

THIS PRINT COVERS CALENDAR ITEM NO. : 10.11

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Taxis and Accessible Services

BRIEF DESCRIPTION:

Amending San Francisco Transportation Code, Article 1100 of Division II, to define the term “driver training course” to provide for certification of such courses provided by private entities and to require annual renewal of such certification, and to allow the San Francisco Municipal Transportation Agency to require that taxi drivers complete a driver training course annually.

SUMMARY:

- Taxi driver training is important to ensure that taxi drivers have adequate knowledge of local and regional geography, rules and regulations, good traffic safety skills, crime prevention strategies, health and safety, and customer service.
- Private entities provide training courses for taxi drivers that are certified by the SFMTA.
- Existing standards for certification are unclear and need to be improved.
- Annual certification of driver training courses will allow Taxi Services to hold private entities accountable for performance.
- San Francisco taxi drivers are required to complete an SFMTA approved driver training course prior to obtaining a driver permit.
- Annual driver training for driver permit holders will allow Taxi Services to hold taxi drivers accountable for performance.

ENCLOSURES:

1. SFMTAB Resolution
2. Amendment to Transportation Code, Article 1100 of Division II.

APPROVALS:

DATE

DIRECTOR _____ August 12, 2013

SECRETARY _____ August 12, 2013

ASSIGNED SFMTAB CALENDAR DATE: August 20, 2013

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PURPOSE

Amending San Francisco Transportation Code, Article 1100 of Division II, to define the term “driver training course,” to provide for certification of such courses provided by private entities and to require annual renewal of such certification, and to allow the San Francisco Municipal Transportation Agency to require that taxi drivers complete a driver training course annually.

GOAL

Goal 1: Create a safer transportation experience for everyone

Objective 1.1: Improve security for transportation system users

Objective 1.2: Improve workplace safety and security

Objective 1.3: Improve the safety of the transportation system

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

Objective 2.1: Improve customer service & communications

Objective 2.2: Improve transit performance

Goal 4: Create a collaborative environment to support delivery of outstanding service

Objective 4.4: Improve relationships and partnerships with our stakeholders

DESCRIPTION

Prior to 2000, San Francisco taxicabs and other motor vehicles for hire were regulated by the Board of Supervisors and the Police Commission. The Taxi Commission regulated motor vehicles for hire between 2000 and 2009.

In 1994, the Board of Supervisors first adopted taxi driver training requirements (Police Code Section 1147.1.). Among other things, the ordinance required at least 16 hours of classes on the following subjects:

- City Geography
- Crime Prevention
- Vehicular Safety
- SFPD taxicab rules and regulations
- California Vehicle Code
- Pedestrian Safety
- Any other subject that the Chief of Police determined relevant to the public health and safety in the operation of taxicabs.

In 1998, a Mayor’s Taxi Task Force completed its final report and recommendations for improving taxicab service in San Francisco. Among other things, it recommended increases to taxi driver training hours and subject areas.

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Following this report, the Taxi Commission increased course length from 16 hours to 28 hours, and adopted more specific requirements for the driver training course curriculum. This included increasing the hours devoted to some subject areas, and adding subject areas such as passenger relations (cultural sensitivity). Driver training course providers submitted course curricula and staff created a list of approved providers.

Currently, private entities provide driver training courses for taxi drivers. Taxi Services provides a list of approved providers, but there are no existing standards for certification.

SFMTA Taxi Services has reviewed the current curricula of the three existing taxi driver training course providers. The existing providers have little consistency in hours or standards for specific subject areas. Some providers are teaching from inaccurate or outdated material. The existing providers have not received direction regarding driver training subject material, and have not been held accountable for curriculum.

There is not currently an effective way to monitor and hold providers accountable for what they teach, or to remove underperforming providers from the list of training providers. There is currently no regulation that expressly authorizes the Director of Transportation to develop requirements that providers must meet in order to be certified, or to decertify a provider.

SFMTA Taxi Services has developed recommendations for driver training course standards that will advance the agency's strategic plan goals. Taxi Services has communicated with the three existing taxi driver training course providers about updating the driver training standards, and has received input regarding the updated standards. Taxi Services held a public discussion on the topic of new driver training standards during a May 14 Taxi Town Hall Meeting. Taxi Services recommendations came from collaboration with the three existing taxi driver training course providers, public input from the Taxi Town Hall Meeting, and Taxi Services review of the current curricula.

SFMTA Taxi Services' recommendations include the clarification of the Director of Transportation's authority to develop certification standards for driver training courses, including the annual certification of courses. The recommendations also authorize the SFMTA to require annual training for driver permit renewals.

San Francisco taxi drivers are required to complete an SFMTA-approved driver course prior to obtaining a driver permit. Taxi driver training is important to ensure that taxi drivers have adequate knowledge of local and regional geography, rules and regulations, good traffic safety skills, crime prevention strategies, health and safety, and customer service. Taxi Services investigates complaints regarding drivers who are violating rules and not providing an acceptable standard of service.

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Taxi Services has the responsibility of retraining or otherwise disciplining drivers who are underperforming. Taxi Services also has a responsibility to provide drivers with updated and accurate training, and to hold drivers accountable for their professional behavior. Continued training from an SFMTA-certified training course will provide drivers the opportunity to improve performance and stay current with rules and regulations.

Annual certification will allow Taxi Services to review driver training courses prior to certifying a course provider, and to decertify providers that are underperforming. SFMTA certified course providers will be able to provide San Francisco taxi drivers the benefit of detailed knowledge in defined subject areas, and available resources for providing quality customer service.

Annual driver training for driver permit holders will allow Taxi Services to hold drivers accountable for performance.

The City Attorney's Office has reviewed this report.

ALTERNATIVES CONSIDERED

The Board could elect not to adopt annual renewal and certification standards for driver training courses, and annual training for driver permit holders. If no action is taken, training standards will not be defined and it will be difficult to hold training providers accountable.

FUNDING IMPACT

The proposed legislation involves no funding impact to the agency.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

None.

RECOMMENDATION

That the San Francisco Municipal Transportation Agency Board of Directors amend San Francisco Transportation Code, Article 1100 of Division II, to define the term "driver training course" to provide for certification of such courses provided by private entities and to require annual renewal of such certification, and to allow the San Francisco Municipal Transportation Agency to require that taxi drivers complete a driver training course annually.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, Taxi driver training is important to ensure that taxi drivers have adequate knowledge of local and regional geography, rules and regulations, good traffic safety skills, crime prevention strategies, health and safety, and customer service; and,

WHEREAS, Private entities provide training courses for taxi drivers that are certified by the SFMTA; and,

WHEREAS, Existing standards for certification are unclear and need to be improved; and,

WHEREAS, Annual certification of driver training courses will allow Taxi Services to hold private entities accountable for performance; and,

WHEREAS, San Francisco taxi drivers are required to complete an SFMTA approved driver training course prior to obtaining a driver permit; and,

WHEREAS, Annual driver training for driver permit holders will allow Taxi Services to hold taxi drivers accountable for performance; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends San Francisco Transportation Code, Article 1100 of Division II, to define the term “driver training course” to provide for certification of such courses provided by private entities and to require annual renewal of such certification, and to allow the San Francisco Municipal Transportation Agency to require that taxi drivers complete a driver training course annually.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of August 20, 2013.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

RESOLUTION NO.

[Transportation Code – Taxi Driver Training Course]

Resolution amending the San Francisco Transportation Code to define the term “driver training course” to provide for certification of such courses provided by private entities and to require annual renewal of such certification, and to allow SFMTA to require that taxi drivers complete a driver training course annually.

NOTE: Additions are [begin addition] single-underline Times New Roman [end addition] ;
deletions are [begin deletion] ~~strike through Times New Roman~~ [end deletion] .

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 amended by amending Section 1102, to read as follows:

Sec. 1102. DEFINITIONS.

For purposes of this Article the following words and phrases shall have the meanings set forth below:

* * * *

[begin addition] "Driver Training Course" shall mean a mandatory training course for new or current Drivers that is provided by the SFMTA or is provided by an outside entity and certified, on an annual basis and [end addition]

[begin addition] in accordance with procedures adopted by the Director of Transportation, to comply with requirements adopted by the Director of Transportation. [end addition]

* * * *

Section 2. Article 1100 of Division II of the Transportation Code is hereby amended by amending Section 1103, to read as follows:

SEC. 1103. PERMIT APPLICATIONS AND RENEWAL.

* * * *

(c) Additional Requirements Applicable to Driver Permit Applications.

(1) Application Requirements. In addition to complying with all applicable requirements of this Section, each applicant for a Driver Permit shall:

- (A) Provide his or her fingerprints; and
- (B) Take and pass a written examination; and
- (C) Take and pass a physical examination if required by the SFMTA; and
- (D) [begin addition] Demonstrate [end addition] [begin deletion] ~~Certify~~ [end deletion] that [begin addition] he or she [end addition] [begin deletion] ~~the applicant~~ [end deletion] has successfully completed [begin deletion] ~~an SFMTA-approved~~ [end deletion] [begin addition] a [end addition] Driver [begin addition] Training Course for new Drivers [end addition] [begin deletion] ~~training course~~ [end deletion] ; and

(E) Provide photographs of the applicant, taken no more than 12 months prior to the time of application; and

(F) Enclose a statement of affiliation signed by the applicant and the Color Scheme documenting the Color Scheme's commitment to offer the applicant a position as a Driver if the Driver Permit is issued; and

(G) Reserved: Controlled Substance Testing Program.

(2) Driver Qualifications. Each applicant for a Driver's Permit must:

- (A) Be a legal resident of the United States;
- (B) Be clean in dress and person;
- (C) Be free of any disease, condition, infirmity, or addiction that might render the applicant unable to safely operate a motor vehicle or that otherwise poses a risk to public health and safety;

(D) Have held a valid California driver's license for one year immediately prior to the date of application;

(E) Have the physical capacity to operate a motor vehicle for at least four

hours per day;

(F) Have no prior convictions of a crime that would, in the judgment of the SFMTA, present a risk to public safety if the permit is granted, including but not limited to convictions involving sexual assault, the use of a vehicle in the commission of a felony, fraud, violence against a person, reckless disregard for public safety, two or more recent convictions of drug-related offenses, or two or more recent convictions of driving under the influence, whether or not such convictions occurred while driving a Motor Vehicle for Hire. The SFMTA may, in its discretion, issue a permit notwithstanding prior convictions if, following review of an individual case, it determines that the applicant or Permit Holder does not pose a current risk to public safety;

(G) Have attained the age of 24;

(H) Speak; read and write the English language;

(I) Reserved: Controlled Substance Testing Program.

(3) Renewal of Driver's Permits.

(A) Drivers have an affirmative duty to report any criminal convictions that would be a basis for denying a permit pursuant to Section 1103(c)(2)(F). The SFMTA may refuse to renew a permit if the Permit Holder would not be eligible to receive a new permit pursuant to Section 1103(c)(2)(F).

[begin addition] (B) The SFMTA may require Drivers to successfully complete a Driver Training [end addition]

[begin addition] Course for current Drivers as a condition of renewal of their Driver Permits; [end addition]

([begin addition] C [end addition] [begin deletion] B [end deletion]) Lapse of Active Permit Status; New Application; A-Card Seniority. A Driver Permit Holder who fails to renew his or her Driver Permit within the deadline for renewal set by the SFMTA may renew his or her Driver Permit upon submission of a new Driver Permit application and completion of all requirements for a new Driver Permit. If the Driver Permit Holder submits the new Driver Permit application and completes the requirements within two years of the renewal

deadline, or prior to January 1, 1995, he or she

shall retain A-Card Seniority based on the original issuance date of the Driver Permit. If, on or after January 1, 1995, the Driver Permit Holder submits a new Driver Permit application and completes the requirements more than two calendar years after the renewal deadline, he or she shall have an A-Card Seniority date as of the date of the most recent Driver Permit.

(4) Surrender of A-Card When Not Driving. A Driver must return his or her Color Scheme Identification Card to the Color Scheme within 30 calendar days of terminating his or her affiliation with a Color Scheme and must return his or her A-Card to the SFMTA within 30 calendar days if the Driver does not affiliate with another Color Scheme. If the Driver will discontinue driving for a period of time in excess of 30 consecutive days but intends to resume driving a Motor Vehicle for Hire in the future, the SFMTA shall hold the A-Card on file until the Driver informs the SFMTA of his or her intention to resume driving. Upon receiving such notice, the SFMTA shall return the A-Card to the Driver so long as all Application and Renewal Fees and other Permit Fees are paid and the Driver remains qualified for the permit.

* * * *

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment.

Section 4. 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 August 20, 2013.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency