

THIS PRINT COVERS CALENDAR ITEM NO.: 11

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Taxis, Access, and Mobility Services

BRIEF DESCRIPTION:

Amending Transportation Code, Division II, Article 300, Section 310 to standardize administrative fines for violations of Article 1100, and amending Transportation Code, Division II, Article 1100, Sections 1102 – 1103, 1105-1110, 1113-1114, 1116, 1118, 1120 and 1124 to continue to reform and modernize taxicab rules and regulations to ensure a high standard of public safety and customer service while updating requirements to better allow innovation and competition.

SUMMARY:

- Standardize and streamline the administrative penalty structure, generally grouping fines in three tiers (\$50, \$100 and \$150), and eliminate some fines that are seldom issued.
- Consolidate taxi permit renewal requirements into one section for clarity.
- Clarify that Pre-K Medallions are not eligible for surrender and modify the surrender program to eliminate eligibility for Post-K Medallion holders who are permanently disabled (due to an inconsistency with the fulltime driving requirement), while maintaining eligibility based on age.
- Simplify Ramp Taxi requirements and provide Director of Transportation authority to update certain requirements to allow greater flexibility to adapt to changing conditions.
- Simplify and streamline reporting requirements.
- Clarify the Hearing Officer's authority is limited to the regulations established in Article 1100 and does not include the ability to set conditions or establish special circumstances.
- Establish a fare structure for shared trips and authorize the Director of Transportation to establish a pilot program to test upfront fares.
- Non-substantive clean-up.

ENCLOSURES:

1. SFMTAB Resolution
2. Transportation Code Amendments

APPROVALS:

	DATE
DIRECTOR 	<u>August 31, 2021</u>
SECRETARY 	<u>August 31, 2021</u>

ASSIGNED SFMTAB CALENDAR DATE: September 7, 2021

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PURPOSE

Amending Transportation Code, Division II, Article 300, Section 310 to standardize administrative fines for violations of Article 1100, and amending Transportation Code, Division II, Article 1100, Sections 1102 – 1103, 1105-1110, 1113-1114, 1116, 1118, 1120 and 1124 to continue to reform and modernize taxicab rules and regulations to ensure a high standard of public safety and customer service while updating requirements to better allow innovation and competition.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

The item will support the following goals and objectives of the SFMTA Strategic Plan:

Goal 1: Create a safer transportation experience for everyone.

Objective 1.1: Achieve Vision Zero by eliminating all traffic deaths.

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.

This item will support the following Transit First Policy Principles:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
2. Public transit, including taxis and vanpools, is an economically and environmentally sound alternative to transportation by individual automobiles. Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile.

DESCRIPTION

The Taxis, Access and Mobility Services Division of the San Francisco Municipal Transportation Agency (SFMTA) is responsible for the regulation of the private businesses that make up the San Francisco taxi industry, including qualifying and licensing permit holders, monitoring regulatory compliance, and administering discipline for regulatory violations.

As part of that mandate, SFMTA’s Taxis, Access and Mobility Services Division strives to ensure that San Francisco taxicab industry remains a safe transportation choice. This includes proposing amendments to the Transportation Code for SFMTA Board consideration to help promote the integrity of San Francisco’s motor vehicle for hire industry.

This legislation is part of an ongoing effort to reform and modernize taxicab rules and regulations to ensure a high standard of public safety, consumer protection and customer service while modernizing requirements to better allow innovation and competition. The proposed Transportation Code amendments reflect a range of minor clean-up items to more substantive changes to the taxicab regulatory framework.

BACKGROUND

The taxi industry in San Francisco is comprised of four Dispatch Services, 19 taxi companies (also referred to as Color Schemes), five medallion types and over 2,700 taxi drivers. Table 1 below provides a snapshot of the taxi industry as of July 2021.

TABLE 1

<u>Dispatch Service</u>	<u>E-Hail Mobile App</u>	<u>Color Scheme</u>	<u>Number of Medallions</u>	<u>Total Number of Medallions</u>
San Francisco Centralized	Flywheel	Alliance Cab	7	
		Eco Taxi	25	
		Flywheel Taxi	222	
		Fog City Cab	32	
		Max Cab	12	
		National Cab	65	
		Regents Cab Company	8	
		Veterans Cab	30	
		USA Cab	24	425
San Francisco Neighborhood	Arro	ABC Taxicab	2	
		Lucky Cab	6	
		Metro Cab SF	1	
		San Francisco Super Cab	55	64
San Francisco Taxi	Arro	Comfort Cab	26	
		San Francisco Taxicab	111	137
Yellow Cab	YoTaxi	American Cab	2	
		Crown Cab	2	
		Green Cab	5	
		Yellow (407) & Luxor (40)	437	446
			Total	1072

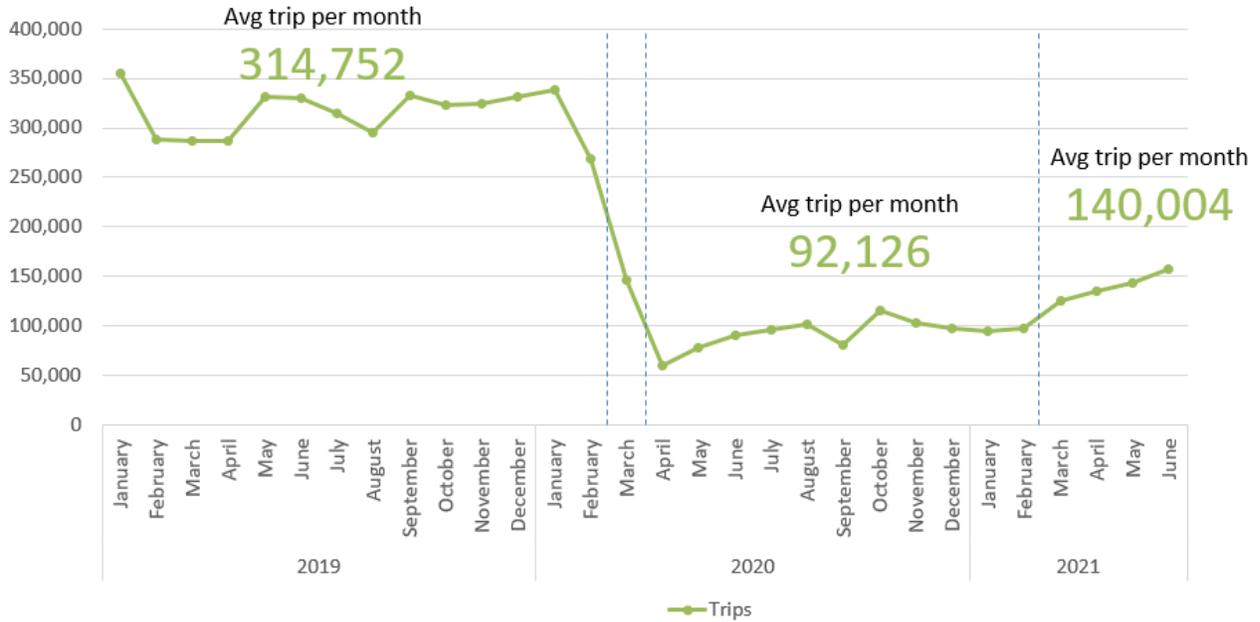
Types of Medallions

There are currently five types of medallions:

- **Pre-K Corporate (18 in operation):** Prior to Prop-K (1978), medallions could be owned by a corporation. The corporation cannot change ownership by more than 10% or the medallion will revert to the City. Corporations can hold more than one medallion. There is no driving requirement, and these medallions cannot be transferred or surrendered.
- **Pre-K (123 in operation):** Prior to Prop-K (1978), medallions could be held by anyone and could be held by more than one person. Individuals or groups can hold more than one medallion. There is no driving requirement. These medallions cannot be transferred or surrendered.
- **Post-K Earned (466 in operation):** These medallions were issued after Proposition K passed in 1978 until the Medallion Sale Pilot Program was implemented in 2010, and are limited to one per taxi driver and can only be held by an individual. There is a driving requirement. These medallions can be surrendered if the medallion holder is at least 60 years old or has a permanent disability. These medallions are not transferable.
- **Purchased (423 in operation):** These medallions were purchased under the Medallion Sales Pilot Program that started 2010 and the Medallion Transfer Program that replaced the Pilot Program in 2012. There is no driving requirement and Purchased medallions may retransfer at any time with no eligibility restrictions, provided that there is a purchaser available. Purchased Medallions, along with wheelchair accessible Ramp Taxis, have exclusive access to pick-ups at San Francisco International Airport (SFO).
- **Ramp (42 in operation):** These medallions operate in wheelchair accessible ramp vehicles. Some ramp medallions are operated by drivers and some are leased to color schemes. Ramp Taxi Medallions cannot be transferred or surrendered for consideration.

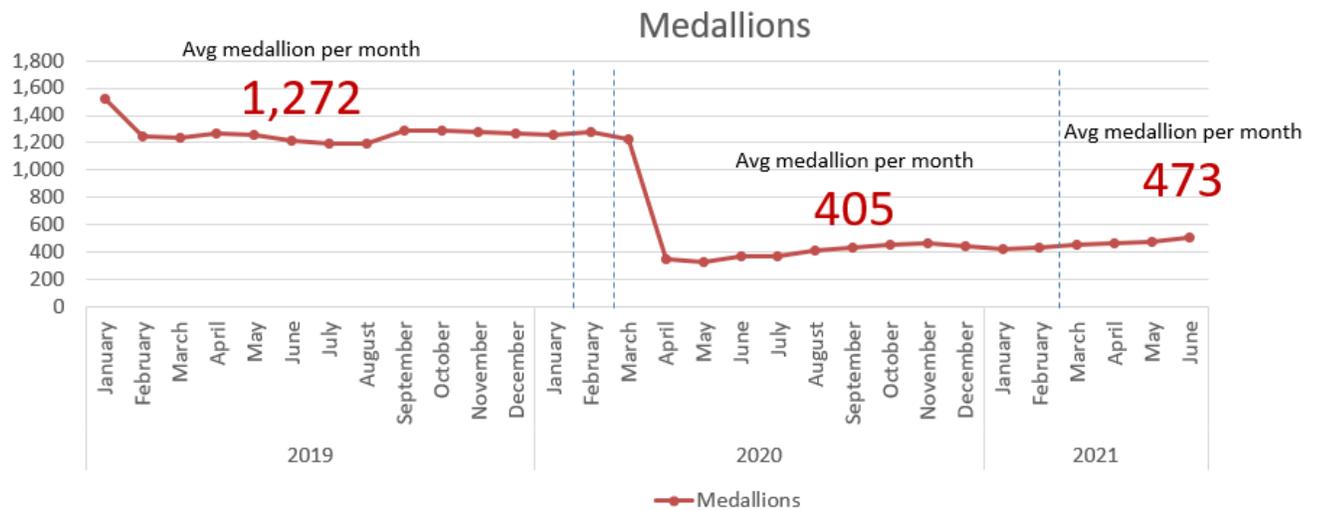
Like all other transportation services, the taxi industry in San Francisco experienced a steep decline during the Covid-19 pandemic. Chart 1 below shows this change over time. Pre-Covid, the taxi industry averaged 315,000 trips per month, while the monthly average during the pandemic was 92,000 trips per month, or 29% of the typical number of trips. As San Francisco recovers from the pandemic, the average trips have increased to 140,000 per month, with the average continuing to increase each month – a very positive sign.

Chart 1: Average Taxi Trips Per Month



Another way to measure the health of the taxi industry is by looking at the number of taxi medallions in operation. Pre-Covid, the industry averaged 1,272 taxi medallions operating per month, while during the pandemic, the taxi medallions operating per month was 405 on average. As San Francisco recovers from the pandemic, the average medallions in operation has increased to 473 per month. The average trips per medallion pre-Covid was 247, which decreased to 227 during the pandemic, and has increased to 296 in recent months. The trips per medallion indicator shows that each medallion operating is now providing more trips per medallion than during and prior to the pandemic. Based upon a healthy market response, we would anticipate more medallions entering back into service to accommodate the rising demand for trips. SFMTA is also seeing an uptick of new vehicles introduced into the taxi fleet.

Chart 2: Average Medallions in Service Per Month



Throughout the pandemic, staff has been working to support the industry. Key efforts include:

- [Waived all taxi-related fees](#) for fiscal years 2022-23 and 2023-24, and since 2014, SFMTA has foregone over \$11.2M in revenue from reduced or waived taxi-related fees.
- Established the [Essential Trip Card \(ETC\) program](#) to provide discounted taxi trips for seniors and people with disabilities who would have otherwise taken the trip on Muni. Nearly 4,000 riders are currently signed up for this program and over 65,000 trips have been provided thus far, including over 7,100 trips to vaccination sites.
- Created a [promotional video of the ETC program](#).
- Supported the Department of Environment’s [Essential Worker Ride Home program](#), which provides subsidized taxi trips for essential workers. SFMTA worked with the Transportation Authority and the Department of Environment staff to identify \$447,000 in funding that was reprogrammed to support this important program.
- [Provided personal protective equipment](#) (PPE) kits that include sanitizing fluid, paper towels, nitrile gloves, and face masks for taxi drivers, including (minimum count):
 - 14,504 gloves
 - 3,469 masks
 - 830 hand sanitizers
 - 87 gallons of disinfectant
 - 259 rolls of paper towels
 - 822 [plastic shields](#) installed between front and rear seat
- Trained taxi company representatives and posted [training video on proper cleaning procedures](#).
- Distributed [face mask stickers](#) to color schemes that inform passengers that they must wear a face mask while riding in a taxi.
- Publicized the benefits of taking taxis via [Blog Post](#).
- Honored outstanding [Every Day Heroes: Taxi Driver Corey Lamb](#).

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- Increased the per vehicle rebate up to \$7,700 in the SFMTA's [Clean Air Taxi program](#) and expanded the eligibility to include used vehicles. Over 96% vehicles in the taxi fleet are low-emission and play a critical role in meeting the City's ambitious climate goal of 80% of trips taken by sustainable means of travel by 2030.
- Taxis are included in the expansion of the network of permanent transit only lanes and the temporary transit only lanes, which allow taxis to provide more efficient service to customers.
- Published an [on-line map of the transit-only \(red\) lanes](#), which shows both taxi stands and red lanes that specifically allow taxis. This useful tool shows taxi drivers and potential riders how taxis are able to bypass normal vehicle restrictions with access to these lanes across the city.
- Conducted a pre-pilot test of concept of using taxis to provide work-related trips for city employees to replace non-revenue vehicle trips.
- Launched a [taxi marketing campaign](#), which is intended to provide sustained value over time, leveraging SFMTA's in-house marketing talent, access to on-board advertising, and public service announcements.
- SFMTA now [pays the \\$600 cost](#) of the Substance Abuse Professional (SAP) evaluation for taxi drivers who failed the drug test as part of the driver permit renewal process.
- Temporarily [suspended the Post-K full-time driving](#) requirement.
- Temporarily [modified the insurance](#) requirements.
- Provided information relevant to the taxi industry regarding Covid-19 [crisis resources](#), [CARES Act](#) benefits, and [Pandemic Unemployment Assistance](#).
- Requested SF Federal Credit Union establish a [loan deferral](#) program for taxi medallion holders.
- Amended the [ramp taxi incentives at SFO](#) to make it easier to qualify for the benefit and limited the number of short trips per month to a maximum of 15 short trips per month.
- Updated the rules for access to SFO to only allow pick-ups in Purchased medallions and ramp taxis.
- Requested that taxi drivers be considered in the same group as Muni operators and paratransit drivers and get the vaccine shot as soon as possible. Taxi drivers have been eligible for vaccinations as of [March 16, 2021](#).
- Established a [temporary taxi stand at Moscone Center South](#) and City College, high-volume vaccination sites, and supported the establishment of a temporary taxi stand at the Golden Gate Bridge Welcome Center parking lot.

Staff has also worked with the industry over the past months to update the taxi e-hail application (app) requirements. The [updated e-hail requirements](#) help to ensure that the taxi industry's mobile applications are useful and accessible to the public. Approved taxi mobile applications now must provide riders with the ability to input pick-up and drop-off locations and in return provide fare estimates and estimated trip time. Additionally, these requirements include integration with paratransit and the requirement that any approved app is to be made available to all wheelchair accessible vehicle in the taxi fleet. Finally, the requirements set the stage for the San Francisco taxi fleet to integrate with third party trip planning applications, like the Transit app and Muni Mobile application.

In another effort to support the taxi industry and increase trip volumes, SFMTA is supporting the Department of Public Health (DPH) and the Department of Homeless and Supportive Housing (HSH) to utilize taxi service for their respective clients. The trips are for clients from Shelter in Place sites,

Isolation & Quarantine Hotels, SFHOT (SF Homeless Outreach Team) and HSOC (Healthy Streets Operation Center), and are estimated to be over 800 trips on average per month.

In addition to all of these efforts, staff has undertaken this code reform package with the goals simplifying and standardizing taxi fines and updating taxi regulations to foster innovation and competition while maintaining a core focus on public safety, consumer protection and customer service.

Proposed Transportation Code Revisions by Section

Section 310. TAXI FINES

As part of the code reform, staff is proposing the following amendments:

- Streamline and standardize fine amounts for violations of the taxi regulation, using a tiered framework of \$50, \$100 and \$150. Higher fines are for violations impacting safety or consumer protection, while lower fines are for compliance-related infractions. The proposed fine structure will have the general impact of reducing most of the fine amounts. Staff is not proposing amendments to certain violations, including operating without a permit, operating without a driver permit, California driver's license or insurance. The fine amounts for these major violations were considered and determined to be appropriate to the nature of the infraction.
- Infractions of minor violations, such as color schemes not posting required notices or providing SFMTA reports, are proposed to be reduced to \$50.
- Violations of infractions for slightly more serious violations are set at \$100, such as a Color Scheme violation of the requirement to maintain certain information at their principal place of business (e.g., a driver roster).
- The highest tier in the fine structure is \$150 and would be applied to violations such as a color scheme overcharging gate fees - which would result in the current fine being lowered from \$652 to \$150.
- Staff is also proposing the elimination of certain fines for minor violations that are seldom issued, such as the requirement for all permit holders to keep their address information current with the SFMTA.
- The complete set of proposed amendments for Section 310 is included in the attached legislation.

Article 1100

Section 1102. DEFINITIONS.

Staff is proposing to clarify certain definitions, delete outdated definitions and add new definitions.

- Update the term associated with Full-Time Driver or Full-Time Driving from calendar year to fiscal year, which better aligns with timing of Medallion permit renewal, which is also based on fiscal year.
- Eliminate the "Response Time Goals" of a Dispatch Service to respond to a service request. There is no mechanism to track dispatch response times and this is considered a business responsibility of dispatch services.
- Clarify that "Pre-K Medallions" are not eligible for the surrender program, which aligns with the intention of the taxi code reform in 2018, but due to a drafting error, was not included in the final legislation.

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- Eliminate outdated reference to the “Single Operator Part-time Taxi Medallion” as this class of Medallion, that was operated under a pilot program is no longer active, and was phased out starting in 2015.
- Delete the definition of Electronic Taxi Access System Provider as there is no external provider for this system, it is managed in-house by SFMTA.
- Add “Wheelchair Accessible Vehicle” or “WAV” to reflect current nomenclature for Ramp Taxis.

Section 1103. PERMIT APPLICATIONS AND RENEWAL.

Staff is proposing the following amendments in Section 1103:

- Update the requirement for drivers to provide a photograph for their permit as this is no longer necessary. SFMTA takes the driver photograph for the permit, so the requirement simply requires the driver to be available to have their photograph taken at SFMTA. This is intended as a process update and will have the benefit of streamlining the requirements for new driver on-boarding.
- Eliminate the requirement that applicants for Driver Permits to have held a license in the United States one year prior to the date of the application. The new requirement simply requires an applicant to have a current California driver’s license. This proposed amendment is intended to support the goal of new driver recruitment by broadening the pool of eligible drivers.
- Clarify permit application, renewal and transfer requirements for Dispatch Service and Color Scheme permits. This is intended to provide more clarity to permit holders and applicants.
- Clarify already existing Medallion renewal requirements by listing them by Medallion class. Currently these requirements are contained in different sections of Article 1100. This is intended to provide an easier understanding of the Medallion renewal requirements in one consolidated section of the taxi code.

Section 1105. GENERAL PERMIT CONDITIONS.

Staff is proposing the following amendments in Section 1105:

- Eliminate an outdated reference to Single Operator Permits because this class of Medallion, that was operated under a pilot program, is no longer active, and was phased out starting in 2015.
- Eliminate the prohibition of unattended taxis parking for more than four hours on a public street from Section 1105, which pertains to all Permits and move it to Section 1106 thus making it directly and solely applicable to Color Schemes.
- Eliminate references to the “Electronic Taxi Access System Provider” as there is no external provider for this system, it is managed in-house by SFMTA. This is an outdated term.
- Eliminate references to dispatch service “Response Time Goals” as staff is proposing to eliminate these goals because there is no mechanism to track and it’s the responsibility of the dispatch service to manage this aspect of customer service. SFMTA is seeking to achieve the proper balance of regulatory oversight of customer service, which is generally the responsibility of the business entity, in this case, the dispatch service. Because there is no mechanism to monitor and enforce response time goals, staff has concluded that it’s appropriate to leave response time up to the dispatch service provider, instead of the alternative path, which would be to add a mechanism to track and enforce.

Section 1106. CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS

Staff is proposing the following amendments in Section 1106:

- Move the prohibition on leaving a taxi vehicle unattended for more than four hours on a public street from Section 1105 to make it requirement on Color Schemes rather than individual drivers or Medallion Holders.
- Update and clarify that Color Schemes must provide accident reports upon SFMTA request, instead of monthly. Clarify the report retention period is five years, to align with SFMTA's retention period This proposed amendment is intended to alleviate reporting requirements, while maintaining SFMTA's access to the reports when needed.

Section 1107. CONDITIONS APPLICABLE TO DISPATCH SERVICE PERMITS.

Staff is proposing the following amendments to Section 1107:

- Simplify dispatch service standards by eliminating daily dispatch request metric. The number of dispatch service requests varies too broadly for this metric to be effective. This metric was developed based on service standards that were relevant at the point in time they were developed, but the taxi industry has experienced significant change due to the rise of Uber and Lyft, and more recently due to the Covid-19 pandemic. Dispatch service requirements should not be overly prescriptive. Therefore, staff is proposing to eliminate the overly specific metric and maintain the general requirement for dispatch services to affiliate with at least 100 medallions, which ensures a general level of customer service. Add a six-month phase-in period for new Dispatch Service Permit holders to come into compliance with the requirement to affiliate with at least 100 medallions. This will allow new entrants an opportunity to meet the requirement over a reasonable period of time.
- Eliminate the requirement that each dispatcher, operator and/or call-taker employed by the dispatch service have a unique individual identification. This requirement is considered overly prescriptive.
- Add a requirement that the dispatch equipment and system must be functional in 100% of the fleet affiliated with the Dispatch Service Permit. This requirement clarifies that all taxis must be equipped with a functional dispatch system. The dispatch system is one of the key mechanisms by which customers access taxi service, and this requirement will ensure that taxi customers who request a trip via a dispatch service have access to the full fleet affiliated with that dispatch service.

Section 1108. CONDITIONS APPLICABLE TO DRIVER PERMITS

Staff is proposing the following amendments in Section 1108:

- Eliminate the Ramp Taxi Driver response time requirement, which aligns with the proposal to eliminate all dispatch response time requirements. While staff supports a high level of customer service, there is no mechanism to monitor response times for taxi service, and this proposal mirrors the proposed approach in Section 1105.
- Add the requirement that a driver's personal property may not impede the loading of passenger baggage. Upon occasion, SFMTA receives complaints from customers about the lack of available space for their baggage, and therefore this amendment is providing a regulatory tool to address this problem.

Section 1109. CONDITIONS APPLICABLE TO MEDALLIONS

Staff is proposing the following amendments in Section 1109:

- Clarify the requirement that Medallion Holders must affiliate with a single Color Scheme.
- Correct a miscodified requirement by clarifying that no Post-K Medallion shall be renewed unless the Medallion Holder declares under penalty of perjury that they will actively and personally continue to engage in Full-Time Driving. Currently the code places this requirement on Pre-K Medallions, but there is no driving requirement for Pre-K Medallions. The proper reference is to Post-K Medallions, which do have a driving requirement.
- Eliminate superfluous language regarding partial years for the Full-Time Driver Requirement.

Section 1110. CONDITIONS APPLICABLE TO RAMP TAXI MEDALLIONS.

Staff is proposing the following amendments in Section 1110:

- Simplify and clarify language designating authority for the Director of Transportation to establish standards for Color Schemes and Drivers to be eligible to enter into a Use Agreement to operate a ramp taxi medallion, and to maintain eligibility. The current structure of the code in this section is complicated and the proposed amendment is necessary to provide an easier roadmap for interested parties to come into compliance with the requirements. Wheelchair accessible ramp taxi service is critically important for passengers who are wheelchair users and simplifying and streamlining the requirements to operate an accessible vehicle will allow easier access for qualified new entrants.
- Update the hours which a Color Scheme can operate a Ramp Medallion in a non-accessible taxi from 4:00PM to 4:00AM to 10:00PM to 7:00AM. Staff reviewed data pertaining to the provision of paratransit ramp taxi trips and based the updated hours upon times when there is the least demand for ramp taxi service, and therefore appropriate to allow operation of a non-accessible vehicle using a ramp taxi.
- Define “excessive” substantiated complaints in the context of a Color Scheme’s request to operate ramp taxi medallions in a non-accessible vehicle from 10:00pm to 7:00AM as two substantiated complaints on average per medallion during any three-month period.
- Clarify that monthly fees for Ramp Taxis are enumerated in Section 320.
- Eliminate the medallion down payment credit incentive for a ramp taxi driver as SFMTA is no longer providing the program.

Section 1113. TAXI AND RAMP TAXI EQUIPMETN REQUIREMENTS.

Staff is proposing the following amendments in Section 1113:

- Update the age requirement for security cameras in Taxis to ten model years. The current requirement is that the security camera must have been manufactured after December 31, 2006. Changing the age requirement is intended to ensure that the equipment is generally more updated.
- Clarify that Color Scheme indicia, such as the top light and all exterior lettering, numbering, signage, must be removed from taxi vehicles that are no longer in operation, are no longer intended to operate and do not meet with Paratransit requirements. This is considered necessary because in some instances, taxis that are no longer operating have retained the Color Scheme markings and indicia and could be pose a liability for the former Color Scheme.

Section 1114. RECORDS AND REPORTING REQUIREMENTS APPLICABLE TO PERMIT HOLDERS.

Staff is proposing the following amendments in Section 1114:

- Update the manner in which records may be submitted to SFMTA by adding submission via electronic platform. This will allow the taxi industry to more easily submit reports to SFMTA using a platform such as Salesforce, which is currently in use.
- Update reporting requirements from weekly and semi-annual to upon SFMTA request. This will help alleviate administrative requirements while still providing SFMTA access to reports as needed.
- Expand the requirement to provide camera chips to SFMTA to include all Permit Holders and not just Color Schemes. This provides an important enforcement tool for staff as camera chips are often more accessible via Drivers and Medallion Holders, and the ability to review footage on the camera chips is time sensitive - the current requirement only applies to Color Schemes and it is often more convenient to work directly with drivers.

Section 1116. TAXI MEDALLION TRANSFER PROGRAM.

Staff is proposing the following amendments in Section 1116:

- Eliminate eligibility for surrender for consideration for those with permanent disability, as it conflicts with the Full-Time Driving Requirement. Post-K Medallion Holders are subject to the Full-Time Driving Requirement and Board policy allows medical modification of the driving requirement only on a temporary basis, which creates an inconsistency. Staff considered proposing to eliminate the surrender program altogether but decided, based on industry feedback, at this time, to propose more discrete amendments and maintain Post-K Medallion Holder eligibility to surrender based on age.
- Clarify that eligibility for surrender for consideration applies to drivers who have been Full-Time Drivers for four out of the last five years.
- Extend the waiver of the Medallion Transfer Allocation fee from November 2021 to November 2023.

Section 1118. REVOCATION, SUSPENSION, AND ADMINISTRATIVE FINES.

Staff is proposing the following amendments in Section 1118:

- Clarify that failure to comply with the Full-Time Driving Requirement is good cause for revocation.
- Add good cause for revocation for drivers who fail to disclose prior convictions that would have precluded them from receiving a Driver Permit.
- Eliminate an outdated reference to Driver Fund, which has been disbursed to drivers and has been dissolved.

Section 1120. ADMINISTRATIVE HEARINGS.

Staff is proposing the following amendments in Section 1120:

- Update hearing procedures to include Nonrenewal and Summary Suspension. Update procedures for granting continuances to allow service by email and eliminate the requirement to post the decision online.

- Staff is proposing clarifications to the Hearing Officer’s authority to either uphold or overturn a permit action sought by SFMTA and further clarify that the Hearing Officer is not authorized to establish permit conditions or impose special remedies or directives that are not found in Article 1100.
- Eliminate the requirement that hearing decisions be posted online.
- Establish a deadline for Respondents to show good cause for failure to appear at a hearing.

Section 1124. TAXI FARES AND FEES, GATE FEES.

Staff is proposing the following amendments to Section 1124:

- Update the timing of hearings before the SFMTA Board regarding updates to meter rates, to provide flexibility to hold the hearings when necessary and not on a set schedule.
- Establish a flat fare for shared rides of \$20 per person. This encourages shared taxi rides and provides an easily understood fare structure.
- Increase the cleaning fee from \$100 to \$150 that Drivers are authorized to charge passengers who soil the interior of a taxi to the extent it must be taken out of service to be cleaned.
- Require the receipt for trips processed by a Driver’s credit card payment processing account to include the identity of the Driver so that the customer has this important information if needed.
- Eliminate the gate fee surcharge for low emission vehicles, which is no longer necessary as nearly 96% of the fleet is low emission vehicles.
- Authorize the Director of Transportation to establish a pilot project for “upfront fares” which is intended to test the concept of providing customers with a flat rate fare estimate through an e-hail application. Allowing customers to select a flat rate advance fare will help improve customer service and minimize meter anxiety that occurs when customers feel that drivers may be taking a longer route to increase the fare.

STAKEHOLDER ENGAGEMENT

Taxi Services has engaged in a thorough stakeholder engagement process regarding the proposed Transportation Code changes. Given the scale of the proposed amendments, staff worked hard to ensure that there has been significant time for the taxi industry stakeholders to provide input. In continuing effort to remain open and transparent to the industry, staff discussed and elicited feedback related to these legislative changes at meetings, including weekly Color Scheme meetings, held three industry-wide online meetings on from April – June 2021, and conducted survey regarding the out of town trip fare structure. Feedback was accepted via email and staff posted all draft amendments in a red-line version on-line for all interested stakeholders to access and review.

ALTERNATIVES CONSIDERED

This legislation is part of an ongoing effort to reform and modernize taxicab rules and regulations. Staff considered a number of alternatives to the medallion reform package, including:

- Eliminate the entire medallion surrender program. In order for a medallion surrender transaction to occur, there must be a buyer. All purchased medallions are prioritized for transfer over surrender transactions. Based upon stakeholder feedback, at this time staff limited proposed amendments to clarify that Pre-K Medallion holders are not eligible for surrender and to

eliminate eligibility for Post-K holders based on disability status, while maintaining the eligibility for Post-K holders based on age.

- Staff had initially proposed that the camera age requirement be based on five model years. Based upon stakeholder feedback, staff changed this requirement from five years to ten years.
- Staff considered eliminating direct voice access from dispatch service requirements. Based upon stakeholder feedback, this is not being proposed.
- Staff also considered updating the fare structure for out-of-town trips from 150 percent of the meter to a rate(s) set by the Director of Transportation. This provision, commonly referred to by the industry as “Meter and a Half” has been the cause of customer confusion. It can be hard for the driver to explain the meter and a half rules and challenging for customers to understand. Staff spent a considerable amount of time developing options to revise this requirement and then surveying the industry on their preference. Based on overwhelming feedback from the industry in support of maintaining the status quo on this item, we are not proposing an amendment at this time. Staff is exploring a technological solution to address customer confusion.

FUNDING IMPACT

This taxi code reform package will not have an impact on SFMTA revenue.

ENVIRONMENTAL REVIEW

On July 15, 2021, the SFMTA, under authority delegated by the Planning Department, determined that the amendments to Transportation Code, Division II, Article 300 and 1100, to standardize administrative fines for violations of Article 1100 and to continue to reform and modernize taxicab rules and regulations to ensure a high standard of public safety and customer service while updating requirements to better allow for innovation and competition, are not a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Section 15060(s) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

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 August 5 – August 12, 2021, that the Board would consider amending taxi-related fines and fees.

The City Attorney has reviewed this calendar item.

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RECOMMENDATION

Amending Transportation Code, Division II, Article 300, Section 310 to standardize administrative fines for violations of Article 1100, and amending Transportation Code, Division II, Article 1100, Sections 1102 – 1103, 1105-1110, 1113-1114, 1116, 1118, 1120 and 1124 to continue to reform and modernize taxicab rules and regulations to ensure a high standard of public safety and customer service while updating requirements to better allow innovation and competition.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The SFMTA would like to reform and modernize taxicab rules and regulations to ensure a high standard of public safety and customer service while updating requirements to better allow innovation and competition; and,

WHEREAS, The SFMTA wants to standardize administrative fines for violations of Article 1100 and to continue to reform the taxi regulations to ensure a high standard of public safety and customer service while updating requirements to better allow innovation and competition; and,

WHEREAS, The SFMTA wants to reform the Ramp Tax Requirements: simplify requirements and provide Director of Transportation authority to update certain requirements to allow greater flexibility to adapt to changing conditions; and,

WHEREAS, The SFMTA wants to simplify and streamline the reporting requirements; and,

WHEREAS, The SFMTA wants to allow a pilot to test upfront fare concept, which would provide customers a set fare in advance of trip based on estimated meter rate. This is intended to eliminate ‘meter anxiety’ and provide for a higher level of customer service; and,

WHEREAS, the SFMTA wants to clean up non-substantive wording; and,

WHEREAS, On July 15, 2021, the SFMTA, under authority delegated by the Planning Department, determined that amending the Transportation Code, Division II, Article 300 and Article 1100, to standardize administrative fines for violations of Article 1100 and to continue to reform and modernize taxicab rules and regulations to ensure a high standard of public safety and customer service while updating requirements to better allow for innovation and competition is not a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Section 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference; now, therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends the Transportation Code, Division II, Article 300, Section 310 and Article 1100, Sections 1102 – 1103, 1105-1110, 1113-1114, 1116, 1118, 1120 and 1124.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of September 7, 2021.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

RESOLUTION NO.

[Transportation Code – Regulation of Motor Vehicles for Hire]

Resolution amending the Transportation Code to standardize administrative fines for violations of Article 1100, and to continue to reform and modernize taxicab rules and regulations to ensure a high standard of public safety and customer service while updating requirements to better allow for innovation and competition.

NOTE: Additions are single-underline Times New Roman; deletions are ~~strike-through Times New Roman~~; asterisks (* * * *) indicate the omission of unchanged Code subsections.

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

Section 1. Article 300 of Division II of the Transportation Code is hereby amended by revising Section 310 by deleting the existing schedule of fines and adding a new schedule of fines, to read as follows:

SEC. 310. SCHEDULE OF FINES.

Violation of any of the following subsections of the Transportation Code governing the operation of a motor vehicle for hire, Non-Standard Vehicle, or Shared Mobility Device Service pursuant to a Proof of Concept Authorization, shall be punishable by the administrative fines set forth below.

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018	FINE AMOUNT Effective July 1, 2019
CONDITIONS APPLICABLE TO ALL PERMITS			
Div II § 1105(a)(13)	Current address	\$32	\$33
Div II § 1105(a)(9)	Continuous operation	\$63 per day	\$66 per day
Div II § 1114(a)	Records	\$95	\$99
Div II § 1105(a)(16)	Response time goals	\$189	\$197

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018	FINE AMOUNT Effective July 1, 2019
Div II § 1105(a)(7)	Compliance with lawful orders	\$251	\$261
Div II § 1105(a)(6)	Compliance with laws and regulations	\$564	\$587
Div II § 1105(a)(12)	Unattended vehicle	\$564	\$587
Div II § 1105(a)(18)	Retaliation against permit holder	\$564	\$587
Div II § 1105(a)(8)	Cooperation w/ regulatory entities; False statements	\$627	\$652
Div II § 1105(a)(11)	Compliance with Paratransit Program	\$627	\$652
Div II § 1105(a)(10)	Accepting/soliciting gifts from Drivers	\$751	\$781
Div II § 1105(a)(1)	Operating without a permit—first offense	\$2,500	\$2,500
Div II § 1105(a)(1)	Operating without a permit—subsequent offense	\$5,000	\$5,000
Div II § 1105(a)(17)	Operation without Driver Permit, CDL or insurance	\$1,000	\$1,000
CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS			
Div II § 1106(s)	Dissolution plan	\$63 per day	\$66 per day
Div II § 1106(m)	Emissions reduction	\$63 per day	\$66 per day
Div II § 1106(n)	Required postings	\$95	\$99
Div II § 1106(o)	Required notifications	\$95	\$99
Div II § 1113(d)(3)	Required Passenger Payment Device	\$95	\$99
Div II § 1114(e)(3)	Receipts	\$95	\$99
Div II § 1114(e)(4)	Vehicle inventory changes	\$95	\$99
Div II § 1114(e)(6)	Weekly reporting requirements	\$95	\$99
Div II § 1106(e)	New location	\$313 per day	\$326 per day
Div II § 1106(k)(1)	Facility to clean vehicles	\$313	\$326

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018	FINE AMOUNT Effective July 1, 2019
Div II § 1106(i)	Workers' Compensation	\$376 per day	\$391 per day
Div II § 1106(p)	Obligations related to Drivers	\$500	\$520
Div II § 1106(r)	Found property	\$500	\$520
Div II § 1114(e)(1)	Electronic Trip Data	\$500	\$520
Div II § 1114(e)(2)	Medallion Holder files	\$500	\$520
Div II § 1114(e)(5)	Current business information	\$500	\$520
Div II § 1124(d)(1)	Retaliation regarding credit card processing	\$500	\$520
Div II § 1124(e)	Overcharging Gate fees	\$627	\$652
Div II § 1106(e)	Use of Dispatch Service	\$564 per day	\$587 per day
Div II § 1106(d)	Business premises	\$564	\$587
Div II § 1106(h)	Staffing requirements	\$564	\$587
Div II § 1106(l)(1)-(4)	Use of spare vehicles	\$564	\$587
Div II § 1106(f)	Telephone Access	\$627	\$652
Div II § 1106(j)	Paratransit Broker contract	\$627	\$652
Div II § 1114(e)(8)	Required information	\$627	\$652
Div II § 1114(e)(7)	Required information	\$627	\$652
Div II § 1106(k)(2)-(4)	Nonworking equipment	\$1,000	\$1,000
Div II § 1106(q)(4)	Driver operating under the influence	\$1,000	\$1,000
Div II § 1106(a)	Color Scheme Permit required	\$5,000	\$5,000
Div II § 1106(l)(8)	Leasing spare vehicles	\$5,000	\$5,000
CONDITIONS APPLICABLE TO DISPATCH PERMITS			
Div II § 1107(e)(1)-(4)	Dispatch service operational requirements	\$63 per day	\$66 per day
Div II § 1107(e)	Dispatch equipment requirements	\$63 per day	\$66 per day
Div II § 1114(f)(1)-(2)	Electronic trip data; Integration with ETAS	\$63 per day	\$66 per day

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018	FINE AMOUNT Effective July 1, 2019
Div II § 1114(f)(3)	Dispatch service reports	\$95	\$99
Div II § 1107(b)-(c)	Dispatch service standards and operational requirements	\$1,000	\$1,000
Div II § 1107(d) Div II § 1114(f)(4)	Found property	\$95	\$99
Div II § 1107(e)	Workers' Compensation	\$ 1 per day	\$ 1 per day
Div II § 1107(e)(5)	Improper dispatching	\$627	\$652
Div II § 1107(e)(7)	Affiliate with e-hail application	\$627 per day	\$652 per day
CONDITIONS APPLICABLE TO DRIVER PERMITS			
Div II § 1108(e)	Color Scheme affiliation	\$6 per day	\$6 per day
Div II § 1108(a)	Driver identification	\$95	\$99
Div II § 1108(d)(2)	Duties at beginning of shift	\$95	\$99
Div II § 1108(d)(3)	Designated items in vehicle	\$95	\$99
Div II § 1108(e)(2)	Transporting passenger property	\$95	\$99
Div II § 1108(e)(5)	Loading and unloading assistance	\$95	\$99
Div II § 1108(e)(8)	Additional passengers	\$95	\$99
Div II § 1108(e)(10)- (12)	Mobile telephones; Other audible devices	\$95	\$99
Div II § 1108(e)(18)- (20), (22)	Driver duties regarding fares	\$95	\$99
Div II § 1108(e)(26)	Loose items	\$95	\$99
Div II § 1108(e)(27)	Trunk and/or baggage area	\$95	\$99
Div II § 1108(e)(31)	Clean in dress and person	\$95	\$99
Div II § 1108(e)(32)	Taximeter violation	\$95	\$99
Div II § 1108(e)(33)	Drinking or eating in vehicle	\$95	\$99

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018	FINE AMOUNT Effective July 1, 2019
Div II § 1108(e)(33)	Smoking in vehicle	\$288	\$300
Div II § 1108(f)(1)-(2)	Duties at end of shift	\$95	\$99
Div II § 1114(b)(2)	Driver A Card	\$95	\$99
Div II § 1108(e)(4)	Service animals or contained animals	\$189	\$197
Div II § 1108(d)(1)	Safety check	\$189	\$197
Div II § 1108(e)(1)	Refusal to convey	\$189	\$197
Div II § 1108(e)(7)	Servicing dispatch calls	\$189	\$197
Div II § 1108(e)(9)	Splitting fares	\$189	\$197
Div II § 1108(e)(16)	Requesting gratuities	\$189	\$197
Div II § 1108(e)(17)	Audio/visual communication device	\$189	\$197
Div II § 1108(e)(24)	Found property	\$189	\$197
Div II § 1124(d)	Accept credit card; Passenger payment choice	\$189	\$197
Div II § 1108(e)(3)	Transporting person with a disability in front seat	\$189	\$197
Div II § 1108(e)(6)	Assisting and securing person with a disability	\$189	\$197
Div II § 1108(e)(13)	Use of Dispatch Service; log in/out	\$189	\$197
Div II § 1108(e)(39)	Failure to activate meter	\$189	\$197
Div II § 1108(e)(14)	Reckless or dangerous driving	\$189	\$197
Div II § 1108(e)(15)	Ramp Taxi rules	\$189	\$197
Div II § 1108(e)(29)	Threats and abuse	\$189	\$197
Div II § 1108(e)(35)- (37)	Paratransit Debit Card	\$189	\$197
Div II § 1124(e)(5)	Luggage charges	\$189	\$197
Div II § 1108(e)(25)	Unsafe taxi	\$251	\$261

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018	FINE AMOUNT Effective July 1, 2019
Div II § 1108(e)(30)	Excessive force	\$251	\$261
Div II § 1103(e)(3)(A)	Criminal convictions	\$627	\$652
Div II § 1108(b)	Controlled substances	\$627	\$652
Div II § 1108(e)(38)	Tampering with equipment	\$627	\$652
CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI EQUIPMENT			
Div II § 1113(b)-(e), (g)-(j)	Equipment and display requirements	\$189	\$197
Div II § 1113(d)(3)	Install Passenger Payment Device in Taxi vehicle	\$189 per vehicle	\$197 per vehicle
Div II § 1113(l)	Vehicle windows	\$95	\$99
Div II § 1113(o)	Sanitary condition	\$95	\$99
Div II § 1113(a)	Safe operating condition	\$95 per day	\$99 per day
Div II § 1113(k)	Standard vehicle equipment	\$95	\$99
Div II § 1113(k)(13)-(15)	Vehicle tires and wheels	\$95	\$99
Div II § 1113(m)	Security cameras	\$95 per day	\$1 per day
Div II § 1113(n)	Condition of vehicle	\$95 per day	\$99 per day
Div II § 1113(u)	Working Taxi ramp	\$95	\$99
Div II § 1113(p)	Vehicle title requirements	\$313	\$326
Div II § 1113(q)	Excessive vehicle mileage	\$313 per day	\$326 per day
Div II § 1113(s)	Vehicle inspections	\$313 per day	\$326 per day
Div II § 1113(s)(7)	Fraud related to inspection	\$313 per day	\$326 per day
Div II § 1113(t)	Replacement vehicle	\$313	\$326
Div II § 1113(v)	Retired vehicles	\$313	\$326
Div II § 1113(f)	Taximeters	\$376	\$391

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018	FINE AMOUNT Effective July 1, 2019
CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI MEDALLIONS			
Div II § 1109(b)	Use of Dispatch Service	\$95	\$99
Div II § 1110(a)(1)	Wheelchair priority	\$189	\$197
Div II § 1110(a)(2)	Ramp Taxi Driver training	\$189	\$197
Div II § 1110(a)(3)	Wheelchair pickups	\$500	\$525
Div II § 1110(b)	Ramp Taxi Medallion in spare taxi	\$189	\$197
Div II § 1110(e)	Time Limits Ramp Taxi Medallion in spare	\$189/per unauthorized day	\$197/per unauthorized day
Div II § 1110(d)	Ramp Taxi qualifications	\$189	\$197
Div II § 1109(e)	Full time driving requirement	\$24,000 multiplied by percentage of hours short of the full time driving requirement	\$24,000 multiplied by percentage of hours short of the full time driving requirement
CONDITIONS APPLICABLE TO NON-STANDARD VEHICLE PERMITS			
Div. II § 1206(a)	Operating without a permit	\$5,000	\$5,000
Div. II §§ 1206(b)(4), 1206-1, 1207, 1209(a)	Non Standard Vehicle Permit Conditions	\$260 per violation per day	\$270 per violation per day
	Shared Mobility Device Service with a Proof of Concept Authorization		\$270 per violation per day

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2018	FINE AMOUNT Effective July 1, 2021
CONDITIONS APPLICABLE TO ALL PERMITS			
Div II § 1105(a)(1)	Operating without a permit – first offense	\$2,500	\$2,500
Div II § 1105(a)(1)	Operating without a permit – subsequent offense	\$5,000	\$5,000

<u>TRANSPORTATION CODE SECTION</u>	<u>DESCRIPTION</u>	<u>FINE AMOUNT Effective July 1, 2018</u>	<u>FINE AMOUNT Effective July 1, 2021</u>
<u>Div II § 1105(a)(6)</u>	<u>Compliance with laws and regulations</u>	<u>\$564</u>	<u>\$150</u>
<u>Div II § 1105(a)(7)</u>	<u>Compliance with lawful orders</u>	<u>\$251</u>	<u>\$100</u>
<u>Div II § 1105(a)(8)</u>	<u>Cooperation with regulatory entities: false statements</u>	<u>\$627</u>	<u>\$150</u>
<u>Div II § 1105(a)(9)</u>	<u>Continuous operation</u>	<u>\$63</u>	<u>\$50</u>
<u>Div II § 1105(a)(10)</u>	<u>Accepting/soliciting gifts from Drivers</u>	<u>\$751</u>	<u>\$150</u>
<u>Div II § 1105(a)(11)</u>	<u>Compliance with Paratransit Program</u>	<u>\$627</u>	<u>\$150 per day</u>
<u>Div II § 1105(a)(17)</u>	<u>Operation without Driver Permit, CDL, or insurance</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>Div II § 1105(a)(18)</u>	<u>Retaliation against Permit Holder</u>	<u>\$564</u>	<u>\$150</u>
<u>Div II § 1114(a)</u>	<u>Records</u>	<u>\$95</u>	<u>\$150</u>
<u>CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS</u>			
<u>Div II § 1106(a)</u>	<u>Color Scheme Permit required</u>	<u>\$5,000</u>	<u>\$5,000</u>
<u>Div II § 1106(c)</u>	<u>Use of Dispatch Service</u>	<u>\$564 per day</u>	<u>\$150 per day</u>
<u>Div II § 1106(d)</u>	<u>Business premises</u>	<u>\$564</u>	<u>\$150 per day</u>
<u>Div II § 1106(e)</u>	<u>New location</u>	<u>\$313</u>	<u>\$150</u>
<u>Div II § 1106(f)</u>	<u>Telephone access</u>	<u>\$627</u>	<u>\$150 per day</u>
<u>Div II § 1106(h)</u>	<u>Staffing requirements</u>	<u>\$564</u>	<u>\$150 per day</u>
<u>Div II § 1106(i)</u>	<u>Workers' Compensation</u>	<u>\$376 per day</u>	<u>\$150 per day</u>
<u>Div II § 1106(j)</u>	<u>Paratransit Broker contract</u>	<u>\$627</u>	<u>\$150 per day</u>
<u>Div II § 1106(k)(1)</u>	<u>Facility to clean vehicles</u>	<u>\$313</u>	<u>\$150 per day</u>
<u>Div II § 1106(k)(2)-(4)</u>	<u>Nonworking equipment, safety</u>	<u>\$1,000</u>	<u>\$500 per day</u>
<u>Div II § 1106(k)(5)</u>	<u>Unattended vehicle</u>	<u>\$564</u>	<u>\$50</u>
<u>Div II § 1106(l)(1)-(4)</u>	<u>Use of spare vehicles</u>	<u>\$564</u>	<u>\$150 per day</u>
<u>Div II § 1106(m)</u>	<u>Emissions reduction</u>	<u>\$63 per day</u>	<u>\$50</u>
<u>Div II § 1106(n)</u>	<u>Required postings</u>	<u>\$95</u>	<u>\$50 per day</u>

<u>TRANSPORTATION CODE SECTION</u>	<u>DESCRIPTION</u>	<u>FINE AMOUNT Effective July 1, 2018</u>	<u>FINE AMOUNT Effective July 1, 2021</u>
<u>Div II § 1106(o)</u>	<u>Required notifications</u>	<u>\$95</u>	<u>\$50 per day</u>
<u>Div II § 1106(p)</u>	<u>Obligations related to Drivers</u>	<u>\$500</u>	<u>\$150</u>
<u>Div II § 1106(q)(1)-(4)</u>	<u>Driver operating under the influence</u>	<u>\$1,000</u>	<u>\$1,000</u>
<u>Div II § 1106(r)</u>	<u>Found property</u>	<u>\$500</u>	<u>\$150</u>
<u>Div II § 1106(s)</u>	<u>Dissolution plan</u>	<u>\$63 per day</u>	<u>\$50 per day</u>
<u>Div II § 1113(d)(3)</u>	<u>Required Passenger Payment Device</u>	<u>\$95</u>	<u>\$100 per day</u>
<u>Div II § 1114(e)(1)</u>	<u>Electronic Trip Data</u>	<u>\$500</u>	<u>\$150</u>
<u>Div II § 1114(e)(2)</u>	<u>Medallion Holder files</u>	<u>\$500</u>	<u>\$150</u>
<u>Div II § 1114(e)(3)</u>	<u>Receipts</u>	<u>\$95</u>	<u>\$50</u>
<u>Div II § 1114(e)(4)</u>	<u>Vehicle inventory changes</u>	<u>\$95</u>	<u>\$50 per day</u>
<u>Div II § 1114(e)(5)</u>	<u>Current Driver roster and vehicle information</u>	<u>\$50</u>	<u>\$50</u>
<u>Div II § 1114(e)(6)</u>	<u>Reporting requirements</u>	<u>\$95</u>	<u>\$50 per day</u>
<u>Div II § 1114(e)(7)</u>	<u>Filings for Paratransit compliance</u>	<u>\$627</u>	<u>\$150</u>
<u>Div II § 1114(e)(8)</u>	<u>Security camera data</u>	<u>\$627</u>	<u>\$150</u>
<u>Div II § 1124(d)(1)</u>	<u>Retaliation regarding credit card processing</u>	<u>\$500</u>	<u>\$150</u>
<u>Div II § 1124(e)</u>	<u>Overcharging Gate Fees</u>	<u>\$627</u>	<u>\$150</u>
<u>CONDITIONS APPLICABLE TO DISPATCH PERMITS</u>			
<u>Div II § 1107(b)</u>	<u>Dispatch service standards</u>	<u>\$1,000</u>	<u>\$150 per day</u>
<u>Div II § 1107(c)(1)-(3)</u>	<u>Dispatch service operational requirements</u>	<u>\$63 per day</u>	<u>\$50 per day</u>
<u>Div II § 1107(c)(5)</u>	<u>Improper dispatching</u>	<u>\$627</u>	<u>\$150</u>
<u>Div II § 1107(c)(6)</u>	<u>Workers' Compensation</u>		<u>\$150</u>
<u>Div II § 1107(c)(7)</u>	<u>Affiliate with e-hail application</u>	<u>\$627</u>	<u>\$150 per day</u>

<u>TRANSPORTATION CODE SECTION</u>	<u>DESCRIPTION</u>	<u>FINE AMOUNT Effective July 1, 2018</u>	<u>FINE AMOUNT Effective July 1, 2021</u>
<u>Div II § 1107(d) § 1114(f)(4)</u>	<u>Found property</u>	<u>\$95</u>	<u>\$50</u>
<u>Div II § 1107(e)</u>	<u>Dispatch equipment requirements</u>	<u>\$63 per day</u>	<u>\$50 per day</u>
<u>Div II § 1114(f)(1)-(2)</u>	<u>Electronic trip data; Integration with ETAS</u>	<u>\$63 per day</u>	<u>\$50 per day</u>
<u>Div II § 1114(f)(3)</u>	<u>Dispatch service reports</u>	<u>\$95</u>	<u>\$50 per day</u>
<u>CONDITIONS APPLICABLE TO DRIVER PERMITS</u>			
<u>Div II § 1103(c)(3)(A)</u>	<u>Criminal convictions</u>	<u>\$627</u>	<u>\$500</u>
<u>Div II § 1108(a)</u>	<u>Driver identification</u>	<u>\$95</u>	<u>\$50</u>
<u>Div II § 1108(b)(1)-(3)</u>	<u>Controlled substances</u>	<u>\$627</u>	<u>\$500</u>
<u>Div II § 1108(d)(1)-(4)</u>	<u>Driver duties at beginning of shift</u>	<u>\$95</u>	<u>\$50</u>
<u>Div II § 1108(e)(1)- (37), (39)</u>	<u>Driver duties during shift</u>	<u>\$95</u>	<u>\$100</u>
<u>Div II § 1108(e)(38)</u>	<u>Tampering with equipment</u>	<u>\$627</u>	<u>\$500</u>
<u>Div II § 1108(f)(1)-(2)</u>	<u>Duties at end of shift</u>	<u>\$95</u>	<u>\$50</u>
<u>Div II § 1114(b)(1)-(2)</u>	<u>Receipts and Driver A- Card</u>	<u>\$95</u>	<u>\$50</u>
<u>Div II § 1124(c)(1)-(5)</u>	<u>Taxi fees in addition to fares</u>	<u>\$189</u>	<u>\$150</u>
<u>Div II § 1124(d)</u>	<u>Accept credit card; Receipt; Passenger payment choice</u>	<u>\$189</u>	<u>\$150</u>
<u>CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI EQUIPMENT</u>			
<u>Div II § 1113(a)</u>	<u>Safe operating condition</u>	<u>\$95 per day</u>	<u>\$150 per day</u>
<u>Div II § 1113(b)-(e), (g)-(k)</u>	<u>Equipment and display requirements</u>	<u>\$189</u>	<u>\$100</u>

<u>TRANSPORTATION CODE SECTION</u>	<u>DESCRIPTION</u>	<u>FINE AMOUNT Effective July 1, 2018</u>	<u>FINE AMOUNT Effective July 1, 2021</u>
<u>Div II § 1113(d)(3)</u>	<u>Install Passenger Payment Device in Taxi vehicle</u>	<u>\$189 per vehicle</u>	<u>\$100 per vehicle</u>
<u>Div II § 1113(f)</u>	<u>Taximeters</u>	<u>\$376</u>	<u>\$150 per day</u>
<u>Div II § 1113(l)</u>	<u>Vehicle windows</u>	<u>\$95</u>	<u>\$50</u>
<u>Div II § 1113(m)</u>	<u>Security cameras</u>	<u>\$95 per day</u>	<u>\$100 per day</u>
<u>Div II § 1113(n)</u>	<u>Condition of vehicle</u>	<u>\$95 per day</u>	<u>\$100 per day</u>
<u>Div II § 1113(o)</u>	<u>Sanitary condition</u>	<u>\$95</u>	<u>\$50</u>
<u>Div II § 1113(p)</u>	<u>Vehicle title requirements</u>	<u>\$313</u>	<u>\$150</u>
<u>Div II § 1113(q)</u>	<u>Excessive vehicle mileage</u>	<u>\$313 per day</u>	<u>\$100 per day</u>
<u>Div II § 1113(s)(1)-(7)</u>	<u>Vehicle inspections</u>	<u>\$313 per day</u>	<u>\$150 per day</u>
<u>Div II § 1113(t)</u>	<u>Replacement vehicle</u>	<u>\$313</u>	<u>\$150</u>
<u>Div II § 1113(u)</u>	<u>Working Taxi ramp</u>	<u>\$95</u>	<u>\$150</u>
<u>Div II § 1113(v)</u>	<u>Retired vehicles</u>	<u>\$313</u>	<u>\$150</u>
<u>CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI MEDALLIONS</u>			
<u>Div II § 1109(a)</u>	<u>Affiliation with Color Scheme; Color Scheme change</u>		<u>\$100 per day</u>
<u>Div II § 1109(b)</u>	<u>Use of Dispatch Service</u>	<u>\$95</u>	<u>\$100 per day</u>
<u>Div II § 1109(c)</u>	<u>Full-time driving requirement</u>	<u>\$24,000</u> <u>multiplied by</u> <u>percentage of hours</u> <u>short of the full-time</u> <u>driving requirement</u>	<u>\$24,000</u> <u>multiplied by</u> <u>percentage of hours</u> <u>short of the full-time</u> <u>driving requirement</u>
<u>Div II § 1110(a)(1)</u>	<u>Wheelchair priority</u>	<u>\$189</u>	<u>\$150</u>
<u>Div II § 1110(a)(2)</u>	<u>Ramp Taxi Driver training</u>	<u>\$189</u>	<u>\$150</u>
<u>Div II § 1110(a)(3)</u>	<u>Wheelchair pickups</u>	<u>\$500</u>	<u>\$150</u>

<u>TRANSPORTATION CODE SECTION</u>	<u>DESCRIPTION</u>	<u>FINE AMOUNT Effective July 1, 2018</u>	<u>FINE AMOUNT Effective July 1, 2021</u>
<u>Div II § 1110(b)</u>	<u>Ramp Taxi Medallion in spare taxi</u>	<u>\$189</u>	<u>\$150 per day</u>
<u>Div II § 1110(c)</u>	<u>Time Limits Ramp Taxi Medallion in spare</u>	<u>\$189/per unauthorized day</u>	<u>\$150/per unauthorized day</u>
<u>Div II § 1110(d)</u>	<u>Ramp Taxi qualifications</u>	<u>\$189</u>	<u>\$150</u>
<u>CONDITIONS APPLICABLE TO NON-STANDARD VEHICLE PERMITS</u>			
<u>Div. II § 1206(a)</u>	<u>Operating without a permit</u>	<u>\$5,000</u>	<u>\$5,000</u>
<u>Div. II §§ 1206(b)(4), 1206-1, 1207, 1209(a)</u>	<u>Non-Standard Vehicle Permit Conditions</u>	<u>\$260 per violation per day</u>	<u>\$270 per violation per day</u>
	<u>Shared Mobility Device Service with a Proof of Concept Authorization</u>		<u>\$270 per violation per day</u>

Section 2. Article 1100 of Division II of the Transportation Code is hereby amended by revising Sections 1102, 1103, 1105-1110, 1113, 1114, 1116, 1118, 1120, and 1124, to read as follows:

SEC. 1102. DEFINITIONS.

For purposes of this Article 1100 the following words and phrases shall have the meanings set forth below:

"8000 Series Medallion" shall mean a permit issued by SFMTA to a Color Scheme that qualifies to operate a particular hybrid, Compressed Natural Gas (CNG) or electric taxi vehicle, or other vehicle as authorized by the SFMTA, in accordance with permit conditions set by the SFMTA and may not be transferred or surrendered for consideration under Section 1116.

"A-Card" or **"Driver Permit"** shall mean a permit issued by the SFMTA to operate a Taxi or Ramp Taxi in the City.

"Administrative Probation" shall mean the status of being substantially out of compliance with this Article according to a written determination of Administrative Probation issued by the SFMTA.

"Affiliate Medallion Operator" shall mean a Medallion Holder who owns and maintains the vehicle(s), purchases insurance for the vehicle(s), hires and schedules the Drivers of the vehicle(s), collects the Gate Fees, and issues receipts to the Drivers.

"Application Fee" shall mean a fee in an amount established by the SFMTA Board, due upon application for a permit, and including any late payment penalties or interest for failure to pay in accordance with the requirements of this Article of any other regulation adopted by the SFMTA Board.

"Business Entity" shall mean any corporation, partnership, limited liability, or other form of business organization recognized by the California Secretary of State.

"Citation" shall mean a notice informing an individual or entity who is a member of the public or a Permit Holder that ~~he or she has~~ they have violated any statute, ordinance, or regulation governing the operation or licensing of Motor Vehicles for Hire.

"Color Scheme" shall mean either the design or trade dress of a vehicle used as a Taxi or Ramp Taxi that is distinct to the fleet of a Color Scheme business that provides taxi service, or a business that provides taxi-related services to affiliated Drivers and Medallion Holders, including any owner, manager, employee, lessee, and any agent of such business.

"Color Scheme Permit" shall mean a permit issued by the SFMTA, to operate a Color Scheme in the City.

"Complaint" shall mean a document issued by SFMTA upon receipt of the Respondent's request for a hearing on a Citation, Notice of Nonrenewal, Notice of Inactive Status, or Notice of Summary Suspension, which shall contain information about each alleged violation or basis for nonrenewal, inactive status, or summary suspension.

"Dispatch Service" shall mean an entity that holds a Dispatch Service Permit to ~~Dispatch~~ dispatch Taxis and Ramp Taxis that are affiliated with a Color Scheme that is affiliated with the Dispatch Service, and that receives communications from the public regarding taxi service for the purpose of forwarding such communications to a Driver Permit Holder, and shall include any owner, manager, employee, lessee, and any agent of said service. "Dispatch Service" shall not include any service through which the public is able to communicate directly with Drivers, and shall not include any effort on the part of a Driver to market ~~his or her~~ their services to the public.

"Dispatch Service Permit" shall mean a permit issued by the SFMTA to operate a Dispatch Service in the City.

"Driver" shall mean either a person who holds a Driver Permit issued by the SFMTA to operate a Motor Vehicle for Hire or a person engaged in the mechanical operation and having physical charge or custody of a Motor Vehicle for Hire while said Motor Vehicle for Hire is available for hire or is actually hired.

"Driver Permit" or **"A-Card"** shall mean a permit issued by the SFMTA to operate a Taxi or Ramp Taxi.

"Driver Roster" shall mean a daily shift schedule listing the shift assignment, Driver's name, Vehicle Number and Medallion number, if different, and the hours worked for that shift.

"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~~ in accordance with procedures adopted by the Director of Transportation, to comply with requirements adopted by the Director of Transportation.

"E-Hail" shall mean the use of any electronic device to request taxi service in any manner, including but not limited to internet site, email, text message, push notification, or application, for the connection of or communication between a passenger and a taxi Driver, or any agent thereof, irrespective of whether such communication is from a portable or handheld

device, monitor, smartphone or other electronic device or unit, excluding telephone voice communication, to request taxi service.

"Electric Vehicle Taxi Medallion" shall mean a permit issued by the SFMTA to a Color Scheme that meets SFMTA's performance standards to operate a particular battery-switch an electric vehicle ~~on a full-time basis~~, subject to conditions imposed by the SFMTA, ~~for a fixed term of three to five years.~~

"Electronic Taxi Access System" shall mean a data collection software system for the real-time reporting of all required Electronic Trip Data.

~~**"Electronic Taxi Access System Provider"** shall mean the vendor selected by the SFMTA to provide the Electronic Taxi Access System.~~

"Electronic Trip Data" shall mean the data regarding each Taxi trip that the Dispatch Service Permit Holder is required to provide to the SFMTA under Section 1114(f)(1).

"Found Property" shall mean any personal property found in or about a Motor Vehicle for Hire by a Driver or delivered to a Driver, Color Scheme, or Dispatch Service by any person who has found such property.

"Full-Time Driver" or "Full-Time Driving" shall mean any Driver actually engaged in, or the activity comprised of (respectively) the mechanical operation and physical charge and custody of a Taxi or Ramp Taxi which is available for hire or actually hired for at least 156 four-hour shifts or 800 hours during a ~~calendar~~ fiscal year.

"Gas and Gates Medallion Operator" shall mean a Medallion Holder that contracts for the operation of the Medallion by a Color Scheme that owns the Taxi or Ramp Taxi vehicle, purchases insurance for the vehicle, hires and schedules the Drivers of the vehicle, collects the gate fees, issues receipts to the Drivers, and makes regular payments to the Medallion Holder for the use of the Medallion.

"Gate Fee" shall mean any monetary fee or other charge or consideration, or any combination thereof, paid by a Driver who is not a Taxi or Ramp Taxi Medallion Holder for the

privilege of driving a Taxi or Ramp Taxi for a daily shift, and for receipt of all services provided in connection with such privilege, whether said fee, charge or consideration is set orally or in writing, and regardless of the terms of payment.

"Hearing Officer" shall mean an individual designated by the Director of Transportation to conduct hearings under Sections 1117 and 1120 of this Article.

"In-Taxi Equipment" shall mean hardware and software that enables the real-time processing of paratransit debit card transactions and consisting of, at a minimum, a Taximeter, magnetic swipe reader, user interface (display and function buttons), high speed receipt printer, GPS receiver, cellular modem, and antennae (cellular and GPS).

"Initial Transfer" shall mean the transfer of a Surrendered or newly issued Medallion by the SFMTA to a Transferee under the Medallion Transfer Program, or the transfer of a Medallion to a Transferee under the former Taxi Medallion Sales Pilot Program.

"Key Personnel" shall mean a Taxi Permit Holder who works in an administrative capacity or performs functions integral to a Color Scheme or Dispatch Service, who is a bona fide employee on the payroll of the Color Scheme or Dispatch Service, and who works on-site at the Color Scheme's or Dispatch Service's principal place of business.

"Lease" shall mean an otherwise lawful written agreement between a Color Scheme and a Medallion Holder that, for consideration, authorizes the operation of a Taxi or Ramp Taxi Medallion by a Color Scheme in accordance with Section 1109(e)(1).

"Lease Fee" shall mean any monetary fee or other charge or consideration, or any combination thereof, charged by or paid to a Taxi or Ramp Taxi Medallion Holder for the privilege of operating that Medallion, pursuant to Section 1109(e), for any period of time.

"Medallion" shall mean a permit issued by the SFMTA to an individual, joint tenants, or a Business Entity to operate a particular Taxi or Ramp Taxi vehicle in the City.

"Medallion Application" shall mean the form provided by the SFMTA and completed by an individual, joint tenants, or Business Entity that wishes to purchase a Medallion.

"Medallion Holder" shall mean the individual, joint tenants, or Business Entity to which a Medallion was issued.

"Medallion Surrender Payment" shall mean the amount of money paid by the SFMTA to a Medallion Holder in exchange for surrender of ~~his or her~~ the Medallion so that the SFMTA may transfer it to a new Medallion Holder.

"Medallion Transfer Allocation" shall mean the percentage of the Medallion Transfer Price that shall be paid to the SFMTA from the proceeds of the Retransfer of a Medallion.

"Medallion Transfer Price" shall mean the fixed price paid by the Transferee for the transfer or Retransfer of a Medallion, to be set by the SFMTA in accordance with this Article.

"Medallion Transfer Program" shall mean the program allowing the SFMTA to transfer Surrendered Medallions, or newly issued Medallions, at the Medallion Transfer Price and allowing certain Medallion Holders to Retransfer their Transferable Medallions at the Medallion Transfer Price in accordance with the terms of Section 1116 of this Article.

"Model Year" shall mean a model year designated by the manufacturer at the time of first assembly as a completed vehicle.

"Motor Vehicle for Hire" shall mean every type of privately owned motor vehicle, as defined in the Vehicle Code, which is available for hire and over which the City may exercise jurisdiction, except as otherwise specified in this Article 1100. For purposes of this Article, "Motor Vehicle for Hire" shall not include Non-Standard Vehicle as defined in Section 1202 of this Code.

"Motor Vehicle for Hire Permit" shall mean a permit issued by the SFMTA for the operation of an identified vehicle for the purpose of transporting passengers for a price, including Taxi or Ramp Taxi Medallions, and does not include Dispatch Service, Color Scheme, Driver, or Non-Standard Vehicle Permits.

"Non-Transferable Medallion" shall mean a Medallion that is not eligible for the Medallion Transfer Program.

"Notice of Denial" shall mean a notice informing an applicant for a permit that the SFMTA has decided to deny the application for the permit under Section 1117 of this Article.

"Notice of Grant" shall mean a notice informing an applicant for a permit that the SFMTA has decided to grant the application for the permit under Section 1117 of this Article.

"Notice of Inactive Status" shall mean a notice informing an applicant for a permit that the SFMTA no longer deems the application active due to the occurrence of one or more of the events described in Section 1103(b) of this Article.

"Notice of Nonrenewal" shall mean a notice informing a Permit Holder that the SFMTA has determined that the permit will not be renewed in accordance with Section 1105(a)(5)(B) of this Article.

"Notice of Summary Suspension" shall mean a notice informing a Permit Holder that the SFMTA has decided to summarily suspend the permit in accordance with Section 1121 of this Article.

"Original Equipment Manufacturer (O.E.M.)" shall mean any equipment installed on a vehicle when the vehicle was initially manufactured.

"On-Board Diagnostic (OBD) Device" shall mean a device used to supplement the dispatch equipment installed in the Taxi if such equipment is incapable of delivering the Electronic Trip Data to the Electronic Taxi Access System in real-time.

"Paratransit Broker" shall mean the contractor retained by SFMTA to administer the Paratransit Program.

"Paratransit Coordinating Council" shall mean the Community Advisory Committee that advises the SFMTA regarding paratransit services.

"Paratransit Debit Card" shall mean the fare media issued through the Paratransit Program for use in taxis or other vehicles that are associated with the Paratransit Program.

"Paratransit Program" shall mean the SFMTA program to provide transit services for people unable to independently use public transit because of a disability or disabling health condition.

"Participating Color Scheme" shall mean a Color Scheme that has entered into an agreement with the SFMTA for the operation of Medallions that are part of the Medallion Transfer Program, in accordance with Section 1116(n) of this Article.

"Passenger Payment Device" shall mean a Payment Card Industry-compliant device that allows customers to swipe their own credit card and choose their own tip amount. Formerly known as a Passenger Information Monitor (PIM).

"Payment Card Industry Data Security Standard (PCI DSS)" shall mean the worldwide information security standard assembled by the Payment Card Industry Security Standards Council to help organizations that process card payments prevent credit card fraud.

"Permit Fee" shall mean a fee in an amount established by the SFMTA Board, required to be paid by a permit applicant for permit issuance or renewal, including any late payment penalties or interest for failure to pay in accordance with the requirements of this Article and any other regulations adopted by the SFMTA Board.

"Permit Holder" shall mean any person, joint tenants, Business Entity, firm, partnership, association, or corporation which holds any permit issued by or under the authority of the SFMTA to drive, operate or cause to be operated any Motor Vehicle for Hire or to operate any Dispatch Service or Color Scheme pursuant to this Article, and any agent of such Permit Holder including, but not limited to, any owner, manager, employee, or lessee of such Permit Holder.

"Police Department" shall mean the Police Department of the City and County of San Francisco.

"Post-K Medallion" shall mean a Medallion issued to a natural person after June 6, 1978 and prior to the implementation of the Taxi Medallion Sales Pilot Program on March 28,

2010. Post-K Medallions are exclusive to natural persons and are eligible for surrender for consideration in accordance with Section 1116.

"Pre-K Corporate Medallion" shall mean a Medallion issued to a corporate entity prior to June 6, 1978 that is not eligible for surrender for consideration in accordance with Section 1116 of this Article ~~and that shall expire on June 30, 2019 and shall not be eligible for renewal.~~

"Pre-K Medallion" shall mean a Medallion issued to one or more natural persons prior to June 6, 1978 that is not eligible for surrender for consideration in accordance with Section 1116 of this Article ~~shall expire on June 30, 2019 and shall not be eligible for renewal.~~

"Prohibited Drugs" shall mean marijuana, amphetamines, methylenedioxymethamphetamine (MDMA), methylenedioxyamphetamine (MDA), opiates, phencyclidine (PCP), and cocaine.

"Qualified Lender" shall mean a lender approved by the Director of Transportation to finance the transfer of Medallions under the former Taxi Medallion Sales Pilot Program or the Taxi Medallion Transfer Program.

"Ramp Taxi" or "Wheelchair Accessible Vehicle" shall mean a Taxi that is specially adapted with access for wheelchair users.

"Ramp Taxi Medallion" shall mean a permit issued by the SFMTA to operate a particular Taxi vehicle that is specially adapted with access for wheelchair users and is not eligible for surrender for consideration or transfer under Section 1116.

"Ramp Taxi Program" shall mean the SFMTA program that oversees the delivery of transportation services to individuals whose disabilities require the use of vehicles equipped with a ramp.

"Rates of Fare" shall mean the fees and charges that are authorized by the SFMTA Board that may be charged to the public by a Permit Holder in consideration for transport by a Motor Vehicle for Hire.

"Renewal Fee" shall mean a fee in an amount established by the SFMTA Board, payable as a condition for renewal of a permit, and including any late payment penalties or interest for failure to pay in accordance with the requirements of this Article or any other regulation adopted by the SFMTA Board.

"Respondent" shall mean a person or entity to whom a Notice of Nonrenewal under Section 1105(a)(5)(B), Notice of Inactive Status under Section 1103(b)(4), Notice of Summary Suspension under Section 1121, Citation under Section 1119(a), or Citation for a violation listed under Section 1118(a) is delivered.

~~**"Response Time Goals"** shall mean the measure of industry performance expressed by the time elapsed between the time a Dispatch Service receives a request for service to the time that a Taxi or Ramp Taxi actually arrives at the location specified by the customer for pick up. The currently applicable Response Time Goals are as follows:~~

- ~~(1) — 70% of the time, a Taxi or Ramp Taxi will arrive within 10 minutes of the service call.~~
- ~~(2) — 80% of the time, a Taxi or Ramp Taxi will arrive within 15 minutes of the service call.~~
- ~~(3) — 99% of the time, a Taxi or Ramp Taxi will arrive within 30 minutes of the service call.~~

"Retransfer" shall mean the transfer of a Transferable Medallion by the SFMTA to a Transferee under the Medallion Transfer Program.

"SFMTA" shall mean the San Francisco Municipal Transportation Agency of the City, or any predecessor agency with regulatory jurisdiction over Motor Vehicles for Hire, or its authorized designee.

~~**"Single Operator Part-time Taxi Medallion"** shall mean a permit issued by the SFMTA to a Driver who qualifies on the basis of A-Card seniority to operate a particular hybrid, Compressed Natural Gas (CNG) or electric taxi vehicle, or other vehicle as authorized by the SFMTA, for a fixed period of years on a part-time basis, and in accordance with permit conditions set by the SFMTA and is not eligible for surrender for consideration or transfer under Section 1116.~~

"Surrendered Medallion" shall mean a Medallion surrendered to the SFMTA in exchange for receipt of the Medallion Surrender Payment in accordance with Section 1116 of this Article.

"Taxi" shall mean a vehicle operated pursuant to a Taxi or Ramp Taxi Medallion that is legally authorized to pick up passengers within the City with or without prearrangement, of a distinctive color or colors and which is operated at rates per mile or upon a waiting-time basis, or both, as measured by a Taximeter, and which is used for the transportation of passengers for hire over and along the public streets, not over a defined route but, as to the route and destination, in accordance with and under the direction of the passenger or person hiring such vehicle.

"Taxi Driver Drug and Alcohol Testing Policy" shall mean the policy adopted by the SFMTA Board on October 20, 2015, as may be amended from time to time, and which is in compliance with California Government Code Section 53075.53, which requires that local entities regulating taxicab service adopt a mandatory drug and alcohol testing program for Taxi Drivers.

"Taxi Medallion Sales Pilot Program" shall mean the former program adopted by the SFMTA Board of Directors for the transfer of certain Medallions at an established price to a Transferee who is qualified to hold a Medallion under this Article.

"Taximeter" shall mean a device attached to a Motor Vehicle for Hire which mechanically or electronically calculates the fare to be charged to the passenger, either on the basis of distance traveled or for waiting time, or a combination thereof, and upon which the amount of the fare is indicated by means of numerals in dollars and cents.

"Transferable Medallion" shall mean a Medallion that is transferable because it has been transferred at least once in accordance with Section 1116 of this Article or it has been newly issued by the SFMTA on or after March 28, 2010. Medallions that have never been

transferred but are held by Medallion Holders who are eligible to surrender their Medallions under the provisions of Section 1116(a)(1) or (a)(2) are not Transferable Medallions.

"Transferee" shall mean an individual, joint tenants, or Business Entity that qualifies under Section 1116(c) of this Article as a recipient of the transfer or Retransfer of a Medallion.

"Transferor" shall mean a Medallion Holder who qualifies under Section 1116(d) of this Article to Retransfer a Transferable Medallion(s).

"Use Agreement" shall mean an agreement between the SFMTA and a Color Scheme Permit Holder or a Driver granting the Color Scheme or Driver a designated Medallion for a specified period of time in accordance with the conditions stated in the agreement and in exchange for a monthly fee payable to the SFMTA.

"Vehicle Number" shall mean the unique identifying number associated with each Taxi or Ramp Taxi vehicle.

"Waiting List" shall mean a list of applicants for Taxi Medallions for whom such Medallions are not yet available, maintained in the order of receipt of complete applications from qualified applicants.

"Wheelchair Accessible Vehicle" or "WAV," also known as "Ramp Taxi," shall mean a Taxi that is specially adapted with access for wheelchair users.

SEC. 1103. PERMIT APPLICATIONS AND RENEWAL.

* * * *

(c) 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~~ their fingerprints; and
- (B) Take and pass a written examination; and
- (C) Demonstrate that ~~he or she has~~ they have successfully completed a

~~Driver Training Course~~ an SFMTA-approved course for new Drivers; and

(D) ~~Provide photographs of the applicant, taken no more than 12 months prior to the time of application~~ Be available to have a photo taken at SFMTA; and

* * * *

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

(A) Be clean in dress and person;

(B) 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;

(C) Have a current California driver's license ~~and have held a valid driver's license issued in the United States for one year immediately prior to the date of application;~~

* * * *

(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)(E). 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)(E).

(B) The SFMTA may require Drivers to successfully complete a Driver Training Course for current Drivers as a condition of renewal of their Driver Permits.

(C) **Lapse of Active Permit Status; New Application.** A Driver Permit Holder who fails to renew ~~his or her~~ their Driver Permit within the deadline for renewal set by the SFMTA may renew ~~his or her~~ their Driver Permit upon submission of a new Driver Permit application and completion of all requirements established by SFMTA for such late renewals.

(D) Every Driver must submit to a drug test as a condition of renewal of ~~his or her~~ their A-Card as provided by the Taxi Driver Drug and Alcohol Testing Policy, and must receive a negative test result as a condition for renewal of the A-Card.

(d) **Requirements Applicable to Medallion Applications.**

(1) **Waiting List.** In the absence of any other preference specified in this Article, applicants for a Medallion, ~~other than a Ramp Taxi Medallion,~~ shall be processed and considered by the SFMTA in chronological order by the date that each complete Medallion application was received from a qualified applicant. The SFMTA may periodically require applicants to execute written statements to reaffirm their desire to keep their applications active.

* * * *

(f) **Requirements Applicable To Dispatch Service Permit Applications.**

(1) **Dispatch Service Permit Applications.** Any application for a Dispatch Service Permit must be made on a form provided by the SFMTA. After receiving a Dispatch Service Permit application, the SFMTA shall conduct an investigation to ensure that the applicant meets all requirements of this Article. In addition to any other documents establishing compliance with laws and regulations that the SFMTA may require as a condition of approval for the permit, the applicant must provide:

- (A) Proof of all required insurance;
- (B) Current San Francisco business license;
- (C) Any signed partnership agreement, if applicable;
- (D) The Dispatch Service telephone number;
- (E) A signed agreement with an approved E-Hail application; and
- (F) A list of affiliated Color Schemes.

(1~~2~~) **Dispatch Service Permit Transfers.** Any transfer of a Dispatch Service permit must be approved in advance by the SFMTA. The Permit Holder shall give notice to the SFMTA of the intended transfer at least 30 calendar days prior to such transfer. Prior to approving a transfer of a Dispatch Service permit, the SFMTA shall conduct an investigation to ensure that the proposed transferee meets all requirements of this Article. For the purpose

of this subsection, the transfer of a business means the transfer of 50% or more of an ownership interest in the business to a person or entity that did not already hold an ownership interest in the business as of September 17, 2013. In addition to any other documents establishing compliance with laws and regulations that the SFMTA may require as a condition of approval of the transfer, the parties to the transfer must provide:

- (A) Proof of compliance with the requirements of this Article applicable to Dispatch Service Permit Holders, including all required insurance;
- (B) A business license;
- (C) A signed partnership agreement among multiple purchasers or documentation of current valid corporate status; and
- (D) A signed lease establishing the buyer's right of occupancy at a business premises.

(3) Permit Renewal Requirements. No Dispatch Service Permit shall be renewed unless the Permit Holder files the following documents by May 1 of each year:

- (A) An updated emergency plan;
- (B) Insurance certificates demonstrating compliance with all required insurance;
- (C) Current San Francisco business license;
- (D) Signed agreement evidencing any corporate, partnership, limited liability, or other form of business organization recognized by the California Secretary of State, if applicable;
- (E) Dispatch Service telephone number;
- (F) Signed agreement with an approved E-Hail application provider; and
- (G) List of affiliated Color Schemes.

(g) Requirements Applicable To Color Scheme Permit Applications.

(1) Color Scheme Permit Applications. Any application for a Color Scheme Permit must be made on a form provided by the SFMTA. After receiving a Color Scheme Permit

application, the SFMTA shall conduct an investigation to ensure that the proposed applicant meets all requirements of this Article. In addition to any other documents establishing compliance with law and regulations that the SFMTA may require as a condition of approval of the permit, the applicant must provide:

(A) Proof of all required insurance;

(B) Current San Francisco business license;

(C) Any signed partnership agreement among multiple purchasers or documentation of valid corporate status;

(D) A signed lease establishing the permit applicant's right of occupancy at a location to be used as the business premises;

(E) A signed agreement with a permitted Dispatch Service; and

(F) A schedule of Gate Fees.

(±2) Color Scheme Permit Transfers. Any transfer of a Color Scheme permit must be approved in advance by the SFMTA. Prior to approving a transfer of a Color Scheme Permit, the SFMTA shall conduct an investigation to ensure that the proposed transferee meets all requirements of this Article. For the purpose of this subsection, the transfer of a business means the transfer of 50% or more of an ownership interest in the business to a person or entity that did not already hold an ownership interest in the business as of June 19, 2009. In addition to any other documents establishing compliance with laws and regulations that the SFMTA may require as a condition of approval of the transfer, the parties to the transfer must provide:

(A) Proof of all required insurance,

(B) A business license,

(C) Any signed partnership agreement among multiple purchasers or documentation of current valid corporate status,

(D) A signed lease establishing the buyer's right of occupancy at a business premises,

(E) A signed agreement with a permitted dispatch service, and

(F) A schedule of gate fees.

(23) **Permit Renewal Requirements.** No Color Scheme Permit shall be renewed unless the Permit Holder files the following documents by May 1 of each year:

(A) Current San Francisco business license;

(B) Completed designated manager form(s);

(C) Current list of all affiliated Drivers, Medallion Holders and type of Lease for each;

(D) Insurance certificates demonstrating compliance with the insurance requirements of this Article for every vehicle and Medallion affiliated with the Color Scheme;

(E) Copy of company drug-free workplace policy; and

(F) Sworn statement attesting to compliance with this Article and applicable state and federal laws.

(h) **Moratorium on Issuance of Permits.** The Director of Transportation may impose a moratorium on the issuance of new Color Scheme Permits or Dispatch Service Permits upon ~~his or her determination~~ determining that the issuance of such permits will not serve the public interest. The Director of Transportation shall notify the Board of Directors immediately upon making such a determination. The notification, which shall be posted in accordance with Section 1123(a), shall include the reasons for the Director's determination that issuance of new permits will not serve the public interest, and the expected duration of the moratorium. In no event shall such a moratorium last for more than a year without the approval of the Board of Directors.

(i) **Medallion Renewal Requirements.** No Medallion shall be renewed unless the following requirements are satisfied by May 1 of each year:

(1) **Transferable Medallions:**

(A) Pay the applicable Renewal Fee; and

(B) Sign a statement under penalty of perjury affirming eligibility for the

Transferable Medallion on a form provided by SFMTA.

(2) **Post-K Medallions:**

(A) Pay the applicable Renewal Fee;

(B) Sign a statement under penalty of perjury affirming eligibility for the

Post-K Medallion on a form provided by SFMTA;

(C) Submit a copy of a valid California driver's license; and

(D) Maintain a valid A-Card.

(3) **Pre-K Medallions:**

(A) Pay the applicable Renewal Fee; and

(B) Sign a statement under penalty of perjury affirming eligibility for the Pre-

K Medallion on a form provided by SFMTA.

(4) **Pre-K Corporate Medallions:**

(A) Pay the applicable Renewal Fee;

(B) Sign a statement under penalty of perjury affirming eligibility for the Pre-

K Corporate Medallion on a form provided by SFMTA;

(C) Copy of current stock register; and

(D) Copy of current filed copy of Statement of Domestic Stock Corporation

issued by the California Secretary of State.

SEC. 1105. GENERAL PERMIT CONDITIONS.

(a) Conditions Applicable to All Permits.

* * * *

(5) **Duration of Permits.**

(A) Unless earlier revoked or suspended, all permits shall expire one year following their issuance or renewal, or on another date as specified by the SFMTA.

(B) As a condition of renewal, a Permit Holder must pay the applicable Renewal Fee, meet the eligibility requirements required for new applicants listed in Sections 1103 and 1104, and may be required to sign a statement under penalty of perjury affirming eligibility for the permit.

(6) **Compliance with Laws and Regulations.** Every Permit Holder shall comply with, and shall ensure that their affiliated vehicles, employees, Permit Holders, lessees, Dispatch Service, and Color Scheme shall comply with the provisions of this Article, the San Francisco Charter and Municipal Code, the California Vehicle Code, California Worker's Compensation laws, the Americans with Disabilities Act, and all regulations adopted by the Oakland and San Francisco International Airports, San Francisco Department of Public Health, and any other governmental jurisdictions through which the Permit Holders traverse.

(7) **Cooperation with Lawful Orders.** Every Permit Holder shall cooperate with and obey any lawful request or order of a Parking Control Officer, peace officer, or the Director, or the Director's designee, including, but not limited to, providing upon request the Permit Holder's name, the permit number, official identification, and any documents required by this Article to be in the Permit Holder's possession. All Permit Holders shall respond to routine SFMTA or Police Department inquiries within 24 hours, and shall immediately respond to any SFMTA or Police Department emergency request.

(8) **Cooperation with Regulatory Agencies; False Statements.** Every Permit Holder shall at all times, fully cooperate with a Parking Control Officer, Peace Officer, or the Director, ~~or his or her~~ the Director's designee, on all matters relating to regulatory compliance at all times, including but not limited to timely compliance with requests for the inspection of records. Permit Holders shall not hinder, delay the production of, or withhold

information or records, or knowingly make false or misleading statements to a peace officer or to the SFMTA, or withhold information on any matter relating to regulatory compliance. No Permit Holder shall make any false claim or false request for payment or approval to the SFMTA, its contractors or employees.

(9) Continuous Operation Requirement; Temporary Suspension; Revocation.

(A) ~~With the exception of Single Operator Part-time Medallion holders and Medallion Holders who obtained their Medallion prior to June 6, 1978, a~~All Permit Holders shall operate or arrange for the operation of their permit on each day of the year, or other dates or times during which the permit conditions require operation of the permit.

(B) Permit Holders may temporarily suspend permit operations only with the prior written approval of the SFMTA. SFMTA approval is not required in the case of bona fide emergencies, natural disasters, or other similar major events beyond the control of the Permit Holder.

(C) Upon written request, the SFMTA may grant permission to suspend a permit for good cause shown for a period not to exceed 90 days in a 12-month period. The SFMTA may, in its sole and absolute discretion, allow another Permit Holder to operate the permit during the period of temporary suspension if the other Permit Holder is qualified and such operation would be in the public interest. This ~~subparagraph~~ subsection ~~(a)(9)(C)~~ does not suspend the application of the Full-Time Driving requirement.

(D) If a permit is not operated for a period of 15 calendar days in violation of applicable permit conditions, the SFMTA shall notify the Permit Holder that the permit will be revoked if operation of the permit is not resumed within five calendar days of the notice. If permit operation is not resumed within five days of the notice, as determined by the Permit Holder's substantial compliance with all permit conditions, then SFMTA may immediately revoke the permit.

(E) This subsection (9) does not require any Permit Holder to drive continuously.

* * * *

(12) ~~Unattended Vehicles. No Taxi vehicle may be left unattended on a public street for more than four hours~~Reserved.

(13) **Current Address Required; Emergency Contact Notification.** All Permit Holders shall keep contact information current with the SFMTA. All Medallion Holders and Drivers shall keep contact information current with their Color Schemes. Every Permit Holder shall give written notice to the SFMTA within 10 business days of any change of residence address, telephone number(s), and/or electronic mail address(es), and shall accept mail at the address provided to the SFMTA. Color Scheme and Dispatch Service changes of address are subject to the prior written approval of the SFMTA. No Permit Holder may use a post office box as a current address.

(14) **Service of Process.** All Permit Holders agree to accept service of process, official notices, and correspondence (collectively, "service of process") from the SFMTA as a condition of retaining a permit. Color Schemes must accept service of process from the SFMTA on behalf of any Permit Holder affiliated with that Color Scheme.

(15) **Payments Due.** No permit shall be issued or renewed until the applicant has paid all fines, fees, taxes, liens, judgments or other debts owing to the City.

(16) ~~Response Time Goals. All Permit Holders shall make best efforts to comply with Response Time Goals at all times~~Reserved.

(17) **Operation by Driver Permit Holders.** No Permit Holder shall knowingly allow the use of a Taxi or Ramp Taxi vehicle as a motor vehicle for hire by any person who does not hold a Driver Permit and California driver's license, or by any person who is not covered by the insurance policy issued for the Taxi vehicle.

(18) **Retaliation.** No Permit Holder shall retaliate against another individual or entity for the exercise of any right provided by this Article.

(b) **Electronic Taxi Access System.** Each Dispatch Service Permit Holder shall integrate its dispatch system with and implement the Electronic Taxi Access System, and shall electronically transfer all of its Electronic Trip Data to the Electronic Taxi Access System in real-time as required by this Section 1105(b).

(1) Each Color Scheme Permit Holder and Dispatch Service Permit Holder shall cooperate with the SFMTA ~~and the Electronic Taxi Access System Provider~~ to ensure integration is conducted in accordance with the security measures and timeline established by the SFMTA.

(2) Each Color Scheme Permit Holder and Dispatch Service Permit Holder shall install all equipment, including dispatch equipment and/or an OBD device, deemed necessary by the SFMTA, in its sole and absolute discretion, to implement the Electronic Taxi Access System and electronically transfer all Electronic Trip Data to the Electronic Taxi Access System.

(3) Each Color Scheme Permit Holder and Medallion Holder shall be required to install an OBD device prescribed by the SFMTA in each of its affiliated Taxis if the SFMTA ~~or the Electronic Taxi Access System Provider~~ determines that installation of the OBD is necessary to meet the equipment, data, or security requirements of the Electronic Taxi Access System.

(4) ~~Neither the Electronic Taxi Access System Provider nor~~ The SFMTA shall not be responsible for any equipment, or for the failure of any equipment, installed inside the Taxi for the Electronic Taxi Access System.

(5) Each Dispatch Service Permit Holder and Color Scheme Permit Holder shall promptly notify the SFMTA ~~and the Electronic Taxi Access System Provider~~ of any equipment, data and/or security failure that may limit or restrict the ability of the Electronic

Taxi Access System to securely collect Electronic Trip Data in real time. The Dispatch Service Permit Holder and Color Scheme Permit Holder shall be responsible for taking corrective measures within 24 hours of any equipment, data, and/or security failure, and shall promptly inform the SFMTA ~~and the Electronic Taxi Access System Provider~~ of the corrective action. In no event shall the ~~Electronic Taxi Access System Provider~~ or the SFMTA be responsible for the equipment, data, and/or security failure.

(6) No Permit Holder may disconnect or disable any equipment or software that is required by the SFMTA for the Electronic Taxi Access System. The failure of any Permit Holder to cooperate with the SFMTA ~~or the Electronic Taxi Access System Provider~~ to implement the Electronic Taxi Access System shall be grounds for suspension of the permit until the Permit Holder complies with the requirements of this Section.

SEC. 1106. CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS.

In addition to all other conditions applicable to a Color Scheme Permit, each Color Scheme Permit Holder shall meet the following requirements and performance standards:

* * * *

(k) **Vehicle Maintenance and Cleaning.**

* * * *

(5) Unattended Vehicles. Every Color Scheme shall ensure that no Taxi vehicle that is affiliated with such Color Scheme is left unattended on a public street for more than four hours.

* * * *

(o) **Required Notifications.**

(1) ~~By the fifth day of each month~~ Upon request from the SFMTA, each Color Scheme must ~~file~~ provide a report ~~with~~ to the SFMTA listing each accident that occurred during the ~~previous month~~ period specified, involving any Taxi or Ramp Taxi affiliated with the Color Scheme and resulting in property damage or bodily injury. Color Schemes must retain any report provided to SFMTA pursuant to this subsection (o)(1) for at least five years.

(2) Color Schemes must notify the SFMTA in advance of any change in the name, address, or telephone number under which taxi service is provided by the Color Scheme. A change of name or address requires the prior approval of the SFMTA.

(3) Color Schemes have an affirmative obligation to report to the SFMTA any actual knowledge that a Driver is engaged in the sale, use, or possession of drugs or alcohol in a Taxi or Ramp Taxi vehicle.

(4) Color Schemes must notify the SFMTA when Found Property is returned to its owner.

(5) **Death of Medallion Holder.** Upon receiving notice of the death of a Medallion Holder affiliated with or employed by a Color Scheme, the Color Scheme must notify the SFMTA within 14 calendar days of receipt of the notice of the death.

(A) **Non-Transferable Medallion.** If the deceased Medallion Holder held a Non-Transferable Medallion, then the Color Scheme must return the Medallion within 14 calendar days of notice to the SFMTA. The SFMTA, may, in its discretion, extend the deadline for return of the Medallion to the SFMTA if it determines that the Medallion could not be promptly re-issued to an applicant on the Waiting List, and that such an extension would be in the public interest. During any such period of extension, in lieu of making medallion lease payments to the former Medallion Holder, the Color Scheme shall pay to the SFMTA a monthly fee of \$750 beginning as of the 15th day following the notice of death and until such date as the SFMTA requires the return of the Medallion.

(B) **Transferable Medallion.** If the deceased Medallion Holder held a Transferable Medallion, the Color Scheme must return the Medallion to SFMTA in accordance with Section 1116(n).

(p) **Color Scheme Obligations Related To Drivers.**

(1) Each Color Scheme shall ensure that every affiliated Driver holds a valid A-Card.

(2) A Color Scheme shall issue receipts for any payments received from any Driver. A Color Scheme shall accept payment of Gate Fees by credit or debit card, and shall impose no charge or fee on Drivers who pay their Gate Fees by credit or debit card.

(3) A Color Scheme shall offer cashiering services, through a third-party merchant account holder that conforms to PCI DSS standards, to any Driver for credit and debit card transactions collected by that Driver as payment of taxi fare while that Driver was driving a vehicle affiliated with that Color Scheme. A Color Scheme may charge a Driver a fee for the cashiering service, which shall not exceed 3.5% of the total amount of the credit or debit card transactions presented to the Color Scheme. A Color Scheme must require its third-party merchant account holder to deposit the proceeds of the Driver's credit and debit card transactions, minus the fee of up to 3.5%, in an account of the Driver's choice within one business day. A Color Scheme may not require a Driver to use its merchant account holder, and may impose no charge for credit and debit cashiering services in addition to the up to 3.5% fee on Drivers who choose to use the Color Scheme's third-party merchant account holder to cash credit and debit card payments.

(4) Each Color Scheme shall inform every Driver of the applicable state and federal laws governing maximum driving hours for the operators of a commercial passenger-carrying vehicles, and must inform every Driver of ~~his or her~~ the Driver's obligation to comply with such laws.

(q) **Taxi Driver Drug and Alcohol Testing Policy; Policy.**

(1) Color Schemes must comply with all relevant provisions of the Taxi Driver Drug and Alcohol Testing Policy, including but not limited to the following:

(A) Removing a Taxi Driver from ~~his or her~~ their duties temporarily as provided by the Policy after a test demonstrating that the Taxi Driver has a confirmed alcohol concentration of greater than 0.02 and less than .04;

(B) Referring and transporting Drivers for reasonable suspicion testing in conformance with requirements of the Policy, and paying the costs of such testing;

(C) Referring and transporting Drivers for post-accident testing in conformance with the requirements of the Policy, and paying the costs of such testing;

(D) Ensuring that at least one current on-site employee has received two hours of post-accident testing training and reasonable suspicion testing training within the past twelve months. Training shall be provided by the SFMTA's contractor at the Color Scheme's expense;

(E) Providing all Drivers with educational materials provided by the SFMTA related to the Policy and materials explaining the Color Scheme's policy regarding use of drugs and alcohol; and

(F) Maintaining the confidentiality of any records related to the results of drug and alcohol tests of Drivers administered under the Policy.

* * * *

SEC. 1107. CONDITIONS APPLICABLE TO DISPATCH SERVICE PERMITS.

(a) In addition to all other conditions applicable to a Dispatch Service Permit, each Dispatch Service Permit Holder shall comply with the following performance standards:

(b) **Minimum Dispatch Service Standards.**

(1) A Dispatch Service must affiliate with at least 100 medallions ~~and must successfully complete an average of at least 500 verifiable Dispatch requests per day with an average of a least five completed Dispatch requests per medallion, per day.~~ Dispatch Service Permit holders must comply with this requirement no later than six months after permit issuance. Failure to come into compliance within six months of permit issuance will result in the Dispatch Service Permit holder being placed on Administrative Probation pursuant to Section 1107(b)(2) below.

(2) Any Dispatch Service that does not ~~meet the minimum required levels for completion of Dispatch requests per medallion~~ meet the medallion affiliation requirement set forth in

Section 1107(b)(1), ~~and all Color Scheme Permit Holders affiliated with that Dispatch Service Holder~~ shall be placed on Administrative Probation for not more than 90 days. If after 90 days the Dispatch Service cannot meet the ~~applicable minimum~~ medallion affiliation requirement, ~~required levels for completion of Dispatch requests per medallion~~, the Dispatch Service permit shall be automatically revoked and all affiliated Color Scheme Permit Holders shall affiliate with a Dispatch Service that meets ~~minimum service standards~~ the requirement.

(c) **Dispatch Service Operational Requirements.** A Dispatch Service must:

(1) Maintain and update an emergency plan that conforms to SFMTA requirements for Drivers and Dispatch Service employees to follow in emergencies, and file an updated emergency plan annually at the time of permit renewal.

(2) Answer all calls by humans, ~~or by~~ mechanical or other device, within six rings 365 days per year, 24 hours per day. At least one person shall be available to respond to calls at all times. -

(3) ~~Assign each dispatcher, operator and/or call taker employed by the Dispatch Service a unique individual identifier~~ Reserved.

(4) Require all dispatchers, operators, and/or call takers, to answer a call with the name of the Dispatch Service, and, upon request of the caller, to identify themselves with either ~~their~~ a unique individual identifier or their legal name.

(5) ~~If two or more Color Schemes share the same Dispatch Service, the Dispatch Service may not dispatch a vehicle from a Color Scheme other than the one requested by the caller to respond to the call until the Dispatch Service operator first advises the customer of the Color Scheme of the vehicle that will respond to the call.~~ Dispatch a vehicle from the Color Scheme requested by the caller in the event that two or more Color Schemes share the same Dispatch Service and may only dispatch a vehicle from a different Color Scheme if the operator first advises the customer of the Color Scheme of the vehicle that will respond to the call.

(6) Comply with all applicable state laws and regulations concerning Workers' Compensation.

(7) ~~Must a~~ Affiliate with an e-hail application provider that meets criteria established by the Director of Transportation.

(d) **Found Property.**

(1) Dispatch Service Permit Holders shall take reasonable measures to attempt to return Found Property to its rightful owner in a timely fashion. If the owner cannot be contacted, the property shall be held for safekeeping for a period of not less than 120 days. A receipt shall be issued to the Driver for each item turned in.

(2) If the Found Property is currency, is not currency but is of the value of \$100 or more, is either a serialized item or an electronic device or contains owners identification information, within 30 calendar days the Dispatch Service Permit Holder shall transfer the property to the SFMTA, make a Police Report, and obtain both Police Incident Report Number and a receipt of the items processed.

(3) Dispatch Service Permit Holders shall advise passengers claiming to have lost property of value in a Taxi or Ramp Taxi, to make a lost property police report if their property has not been found. Color Schemes shall not inform customers to call 311 to report or recover Found Property.

(e) **Minimum Dispatch Equipment Requirements.** Each Dispatch Service permit holder must maintain at a minimum the following dispatch equipment and dispatch capacity:

(1) A hard-mounted driver information monitor or mobile data terminal capable of two-way communication to display and accept orders, which must be directly connected to the taximeter or connected to the taximeter as part of a secondary system such as a payment system;

(2) Integrated GPS to allow for nearest taxi distribution of available orders;

(3) Ability to dispatch entered orders based on vehicle type;

- (4) Configurable polling time of vehicle data and status;
- (5) Ability to report data on all orders entered into the system, including but not limited to: time and date, order status, drivers/vehicles rejected and drivers/vehicles accepted, all timing points of order (entry time, dispatch time, acceptance or rejected time, and trip completion time), abandoned and non-completed jobs, and driver login and logout status while on duty; ~~and~~
- (6) Functional direct voice access and two-way communication with all affiliated Taxis and Ramp Taxis; and
- (7) Dispatch equipment and system must be functional and active with 100% of the active fleet affiliated with the Dispatch Service Permit holder.

SEC. 1108. CONDITIONS APPLICABLE TO DRIVER PERMITS.

(a) **Driver Identification.** Upon issuance of a Driver Permit, the SFMTA will issue to each Driver a Driver Permit Card (A-Card). Every Driver shall conspicuously display ~~his or her~~ their A-Card on the outside of ~~his or her~~ their clothing at all times while operating a Motor Vehicle for Hire, and shall provide the A-Card for inspection upon request by the SFMTA or any peace officer. The A-Card shall be worn only by the Driver to whom it is issued.

(b) **Taxi Driver Alcohol and Drug Testing Policy.**

(1) Drivers must comply with all relevant provisions of the Taxi Driver Drug and Alcohol Policy, including but not limited to submitting to reasonable suspicion and post-accident drug and alcohol testing at the direction of the Color Scheme and as provided by the Taxi Driver Drug and Alcohol Testing Policy.

(2) No Driver may operate a Motor Vehicle for Hire while ~~his or her~~ their driving ability is impaired by alcohol, any Prohibited Drug, or prescription drugs. No Driver may consume alcohol or any Prohibited Drug while operating a Motor Vehicle for Hire.

(3) Drivers shall not sell or possess alcohol or Prohibited Drugs while operating a Motor Vehicle for Hire or at the Color Scheme's place of business.

(c) Notification to SFMTA of Change of Affiliation with Color Scheme.

In accordance with California Government Code Section 53075.53(b)(1)(B), a Driver's Permit shall be suspended for any period during which the Driver is not affiliated with a Color Scheme.

(d) Driver Duties at Beginning of Shift.

(1) A Driver is required to perform a safety check on a Motor Vehicle for Hire prior to placing it in operation. The Driver is responsible for ensuring that all equipment on the vehicle that is required by this Article is working properly, including but not limited to a Ramp Taxi ramp and securement system.

(2) A Driver is required to perform a communications test at the commencement of each shift to determine that there is functional communications equipment capable of both receiving and transmitting voice information. If communications equipment is not functional, that vehicle shall be taken out of service until such time as the communications equipment is functional.

(3) A Driver is responsible for ensuring that their vehicle is supplied with the following items:

- (A) 311 card;
- (B) A supply of receipts, preprinted with the name of the affiliated Color Scheme; and
- (C) Current maps of San Francisco and San Mateo counties or a functional GPS device;
- (D) Working flashlight, if driving at night;
- (E) SF Paratransit manual trip ticket forms; and
- (F) Back-up credit card payment processing device and any supplies required for its operation.

(4) A Driver shall ensure that the vehicle is clean inside and out and free of offensive odors, wash the exterior of the vehicle and/or sweep the interior passenger compartment and trunk as needed, and remove any loose items from the vehicle's dashboard and/or rear shelf.

(e) **Driver Duties During Shift.**

(1) A Driver shall not refuse, or direct or permit the refusal, of prospective passengers in any place within the City for transportation to any other place in the City, or to or from the San Francisco International Airport, or to the Oakland International Airport, or paratransit passengers within the Paratransit Program service area, at rates authorized by law, if the prospective passengers present themselves for transportation in a clean, coherent, safe, and orderly manner and for a lawful purpose and the Driver has sufficient time before the end of ~~his or her~~ the Driver's shift to transport the prospective passengers to their destination.

(2) A Driver shall not refuse to transport a passenger's luggage, wheelchair or other mobility device, crutches, or other property that can be transported within the confines of the vehicle's trunk and/or passenger areas. A Driver may refuse to convey a passenger who requests taxi service for the primary purpose of transporting goods or cargo if in the Driver's judgment the amount of goods to be carried could result in unsafe driving or damage to the vehicle.

(3) No Driver may refuse to transport a person with a physical disability in the front seat to accommodate the person's physical disability.

(4) A Driver shall not refuse to transport any service animal, or a secured, well-behaved, and/or contained animal except when the Driver has documentation from a licensed physician of a medical condition that prevents contact with that type of animal ~~on file with the SFMTA.~~

(5) A Driver shall, if requested, take reasonable measures to assist a passenger as necessary to get into and out of the vehicle, or to load or unload luggage, only

to the extent that such assistance is within the physical capacity of the Driver. The Driver shall record the request for assistance and results. If the Driver feels that ~~his or her~~their personal health or safety is at risk or is otherwise unable to assist the passenger, the Driver shall request appropriate assistance capable of handling the request from the Dispatch Service. If the passenger(s) has such a large amount of baggage, luggage, packages, and/or equipment to be loaded or unloaded that the Driver's departure is delayed, or when it is necessary to wait for dispatched assistance to arrive, the Driver shall inform the passenger(s) of ~~his or her~~their intention to activate the Taximeter.

(6) Every Driver shall, if requested, assist a person with physical disabilities or an elderly person to get into and out of the vehicle and ensure the passenger is properly secured in the vehicle prior to transport. If a Driver is unable to properly assist and/or secure the passenger, the Driver shall notify the Dispatch Service and request another Driver's assistance or other appropriate service capable of handling the request. The Driver shall record the request and results. The Driver shall remain with the passenger until assistance from another Driver or appropriate service has arrived.

(7) Every Driver must accept dispatch assignments when available from their Dispatch Service. Drivers must immediately notify their Dispatch Service if they are unable to service an accepted call.

(8) A passenger who first engages a Motor Vehicle for Hire has the exclusive right to conveyance therein to ~~his or her~~their destination. The Driver shall not solicit or accept any additional passenger without the prior consent of any passenger who has previously engaged the vehicle, or as authorized by SFMTA.

* * * *

(15) **Ramp Taxi Service.**

(A) ~~Every Ramp Taxi Driver shall meet an average response time to any request for service by a customer using a wheelchair of 20 minutes from the time that the Driver accepts the call~~Reserved.

(B) A Ramp Taxi Driver shall grant priority to requests for service from passengers who use wheelchairs, and once dispatched to a call from a customer using a wheelchair may not accept any other fare while ~~en~~en route to that dispatched call, except as otherwise instructed by the dispatcher. In the absence of a request for service to a passenger who uses a wheelchair, a Ramp Taxi Driver may transport any person.

* * * *

(27) The Driver shall keep the vehicle trunk and/or baggage area clean, free of items or materials that could damage or stain passengers' baggage, and free of any container containing flammable liquids. The Driver's personal property shall not impede the loading of passenger baggage.

* * * *

(34) Resolution of Fare Disputes. In any case of fare dispute between the Driver and passenger(s), the Driver shall call the Police or, with the consent of the passenger, convey the passenger(s) to the nearest police station, where the officer in charge shall immediately decide the case, and if the decision is in favor of the passenger, the Driver shall convey the passenger from the Police Station to ~~his or her~~their original destination without additional charge.

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SEC. 1109. CONDITIONS APPLICABLE TO MEDALLIONS.

(a) Affiliation With Color Scheme Required; Color Scheme Change.

(1) A Medallion Holder must affiliate with a single Color Scheme Permit holder and shall be deemed affiliated with a particular Color Scheme when the SFMTA approves its

application pursuant to this Article 1100, and shall entitle the Medallion Holder to the right to the use of that Color Scheme's trade dress and place of business.

(A) **Transferable Medallion.** A Transferable Medallion Holder must affiliate with a single Color Scheme Permit holder that complies with Section 1116(n).

(B) **Non-Transferable Medallion.** A Non-Transferable Medallion Holder shall affiliate with a single Color Scheme Permit Holder.

(2) Affiliation with a Color Scheme and/or the failure of a Color Scheme to comply with this Article does not relieve the Medallion Holder of ~~his or her~~their responsibility to comply with all requirements of this Article applicable to the Medallion Holder.

(3) A Medallion Holder may apply to the SFMTA for a change in affiliation. The applicant's choice of Color Scheme shall be subject to the prior approval of the SFMTA. A Medallion Holder's request for affiliation with a Color Scheme shall be approved unless the Color Scheme is on Administrative Probation pursuant to Section 1120(d). The SFMTA may delay or deny a change in Color Scheme affiliation by a Medallion Holder if a court of competent jurisdiction issues a temporary or permanent order to prohibit or delay the transfer. The Director of Transportation may waive the color scheme change fee payable under Section 320 if the Medallion Holder's current Color Scheme has ceased operation, or soon will cease operation, or if the SFMTA has revoked or suspended the Color Scheme's permit.

(b) **Use of Dispatch Service.** All Medallion Holders affiliated with a Color Scheme must utilize the same Dispatch Service.

(c) **Full-Time Driving Requirement.**

(1) Every Medallion Holder who is a natural person and who acquired ~~his or her~~their Medallion between June 6, 1978 and March 27, 2010 shall be a Full-Time Driver.

(2) **Exception for Certain Permits.** Notwithstanding any contrary provision in this Article, the requirements set forth in this Subsection 1109(c) shall not apply to any person, Business Entity, or joint tenants holding a Transferable Medallion.

(3) **Declaration Required.** No ~~Pre~~Post-K Medallion shall be renewed unless the Medallion Holder to whom such permit was issued shall declare under penalty of perjury that ~~he or she~~they will actively and personally continue to engage in Full-Time Driving.

(4) **Medallion Holders Responsible for Documenting Compliance.** A Medallion Holder subject to this Subsection 1109(c) has the responsibility to maintain ~~his or her~~their own business records, including, until April 30, 2013, or earlier pursuant to notice from the SFMTA that the Color Scheme for which he or she drives is affiliated with a Dispatch Service that has implemented a system for generating Electronic Trip Data, paper waybills. Paper waybills, Electronic Trip Data, or other corroborating documentary evidence completed in compliance with all requirements may be used to demonstrate compliance with the Full-Time Driving requirement. Failure of a Color Scheme to maintain business records, including paper waybills or Electronic Trip Data, as required by this Article shall not excuse a Medallion Holder subject to this Subsection 1109(c) from proving that ~~he or she has~~ they have satisfied this Subsection 1109(c) or any other requirement.

(5) **Partial Years.** During the year ~~that a Medallion is first issued or any year~~ in which operation of ~~the~~a Medallion was temporarily suspended with the approval of the SFMTA in accordance with Section 1105(a)(9), the number of driving hours required to meet the Full-Time Driving Requirement shall be reduced by the same proportion as the ratio of the Permit Holder's excused driving hours to the hours remaining in the calendar year.

(6) **Exception for Color Scheme Key Personnel.**

* * * *

(D) **Statement of Work by Key Personnel.** No later than February 1st of each year, each Color Scheme that has designated one or more employees as Key Personnel must submit a written Statement of Work on a form provided by SFMTA, demonstrating the number of hours during the previous calendar year that each of its designated Key Personnel worked on tasks related to the business of the Color Scheme,

including but not limited to, office duties, dispatching, cashiering, or performing management duties. The Statement of Work shall be signed under penalty of perjury by both the Color Scheme and the Medallion Holder designated as Key Personnel. The Color Scheme shall be responsible for submitting proof of employment with the Statement of Work, which shall consist of state or federal tax forms filed with the appropriate regulatory agency. A Medallion Holder and/or Color Scheme that submits a falsely sworn Statement of Work shall be subject to automatic revocation of ~~his or her~~their Permit.

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SEC. 1110. CONDITIONS APPLICABLE TO RAMP TAXI MEDALLIONS.

In addition to the conditions specified in Section 1105, the following conditions are applicable to Ramp Taxi Medallions ~~Holder~~s:

(a) **Serving Passengers Who Use Wheelchairs.**

(1) Every Ramp Taxi Medallion ~~Holder~~ of and Permit Holder with a Ramp Taxi Medallion Use Agreement for a Ramp Taxi Medallion shall grant priority to requests for service from passengers who use wheelchairs, and may not accept, or direct any Driver to accept, any other service request while en route to a dispatched call from a person who uses a wheelchair. In the absence of a request for service to a passenger who uses a wheelchair, a Ramp Taxi may transport any person.

(2) Every Ramp Taxi Medallion ~~Holder~~ of and Permit Holder with a Ramp Taxi Medallion Use Agreement for a Ramp Taxi Medallion must ensure that any person who is allowed to drive the Ramp Taxi holds a valid Driver Permit and satisfies any Ramp Taxi Driver training requirement set forth in the Use Agreement.

(3) Every Ramp Taxi Medallion ~~Holder~~ of Permit Holder with a Ramp Taxi Medallion Use Agreement for a Ramp Taxi Medallion must ensure that the Ramp Taxi meets a minimum wheelchair pick-up requirement per month, which shall be set by the Director of Transportation ~~and established by reports of usage of San Francisco Paratransit Debit Cards~~. If a

Ramp Taxi Medallion Holder or the Permit Holder with a Ramp Taxi Medallion of a Use Agreement for a Ramp Taxi Medallion fails to meet the wheelchair pick-up requirement three times within a six-month period, or fails to comply with any condition of the Ramp Taxi Medallion Use Agreement, the SFMTA may revoke the Ramp Taxi Medallion, in the case of a Ramp Taxi Medallion Holder, or terminate the Ramp Taxi Use Agreement and reassign the Ramp Taxi Medallion. The application of this paragraph is in addition to any penalties that may be assessed against the Ramp Taxi Medallion Holder or ~~the holder of~~ Permit Holder with a Ramp Taxi Medallion Use Agreement for violations of this Article or the rules and regulations of the Paratransit Program.

(b) **Approval of Use of Ramp Taxi Medallion in Spare Taxi Vehicle.**

Notwithstanding any other provisions of law or of this Article, the SFMTA may allow a Ramp Taxi Medallion to be used for the purpose of operating in a spare Taxi upon written request from a Color Scheme. The SFMTA may only approve such request if all of the following requirements are met:

- (1) The Taxi must be a spare vehicle approved by the SFMTA;
- (2) The Taxi must meet all requirements for operation;
- (3) The Ramp Taxi Medallion cannot be used in the Medallion Holder's

Ramp Taxi because that vehicle is out of service or must be replaced; and

- (4) The Ramp Taxi Medallion cannot be used in a spare Ramp Taxi because none are available at the Color Scheme with which the Ramp Taxi Medallion is affiliated;

(c) **Time Limits on Use of Ramp Taxi Medallion in Spare Vehicle.** A Ramp Taxi Medallion may be used in a spare vehicle only for the period of time required for repair of the primary vehicle, not to exceed 30 consecutive days. Upon a showing of good cause, the SFMTA may extend the time limit beyond 30 days in increments of no greater than 15 consecutive days. In no event shall the total time in which a Ramp Taxi Medallion is used in a spare vehicle exceed 90 days within a 12-month period. The authorization to use the Ramp

Taxi Medallion in a spare vehicle shall expire by operation of law on the day that the applicable time limit has been reached, or upon completion of repair or replacement of the Ramp Taxi, whichever occurs first.

(d) **Use Agreements for Ramp Taxi Medallions.**

(1) The SFMTA shall authorize the operation of a Ramp Taxi Medallion ~~that is returned to the SFMTA for any reason~~ by executing a Use Agreement with either a Color Scheme Permit Holder or a Driver, at the discretion of the SFMTA.

~~(A) — With the exception of the circumstances described in Subsection (d)(1)(B), below, o~~ Only those Color Scheme Permit Holders or Drivers that have met the standards established by the Director of Transportation ~~demonstrated exceptional performance responding to requests for service by passengers who use wheelchairs, or those Color Schemes that do not have wheelchair pick-up history but have demonstrated otherwise exceptional dispatch performance, in accordance with criteria to be determined by the Director of Transportation,~~ shall be eligible for such Use Agreements for Ramp Taxi Medallions.

~~(B) — If a Gas and Gates Ramp Taxi Medallion is returned to the SFMTA for any reason, the SFMTA shall allow the Color Scheme with which the Ramp Taxi Medallion is affiliated to operate the Ramp Taxi Medallion as a Gas and Gates Medallion for the remaining life of the Ramp Taxi vehicle if the SFMTA determines, in accordance with criteria to be determined by the Director of Transportation, that the Color Scheme has a record of satisfactory service to passengers who use wheelchairs. If the SFMTA determines that the Color Scheme with which the Gas and Gates Ramp Taxi Medallion is affiliated has not provided satisfactory service to passengers who use wheelchairs, or upon expiration of the Ramp Taxi vehicle's useful life, the SFMTA may allow another Color Scheme or a Driver that meets the exceptional performance standard for wheelchair pick-ups to operate the Ramp Taxi Medallion.~~

(2) Any Color Scheme that operates more than one Ramp Taxi Medallion pursuant to a Use Agreement with the SFMTA, and that is affiliated with a Dispatch Service

that dispatches at least six Ramp Taxi Medallions, may operate up to 50% ~~percent~~ of its affiliated Ramp Medallions in a non-accessible Taxi vehicle during the hours of 4:00 p.m. to 4:00 a.m. daily, upon written approval by the SFMTA.

(A) This privilege shall not apply to any quarter if during the previous quarter the SFMTA received an excessive number of substantiated complaints on average, per medallion per month, regarding any request for wheelchair service during those hours that was not fulfilled within 30 minutes of request. For the purpose of this subsection, "excessive number of substantiated complaints" shall mean two substantiated complaints, on average, per medallion, during any three-month period.

(B) For Dispatch Services that are affiliated with multiple Color Schemes, the receipt of an excessive number of substantiated complaints on average, per medallion per month, regarding any request for wheelchair service during those hours that was not fulfilled within 30 minutes of request shall result in termination of the privilege for all Color Schemes affiliated with that Dispatch Service.

(3) ~~The Director of Transportation shall set the criteria for meeting the minimum monthly wheelchair pick up requirements for maintaining a Ramp Taxi Medallion Use Agreement, shall set the criteria for meeting the "exceptional performance" and "satisfactory service" eligibility requirements for a Ramp Taxi Medallion Use Agreement referenced in subsection (d)(1)(A) and (B), above, and shall set the criteria for "an excessive number of substantiated complaints" referenced in subsection (d)(2) with reference to actual wheelchair service demand with the goal of providing 95 percent of requested wheelchair service within 30 minutes of the request~~Reserved.

(4) In addition to minimum pick-up and eligibility requirements, the Director of Transportation may establish other eligibility conditions for entering into a Use Agreement. The Director of Transportation may also establish other conditions for maintaining a Use Agreement, which shall be stated in the agreement, and the Director of Transportation may terminate any Use Agreement for failure to adhere to such conditions. The Director of

Transportation may amend the minimum pickup requirements and other conditions of a Use Agreement for a Ramped Taxi Medallion in response to changed circumstances, such as changes in the level of demand for wheelchair service, by issuing a written finding listing the factors supporting the changed criteria; provided, however, that any change in such criteria shall not take effect for at least 90 days following written notice to the holders of Use Agreements for Ramp Taxi Medallions.

(5) ~~The SFMTA shall audit compliance with minimum wheelchair pick-up requirements and other Use Agreement conditions quarterly.~~ Reserved.

(6) The monthly fee to the SFMTA under a Use Agreement for operation of a Ramp Taxi Medallion shall be \$500 per month established in Section 320. The SFMTA may waive this fee for any Ramp Taxi that is driven exclusively by Drivers who are employees of the Color Scheme.

(e) ~~**Medallion Down Payment Credit Incentive.** For each year that a Driver provides an annual average of 240 wheelchair pickups that are documented through the Paratransit Program, or by other method of documentation approved by the SFMTA, the SFMTA shall offer the Driver a discount of ten dollars per wheelchair pick-up, up to a maximum of \$4,167 per year on the Driver's down payment for a Medallion, for a total maximum credit toward a down payment of \$12,500. If a Driver is not able to drive due to medical reasons, he or she may have 90 additional days in any year, or no more than 270 days over three years, to meet the annual wheelchair service requirement. Documentation of the medical condition must be provided to SFMTA to be eligible for the 90-day make-up period. The discount shall not expire as long as the Driver maintains an active A-Card.~~

SEC. 1113. TAXI AND RAMP TAXI EQUIPMENT REQUIREMENTS.

(a) Vehicle Operation.

(1) **Safe Operating Condition.** All Taxis and Ramp Taxis must be maintained in a safe operating condition. Except as otherwise specified herein, all Taxi and Ramp Taxi Medallion Holders and Color Schemes are jointly and severally responsible for

ensuring that all Taxis and Ramp Taxis for which they hold permits, operate under a Use Agreement, or with which they are affiliated meet all equipment requirements listed in this Section 1113. In addition to imposing any applicable penalty for non-compliance with equipment requirements, ~~The~~ SFMTA may remove any vehicle from service for any violation of this Section until the violation is corrected and the vehicle is inspected and approved by the SFMTA.

* * * *

(m) **Security Cameras.**

(1) All Taxis and Ramp Taxis shall be equipped with an operational security camera ~~manufactured after December 31, 2006.~~ The camera model year may not be older than ten calendar years.

* * * *

(p) **Vehicle Title.** The principal vehicle authorized for the operation of a Medallion may be registered only in the name of the Medallion Holder or Color Scheme or Driver.

* * * *

(s) **Inspections.**

* * * *

(3) **Salvage Vehicle.** No vehicle which has been designated as "Salvage" by the California Department of Motor Vehicles may be placed into service as a taxicab unless the vehicle has been inspected and approved by the SFMTA or its designee. The SFMTA may require documents to establish the chain of title for Salvage Vehicles.

(4) **Inspection Certification.** Upon satisfactory completion of all inspection requirements the SFMTA, or its designee, shall affix a decal and transponder to the Taxi or Ramp Taxi that authorizes the Taxi or Ramp Taxi to be operated for the time period specified upon the decal.

(5) **Failing Inspection.** If, on inspection the SFMTA determines that a vehicle does not meet applicable requirements, the vehicle may fail inspection and may be ordered out of service until the condition(s) are corrected. A failed vehicle must be re-inspected and approved before being returned to service and must pass another inspection in six months from the date of return to service. The decision whether to pass or fail a vehicle shall be within the sole discretion of the SFMTA or its designee.

(6) **Removal of Vehicle from Service.**

(A) A Color Scheme shall make any vehicle available for inspection upon the request of SFMTA or its designee request. If a Color Scheme fails to make a vehicle available for inspection or if the SFMTA or its designee determines that a vehicle is not in compliance with all applicable laws and regulations, the SFMTA or its designee may order the vehicle to be removed from service until it passes inspection.

(B) If the SFMTA or its designee determines that additional repairs or further inspection of the mechanical condition or safety equipment of a Taxi or Ramp Taxi is necessary, the Color Scheme or Medallion Holder shall make the necessary repairs or arrangements in order to determine if repairs are necessary, and must provide a statement of findings to the SFMTA, or its designee, from the repair person.

* * * *

(v) **Retired Vehicles.** ~~No~~ A Permit Holder must completely remove all indicia of the Color Scheme, including the top light and all exterior lettering, numbering, and signage, from any Taxi or Ramp Taxi that is no longer operational or otherwise not in compliance with the Paratransit Program. ~~may offer any Taxi or Ramp Taxi vehicle for sale to the public until all remnants of the Color Scheme, including the top light and all exterior lettering, numbering, signage, and any other item required to be displayed on a Taxi or Ramp Taxi are completely removed.~~

SEC. 1114. RECORDS AND REPORTING REQUIREMENTS APPLICABLE TO PERMIT HOLDERS.

(a) **Requirements Applicable to All Records.** Except as otherwise specified herein, all records required to be created and/or maintained by Permit Holders by this Article shall be subject to the following requirements:

(1) When a signature is required, the record must be signed by a Permit Holder, or in the case of a corporation, by a person authorized to bind the corporation or ~~his or her~~ their delegatee if accompanied by written documentation of the delegation of signature authority.

(2) The format and content of any records required to be created or maintained, or of any reports or plans required to be filed by Permit Holders by this Article shall be subject to SFMTA approval.

(3) Except as otherwise specified in this Article, all records required to be submitted to the SFMTA may be delivered by any means authorized in this Section 1114. The Permit Holder that is subject to the records requirement shall have the burden of proving that the required records were actually delivered in a manner consistent with this Section. Except where a particular method of delivery is required for a specific type of record, records may be submitted by any of the following means:

(A) In person by the Permit Holder to a location or address specified by SFMTA;

(B) By first-class U.S. Mail, postage pre-paid;

(C) ~~By fax~~ Electronic submission through an SFMTA-approved platform; or

(D) By email.

(4) All records required to be maintained by Permit Holders by this Article or by other law or regulation shall be made available for inspection by the SFMTA during normal business hours within three business days of request. The SFMTA may request that Permit Holders submit copies of records or original records within three business days of request. If the Chief of Police indicates that the inquiry relates to a criminal law enforcement

investigation, such records shall be provided within one business day of request. In the event that SFMTA requires original records, the SFMTA shall provide the Permit Holder a receipt for any original documents that the SFMTA removes from the Permit Holders' premises, and shall protect and document the chain of custody of such original records until they are returned to the Permit Holder.

(5) All Permit Holders are responsible for creating, maintaining, and preserving the documents and records that are required by the SFMTA as a condition of a permit or to meet permit qualification requirements.

(b) **Additional Requirements Applicable to Drivers.**

(1) **Receipts for Fare to be Delivered to Passenger.** All Drivers shall provide a receipt for fare paid upon the demand of any passenger.

(2) **A-Card Identification Number.** Each Driver shall provide ~~his or her~~ their A-Card identification number to any passenger upon request.

(c) **Additional Requirements Applicable to Medallion Holders.**

Annual Filings Required for Renewal. No Taxi or Ramp Taxi Medallion shall be renewed unless the Permit Holder files a sworn statement by May 1 of every year under penalty of perjury attesting to compliance with this Article and associated state and federal laws on a form designated by the SFMTA.

(d) **Additional Requirements Applicable to Pre-K Corporate Medallion Holders.**

(1) **Annual Filings Required for Renewal.** Any Pre-K Medallion issued pursuant to this Article shall maintain a stock register at its principal place of business in San Francisco. No Medallion held by a corporation may be renewed unless the Permit Holder files the following documents with the SFMTA by May 1 of each year: The SFMTA may require other corporate records to be provided to the SFMTA together with other required annual filings:

(A) Copy of current stock register;

(B) Copy of current filed copy of Statement of Domestic Stock Corporation issued by the California Secretary of State.

(2) All corporate Permit Holders shall report to the SFMTA in writing any of the following within 30 days of occurrence:

(A) Issuance or transfer of any shares of stock.

(B) Change in any of the corporate officers listed pursuant to Section 312 of the California Corporations Code or successor statute.

(C) Change of any member of its Board of Directors.

(D) Any notice of suspension or certificate of revivorship issued to the corporation by the California Secretary of State.

(e) **Additional Requirements Applicable to Color Schemes.**

* * * *

(6) ~~Weekly~~ **Reporting Requirements.** Color Schemes shall make available upon request of the SFMTA, or law enforcement agencies, the following reports within 24-hours.

(A) **Driver Roster.**

(i) Every Color Scheme Permit Holder shall maintain a Driver Roster, updated after each shift to reflect actual shift assignments, that must at a minimum include: the date of the shift assignment, Driver's name, and the hours worked for that shift, vehicle number, and Medallion number, if different. This schedule shall include the schedules of all Medallion Holders affiliated with a Color Scheme.

(ii) All original Driver Rosters shall be retained at the Color Scheme's principal place of business for a period of not less than ~~six~~five years. Color Schemes shall maintain at the principal place of business the most recent 12 months of Driver Rosters in a paper format. Color Schemes may store Driver Rosters more than 12 months old in a secure electronic format. The SFMTA may excuse a Color Scheme from retaining

schedules for a particular year by certifying that a Color Scheme has submitted all 12 schedules for that year.

(B) **List of Terminated Drivers.** Color Schemes shall list the name and A-Card number of any Driver terminated during the prior week, and the date of termination.

(C) **Mechanical Breakdown Tracking System.** A record of all Taxis and/or Ramp Taxis which have been out of service for more than 72 hours during a period of time identified by SFMTA, as of the preceding week on a form approved by the SFMTA, including but not limited to the ~~and the~~ spare vehicle, if any, that was assigned to replace the out-of-service Taxi and/or Ramp Taxi, the reason for the breakdown, and the estimated date of return to service.

(7) **Filings Required for Paratransit Compliance.**

Color Schemes must notify the Paratransit Broker within three working days of making any alteration to their In-Taxi Equipment.

(8) **Security Camera Data.** ~~Color Schemes~~ Permit Holders are required to provide the SFPD or SFMTA, upon demand, with any data captured by the security camera in a vehicle.

(f) **Additional Requirements Applicable to Dispatch Services.**

(1) **Electronic Trip Data.** Each Dispatch Service Permit Holder shall implement a system or enhance an existing system to generate Electronic Trip Data in a format approved by the SFMTA for all affiliated vehicles. Such system must, at a minimum, archive all taxi trip data for at least ~~six~~ five years, produce data that can generate reports using commonly available database and spreadsheet software, and record the following information:

(A) Driver's identification established by authentication through Driver's license swipe or other secure system;

(B) Date of shift;

(C) Vehicle number, vehicle license number, and vehicle status (available or hired);

(D) Medallion number (manually entered);

(E) Number of passengers on each trip (manually entered);

(F) GPS-generated origin, incremental, destination coordinates of each trip;

(G) The fare for each trip including applicable fees charged;

(H) The mileage for each trip;

(I) The total number of trips for each shift;

(J) The time of hire and discharge for each trip;

(K) The starting and ending times and total hours of each shift.

(2) **Integration with Electronic Taxi Access System.**

(A) Each Dispatch Service Permit Holder shall implement a system or extend an existing system to integrate and exchange Electronic Trip Data with the Electronic Taxi Access System.

(B) Each Dispatch Service Permit Holder shall use systems to share Electronic Trip Data in real-time. As Drivers start their daily shift, systems used by Dispatch Service Permit Holders shall exchange company, Driver, vehicle, and day/time data with the Electronic Taxi Access System. As Drivers begin and end trips, systems used by Dispatch Service Permit Holders must share pick-up location, real-time telemetry during the trip, destination location, and fare payment data, not including personal customer information. As Drivers end their daily shift, systems used by Dispatch Service Permit Holders shall exchange company, Driver, vehicle, and day/time data with the Electronic Taxi Access System.

(C) The systems used by Dispatch Service Permit Holders shall transmit Electronic Trip Data to the Electronic Taxi Access System at a periodic rate. The transmission rate must be configurable with a default setting of every six seconds.

(3) **Semi-Annual Service Report.** All Dispatch Services must provide the SFMTA with dispatch service reports upon request and in a format approved by the SFMTA covering the period of January 1 through June 30 due to the SFMTA by August 1, and covering the period of July 1 through December 31 by February 1 of each year in a format approved by the SFMTA.

(4) **Reports of Found Property.**

(A) **Receipt to Drivers.** Every Dispatch Service Permit Holder shall issue a receipt to the Driver for any Found Property located in an affiliated Taxi or Ramp Taxi and provided to the Dispatch Service.

(B) **Return to Owner.** Every Dispatch Service Permit Holder shall endeavor to return Found Property to its rightful owner. If after two business days the owner cannot be located, the Dispatch Service Permit Holder shall give the property to SFMTA with a receipt that includes an inventory of the property, the date it was turned in, the name or A-Card identification number of the Driver who turned it in, and the Vehicle Number of the vehicle in which it was found.

(C) **Property Tracking System.** Every Dispatch Service Permit Holder shall maintain at the principal place of business a tracking system approved by the SFMTA which records the date, time, vehicle number, Driver by name or A-Card identification number, Incident Report Number (if applicable), description, and disposition of the property. The ~~log book~~ tracking system shall be retained for a minimum period of one year.

(D) **Property Report to SFMTA.** Upon the request of SFMTA, the Dispatch Service Permit Holder shall email to the SFMTA a copy of all entries made in the property tracking system for the previous week within 24 hours. Those Dispatch Services having no entries for that week will ~~fax or~~ email a notice advising the SFMTA that no property was turned in. Dispatch Service Permit Holders shall account for all affiliated Color Schemes.

(5) **Annual Filings Required for Renewal of Permit.** No Dispatch Service Permit shall be renewed unless the Permit Holder files the following documents by May 1 of each year:

- (A) Copy of current City business license;
- (B) Completed Designated Manager Form;
- (C) List of all affiliated Color Schemes;
- (D) Copy of company drug-free workplace policy;
- (E) Insurance certificates demonstrating compliance with the insurance requirements of this Article;
- (F) Sworn statement attesting to compliance with this Article and applicable state and federal laws.

SEC. 1116. TAXI MEDALLION TRANSFER PROGRAM.

(a) **Surrender for Consideration.**

(1) Any Post-K Medallion Holder who has attained the age of 60 is eligible to surrender their Post-K Medallion to the SFMTA for consideration in accordance with this Section 1116. ~~The following natural persons are eligible to surrender their Medallions to the SFMTA for consideration in accordance with this Section:~~

~~(A) Any Medallion Holder, except a Ramp Taxi Medallion Holder or a Single Operator Part time Taxi Medallion Holder, who has demonstrated to the satisfaction of the SFMTA that he or she has a bona fide disability that permanently prevents him or her from satisfying the Full Time Driving requirement, whether or not he or she is subject to the Full Time Driving Requirement, or~~

~~(B) Any Post K Medallion Holder who has attained the age of 60.~~

(2) A Medallion Holder who is subject to the Full Time Driving Requirement must demonstrate that, as of the date that the Medallion is surrendered, ~~he or she~~ the Medallion Holder has been a Full Time Driver for four of the last five consecutive calendar years. This requirement of Full Time Driving may only be satisfied by driving a Taxi or Ramp Taxi for

which a permit has been issued by SFMTA. Electronic waybills completed in compliance with Section 1109(c)(5), electronic trip data, or other corroborating documentary evidence may be used to establish eligibility for surrender for consideration.

(3) No otherwise eligible Medallion Holder against whom the SFMTA has filed a Notice of Violation, Notice of Summary Suspension, or Notice of Nonrenewal prior to completion of the surrender is eligible to surrender his or her Medallion for consideration until any resultant administrative hearing, administrative appeal, or court proceeding is concluded and the Medallion Holder has served any term of suspension imposed and paid any administrative fine imposed. In the event that the Notice of Violation seeks revocation of the Medallion, the Medallion Holder is not eligible to surrender the Medallion for consideration unless and until the administrative hearing and any resultant administrative appeal or court proceeding is concluded upon a determination that the Medallion will not be revoked.

(4) This Section does not confer on a Medallion Holder a vested right, or other legal entitlement, to surrender a Medallion for consideration.

(5) The SFMTA Board of Directors may decide at any time that the Medallion Transfer Program is terminated, suspended, or otherwise not operational.

(6) The SFMTA Board of Directors may decide at any time that no further surrenders by Medallion Holders eligible under this Section 1116 are permitted.

(b) **Medallion Surrender Payment.** As consideration for surrender of a Medallion in accordance with this Section 1116, the SFMTA shall make a Medallion Surrender Payment in the amount of \$200,000 to the Medallion Holder, when a Transferee has been identified to which the surrendered Medallion will be initially transferred and a properly executed Transfer Agreement has been received from the identified Transferee.

(c) **Qualified Medallion Transferees.** Upon surrender, ~~the~~ The SFMTA may transfer the a Surrendered Medallion under the Taxi Medallion Transfer Program to a Transferee who acknowledges and agrees that the Transferable Medallion is subject to the provisions of this

Section 1116. The SFMTA shall make offers of Initial Transfer to such Transferees in chronological order by the date that each complete Medallion Application was received from a qualified applicant.

(d) **Retransfer.**

(1) A Medallion that was newly issued by the SFMTA on or after March 28, 2010, or was subject to an Initial Transfer under the Taxi Medallion Sales Pilot Program or the Medallion Transfer Program is a Transferable Medallion, and the Transferee is eligible to Retransfer the Transferable Medallion at any time in accordance with this Section 1116, regardless of age or disability status. The Transferee may not convey the Transferable Medallion by gift, bequest or in any manner other than by a bona fide Retransfer in accordance with this Section.

(2) In all instances in which Retransfer of a Medallion is allowed under this Section, the SFMTA may elect to purchase the Medallion from the Medallion Holder instead of allowing the Medallion Holder to Retransfer the Medallion.

(3) If the SFMTA chooses at any time to prohibit the future Retransfer of Transferable Medallions, it shall, at the request of a Medallion Holder who holds a Transferable Medallion, and upon 10 days' notice to a Qualified Lender who has a security interest in the Transferable Medallion, purchase the Medallion at the Medallion Transfer Price paid by the Medallion Holder. At the request of a Qualified Lender who has complied with the requirements of Section 1116(l) of this Article, the SFMTA will deduct from the payment made to any Medallion Holder under this Section 1116(d)(3) an amount sufficient to satisfy any outstanding balance on a loan made by the Qualified Lender and secured by an interest in the Medallion, and shall immediately remit that amount to the Qualified Lender. Upon receipt of this amount, the Qualified Lender shall comply with Section 1116(k)(3) and release its security interest in the Medallion. Upon purchase of the Medallion under this Section 1116(d)(3), the SFMTA shall reissue the Medallion to the Medallion Holder. The reissued Medallion shall not

be a Transferable Medallion, and the Medallion Holder will be subject to all the provisions of this Article, including Section 1105(a)(4), which provides that permits issued under this Article are not transferable or assignable.

(e) **Fixed Medallion Transfer Price.** A ~~Surrendered Medallion~~ that has been returned to SFMTA may be transferred by the SFMTA, and a Transferable Medallion may be Retransferred under the supervision of the SFMTA, at a price established by the SFMTA. The initial Medallion Transfer Price shall be \$250,000. The Director of Transportation may reset the Medallion Transfer Price based upon ~~his or her~~ their determination determining that commercially relevant factors, including but not limited to the commercial loan terms available to Medallion applicants, the affordability of the monthly payments under such loans, and the anticipated business revenue to be generated from a Medallion, warrant resetting the Price. The Director of Transportation shall present ~~his or her~~ a recommendation for a new Medallion Transfer Price to the SFMTA Board for approval. The Director of Transportation may adjust the Medallion Transfer Price without SFMTA Board approval no more frequently than annually in accordance with the percentage by which the Consumer Price Index for Urban Wage Earners for the San Francisco Bay Area has increased since the Medallion Transfer Price was last set or adjusted. Any changes to the Medallion Transfer Price shall be subject to the restrictions set forth in any agreement between the SFMTA and a Qualified Lender described in Section 1116(j)(3).

(f) **Medallion Transfer Allocation.**

(1) The Transferor shall distribute to the SFMTA the Medallion Transfer Allocation at the time of Retransfer. The Medallion Transfer Allocation shall be 5% of the Medallion Transfer Price.

(2) Notwithstanding Subsection (f)(1) above, the Director of Transportation is authorized to waive the Medallion Transfer Allocation from November 17, 2018 through November 16, ~~2021~~ 2023.

(g) **Taxi Medallion Retransfer Procedures.**

(1) Retransfer of a Medallion may only be accomplished by a transaction that complies with all requirements of this Article. Retransfer of a Medallion to a Transferee is not effective until the Retransfer is approved by the Director of Transportation.

(2) The Director of Transportation may require a Transferee to provide documentation in a form satisfactory to the SFMTA of the source of the funds used to fund the transfer of the Medallion.

(3) The Director of Transportation may establish such procedures as the Director ~~he or she~~ deems appropriate to carry out the Medallion Transfer Program.

* * * *

SEC. 1118. REVOCATION, SUSPENSION, AND ADMINISTRATIVE FINES.

(a) **Revocation, Suspension, or Administrative Fine for Cause.** The SFMTA may suspend or-revoke any permit issued under this Article 1100, and may impose an administrative fine against a Permit Holder, for good cause. "Good cause" hereunder shall include, but shall not be limited to, the following:

(1) A Permit Holder failed to pay a fine imposed by the SFMTA under Section 310 of this Code within 30 days of imposition or within such other time period as determined by the agreement of the Permit Holder and the SFMTA.

(2) A Permit Holder failed to pay a permit fee within 90 days following notice of nonpayment.

(3) A Permit Holder has been convicted of any crime that would disqualify ~~him or her~~ the Permit Holder from holding a permit pursuant to Section 1103(c)(2)(E), or is otherwise ineligible for a permit under Section 1104(c) of this Article.

(4) The Permit Holder has violated any statute or ordinance, including any provision of Division I or II of this Transportation Code, governing the operation or licensing of the vehicles and services regulated by this Code.

(5) A Taxi Driver fails to comply with the requirements for return to duty under the Taxi Driver Drug and Alcohol Testing Policy within 12 months of a positive drug or alcohol test.

(6) A Taxi Driver complies with the requirements for return to duty within the 12-month period, but fails to comply with a follow-up requirement imposed by the substance abuse professional under the terms of the Taxi Driver Drug and Alcohol Testing Policy.

(7) A Taxi Driver receives a positive test result within the meaning of the Taxi Driver Drug and Alcohol Policy for any drug or alcohol test required by the Policy twice within any two-year period.

(8) A Medallion Holder who is subject to the Full-Time Driving Requirement does not have a valid A-Card because the Driver has failed to timely renew ~~his or her~~their A-Card or the SFMTA has revoked the A-Card.

(9) A Taxi Driver fails to comply with the A-Card permit conditions.

(10) A Medallion is not operated full-time or is not available for full-time operation. For the purpose of this Subsection, "full-time" shall mean 800 hours during a ~~calendar~~preceding fiscal year.

(11) A Medallion Holder who is subject to the Full-Time Driving requirement does not satisfy the Full-Time Driving requirement in the preceding fiscal year.

(12) A Taxi Driver fails to comply with Section 1103(c)(3)(A).

(b) **Suspension or Revocation of More Than One Permit.** Where a person violating this Article holds more than one permit to operate a Motor Vehicle for Hire in the City, the SFMTA may revoke, suspend, or decline to renew all such permits.

(c) **Operation During Suspension.** In the event that a Taxi or Ramp Taxi Medallion is suspended for disciplinary reasons, the Color Scheme with which it is affiliated may continue to operate the Medallion during any such period of suspension by paying a monthly fee of \$750 to the ~~Driver Fund~~SFMTA or to a Qualified Lender that has a loan that is

still outstanding to finance the suspended Medallion. The total of the monthly fees for the entire suspension period is due as of the 15th day following the commencement of the suspension period. If the suspended Medallion is affiliated with a Color Scheme that is on Administrative Probation upon the date that the suspension commences, the Medallion may be operated by a Color Scheme designated by the Medallion Holder from among those Color Schemes that are not on Administrative Probation and have notified the SFMTA of their willingness to operate the Medallion during the suspension period.

(d) **Administrative Fines.** Administrative fines imposed under this Section 1118 for violations of Article 1100 of Division II of the Transportation Code shall be consistent with Section 310 of Division II of the Transportation Code, and are not subject to adjustment by the Hearing Officer in the context of an administrative hearing conducted under Section 1120.

(e) If the Driver's A-Card permit is revoked under subsection (a)(5), (a)(6), or (a)(7), above, the SFMTA shall not accept a new application for an A-Card from the Driver for three years from the date upon which the revocation was final.

SEC. 1120. ADMINISTRATIVE HEARINGS.

(a) A Permit Holder or an applicant who receives an SFMTA Citation for a violation listed in Section 1118(a), Notice of Denial under Section 1117(c), Notice of Nonrenewal under Section 1105(a)(5)(B), Notice of Inactive Status under Section 1103(b)(4), Notice of Summary Suspension under Section 1121, or a non-permit holder who receives a Citation under Section 1119 may request a hearing by submitting to SFMTA a request for hearing, in writing, within 20 business days of the date that the Citation, Notice of Denial, Notice of Nonrenewal, Notice of Inactive Status under Section 1103(b)(4), or Notice of Summary Suspension was served on the recipient of said Citation or Notice. A Notice of Nonrenewal, Inactive Status under Section 1103(b)(4), or Summary Suspension, or a Citation issued under Section 1119(a) or for a violation listed under Section 1118(a) shall include:

(1) The name of the person or entity to whom the Notice or Citation is issued,

(2) The disciplinary measure to be imposed, including the length of any suspension and the amount of any administrative fine, or the action taken (summary suspension) or to be taken (nonrenewal or placement on inactive status),

(3) The date by which any administrative fine must be paid, the procedure for making payment, and the consequences of failure to pay the fine,

(4) The provision(s) of this Article 1100 upon which the discipline or action is based, including, where applicable, the date and the address or location of the violation, the signature of the individual who issued the Citation, Notice of Nonrenewal, Notice of Inactive Status, or Notice of Summary Suspension, and

(5) Notice of the right to request a hearing, the procedure for requesting a hearing, and notice that failure to request a hearing will result in imposition of the proposed discipline or taking of the proposed action, either of which will be a final action of the SFMTA that is not subject to further administrative or judicial review.

(b) **Procedures for Review of Citations, Notices of Revocation, Notices of Nonrenewal, Notices of Summary Suspension, or Notices of Administrative Probation.**

(1) **Complaint.** Within ~~five~~10 business days of receipt of the request for a hearing, the SFMTA must provide any Respondent who received an SFMTA Citation for a violation listed under Section 1118(a), a Citation issued under Section 1119(a), Notice of Nonrenewal under Section 1105(a)(5)(B), or Notice of Inactive Status under Section 1103(b)(4), ~~or Notice of Summary Suspension under Section 1121,~~ with a written Complaint consisting of a list of each alleged violation or the basis for nonrenewal, inactive status, or summary suspension, the alleged facts that establish each violation or support nonrenewal, inactive status or summary suspension, and any argument in support of requested disciplinary measure(s), administrative fine(s), or determination(s) made by the SFMTA. In the case of a Notice of Summary Suspension under Section 1121, the SFMTA must provide a written Complaint as described above within five business days of receipt of the request for a hearing. The Complaint shall

not exceed ten double-spaced pages, excluding exhibits, unless the Hearing Officer approves the filing of a longer Complaint. In addition to the Complaint, the SFMTA may submit proposed findings to the Hearing Officer.

(2) **Scheduling an Administrative Hearing.** The administrative hearing shall be scheduled no sooner than 30 calendar days after SFMTA serves Respondent with Notice of Nonrenewal, Notice of Inactive Status, Notice of Summary Suspension, or Citation, unless the parties agree to a different schedule. Respondent may request a continuance of the hearing by submitting a written request to the Hearing Officer at least five business days prior to the scheduled hearing. The Hearing Officer must grant or deny the request for continuance within three business days, and must deliver the final decision on the request for continuance to the Respondent by personal delivery, electronic mail, or first-class U.S. Mail, ~~and must post the final decision on the SFMTA's website.~~ No continuance of the administrative hearing may exceed 60 days. If there is a pending criminal proceeding against the Respondent, the Hearing Officer may continue the hearing pending final resolution of the criminal case; provided, that, such continuance of the hearing shall not affect a summary suspension under Section 1121.

(3) **Response to Complaint.** No later than ten business days prior to the hearing, the Respondent may provide the SFMTA and the Hearing Officer with a written response to the Complaint, along with any additional information that the Respondent considers relevant to the case. The response shall not exceed ten double-spaced pages, excluding exhibits, unless the Hearing Officer approves the filing of a longer response, and shall include a list of the witnesses, if any, that the Respondent will present at the hearing. In addition to the response, the Respondent may include as a part of the response any proposed findings that the Respondent proposes be adopted by the Hearing Officer.

(c) **Procedures for Review of Decision to Deny a Permit Application or Determination that Application is Inactive.** In the case of a request by an applicant for hearing on a Notice of Denial or determination that an application is inactive:

(1) The SFMTA shall hold a hearing within 30 days of receiving a hearing request from the applicant, unless a later date is agreed to by the parties as set forth below.

(2) Not less than 15 days prior to the hearing, the applicant may file a written submission containing any information the applicant deems relevant to the application.

(3) Not less than five days prior to the hearing, SFMTA may file a written response to applicant's submission.

(A) Submissions shall not exceed 10 double-spaced typed pages, excluding exhibits, unless the Hearing Officer approves filing a longer submission.

(B) If either party intends to present witnesses at the hearing, the party shall present a list of witnesses to the other party at least five calendar days prior to the hearing.

(d) **Presentation of the Case.** The following procedures shall apply to hearings held under this Section 1120:

(1) In the case of a hearing on the review of a Citation, Notice of Revocation, Notice of Administrative Probation, Notice of Nonrenewal, or Summary Suspension, the SFMTA shall make the initial presentation of its case at the hearing, and shall have the burden of proving, by a preponderance of the evidence, the facts alleged in the Complaint. The Respondent may present evidence following the SFMTA's presentation.

(2) In the case of a hearing on a Notice of Denial, the applicant shall have the burden of proving, by a preponderance of the evidence, that the applicant meets all of the eligibility requirements.

(3) Following presentation of evidence, each party shall have at least five minutes to present their rebuttal arguments, if any.

(4) In any hearing, subject to the Hearing Officer's discretion to limit evidence to evidence that is relevant to the proceeding, either party may present its case by means of oral or documentary evidence, may submit rebuttal evidence, and may conduct cross-examination of adverse witnesses.

(e) **Notice of Decision.**

(1) The Hearing Officer shall issue a written Notice of Decision within 30 days of the date of the hearing upholding or overturning the Citation, Notice of Nonrenewal under Section 1105(a)(5)(B), Notice of Denial under Section 1117(c), Notice of Inactive Status under Section 1103(b)(4), or Notice of Summary Suspension under Section 1121. The Notice of Decision shall be based solely upon the criteria set forth in this Article 1100, include findings, and shall set forth evidence in support of each finding. The Hearing Officer's Notice of Decision may only uphold or overturn the action sought by the SFMTA and shall not set conditions, establish special circumstances, establish special remedies or impose other directives. The Hearing Officer's authority is limited to the regulations established in Article 1100. No later than three business days following issuance of the Hearing Officer's Notice of Decision, the SFMTA shall post the results of any disciplinary case against a Permit Holder in accordance with Section 1123, referenced by the date of hearing, the name of the Respondent, the type of permit, and the action taken. The Hearing Officer shall serve the full text of the Notice of Decision on Respondent in accordance with Section 1120(i) no later than the business day following the issuance of the Notice of Decision. The deadline for the issuance of a decision may be extended if the Hearing Officer requests additional evidence from the parties subsequent to the hearing. If additional evidence is submitted, then the decision will be issued within 30 days of the last submittal.

(2) The Hearing Officer's decision shall take effect on the date that the Notice of Decision is served on the Respondent in accordance with Section 1120(i). In the case of a Notice of Denial, if the Hearing Officer determines that a permit applicant is qualified for the

permit, the SFMTA shall issue the permit or modification within 15 business days of the Notice of Decision.

(f) **Ex Parte Communications.**

(1) No person or agency may communicate directly or indirectly with a Hearing Officer at any time while a case is pending unless there is notice and an opportunity for the other party to participate.

(2) Any correspondence regarding the substance of a case directed to or received by any Hearing Officer shall become part of the case record file and shall be copied to both parties within 48 hours of the communication. If the communication received is oral, the Hearing Officer shall prepare a memorandum for the record stating the substance and the date of the communication, any response made, and the identity of the person from whom the communication was received. If a communication is received within 48 hours of a scheduled hearing, the Hearing Officer must immediately provide copies of the communication to the parties.

(3) Except as permitted by these procedures and any applicable laws and regulations, there shall be no contact between the SFMTA and the Hearing Officer with respect to any pending case. This prohibition does not preclude communications about administrative or procedural matters, or policy matters that do not involve any pending case regarding any individual permit or permit application.

(g) **Hearings Open to Public.** Hearings under this Section 1120 shall be open to the public, and public comment may be permitted in the sole discretion of the Hearing Officer, but the public may be excluded from all or a portion of the hearing when, in the sole and absolute discretion of the Hearing Officer, exclusion is necessary to protect the privacy of the applicant or a third party. The Hearing Officer may also determine that documents submitted to the Hearing Officer will not be disclosed to the public in order to protect the privacy of the applicant or a third party.

(h) **Settlement.**

(1) After issuance of an SFMTA Complaint, Notice of Nonrenewal, Inactive Status under Section 1103(b)(4), or Summary Suspension, or a Citation issued under Section 1119(a) or for a violation listed under Section 1118(a), the SFMTA may enter into a settlement with the Respondent or person cited. The parties may reach a settlement before, during, or after the hearing, but may not enter into a settlement after the Hearing Officer issues the Notice of Decision in accordance with subsection (e)(2).

(2) A settlement need not be read into the record of the hearing, or approved by the Hearing Officer, but must be reduced to writing, and signed and dated by the SFMTA and Respondent or ~~his or her~~ Respondent's legal counsel or other authorized representative.

(3) By entering into a settlement agreement, Respondent waives any right to appeal to the City's Board of Appeals, and Respondent waives any right to seek judicial review with respect to the subject of the settlement agreement.

(4) No evidence of an offer of settlement or of any statement made during settlement negotiations is admissible in a future proceeding under this Article.

(i) **Notices.**

(1) Any notice, filing, or other communication required to be provided to any person or entity by Sections 1117, 1118, 1119, 1120, 1121, or 1122 shall be delivered by personal delivery, overnight guaranteed delivery, or first-class U.S. Mail, return receipt requested, to the last known address of the intended recipient that is on file with the SFMTA.

(2) If the SFMTA is unable to determine the intended recipient's mailing address, ~~the local agency~~ then SFMTA shall post the notice in accordance with Section 1123(a), and shall maintain the posting on its website for at least 10 calendar days.

(3) The date of any notice, filing, or other communication directed to the SFMTA or a Hearing Officer shall be the date that it is received.

(4) Notwithstanding the requirements of subsection (i)(1), by mutual agreement between the parties and with the concurrence of the Hearing Officer, the parties may agree to electronic service of any notice, filing, or other communication required to be provided to any person or entity by Sections 1117, 1118, 1119, 1120, 1121, or 1122.

(5) Service of notice under this Section 1120 shall be deemed complete upon the date of personal delivery, deposit in the U.S. Mail, deposit with overnight guaranteed delivery service, or transmission by electronic means.

(j) **Failure to Appear.** Respondent's failure to appear at a scheduled administrative hearing in person, through a representative, or by written submission, will result in imposition of the proposed discipline or taking of the proposed action, either of which will be a final action of the SFMTA that is not subject to further administrative or judicial review; provided, however, that the Hearing Officer shall have the discretion, upon Respondent's showing of good cause within five business days, to excuse such failure to appear. Notwithstanding the foregoing sentence, Respondent may request one continuance of the administrative hearing by giving no less than ~~seventy-two~~ 72 hours' prior notice to the SFMTA.

(k) **Right to Judicial Review.** A decision of a hearing Officer made under Section 1119 is a final administrative decision. The person or entity cited may obtain judicial review of the administrative decision by filing a petition for review in accordance with California Code of Civil Procedure Sections 1094.5 and 1094.6.

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

(a) **Setting Rates of Fare and Gate Fees.** ~~At least every other fiscal year, the~~ The SFMTA Board ~~shall~~ may hold a hearing to determine, in its sole discretion, whether the rates of fare and cap on gate fees then in effect should be increased, decreased, or remain unchanged.

(b) **Taxi Fares.**

(1) **Standard Fare.** The fare for Taxis and Ramp Taxis shall be as follows: \$3.50 for the first fifth of a mile or "flag"; \$0.55 for each additional fifth of a mile or fraction thereof; and \$0.55 for each one minute of waiting or traffic delay time.

(2) **Flat Rate for Combined Trips.** ~~Following the issuance of cab-sharing regulations by the Director of Transportation, a~~ A driver may charge a flat rate of up to ~~\$11~~20 per person where two or more passengers are taking a trip whose origin or destination are different, and who are sharing the taxi for a portion of their combined trips instead of charging the metered rate. The flat rate may only be used with the advance consent of all affected passengers. Revenue for flat rate trips must be recorded on the Taximeter and reported to the SFMTA through the Electronic Taxi Access System.

(3) **Out-of-Town Trips.** Drivers are authorized to collect 150 percent of the metered rate for any trips originating in the City with a final destination that is more than 15 miles beyond City limits. Drivers are also authorized to collect 150 percent of the metered rate for any trip originating at the San Francisco International Airport ("SFO") if the trip requires crossing either the Golden Gate Bridge or the Bay Bridge and the final destination is more than 15 miles beyond City limits. For trips originating at SFO that do not require crossing either the Golden Gate Bridge or the Bay Bridge, Drivers are authorized to collect 150 percent of the metered rate if the final destination is not within City limits and is more than 15 miles from SFO.

(4) **Deduction for Time While Disabled.** In the event that a taxicab breaks down while conveying for hire any passenger or passengers, the Driver may not charge any passenger for the time during which the vehicle is disabled.

(5) **Establishment of Upfront Fare Pilot Program.** Within six months of the effective date of the resolution in SFMTA File No. _____, making numerous changes to Article 1100, the Director of Transportation shall create a one-year Upfront Fare Pilot Program ("Pilot Program") intended to test the concept of providing customers with a flat rate fare estimate through an

e-hail application. Under the Pilot Program, the customer will have the option of choosing the advance, upfront fare or pay for the trip based on the meter amount. The upfront fare estimate will be based on the estimated meter amount, using an algorithm to calculate the upfront fare estimate based on trip distance and time.

(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 100% 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) **Cleaning Fee.** Drivers are authorized to collect a cleaning fee of up to ~~\$100~~\$150 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.

(4) **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 (c)(4), no charge shall be made by the driver for loading or unloading baggage.

(5) **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)(65) 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.

(d) **Payment of Taxi Fares and Fees by Credit Cards.** Drivers must accept major credit cards (including at a minimum Visa, MasterCard, American Express, and Discover), as payment of taxi fare. This subsection (d) shall be strictly enforced.

(1) **Credit Card Processing Fees.** A Driver may elect to establish ~~his or her~~their own account for credit card payment processing with any merchant account service that conforms to PCI DSS standards and provides an electronic or paper receipt clearly indicating that the payment was made for San Francisco taxicab fare, the date, the fare amount, the identity of the driver, and a toll-free number for passenger and Driver payment inquiries to the merchant account holder or its customer service representative; provided, however, that a Driver must allow a passenger to choose to pay the fare using any available payment system, at the passenger's option. No Color Scheme may retaliate against a Driver for electing, or not electing, to establish ~~his or her~~their own credit card processing account.

(e) **Gate Fees.** ~~(1) — Cap on Gate Fees.~~ A Color Scheme Permit Holder or a Medallion Holder may not charge Drivers a mean gate fee that exceeds \$106.25 for a shift of

10 hours or longer. The cap shall be prorated at \$10.62 per hour for shifts shorter than 10 hours. The mean gate fee shall be determined by adding together the gate fees charged by the company for all available shifts during one week and dividing that total by the number of available shifts during the week. For purposes of this subsection (e), a Color Scheme Permit Holder is responsible for all gate fees that are assessed for use of any Gas and Gates Medallion that is affiliated with the Color Scheme. The Medallion Holder is responsible for all gate fees charged for the use of ~~his or her~~their Medallion if it is not operated as a Gas and Gates Medallion.

~~(2) — Gate Fee Surcharge For Low Emission Vehicles. Notwithstanding subsection 1122(e)(1), a Color Scheme may collect a surcharge of \$7.50 on any gate fee charged for use of a low emission vehicle, subject to the requirements of this subsection. The surcharge shall be for a shift of ten hours or longer, and shall be prorated at \$0.75 per hour for shifts shorter than ten hours. The surcharge shall be in addition to the company's basic gate fee and any other surcharges, increases, or adjustments to the gate fee cap authorized by the City, and may be collected for the life of the vehicle.~~

~~(3) — Definition of "Low Emission Vehicle." For purposes of this subsection, "low emission vehicle" means a Taxi or Ramp Taxi approved by the SFMTA that is rated as SULEV (Super Ultra Low Emission Vehicle) or better by the California Air Resources Board. "Low emission vehicle" shall also include a vehicle that is rated as ULEV (Ultra Low Emission Vehicle) if that vehicle was approved by the Taxi Commission and placed into service as a San Francisco Taxi or Ramp Taxi prior to March 1, 2009.~~

Section 3. 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 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: _____
STEPHANIE STUART
Deputy City Attorney

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I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of September 7, 2021.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency