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Municipal Code of Chicago

**CHAPTER 9-104
PUBLIC CHAUFFEURS**

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9-104-010 Definitions.

The definitions of the words “chauffeur” and “public passenger vehicle” in Chapter 9-112* of this Code apply to the same words when used in this chapter.

(Prior code § 28.1-1; Amend Coun. J. 7-12-90, p. 18634)

* **Editor's note**– Chapter 9-112 was repealed by Coun. J. 1-18-12, p. 19118, and replaced by new Chapters 9-112 and 9-114. Future legislation will revise this section if needed.

9-104-020 License required.

It is unlawful for any person to drive a public passenger vehicle on any public way for the transportation of passengers for hire from place to place within the corporate limits of the city without first having obtained a license as a public chauffeur except that drivers who can prove that they are qualified to drive motor vehicles as, for or on behalf of motor carriers under the Federal Motor Carriers

Safety Regulations issued by the U.S. Department of Transportation Federal Highway Administration or comparable Illinois agency may drive charter vehicles within the corporate limits of the city.

(Prior code § 28.1-2; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634)

9-104-030 Application – Qualifications.

(1) Applications for public chauffeur licenses shall be made in writing to the commissioner of business affairs and consumer protection upon forms provided therefor by the commissioner. Applications shall state the full name and residential address of the applicant and such other information as may be required by the commissioner to properly identify the applicant and to disclose any relevant information as to the applicant's qualifications, age, physical condition and criminal record.

(2) A person is qualified to receive a public chauffeur license:

(a) who possesses a valid Illinois State driver's license which has not, at any time within the five years prior to application for the issuance or renewal of a public chauffeur license, been suspended or revoked pursuant to Sections 6-205, 11-501 or 11-501.1 of the Illinois Vehicle Code, as amended; and

(a-1) who has possessed a valid Illinois State driver's license, or a valid driver's license of another state, district or territory of the United States, for at least three years prior to application for the issuance or renewal of a public chauffeur license, or who has completed a driving course approved by the Illinois Secretary of State; provided that this paragraph (a-1) shall not apply to an application for the renewal of a license properly issued prior to January 1, 1998; and

(b) who is at least 21 years of age; and

(c) who is able to speak, read and write the English language; and

(d) who is not subject to epilepsy, vertigo, heart disease, defective vision or other infirmity of body or mind which may substantially impair the ability to operate a public vehicle, and is not addicted to the use of drugs or intoxicating liquors. When investigation reveals that such impairment may exist, the commissioner may nevertheless find that an applicant is qualified if the applicant submits a certificate by an Illinois-licensed physician or optometrist stating that the applicant has the capability to operate a public vehicle safely. Beginning June 30, 1998, every application for a new or renewed license shall contain a certificate by an Illinois-licensed physician that the applicant has the capability to operate a public vehicle safely, and shall contain proof that the applicant has taken and passed a test, conducted by authorities approved by the commissioner, for the presence of illegal drugs in the body; and

(e) who has successfully completed a mandatory course of study prescribed in Section 9-104-030(7) and an examination as prescribed by the commissioner and has demonstrated a knowledge of the geography of the city, the laws, ordinances and regulations governing motor vehicle operation in the city, the ordinances regulating the operation of public passenger vehicles within the city and has demonstrated the ability and skill to properly operate a public passenger vehicle within the city; or who has met criteria determined by the commissioner by rule exempting the applicant from the mandatory course of study; and

(f) who has not, within the five years immediately preceding his application been either found guilty by a court of any jurisdiction, in custody under parole or under any other non-custodial supervision resulting from a finding or determination of guilt by a court of any jurisdiction for the commission of any forcible felony as defined by Article 2 of the Illinois/Criminal Code of 1961, as now or hereafter amended, any crime involving moral turpitude, or for the illegal sale or possession of any controlled substance, indecent solicitation of a child, criminal sexual abuse or operating a motor vehicle while under the influence of alcohol or narcotic drugs; and

(g) who has not, within 5 years prior to filing the application, had a public chauffeur's license issued under this chapter revoked for any reason; and

(h) who has not been convicted of or placed on supervision for two or more offenses involving traffic regulations governing the movement of vehicles, or whose Illinois driver's license has not been suspended or revoked pursuant to Section 6-206 of the Illinois Vehicle code, as amended, within the past 12 months prior to application for the issuance or renewal of a license. However, a person who would otherwise be disqualified for a public chauffeur license under this paragraph (h) may remove the disqualification by successfully completing a driver training course determined by the commissioner to provide adequate remedial training of the licensee. The license of any public chauffeur whose disqualification is removed under this paragraph (h) shall be subject to a 30 day suspension if the licensee subsequently is convicted of or placed on supervision for a traffic related offense, and shall be subject to revocation for a second or subsequent such conviction or order of supervision.

(3) The qualification of each applicant as specified in paragraph (2) of this section shall be investigated by the department of police of the City of Chicago and a report of such investigation containing any facts relevant to the applicant's qualifications shall be forwarded by the superintendent of police to the commissioner.

(4) Pending the investigation provided in paragraph (3) of this section, the commissioner may issue a temporary permit authorizing an applicant to operate a public passenger vehicle for the period of time specified in the temporary permit. If the investigation is not completed at the expiration of the period specified in the temporary permit the commissioner may, in his discretion, extend the period of temporary authorization until such time as in the opinion of the commissioner the examination can be completed. The commissioner may rescind a temporary permit and deny the application for a public chauffeur license of any applicant who, while operating a public passenger vehicle pursuant to a temporary permit, is found to have engaged in conduct that, by ordinance or rule, would be grounds for revocation of the public chauffeur license.

(5) If upon examination of the applicant's application and the investigation specified in paragraph (3) of this section the commissioner finds that the application includes no material omission or misstatement of facts requested by the application form and that the applicant possesses the qualification specified in paragraph (2) of this section the commissioner shall issue the license. If upon such examination of the applicant's application and the investigation specified in paragraph (3) of this section the commissioner finds that the application includes any material omission or misstatement of fact or that the applicant lacks any of the qualifications specified in paragraph (2) of this section the commissioner shall deny the license and shall inform the applicant of the denial and the reason or reasons therefor by registered mail, return receipt requested.

(6) If an application is denied the applicant may within ten days of the mailing of notice of the denial, make written demand upon the commissioner for a hearing. Upon receipt of a timely written demand for a hearing the commissioner shall within 30 days conduct a hearing. If upon such a hearing the applicant establishes through competent evidence that the denial was based upon incorrect findings the commissioner shall issue the license. If upon such a hearing the denial is found to have been based upon correct findings the denial shall become final. After entry of a final denial the applicant shall be ineligible to make a new application for a period of 18 months.

(7) The commissioner shall provide or cause to be offered on an ongoing basis a course or courses of study covering the subjects required in Section 9-104-030(2)(e) and such additional subjects as the commissioner may prescribe for all applicants for public chauffeur licenses, including applicants for renewal of public chauffeur licenses. The commissioner may contract with the city colleges or, with the approval of the mayor, with any state-approved vocational or technical school or any not-for-profit organization to provide the required chauffeur training course of study. No such course may be offered

unless the curriculum for the course has been certified by the commissioner as being in compliance with this chapter. The certification shall be made annually and may be revoked at any time. The commissioner shall approve the tuition to be charged for such course.

(Prior code § 28.1-3; Amend Coun. J. 2-3-87, p. 39205; Corrected. 3-11-87, p. 40423; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-1-93, p. 43380; Amend Coun. J. 1-14-97, p. 37750; Amend Coun. J. 12-10-97, p. 59054; Amend Coun. J. 2-8-06, p. 70098, § 1; Amend Coun. J. 2-6-08, p. 20614; Amend Coun. J. 4-9-08, p. 24917, § 1; Amend Coun. J. 11-19-08, p. 47220, Art. V, § 5)

9-104-040 License – Suspension and revocation.

(a) Except as otherwise provided in this code, if any licensee violates any traffic law or any of the provisions of this chapter or chapter 9-112 or rules or regulations adopted pursuant to this chapter or chapter 9-112, the commissioner may seek revocation or suspension of the licensee's license and/or the imposition of a fine up to \$1,000.00 and/or the issuance of an order of restitution or other appropriate equitable relief. The commissioner also may order any licensee again to successfully complete the course of study or examination, or both, as provided for in subsection 9-104-030(2)(e) prior to the reinstatement of the license. The commissioner shall promulgate rules and regulations regarding the lengths of suspension and the amounts of fines to be imposed, and the types of equitable relief to be ordered, for specific violations.

* **Editor's note**– Chapter 9-112 was repealed by Coun. J. 1-18-12, p. 19118, and replaced by new Chapters 9-112 and 9-114. Future legislation will revise this section if needed.

(b) Notwithstanding any other provision of this chapter, whenever the Illinois driver's license of a licensee has been revoked or suspended by the Secretary of State, the licensee's public chauffeur license shall be subject to automatic suspension for the period that the driver's license is suspended or revoked. The suspension shall not be subject to any of the procedures described in this section. A suspension under this subsection (b) shall be in addition to and shall not effect* any disqualification, suspension, revocation, fine or other penalty or sanction that otherwise may be applicable.

* **Editor's note** – As set forth in Coun. J. 7-27-05, p. 53211, § 1; correct language appears to be “affect”.

(c) Before any revocation or suspension or fine is imposed, or equitable relief is ordered, the licensee shall be notified by: (i) first class or express mail, or overnight carrier; or (ii) personal service, of the specific charges against him and of his right to a hearing. The licensee may request such a hearing by making a written demand for the hearing not more than ten days after receiving notification of charges. Any person who makes a timely request for a hearing shall be notified of the time, date and place of the hearing not less than seven days prior to the date of the hearing.

(i) [*Reserved.*]

(ii) After the exercise of exclusive jurisdiction by the department of administrative hearings in accordance with Section 2-14-190(c) of this Code, upon receipt of a request for a hearing, the commissioner shall institute an action with the department of administrative hearings which shall appoint an administrative law officer who shall conduct the hearing. If after the hearing, the administrative law officer determines that a violation has occurred, the administrative law officer shall enter an order revoking or suspending the license and/or imposing a fine.

(iii) Notwithstanding the exercise of exclusive jurisdiction by the department of administrative hearings, if no timely request is made for a hearing and the commissioner determines that a violation has occurred, the commissioner shall enter an order suspending or revoking the license and/or imposing a fine. If the commissioner has knowledge that a licensee has been charged with the commission of a

felony, as defined in Article 2 of the Illinois Criminal Code of 1961, as amended, arising in connection with the provision of public passenger vehicle services, the commissioner may suspend the chauffeur license of the licensee until final adjudication is made with respect to such charges.

(d) *[Reserved.]*

(Prior code § 28.1-4; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 2-7-90, p. 11774; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-9-92, p. 25465; Amend Coun. J. 7-10-96, p. 24982; Amend Coun. J. 1-14-97, p. 37750; Amend Coun. J. 11-12-97, p. 56813; Amend Coun. J. 12-10-97, p. 59054, § 3; Amend Coun. J. 4-29-98, p. 66564; Amend Coun. J. 7-27-05, p. 53211, § 1; Amend Coun. J. 4-9-08, p. 24917, § 2)

9-104-050 Applicant – Fingerprints and photograph.

The fingerprints of each applicant shall be submitted to the superintendent of police for examination unto the criminal record, if any, of the applicant or prior issuance, if any, of a public chauffeur's license to applicant. The superintendent of police shall keep and maintain these fingerprints as part of the police department's permanent record. Each applicant shall file with his application four recent photographs of himself, of a size which may be easily attached to his license. One photograph shall be attached to the license, when issued, one to the license stub record, one to the fingerprint card and the fourth shall be filed, together with the application. The photograph shall be so attached to the license that it cannot be removed and another photograph substituted without detection.

(Prior code § 28.1-6; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634)

9-104-060 Exhibition of license.

Every chauffeur upon taking possession and control of a livery vehicle or taxicab for operation in transportation of passengers for hire shall insert in the frame provided therefor his license and photograph as an exhibit for view by passengers.

(Prior code § 28.1-7; Amend Coun. J. 7-12-90, p. 18634)

9-104-070 License – Defacement – Fee.

Upon qualification of the applicant, and payment of the license fee herein provided, a public chauffeur's license shall be issued in such form as to contain the photograph and signature of the driver and a blank space upon which a record may be made of any arrest or serious complaint against him. No such record shall be defaced, erased or otherwise obliterated by the chauffeur or permitted by him to be defaced, erased or obliterated.

The following fees shall be paid for a chauffeur's license:

Original \$15.00

Renewal 8.00

(Prior code § 28.1-8; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634)

9-104-080 License renewal.

(a) The commissioner may renew a chauffeur's license from year to year upon application made upon a form furnished by the commissioner which shall state, in addition to any other information required by the commissioner, the full name and address of the applicant, the date upon which his original license was granted and the number thereof.

(b) All public chauffeur licenses must be renewed by the expiration date or by an extension

authorized by the commissioner. Failure to renew a chauffeur's license prior to the expiration date or any extension authorized by the commissioner will require the chauffeur to take a new test; provided that any chauffeur who fails to renew his license within one year of the expiration date shall be required to take the mandatory course of study and a new test.

(Prior code § 28.1-9; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 1-14-97, p. 37750)

9-104-090 Attempting to obtain another license – Additional penalty.

Any licensee who knowingly attempts to obtain another chauffeur license under the same or different name, in addition to any other penalties provided by this chapter, shall have his original license revoked.

(Prior code § 28.1-10; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634)

9-104-100 Loitering.

It is unlawful for any chauffeur to loiter upon any public way outside the public passenger vehicle of which he is in charge or join any assembly or crowd of persons upon any public way while in charge of any such vehicle. Every chauffeur shall pay strict attention to the vehicle of which he is in charge and shall at all times be in the immediate proximity thereof, except for good cause shown.

(Prior code § 28.1-11; Amend Coun. J. 7-12-90, p. 18634)

9-104-110 False information.

It is unlawful for any chauffeur to induce any person to employ him or his vehicle by knowingly misinforming or misleading such person as to the time or place of arrival or departure of any train, steamship or other public carrier or as to the location of any public carrier depot or ticket office or of any hotel, public place or private residence in the city.

It is unlawful for any chauffeur to represent falsely that the vehicle of which he is in charge is in the employment of any hotel, public house or public carrier or to make any false representation or statement relating to any public carrier passenger ticket.

No chauffeur shall solicit patronage for any restaurant, nightclub, cabaret, dancehall, hotel, public resort, place of amusement, or solicit any person for transportation to any prostitute or house of ill-fame or disorderly place or direct or inform any person where such prostitute, house of ill-fame or disorderly place is located or transport any passenger to any place other than the destination to which the passenger has requested transportation.

(Prior code § 28.1-12; Amend Coun. J. 7-12-90, p. 18634)

9-104-120 Reserved.

Editor's note – Coun. J. 9-11-13, p. 59869, § 7, repealed § 9-104-120, which pertained to deadly weapons.

9-104-125 Misuse of distress light – Penalty.

No public chauffeur may activate a distress or trouble light installed in a taxicab under Section 9-112-105* unless the chauffeur reasonably believes that his or her physical safety is in immediate danger. The refusal of a customer to pay a fare shall not by itself be considered a cause for such reasonable belief. Any person who violates this section shall be subject to a fine of not more than \$500.00 and such other penalties as are prescribed under Section 9-104-040.

(Added Coun. J. 10-14-92, p. 22998)

* **Editor's note**– Chapter 9-112 was repealed by Coun. J. 1-18-12, p. 19118, and replaced by new Chapters 9-112 and 9-114.

Future legislation will revise this section if needed.

9-104-130 Change of address – Notice required.

It is the duty of every chauffeur to notify the commissioner whenever any change in the chauffeur's address is made. Any notice required to be given to the chauffeur shall be sufficient if addressed to the last address recorded in the office of the commissioner.

(Prior code § 28.1-14; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634)

9-104-140 Violation – Penalty.

If any chauffeur violates any provision of chapter 9-112* of this Code or of this chapter for which a penalty is not otherwise provided, such chauffeur shall be fined not less than \$75.00 nor more than \$1,000 for each offense.

* **Editor's note**– Chapter 9-112 was repealed by Coun. J. 1-18-12, p. 19118, and replaced by new Chapters 9-112 and 9-114. Future legislation will revise this section if needed.

(Prior code § 28.1-15; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634; Amend Coun. J. 12-10-97, p. 59054, § 3; Amend Coun. J. 4-9-08, p. 24917, § 3)

9-104-150 Courteous behavior required.

Public chauffeurs shall be courteous to passengers, prospective passengers and other drivers at all times. Chauffeurs shall not assault, threaten, abuse, insult, provoke, interfere with, use profane language, impede or obstruct any other person, any passenger or other drivers in connection with the operation of their vehicle.

(Prior code § 28.1-16; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634)

9-104-155 Service to passengers with service dogs.

Public chauffeurs must comply with 775 ILCS 30/1, et seq. by accepting, without extra charge, passengers with service dogs. Any public chauffeur found, after notice and hearing, to have refused transportation to a person with a service dog shall be fined \$500.00 and have his or her license suspended for 29 days for the first offense. Any public chauffeur found after notice and hearing, to have committed a subsequent offense of refusing transportation to a service dog shall have his or her license revoked.

(Added Coun. J. 11-15-00, p. 46957, § 4)

9-104-160 Surrendering license and information to police officer required.

A public chauffeur shall upon request of a police officer surrender his public chauffeur license and supply any additional information requested by the police officer concerning the operation of his public vehicle.

(Prior code § 28.1-17; Amend Coun. J. 2-3-87, p. 39205; Amend Coun. J. 7-12-90, p. 18634)