



970154

To: Transportation & Safety Committee
From: Anne Marie Gaura ^{AMG}
Assistant Village Manager
Date: March 31, 1998
Subject: Committee and Reciprocal Agreement

Seniors and Residents with Disabilities Committee

Attached please find an ordinance that establishes a Seniors and Residents with Disabilities Committee (SRDC) that would be responsible for reviewing Village transportation issues. This proposed ordinance revision is patterned off of the Village of Carol Stream's Senior and Physically Disabled Advisory Board.

This proposed ordinance is a revision to Title 11, Chapter 121 of the Lombard Village Code. If this Committee recommends the creation of the Seniors and Residents with Disabilities Committee, I would review with Village Attorney Tom Bayer as to whether Title 3, Chapter 30 would also need to be amended. Section 30.20 covers the establishment of the Village's Standing Advisory Committees.

The essential responsibilities of the proposed Committee would be as follows:

- Advise the Village Board regarding the terms of the Taxi Ordinance;
- Study the adequacy and provider compliance under the Ordinance;
- Receive and attempt to resolve user or provider complaints; and
- Recommend any changes in the Taxi Ordinance to the Village Board.

The Committee would be comprised of four senior citizens age 65 or older and two residents with physical disabilities. I would further propose that at one least Committee member live in three of the retirement centers in Lombard. The three that I have worked with are the following:

- Beacon Hill
- Lexington Square
- Lombard Towers

If there are other centers that should be considered, please bring the information to the meeting. The fourth senior citizen Committee member would be at large from the community. In addition, I would contact the DuPage Center for Independent Living (an organization that assists people with disabilities) for the names of individuals to fill the two other Committee spots.

Reciprocal Agreements

Several communities were contacted in order to obtain copies of reciprocal agreements covering taxi issues, either on inspections and/or rates. The following communities were contacted:

- Carol Stream
- Downers Grove
- Elk Grove Village
- Elmhurst
- Glen Ellyn
- Lisle
- Villa Park

The Village of Elk Grove Village was contacted specifically because I had been told previously by a taxi company representative that the northwest suburban communities had reciprocal agreements. Elk Grove Village indicated otherwise. Then communities around Lombard were contacted in order to discover what they were doing.

After review of this issue, the difficulty in developing reciprocal agreements on taxi inspections is that Lombard has a very thorough inspection process. Lombard's is more specific than most. As an example, from the information received from the Village of Lisle, their taxi inspection is comprised of "... that these inspections have demonstrated each taxicab to be safe and the taximeter to be in proper working order and accurate."

Section 121.04 of the Lombard Village Code deals with the inspection and conditions of public passenger vehicles. It specifically lists 20 items that will be inspected. Attached please find a copy of this Section to display its detail. Prior to the Committee meeting, additional communities will be surveyed in an attempt to discover examples of reciprocal agreements.

Direction is requested from the Committee on how to proceed on both the proposed Seniors and Residents with Disabilities Committee and on the issue of Reciprocal Agreements.

c: William T. Lichter, Village Manager

ORDINANCE NO. _____

**ORDINANCE AMENDING TITLE 11, CHAPTER 121, OF THE
LOMBARD VILLAGE CODE CREATING A
SENIORS AND RESIDENTS WITH
DISABILITIES COMMITTEE**

WHEREAS, senior and residents with disabilities experience greater difficulty than average residents in fulfilling their transportation needs; and

WHEREAS, the Village of Lombard desires to continue a subsidized taxicab service for seniors and residents with disabilities for the purpose of expanding their transportation options; and

WHEREAS, an Advisory Committee will review current taxi services and recommend any changes to the Subsidized service that it deems appropriate to the Village President and Board of Trustees.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

Section 1: That Title 11, Chapter 121, Section 121.09 SENIORS AND RESIDENTS WITH DISABILITIES COMMITTEE of the Lombard Village Code be added and the following thereto:

- A. There is hereby created a Seniors and Residents with Disabilities Committee (the "Committee"). The Committee shall have eight (8) members, including two Co-Chairpersons.
- B. A total of four (4) Committee members shall be at least 65 years of age or older.
- C. A total of two (2) Committee members shall be residents with physical disabilities. A resident with a physical disability is any person who is unable to walk 200 feet or more not assisted by another person or with the aid of a walker, crutches, braces, prosthetic device or a wheelchair or without great difficulty of discomfort due to the following impairments: neurologic, orthopedic, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs.
- D. Members of the Committee and the Co-Chairpersons shall be appointed by the Village President with the advice and consent of the Board of Trustees.
- E. The Committee shall advise the Village Board regarding the terms of the Taxi Ordinance, and shall study the service adequacy and provider compliance under the

Ordinance No. _____

Page 2

Ordinance. The Committee shall receive and attempt to resolve user or provider complaints.

F. The Committee shall recommend to the Village Board any changes in the Taxi Ordinance that it deems appropriate.

Section 2: This Ordinance shall be in full force and effect after passage, approval and publication as required by law.

Passed on first reading this _____ day of _____, 1998

First reading waived by action of the Board of Trustees this _____ day of _____, 1998

Passed on second reading this _____ day of _____, 1998

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 1998

William J. Mueller
Village President

ATTEST:

Lorraine G. Gerhardt
Village Clerk

§ 121.04 INSPECTION AND CONDITION OF PUBLIC PASSENGER VEHICLES.

(A) Vehicles. In addition to all of the requirements of the laws of the State of Illinois and of the United States, every Taxicab shall be so designed and manufactured so as to have sufficient doors and have a sufficient number of exists.

(B) Inspection of Vehicles.

(1) Requirements. Prior to the issuance of a Vehicle License or the renewal thereof, or upon receipt of complaints that the vehicle or its equipment is not safe or sanitary, each Taxicab will be inspected to ensure that it is in safe operating condition and meets the specific standards which must be promulgated by Rule under this Ordinance. Whenever it comes to the Village's attention, any Taxicab that was involved in a serious accident shall be inspected prior to the vehicle being returned to service. Inspections shall be conducted at an inspection station designated by the Village of Lombard and shall be conducted 30 calendar days prior to application. Inspections and reinspections shall be paid by the Owner.

After receiving notification for an inspection, a Business License will be allowed 30 calendar days to take their Taxicab to an inspection station for inspection. The license of all Taxicabs not inspected within that period will be suspended by direction of the Village Manager.

The inspection will include but not be limited to the following:

- (a) Vehicle, make, year and vehicle identification number;
- (b) State license number and year;
- (c) Vehicle color;
- (d) Vehicle number;
- (e) Company name;
- (f) Service brakes;
- (g) Emergency brakes;
- (h) Horn;
- (i) Rear view mirror;
- (j) Windshield wipers and washers;
- (k) Headlights;
- (l) Tail lights;
- (m) Stop lights;
- (n) Turn signals;
- (o) Speedometer;

- (p) Steering;
- (q) Interior condition (including driver and passenger seat belts);
- (r) Exterior condition;
- (s) Windows; and
- (t) Tires.

Any Taxicab failing to pass inspection will be given a period of 10 working days to allow for repairs. The vehicle cannot be used as a Taxicab for hire until repairs have been completed and it passes reinspection. If the Taxicab does not pass reinspection within the 10 working day period, the Vehicle License will be suspended by direction of the Village Manager.

(2) Inspection Stations. A list of authorized inspection stations established by the Assistant to the Village Manager shall be kept by the Licensing Clerk and shall be given to each Business Licensee together with the notice that vehicles must be inspected. A Business Licensee and/or Taxi Operator may use the authorized inspection station of his choice from the list provided by the Village. Notice shall be furnished regarding inspection or reinspection by the License Clerk and shall be mailed prior to renewal.

The inspection stations will have certified inspection forms, numbered certified inspection stickers and such other supplies as may be required to perform the duties required by this section which shall be provided by the Village.

Inspection stations shall charge the standard inspection fee authorized by the Village of Lombard for all Taxicab inspections. There shall be a reasonable charge as authorized by the Village for a reinspection within the 10 working days allowed for repairs to a vehicle that fails the inspection. The authorized inspection fee shall be charged for reinspection made after the 10 working day grace period.

Spot checks will be made by the Police Department to authorized inspection stations to ensure compliance with the inspection procedures, standards and fees, and shall investigate all complaints of misconduct by inspection stations or their employees. Noncompliance with the requirements of this section shall be cause for suspension or revocation of the designation as an authorized inspection station.

Inspection stations shall advise the Village when an inspection is conducted and whether the vehicle passes or fails by forwarding a copy of the inspection form to the Licensing Clerk. The Licensing Clerk shall then notify the Police Department. The Police Department shall ticket those vehicles that have failed inspection and/or reinspection which have operated with equipment which fails to meet the standards of the Illinois Motor Vehicle Code or which have been operated in a condition which violates the provisions of this Ordinance.

(C) Inspection of Taximeters. Within 10 working days following a change in rates which are registered by a Taximeter and which have been filed by a Business Licensee in accordance with this Ordinance, the Licensing Clerk shall have cause to be inspected, each Taximeter Operated by the Business Licensee and certify that the Taximeters accurately measure the rates for which the Taxi Operator has filed.

It shall be unlawful for a Business Licensee to Operate a Taximeter which has not been certified to accurately measure the rates for which he has filed, or for any person to detach any inspected Taximeter from any vehicle and attach the same to any other vehicle unless a new inspection or certification is made on such Taximeter.

§ 121.05 FINANCIAL RESPONSIBILITY.

(A) Commercial General and Automobile Liability Insurance.

(1) Insurance Required. Every Business Licensee and every Vehicle Licensee shall obtain and keep in force commercial general and automobile liability insurance with solvent and responsible insurers, to secure the payment of any loss or damage which may result from any occurrence arising out of the operation, use or possession of any of the Business Licensee's Taxicabs licensed under this Ordinance.

(2) Insurance Policies. Every insurance policy shall:

(a) Insure the Business Licensee, the Vehicle Licensee and any driver of the covered Taxicab;

(b) Provide for the payment and satisfaction of any final judgment or award, up to the

prescribed limits of insurance, rendered against the insured for damages arising out of ownership or operation of the insured vehicles;

(c) Be unconditional;

(d) Be non-cancelable except upon 30 days notice to the Village Manager;

(e) Run concurrently with the license year, July 1 through June 30;

(f) Provide such insurance as may be required by "uninsured motorist" laws of the State of Illinois and

(g) Provide for \$300,000.00 combined single limit of automobile liability insurance coverage. This \$300,000.00 limit shall provide coverage for bodily injury to one person, more than one person and property damage to a third party's property.

Certificates of insurance policies shall be presented to the Licensing Clerk prior to July 1 and shall list the Village, its employees and agents as additional insured and shall be kept on file. Certificates shall be reviewed by the Financial Analyst for compliance and he shall notify the Licensing Clerk of acceptance. The Village shall be notified of all changes to policies.

(B) Insurers. Every insurer must be an Illinois corporation or a foreign corporation qualified to transact business in the State of Illinois, and approved to underwrite the required risks by the Department of Insurance of Illinois. Every insurer providing coverage to the Taxicabs shall have an A.M. Best rating of at least B+ VII.

(C) Payment of Judgments and Awards. Every Business Licensee and every Vehicle Licensee shall pay every judgment or award rendered against him by any court or commission of competent jurisdiction, for loss or damage arising out of the operation of any of his Taxicabs, within 90 calendar days after such judgment or award shall have become final and not stayed or appeal.

§ 121.06 RATES OF FARE AND CHARGES.

(A) Publication of Schedules. On or after the effective date of this Ordinance and prior to the issuance of him of Business Licenses, each Business