

**VILLAGE OF DOWNERS GROVE**  
**COUNCIL ACTION SUMMARY**

**INITIATED:** Village Clerk **DATE:** March 20, 2001  
(Name)

**RECOMMENDATION FROM:** \_\_\_\_\_ **FILE REF:** \_\_\_\_\_  
(Board or Department)

**NATURE OF ACTION:**

**STEPS NEEDED TO IMPLEMENT ACTION:**

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING TAXICAB DRIVER LICENSING REQUIREMENTS", as presented.

**SUMMARY OF ITEM:**

Adoption of this ordinance will amend taxicab licensing provisions to require that taxicab owners and drivers to submit fingerprints, as a condition of receiving a license, so that full background check may be conducted on these individuals.

**RECORD OF ACTION TAKEN:**

---

---

---

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TAXICAB DRIVER LICENSING REQUIREMENTS**

BE IT ORDAINED by the Council of the Village of Downers Grove, in DuPage County, Illinois, as follows: (Additions are indicated by shading; deletions by ~~strikeout~~.)

SECTION 1. That Section 22-15 of the Downers Grove Municipal Code is hereby amended as follows:

**22-15. Application for and issuance of cab company license.**

The cab company shall apply to the Village Clerk for a cab company license before operating any taxicabs within the Village. The application for a cab company license shall be approved by the commissioner and a cab company license issued pursuant to the following rules and regulations:

(a) Application shall be made by the cab company in writing to the Village Clerk on a form as reasonably required and approved by the commissioner. A license fee of two hundred dollars shall be submitted with the application. A cab company license shall be valid for a period of three (3) calendar years except for the license term beginning January 1, 1996, and extending through March 31, 1998. Each license term thereafter will be for three years extending from April 1 to March 31. The full license fee shall be paid no matter when the license is applied for or issued. If the application is for renewal of a cab company license, the application shall be submitted to the Village Clerk by March 1 of the year in which the license will expire. Applications filed after this deadline shall be considered a late filing but shall be accepted by the Village Clerk provided a late filing fee of \$50.00 is submitted with the application and the license fee.

(b) The cab company shall be required to include in the application a true statement of certain facts including, but not limited to, the state of incorporation of the cab company if the cab company is a corporation; whether the cab company is organized and qualified to do business under the laws of the state if the cab company is a corporation; the cab company's principal place of business; the names of the individuals who own the cab company; whether the cab company is a corporation, partnership or sole proprietorship; the registered agent of the corporate cab company, and the principal office of the cab company.

(c) The cab company shall, with its application for a cab company license, register or cause to be registered each taxicab operated by or operated for, such company within the Village. The following information for each taxicab to be registered shall be provided:

- (1) The year, make, color and vehicle identification number of the taxicab.
- (2) Name, address, and telephone number of the owner of the taxicab.
- (3) Written certification that required safety inspections of the taxicab and inspection of the taximeter have been completed within thirty days prior to application and that these inspections find the taxicab to be safe and the taximeter to be in proper working order and accurate.

(d) The Village shall investigate the owner(s) of the applicant cab company. If this investigation or the application materials uncovers information showing any of the following, the application shall not be approved and no license shall be issued to the cab company:

- (1) An owner(s) has been convicted of a felony based upon his conduct or involvement in such business or activity or related or similar business or activity within the past ten years;

(2) An owner(s) has been convicted of a felony or misdemeanor unrelated to his conduct or involvement in such business or activity or related or similar business or activity, but which felony or misdemeanor involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including criminal sexual assault and sexual abuse, within the past ten years;

(3) An owner(s) has been convicted of a misdemeanor or licensing ordinance violation based upon his conduct or involvement in such business or activity or related or similar business or activity within the past two years; or

(4) The owner(s) or applicant(s) has misrepresented facts in the application for a license.

(e) The owner(s) or applicant(s) shall submit his/her fingerprints to be used in completing the investigation. Owner(s)/applicant(s) are required to present themselves for fingerprints to be taken by the Downers Grove Police Department. Applicant shall pay a fingerprint fee of fourteen dollars (\$14.00). Provided, in the case of a renewal application, fingerprints and the fingerprinting fees shall not be required from a renewal applicant whose fingerprints are on file, unless the Village determines that there may be reason to believe that the renewal applicant may have unreported convictions.

(ef) The cab company shall be required to file with the Village Clerk, along with its application for a cab company license, a certificate of insurance showing that the cab company, its drivers and employees, are adequately insured against public liability, property damage and workmen's compensation claims on account of its operation of taxicabs in the Village, and shall provide proof of automobile liability insurance for each taxicab registered pursuant to this section. Taxicab companies with independent contractors as taxicab drivers must cause each driver to provide proof of automobile liability insurance for each taxicab registered pursuant to this section. The limits for the required automobile liability insurance shall be not less than \$100,000 for injury to any one person or \$300,000 for personal injuries in any one occurrence, and not less than \$25,000 for property damage in any one occurrence. If the insurance expires or is otherwise terminated during the term of the license, the cab company shall submit to the Village, within 15 days of receipt thereof, a new certificate of insurance showing that the policy has been renewed or a new policy obtained which meets the requirements of this section.

(fg) Failure to fully comply with the application and disclosure requirements of this section shall constitute grounds for the commissioner to deny issuance of a cab company license to any cab company.

(h) Issuance or Denial - Taxi Cab Company License. The Taxi Cab Commissioner shall, within 45 days after submittal of a properly completed application, or within such other period of time as the Village and the applicant shall otherwise agree, either issue or deny issuance of a taxi cab company license pursuant to this Ordinance. Provided, if after 45 days a criminal history background investigation has not been completed, the Taxi Cab Commissioner may issue a temporary taxi cab company license during the investigation period. The temporary taxi cab company license shall only be valid for 90 days from the date of issuance and shall automatically terminate at the end of the 90 day term. The Taxi Cab Commissioner has the right to revoke the temporary taxi cab company license immediately upon an unsatisfactory completion of a criminal history background investigation. (Ord. No. 2002, § 1; Ord. No. 2355, § 5; Ord. No. 2579, § 6; Ord. No. 3174, § 1.)

SECTION. That Section 22-19 of the Downers Grove Municipal Code is hereby amended as follows:

**22-19. Application for and issuance of taxicab driver's license.**

The driver of any taxicab to be operated within the Village for a cab company licensed to operate taxicabs in the Village, shall apply for a taxicab driver's license before driving a taxicab in the Village. The application for a taxicab driver's license shall be approved by the commissioner and a taxicab driver's license issued pursuant to the following rules and regulations:

(a) Application shall be made by the driver in writing to the Village Clerk on a form as reasonably required and approved by the commissioner. Prior to issuance of the license, a license fee of fifteen dollars shall be submitted.

(b) The driver shall be required to include in the application a true statement of certain facts including but not limited to, the age of the driver, the driving convictions of the driver, the type of state driver's license of the driver, any felony convictions of the driver, the address and home telephone number of the driver.

(c) At the time of application, the driver shall submit his or her driving abstract obtained from the Illinois Secretary of State's Office within thirty (30) days prior to the submittal of the application for a license.

(d) The Village shall investigate the applicant for a taxicab driver's license. If this investigation or the application materials uncover information showing any of the following, the application shall not be approved and no taxicab driver's license shall be issued to that applicant:

(1) The applicant has been convicted of a felony based upon his conduct or involvement in such business or activity or related or similar business or activity within the past ten years;

(2) The applicant has been convicted of a felony or misdemeanor unrelated to his conduct or involvement in such business or activity or related or similar business or activity, but which felony or misdemeanor involved the use of a deadly weapon, traffic in narcotic drugs, or violence against another person, including criminal sexual assault and sexual abuse, within the past ten years;

(3) The applicant has been convicted of a misdemeanor or licensing ordinance violation based upon his conduct or involvement in such business or activity or related or similar business or activity within the past two years;

(4) The applicant has been convicted of driving under the influence of drugs or alcohol within the past five years.

(5) The applicant has been convicted of reckless driving within the past five years;

(6) The applicant's driver's license has been suspended for violations concerning his operation of a motor driven vehicle within the past five years; or

(7) The owner(s) or applicant(s) has misrepresented facts in the application for a license.

(e) The driver shall submit his/her fingerprints to be used in completing the investigation. Applicants are required to present themselves for fingerprints to be taken by the Downers Grove Police Department. Driver shall pay a fingerprint fee of fourteen dollars (\$14.00). Provided, in the case of a renewal application, fingerprints and the fingerprint fee shall not be required from a renewal applicant whose fingerprints are on file, unless the Village determines that there may be reason to believe that the renewal applicant may have unreported convictions.

(ef) The applicant for a taxicab driver's license shall provide to the Village Clerk with his application evidence that he holds a valid Illinois operator's license that allows him to operate taxicabs under the laws of the state.

(fg) The taxicab to be driven by the driver applying for the license shall pass a taxicab safety inspection within thirty days of application for a taxicab driver's license. Such inspections shall be conducted by Village approved testing stations according to the standards established by the Village. For taxicabs validly operating in the Village on April 1, 1997, the driver shall have the taxicab inspected on or before April 1, 1998. Upon successful completion of the inspection, a certificate of safety inspection will be issued and must be placed on the windshield of the taxicab. These safety inspections shall be valid for one year. Taxicabs shall be reinspected during the term of the driver's license whenever the certificate of inspection expires. If the driver changes taxicabs, the new taxicab shall be inspected pursuant to this subsection before it can be operated in the Village. No taxicab shall be operated within the Village without displaying a current and valid Village certificate of safety inspection. Upon issuance of a taxicab driver's license, the driver shall at all times when operating a taxicab in the Village carry a license card that contains his name, license number and year for which the license is valid. The taxicab driver shall exhibit this card upon the request of any passenger or police officer. The taxicab driver's license shall

be valid for a period of two (2) calendar years extending from April 1 to March 31. The full license fee shall be paid no matter when the license is applied for or issued.

(gh) Failure to comply with the application and disclosure requirements of this section shall constitute grounds for the commissioner to deny issuance of a taxicab driver's license to any driver.

(i) Issuance or Denial - Taxi Driver's License. The Taxi Cab Commissioner shall, within 45 days after submittal of a properly completed application, or within such other period of time as the Village and the applicant shall otherwise agree, either issue or deny issuance of a taxi cab driver's license pursuant to this Ordinance. Provided, if after 45 days a criminal history background investigation has not been completed, the Taxi Cab Commissioner may issue a temporary taxi cab driver's license during the investigation period. The temporary taxi cab driver's license shall only be valid for 90 days from the date of issuance and shall automatically terminate at the end of the 90 day term. The Taxi Cab Commissioner has the right to revoke the temporary taxi cab driver's license immediately upon an unsatisfactory completion of a criminal history background investigation. (Ord. No. 2002, § 1; Ord. No. 2579, § 10.)

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

\_\_\_\_\_  
Mayor

Passed:

Published:

Attest: \_\_\_\_\_  
Village Clerk

[taxidrv.prm]