

THIS PRINT COVERS CALENDAR ITEM NO. : 11

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Taxis and Accessible Services

BRIEF DESCRIPTION:

Requesting that the Board of Directors amend Section 1124 of Division II, Article 1100 of the Transportation Code to increase the pass-through amount that a taxicab driver may charge passengers for taxicab trips originating at San Francisco International Airport from \$2.00 to \$4.00.

SUMMARY:

- San Francisco taxicabs may charge their passengers only those fees and surcharges that are specified in the San Francisco Transportation Code.
- The San Francisco International Airport (SFO) currently requires taxi drivers to pay a \$4.00 Ground Transportation Access Fee each time they enter SFO, and the Transportation Code allows drivers to recoup \$2.00 of that fee from their passengers whose trips originate at SFO.
- In May 2014, the Airport Commission increased the Access Fee to \$5.00, effective January 1, 2015.
- To alleviate this additional cost burden to taxicab drivers that service SFO, the SFMTA proposes increasing the pass-through amount that a taxicab driver may charge a passenger for taxicab trips originating at SFO from \$2.00 to \$4.00.

ENCLOSURES:

1. SFMTAB Resolution
2. Transportation Code Amendments

APPROVALS:

DATE

DIRECTOR _____

_____4/28/15_____

SECRETARY _____

_____4/28/15_____

ASSIGNED SFMTAB CALENDAR DATE: May 5, 2015

Page 2.

PURPOSE

Requesting that the Board of Directors amend Section 1124 of Division II, Article 1100 of the Transportation Code to increase the pass-through amount that a taxicab driver may charge passengers for taxicab trips originating at San Francisco International Airport from \$2.00 to \$4.00.

GOAL

Goal 1: Create a safer transportation experience for everyone.

Goal 2: Make transit, walking, bicycling, taxi, ridesharing, and carsharing the preferred means of travel.

Objective 2.1: Improve customer service and communications.

Objective 2.3: Increase use of all non-private auto modes.

Goal 3: Improve the environment and quality of life in San Francisco.

Objective 3.2: Increase the transportation system's positive impact to the economy.

Objective 3.4: Deliver services efficiently.

Goal 4: Create a workplace that delivers outstanding service.

Objective 4.4: Improve relationships and partnerships with our stakeholders.

DESCRIPTION

The San Francisco International Airport Commission approved an increase in the Ground Transportation Access (trip fee) that San Francisco taxicab drivers are charged from \$4.00 to \$5.00. Currently taxicab drivers are permitted to charge passengers a \$2.00 pass-through to help subsidize the SFO Access Fees for drivers. The SFMTA, with the support of SFO, would like to increase the passenger pass-through amount to \$4.00.

BACKGROUND:

Since Fiscal Year 2003, the trip fee, which partially offset SFO taxi dispatching and curb/roadway maintenance costs, has been \$4.00. Taxicab drivers are allowed to pass through \$2.00 of the \$4.00 fee to the passenger picked up at SFO. Therefore, a passenger with a trip originating at SFO is currently charged a \$2.00 pass-through amount in addition to the metered fare. The trip fee partially offsets the cost of operation of the Ground Transportation Unit Program. The cost to operate the program includes the direct operating costs such as personnel cost (including police and ground transportation compliance staff which includes personnel to conduct taxicab vehicle inspections), contractual services, utilities and material supplies, and debt service costs, including groundside related projects such as maintenance of the Airport's roadways, various roadway and staging lot facility improvements, the taxi revenue system, and the improvements to the Ground Transportation Management System (GTMS).

Page 3.

In May of 2014, the Airport Commission approved Resolution 14-0094, which required an increase in the Ground Transportation Access Fee payable by taxicab drivers to \$5.00. The effective date of the increase to the trip fee was January 1, 2015. The increase in the trip fee partially offsets the increased costs of SFO's operations.

SFO and the SFMTA recognize that the increase in the trip fee to \$5.00 introduces an additional cost burden to an already overburdened industry. In light of this additional cost burden, the SFMTA, with SFO's support, is proposing to increase the passenger pass-through amount from \$2.00 to \$4.00 for trips originating at SFO.

While the \$5.00 trip fee has been in effect since January of 2015, SFO has not yet charged the increased amount, as it wanted to give the SFMTA Board an opportunity to potentially allow taxicab drivers to pass a portion of the increase to the passengers.

Staff is now bringing these changes to the SFMTA Board requesting that the pass-through amount of the airport trip fees be increased from \$2.00 to \$4.00 for trips originating at SFO.

Other transportation modes at SFO including Limousines, Transportation Network Companies (TNCs) and Shuttle buses also incur trip fees. In many cases, these other transportation providers pass the entire fee on to their passengers.

It should also be noted that the airport trip fees charged to taxicab customers only applies to pick-ups at SFO, and does not apply to customers being dropped off at SFO. Limousines and TNCs currently pay an airport trip fee of \$3.85 for both the drop off and pick up.

Staff is requesting that the pass-through amount under 1124 of the Transportation Code be changed from \$2.00 to \$4.00. Staff recommends this change because it will alleviate the burden on taxi drivers that service the airport. Their out-of-pocket cost for picking up a passenger at SFO will be reduced from \$2.00 to \$1.00.

PUBLIC OUTREACH

In a continuing effort to remain open and transparent to the industry, staff discussed and elicited feedback related to these legislative changes at meetings, including Color Scheme meetings and the April 8, 2015 Taxi Task Force meeting. This issue was also discussed at Airport Taxi Task Force meetings and other meetings held at the airport over the last 18 months involving taxicab drivers that use SFO as a large part of their business.

Page 4.

It is anticipated that this measure will provide relief to drivers that use SFO by lowering their costs.

ALTERNATIVES CONSIDERED

Staff considered not changing the surcharge to the customer and allowing taxi drivers to bear the full cost of the trip fee increase. There was also discussion with taxi drivers of allowing passengers to absorb the full cost. In the end, a compromise measure was chosen.

FUNDING IMPACT

This will have no impact on SFMTA revenue.

ENVIRONMENTAL REVIEW

The proposed changes to fees and fines are subject to environmental review under the California Environmental Quality Act (CEQA). On April 16, 2015, the Municipal Transportation Agency, under authority delegated by the Planning Department, and with the concurrence of the Planning Department, determined that the proposed changes to fees and fines are statutorily exempt from environmental review under California Public Resources Code section 21080(b)(8) and the CEQA implementing guidelines because the anticipated revenues to the drivers will be used to meet City and County of San Francisco operating expenses, including employee wage rates and fringe benefits, or to purchase or lease supplies, equipment, or materials, or to obtain funds for capital projects necessary to maintain service within existing service areas. A copy of the determination is on file with the Secretary for the SFMTA Board of Directors. The proposed action approving new fines and fees is the Approval Action as defined by the S.F. Administrative Code Chapter 31.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

Article 4, Section 10 of the SFMTA Board of Directors Rules of Order requires publication of notice in the official newspaper of the City and County before adoption or revision of any schedule of rates, charges, fares fees or fines. Accordingly, SFMTA published a notice in the San Francisco Examiner, from April 16 to April 21, 2015, that the Board would consider approving an increase in the airport trip fee at its meeting on May 5, 2015.

The City Attorney has reviewed this calendar item.

RECOMMENDATION

Requesting that the Board of Directors amend Section 1124 of Division II, Article 1100 of the Transportation Code to increase the pass-through amount that a taxicab driver may charge passengers for taxicab trips originating at San Francisco International Airport from \$2.00 to \$4.00.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, San Francisco taxicabs may charge their passengers only those fees and surcharges that are specified in the San Francisco Transportation Code; and,

WHEREAS, San Francisco International Airport (SFO) currently requires taxi drivers to pay a \$4.00 Ground Transportation Access Fee each time they enter SFO; and,

WHEREAS, The Transportation Code allows drivers to recoup \$2.00 of taxicab driver's Ground Transportation Access Fee from their passengers whose trips originate at SFO; and,

WHEREAS, In May 2014, the Airport Commission increased the Ground Transportation Access Fee from \$4.00 to \$5.00, effective January 1, 2015

WHEREAS, To alleviate this additional cost burden to taxicab drivers that service SFO, the SFMTA proposes increasing the fee that a taxicab driver may charge a passenger for taxicab trips originating at SFO from \$2.00 to \$4.00; and,

WHEREAS, The proposed fee and fine changes are subject to environmental review under the California Environmental Quality Act (CEQA); and,

WHEREAS, On April 16, 2015, the Municipal Transportation Agency, under authority delegated by the Planning Department, and with the concurrence of the Planning Department, determined that the proposed changes to fees and fines are statutorily exempt from environmental review under California Public Resources Code section 21080(b)(8) and the CEQA implementing guidelines because the anticipated revenues to the drivers will be used to meet City and County of San Francisco operating expenses, including employee wage rates and fringe benefits, or to purchase or lease supplies, equipment, or materials, or to obtain funds for capital projects necessary to maintain service within existing service areas; and

WHEREAS, A copy of the determination is on file with the Secretary for the SFMTA Board of Directors and the proposed action is the Approval Action as defined by the S.F. Administrative Code 31; now, therefore be it

RESOLVED, That the SFMTA Board of Directors amends Transportation Code Division II, Article 1100, Section 1124, to increase the Airport Fee for taxicab trips originating at San Francisco International Airport from \$2.00 to \$4.00.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 5, 2015.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Taxi Airport Trip Fee]

Resolution amending the Transportation Code to increase, from \$2.00 to \$4.00, the fee that taxicab drivers may charge passengers for trips originating at San Francisco International Airport.

NOTE: Additions are single-underline Times New Roman;
deletions are ~~strike-through Times New Roman~~.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 1100 of Division II of the Transportation Code is hereby revised by amending Section 1124, to read as follows:

SEC. 1124. TAXI FARES AND FEES; GATE FEES.

* * * *

(c) Taxi Fees in Addition to Fares. Except as otherwise authorized by Section 1124(b)(2) or (b)(3), a Driver or Color Scheme must charge a passenger the fare displayed on the Taximeter, and may charge any of the additional fees set forth below, if applicable.

(1) Airport Fee. For taxicab trips originating at San Francisco International Airport that incur an airport trip fee, the taxicab driver may collect \$4.00 ~~\$2.00~~ of that trip fee from the passenger upon receipt of cab fare from the passenger.

(2) Bridge Tolls. Drivers are authorized to collect bridge tolls in advance from passengers whose destination requires the crossing of a toll bridge, regardless of the direction in which the toll is collected.

(~~3~~4) Cleaning Fee. Drivers are authorized to collect a cleaning fee of up to \$100 from any passenger who permanently stains the interior of the vehicle or who renders the vehicle temporarily unfit for for-hire passengers because of spillage of any substance such that the vehicle must be taken out of service and cleaned.

(45) Oversized Luggage Fee. A Driver is entitled to charge an additional amount not to exceed \$1 for each piece of luggage that cannot be conveyed either in the passenger compartment of the vehicle or in the vehicle's trunk with the trunk-lid closed. Each passenger shall be entitled to have conveyed without charge such valise or small package as can be conveniently carried within the vehicle. Other than the charges authorized by this subsection, no charge shall be made by the driver for loading or unloading baggage.

(56) Fees Requiring Passenger Consent. A Color Scheme Permit Holder may charge the taxi passenger the following additional fees, but only if the passenger consents to such fees in advance and has placed a credit card number on file with the Color Scheme. Customer consent for imposition of any fee listed in this subsection (c)(6) may be obtained prior to or at the time of the trip booking, but only after the customer is informed of the amount of the fee and the circumstances under which the fee will be imposed.

(A) Cancellation Fee. A cancellation fee of up to \$10 may be charged to any consenting customer who either cancels the trip after any established grace period has elapsed, or is not present when the Driver arrives at the location specified by the customer for pick up. A cancellation fee may not be imposed if the Driver arrives at the location specified by the customer for pick up in excess of 25 minutes after the Color Scheme accepted the trip booking. The cancellation fee shall be paid in full to the Driver who responds to the request for service.

(B) E-Hail Fee. An E-Hail Fee of up to \$5 may be charged by a Color Scheme that provides E-hail service to any customer who requests taxi service by E-Hail.

* * * *

Section 2. Effective Date. This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance.

Section 3. Scope of Ordinance. In enacting this ordinance, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Mariam M. Morley
Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 5, 2015.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency