4.

Insurance: Certification of public liability and property damage insurance as required by the Illinois Secretary of State for the entire license period naming the City of Naperville as the certificate holder included with a signed statement confirming same.

5.

Completed application packets shall be submitted online and once verified, applicants shall pick up their packet at the City Clerk's Office. Renewal applications for company licenses must be filed with the City Clerk by each November 1 to avoid a late fee.

3-8-5: - LICENSE REQUIREMENTS:

1.

License Issuance:

1.1.

Licenses shall be issued for the one-year period beginning January 1st and expiring on December 31st unless suspended, revoked, or applicant has not met the requirements of this Chapter. No license shall be assigned to another.

1.2.

Every driver providing public passenger service pursuant to this Chapter shall have a company issued photo ID and vehicle sticker issued by the City at all times when soliciting or accepting passengers.

2.

Denial, Revocation, or Suspension of Taxi Licenses:

2.1.

New or renewal licenses may be denied upon determination by the City Clerk that any provision of this Chapter has been violated, applicant failed to complete the application process and provide required documentation, or applicant is found to have provided fraudulent information to obtain a license or registration.

2.2.

Licenses may be revoked pursuant to the cancellation or lapse of the required insurance or for two (2) or more suspensions within a preceding 12-month period.

2.3.

Licenses may be suspended or revoked pending the investigation of a driver for any violation pursuant to this Chapter, if the driver charged fees in excess of the filed rates, for the operation of unsafe vehicles, or for unpaid fines, judgments, or for any violations of this Chapter.

3.

Replacement: A replacement license may be issued upon re-application, payment of fees, upon approval of the City Clerk. If a license has been revoked, the applicant may not reapply for a period of five (5) years.

4.

Fees:

4.1.

The fees authorized under the provisions of this Chapter shall include:

Fee Category	Dollar Amount
Vehicle Sticker (per vehicle)	\$20
Fingerprinting	\$25
Application Late Fee	\$50
Company License 1-10 drivers	\$100
Company License 11-25 drivers	\$150
Company License 26-50 drivers	\$200
Company License 51-100 drivers	\$250
Company License over 100 drivers	\$500

3-8-6: - LICENSE AND MAINTENANCE OF TAXICABS AND EQUIPMENT:

Every taxicab company providing public passenger service in the City of Naperville must be licensed and must display the vehicle license sticker issued by the City in the rear window/driver side of every vehicle in the taxicab company fleet. Every taxicab shall:

1.

Be maintained to assure that it is clean and mechanically safe including not but limited to: a seat belt for every passenger, allowance to enter and exit without crossing any interior barriers, and a sufficient number of exits to permit every passenger and the driver to exit from the vehicle.

2.

Certification of vehicle safety inspections shall be completed not more than six (6) months prior to the start of the new license year (January 1). Certifications must be provided for inspection by a passenger or any police officer upon request.

3.

Every taxicab licensed by the City shall be equipped with an inspected, sealed, and accurate taximeter, in working order, and operating from the transmission of the taxicab. The taximeter must meet the following requirements:

3.1.

The taxicab owner shall keep certificates of accuracy issued by the inspector for each taximeter in each taxicab and provide the same for inspection by a passenger or any police officer.

3-8-7: - FINES:

Any person convicted of a violation of the provisions of this Chapter shall be fined not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00) for the first offense, and not less than five hundred dollars (\$500.00), nor more than one thousand dollars (\$1,000.00) for each subsequent offense.

3-8-8: - ADMINISTRATION:

1.

Service Complaints and Other Communications: All complaints to the City concerning taxicabs arising under this Chapter shall be directed to the Administrator. The Administrator shall investigate the facts and hold a hearing to determine the validity of the facts. At the conclusion of the investigation, the Administrator shall prepare written findings determining if provisions of this Chapter have been violated. If a violation is found, the Administrator may impose fines or take any other action authorized by this Chapter.

2.

Public Hearings:

2.1.

Upon the Administrator's determination that cause exists to suspend, revoke or not renew a license issued pursuant to the provisions of this Chapter, the Administrator shall serve written notice of a public hearing, by certified mail, to the licensee.

2.2.

Such written notice shall include:

2.2.1.

A statement of the facts which constitute cause to suspend, revoke or not renew the license, a statement describing how the licensee may request a hearing, the time the request must be served on the Administrator in order to obtain a hearing, and the disposition of the license.

2.2.2.

Written notice of the time, date and place of said hearing shall be served upon the licensee by certified mail, return receipt requested, not less than 7 calendar days prior to the hearing.

2.2.3.

The hearing notice shall include the information: the hearing will be held in a public place and conducted by the Administrator's designated hearing officer, that the licensee shall appear by a legal representative at the hearing, that the rules of evidence will not be strictly applied by the hearing officer and that the hearing officer shall present written findings to the Administrator within fourteen (14) days. Upon the Administrator's receipt of the hearing officer's findings, the Administrator shall render a written decision, with an order to suspend the license for a period not to exceed 90 days, revoke the license, or not renew the license during the license year.

3.

Appeals:

3.1.

The decision of the Administrator on any suspension, revocation or nonrenewal of a license issued pursuant to the provisions of this Chapter may be appealed to the City Manager.

3.2.

Any request for an appeal must be filed with the Administrator within fourteen (14) days of the Administrator's decision.

3.3.

Any such appeal shall be based upon the record of the proceedings before the hearing officer. A hearing de novo shall not be allowed, and no new or additional evidence in support of, or in opposition to the Administrator's findings shall be considered.

3-8-9: - POLICE REQUESTED SERVICE:

Notwithstanding any other provision of this Chapter, the Naperville Police Department may request service from a taxicab company not licensed to operate in the City in any emergency, or where the police officer determines that taxicab service is necessary for protection of the public health, welfare and safety, a taxicab operator not licensed under the provisions of this Chapter, may provide taxi service in the City only if such service is authorized by a police officer.