

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 15-036

WHEREAS, The SFMTA would like to streamline and clarify the text of the regulations for Division II of the Transportation Code, Article 300 and Article 1100, in order to remove duplicative and inconsistent language in the Code sections; and,

WHEREAS, The SFMTA is placing a greater emphasis on customer service with taxicab drivers; and,

WHEREAS, The SFMTA proposes increasing penalties and adding penalties to provide greater accountability for taxicab drivers for various customer service violations; and,

WHEREAS, The SFMTA wants to increase its driver pool by changing some taxicab driver requirements; and,

WHEREAS, The SFMTA, in an effort to improve customer service, proposes requiring Dispatch Service to affiliate with an e-hail platform and requiring taxicab drivers to use then e-hail platform while duty, thereby increasing availability to consumers; and

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

WHEREAS, On January 30, 2015 the Municipal Transportation Agency, under authority delegated by the Planning Department, and with the concurrence of the Planning Department, determined that the proposed changes to fees and fines are statutorily exempt from environmental review under California Public Resources Code section 21080(b)(8) and the CEQA implementing guidelines because the anticipated revenues will be used to meet SFMTA operating expenses, including employee wage rates and fringe benefits, or to purchase or lease supplies, equipment, or materials; and

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

RESOLVED, That the SFMTA Board of Directors amends Transportation Code Division II, Article 1100, Sections 1103, 1105, 1106, 1107, 1108, 1109, 1110, 1116, 1118, , as well as amends , Transportation Code Division II, Article 300, Sections 310 and 320 to change requirements related to obtaining a taxi driver permit, to require dispatch services to affiliate with an E-Hail Application Provider, to require drivers to log into all electronic taxi equipment including e-hail applications, to eliminate the requirement that Medallion Holders who received down payment assistance only operate as Gas & Gates taxicabs thereby allowing them to operate independently, to make minor changes to

hearing procedures, to increase penalty amounts for various violations, to add some violations to the penalty schedule, to decrease the fees related to Color Scheme changes, to clarify language in the fee schedule and to remove and change duplicative or inconsistent language throughout the code.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of March 3, 2015.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

**Resolution amending the Transportation Code to add, eliminate, and increase fines for violation of taxi regulations; decrease the fee charged a medallion holder for changing color scheme affiliation; modify the requirements for a driver permit; prohibit operation of a taxi vehicle by a driver not covered by the vehicle’s insurance policy; require dispatch services to affiliate with an e-hail application provider; require drivers to log onto the dispatch service’s e-hail application; allow the Director of Transportation to waive the color scheme change fee under specified circumstances; expand prohibition on burning substances in a taxi vehicle to include passengers and to include using e-cigarettes or vaping devices; require drivers to activate the taximeter whenever a passenger is in the vehicle; modify the requirement for display of taxi vehicle numbers; and eliminate the requirement that medallion purchasers who receive a down payment assistance loan operate the medallion as a gas and gates medallion.**

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

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

Section 1. Article 300 of Division II of the Transportation Code is hereby amended by revising section 310, to read as follows:

**Sec. 310. SCHEDULE OF FINES.**

<b>TRANSPORTATION CODE SECTION</b>	<b>DESCRIPTION</b>	<b>FINE AMOUNT Effective July 1, 2014</b>	<b>FINE AMOUNT Effective July 1, 2015</b>
<b>CONDITIONS APPLICABLE TO ALL PERMITS</b>			
Div II § 1105(a)(134)	Current address	\$28.00	\$29.00
Div II § 1105(a)(9)	Continuous operation	\$55.0 per day	\$57.00 per day

Div II § 1114(a)	Records	\$82.00	\$85.00
Div II § 1105(a)(167)	Response time goals	\$164.00	\$169.00
Div II § 1105(a)(7)	Compliance with lawful orders	\$217.00	\$224.00
Div II § 1105(a)(6)	Compliance with laws and regulations	\$489.00	\$504.00
Div II § 1105(a)(123)	<u>Improper Sshift Cchange;</u> <u>Unattended Vvehicle</u>	\$489.00	\$504.00
<del>Div II § 1105(a)(13)</del>	<del>Improper shift change</del>	<del>\$489.00</del>	<del>\$504.00</del>
Div II § 1105(a)(18)	Retaliation against permit holder	\$489.00	\$504.00
Div II § 1105(a)(8)	Cooperation w/ regulatory entities; False statements	\$544.00	\$561.00
Div II § 1105(a)(112)	Compliance with Paratransit Program	\$544.00	\$561.00
Div II § 1105(a)(10)	Accepting/soliciting gifts from Drivers	\$652.00	\$672.00
Div II § 1105(a)(1)	Operating without a permit	<del>\$5,000.00</del> <u>\$153.00</u>	<del>\$5,000.00</del> <u>\$310.00</u>
<u>Div. II § 1105 (a)(17)</u>	<u>Operation without Driver Permit, CDL or insurance</u>	<u>\$1000.00</u>	<u>\$1000.00</u>
<b>CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS</b>			
Div II § 1106(s)	Dissolution plan	\$55.00 per day	\$57.00 per day
Div II § <u>1106(m)</u> <del>1114(e)(8)</del>	Emissions reduction <del>plan</del>	\$55.00 per day	\$57.00 per day
Div II § 1106(n)	Required postings	\$82.00	\$85.00
Div II § 1106(o)	Required notifications	\$82.00	\$85.00
Div II § 1113(d)(3)	Required PIM	\$82.00	\$85.00
Div II § 1114(e)(3)	Receipts	\$82.00	\$85.00
Div II § 1114(e)(5)	Vehicle inventory changes	\$82.00	\$85.00
Div II § 1114(e)(7)	Weekly reporting requirements	\$82.00	\$85.00
Div II § 1106(e)	Transfer of business; New	\$272.00 per day	\$280.00 per day

	location		
Div II § 1106(k)(1)	Facility to clean vehicles	\$272.00	\$280.00
Div II § 1106(i)	Workers' Compensation	\$327.00 per day	\$337.00 per day
Div II § 1106(p)	Obligations related to Drivers	\$435.00	\$448.00
Div II § 1106(r)	Found property	\$435.00	\$448.00
Div II § 1114(e)(1)	Waybills	\$435.00	\$448.00
Div II § 1114(e)(2)	Medallion Holder files	\$435.00	\$448.00
Div II § 1114(e)(6)	Current business information	\$435.00	\$448.00
Div II § 1124(b)(5)	Retaliation re credit card processing	\$435.00	\$448.00
Div II § 1124(c)	Overcharging gate fees	\$544.00	\$561.00
Div II § 1106(c)	Use of Dispatch Service	\$489.00	\$504.00
Div II § 1106(d)	Business premises	\$489.00	\$504.00
Div II § 1106(h)	Staffing requirements	\$489.00	\$504.00
Div II § 1106(14)(12-5)(7)	Use of spare vehicles	\$489.00	\$504.00
Div II § 1106(f)	Telephone directory	\$544.00	\$561.00
Div II § 1106(j)	Paratransit Broker contract	\$544.00	\$561.00
Div II § 1114(e)(8)	Required information	\$544.00	\$561.00
Div II § 1114(e)(9)	Required information	\$544.00	\$561.00
Div II § 1106(k)(2)-(4)	Nonworking equipment	<del>\$1,000.00</del> 1,087.00	<del>\$1,000.00</del> 1,200.00
Div II § 1106(q)(4)	Driver operating under the influence	<del>\$1,000.00</del> 1087.00	<del>\$1,000.00</del> 1,200.00
Div II § 1106(a)	Color Scheme Permit required	<del>\$5,000.00</del> 5,153.00	<del>\$5,000.00</del> 5,310.00
Div II § 1106(14)(68)	Leasing spare vehicles	<del>\$5,000.00</del> 5,153.00	<del>\$5,000.00</del> 5,310.00
<b>CONDITIONS APPLICABLE TO DISPATCH PERMITS</b>			
Div II § 1107(ca)(1-4)	<u>Dispatch service operational requirements</u> <u>Emergency plan</u>	\$55.00 per day	\$57.00 per day

Div II § 1107(e)	<del>Adequate communications</del> <u>Dispatch equipment requirements</u>	\$55.00 per day	\$57.00 per day
Div II § 1114(f)(1-2)	<u>Electronic trip data;</u> <u>Integration with ETAS</u> <del>Dispatch Service report</del>	\$55.00 per day	\$57.00 per day
<u>Div II § 1114(f)(3)</u>	<u>Dispatch service reports</u>	<u>\$82.00</u>	<u>\$85.00</u>
<del>Div II § 1107(d)</del>	<del>Service call records</del>	<del>\$82.00</del>	<del>\$85.00</del>
Div II § 1107(b)-(c)	<del>Serving</del> <u>Dispatch service standards and operational requirements customers</u>	<del>\$1000.00</del> <u>\$82.00</u>	<del>\$1000.00</del> <u>\$85.00</u>
<u>Div II § 1107(d)</u> <u>Div II § 1114(f)(4)</u>	<del>Found property</del> <u>recordkeeping</u>	\$82.00	\$85.00
Div II § 1107(c)(6)	Workers' Compensation	\$327.00 per day	\$337.00 per day
<del>Div II § 1107(e)</del>	<del>Ramp Taxi response</del>	<del>\$435.00</del>	<del>\$448.00</del>
Div II § 1107(c)(5)	Improper dispatching	\$544.00	\$561.00
<u>Div II § 1107(c)(7)</u>	<u>Affiliate with e-hail application</u>	<u>\$544.00</u>	<u>\$561.00</u>
<b>CONDITIONS APPLICABLE TO DRIVER PERMITS</b>			
Div II § 1108(c)	Color Scheme affiliation	\$6.00 per day	\$6.00 per day
Div II § 1108(a)	Driver identification	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(d)(2)	Duties at beginning of shift	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(d)(3)	Designated items in vehicle	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(2)	Transporting passenger property	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(5)	Loading and unloading	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>

	assistance		
Div II § 1108(e)(8)	Additional passengers	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(10)-(12)	Mobile telephones; Other audible devices	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(18)-(20), (22)	Driver duties re fares	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(26)	Loose items	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(27)	Trunk and/or baggage area	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(31)	Clean in dress and person	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(32)	Taximeter violation	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1108(e)(33)	<del>Smoking, d</del> Drinking or eating in vehicle	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
<u>Div II § 1108(e)(33)</u>	<u>Smoking in vehicle</u>	<u>\$250.00</u>	<u>\$258.00</u>
Div II § 1108(f)(1)-(3)	Duties at end of shift	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1114(b)(2)	Badge	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
Div II § 1114(b)(3)	Medical certificate	<u>\$82.00</u> <del>28.00</del>	<u>\$85.00</u> <del>29.00</del>
<del>Div II § 1114(b)(4)</del>	<del>Waybills</del>	<del>\$28.00</del>	<del>\$29.00</del>
Div II § 1108(e)(4)	Service animals or contained animals	<u>\$164.00</u> <del>55.00</del>	<u>\$169.00</u> <del>57.00</del>
Div II § 1108(d)(1)	Safety check	<u>\$164.00</u> <del>82.00</del>	<u>\$169.00</u> <del>85.00</del>
Div II § 1108(e)(1)	Refusal to convey	<u>\$164.00</u> <del>82.00</del>	<u>\$169.00</u> <del>85.00</del>
Div II § 1108(e)(7)	Servicing dispatch calls	<u>\$164.00</u> <del>82.00</del>	<u>\$169.00</u> <del>85.00</del>
Div II § 1108(e)(9)	Splitting fares	<u>\$164.00</u> <del>82.00</del>	<u>\$169.00</u> <del>85.00</del>
Div II § 1108(e)(16)	Requesting gratuities	<u>\$164.00</u> <del>82.00</del>	<u>\$169.00</u> <del>85.00</del>
<u>Div II § 1108(e)(17)</u>	<u>Audio/visual communication device</u>	<u>\$164.00</u>	<u>\$169.00</u>
Div II § 1108(e)(24)	Found property	<u>\$164.00</u> <del>82.00</del>	<u>\$169.00</u> <del>85.00</del>
Div II § 1124(d <del>f</del> )	<u>Accept credit card;</u> Passenger payment choice	<u>\$164.00</u> <del>82.00</del>	<u>\$169.00</u> <del>85.00</del>
Div II § 1108(e)(3)	Transporting person	\$164.00	\$169.00

	with a disability in front seat		
Div II § 1108(e)(6)	Assisting and securing person with a disability	\$164.00	\$169.00
<u>Div II § 1108(e)(13)</u>	<u>Use of Dispatch Service; log in/out</u>	<u>\$164.00</u>	<u>\$169.00</u>
<u>Div II § 1108(e)(39)</u>	<u>Failure to activate meter</u>	<u>\$164.00</u>	<u>\$169.00</u>
Div II § 1108(e)(14)	Reckless or dangerous driving	\$164.00	\$169.00
Div II § 1108(e)(15)	Ramp Taxi rules	\$164.00	\$169.00
<u>Div II § 1108(e)(29)</u>	<u>Threats and abuse</u>	<u>\$164.00</u>	<u>\$169.00</u>
Div II § 1108(e)(35)-(37)	Paratransit Debit Card	\$164.00	\$169.00
Div II § 1124( <del>cd</del> )(5)	Luggage charges	\$164.00	\$169.00
Div II § 1108(e)(25)	Unsafe taxi	\$217.00	\$224.00
Div II § 1108(e)(30)	Excessive force	\$217.00	\$224.00
Div II § <u>1103(c)(3)(A)</u> <del>1108(b)(3)</del>	Criminal convictions	\$544.00	\$561.00
Div II § <del>1108(b)(4)(B)</del>	Controlled substances	\$544.00	\$561.00
Div II § 1108(e)(38)	Tampering with equipment	\$544.00	\$561.00
<b>CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI EQUIPMENT</b>			
Div II § 1113(b)-(e), (g)-(j)	Equipment and display requirements	<del>\$164.00</del> 28.00	<del>\$169.00</del> 29.00
Div II § 1113(d)(3)	Install PIM in Taxi vehicle	\$164.00 per vehicle	\$169.00 per vehicle
Div II § 1113( <del>lm</del> )	Vehicle windows	<del>\$82.00</del> 28.00	<del>\$85.00</del> 29.00
Div II § 1113(o)	Sanitary condition	<del>\$82.00</del> 28.00	<del>\$82.00</del> 28.00
Div II § 1113(a)	Safe operating condition	\$82.00	\$85.00
Div II § 1113(k)	Standard vehicle equipment	\$82.00	\$85.00

Div II § 1113(k)(13)-(15)	Vehicle tires and wheels	\$82.00	\$85.00
Div II § 1113(m)	Security cameras	\$82.00	\$85.00
Div II § 1113(n)	Condition of vehicle	\$82.00	\$85.00
Div II § 1113(u)	Working Taxi ramp	\$82.00	\$85.00
Div II § 1113(p)	Vehicle title requirements	\$272.00	\$280.00
Div II § 1113(q)-(r)	Excessive vehicle mileage or age	\$272.00	\$280.00
Div II § 1113(s)	Vehicle inspections	\$272.00	\$280.00
Div II § 1113(s)(7)	Fraud related to inspection	\$272.00	\$280.00
Div II § 1113(t)	Replacement vehicle	\$272.00	\$280.00
Div II § 1113(v)	Retired vehicles	\$272.00	\$280.00
Div II § 1113(f)	Taximeters	\$327.00	\$337.00
<b>CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI MEDALLIONS</b>			
Div II § 1109( <del>ba</del> )( <del>1</del> )	Use of Dispatch Service	\$82.00	\$85.00
Div II § 1110(a)(1)-( <del>3</del> )	Wheelchair priority	\$164.00	\$169.00
Div II § 1110(a)(2)	Ramp Taxi Driver training	\$164.00	\$169.00
Div II § 1110(a)(3)	Wheelchair pickups	<del>\$435.00</del> 164.00	<del>\$448.00</del> 169.00
Div II § 1110(b)	Ramp Taxi Medallion in spare taxi	\$164.00	\$169.00
Div II § 1110(c)	Time Limits Ramp Taxi Medallion in spare	\$164.00/per unauthorized day	\$169.00/per unauthorized day
Div II § 1110(d)	Ramp Taxi qualifications	\$164.00	\$169.00
Div II § 1109(c)	Full-time driving requirement	\$24,000.00 multiplied by percentage of hours short of the full time driving requirement	\$24,000.00 multiplied by percentage of hours short of the full time driving requirement

Section 2. Article 300 of Division II of the Transportation Code is hereby amended by revising section 320, to read as follows:

**SEC. 320. TAXI PERMIT FEES.**

The following is the schedule for taxi-related permit and permit renewal fees:

Permit Type*	<u>FY 2014 Effective</u> <u>July 1, 2013</u> <u>Current</u> <u>Fee</u>	FY 2015 Effective July 1, 2014	FY 2016 Effective July 1, 2015
Driver Permit Application	\$152.00	\$252.00	\$265.00
Medallion Holder Application	\$1,863.00	N/A	N/A
Ramp Taxi Application	\$766.00	N/A	N/A
Monthly Ramp Taxi Medallion Use Fee	\$500.00	\$500.00 (fee waived as of Jan. 1, 2015)	N/A
Monthly Taxi Medallion Use Fee (8000 series)	<del>\$1000.00</del> <del>2,000.00</del> / \$100.00 to Driver Fund	<del>\$1000.00</del> <del>2,000.00</del> / \$100.00 to Driver Fund	<del>\$1000.00</del> <del>2,000.00</del> / \$100.00 to Driver Fund
Medallion Waiting List Application	\$505.00	N/A	N/A
Dispatch Application	\$5,688.00	\$5,688.00	\$5,972.00
Color Scheme Change	\$608.00	<del>\$403.50</del> <del>608.00</del>	<del>\$403.50</del> <del>638.00</del>
Lost Medallion	\$227.00	\$100.00	\$105.00
Metal Medallion	\$71.00	N/A	N/A
New Color Scheme - 1 to 5 Medallions	\$1,805.00	\$1,805.00	\$1,895.00
New Color Scheme - 6 to 15 Medallions	\$2,647.00	\$2,647.00	\$2,779.00
New Color Scheme - 16 to 49 Medallions	\$5,299.00	\$5,299.00	\$5,564.00
New Color Scheme - 50 or more	\$6,621.00	\$6,621.00	\$6,952.00

Medallions			
Taxi Wrap - fee is per vehicle/month	\$162.00	N/A	N/A
Driver Renewal	\$98.00	\$98.00	\$103.00
Medallion Holder Renewal	\$1,410.00	\$1,000.00	\$1,010.00
Ramp Taxi Renewal	\$244.00	N/A	N/A
Color Scheme Renewal - 1 to 5 Medallions	\$1,485.00	\$1,485.00	\$1,559.00
Color Scheme Renewal - 6 to 15 Medallions	\$2,182.00	\$2,182.00	\$2,291.00
Color Scheme Renewal - 16 to 49 Medallions	\$4,534.00	\$4,534.00	\$4,761.00
Color Scheme Renewal - 50 to 149 Medallions	\$6,802.00	\$6,802.00	\$7,142.00
Color Scheme Renewal - 150 or More Medallions	\$9,069.00	\$9,069.00	\$9,522.00
Dispatch Renewal	\$6,284.00	\$6,284.00	\$6,598.00

Section 3. Article 1100 of Division II of the Transportation Code is hereby amended by revising section 1103, to read as follows:

**SEC. 1103. PERMIT APPLICATIONS AND RENEWAL.**

\* \* \* \*

(c) Additional Requirements Applicable to Driver Permit Applications.

\* \* \* \*

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

(A) ~~Be a legal resident of the United States;~~

(AB) Be clean in dress and person;

(~~BC~~) 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;

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

(~~DE~~) Have the physical capacity to operate a motor vehicle for at least four hours per day;

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

(~~FG~~) Have attained the age of 21~~24~~;

(~~GH~~) Speak; read and write the English language;

(~~HI~~) Reserved: Controlled Substance Testing Program.

\* \* \* \*

Section 4. Article 1100 of Division II of the Transportation Code is hereby amended by revising section 1105, to read as follows:

**SEC. 1105. GENERAL PERMIT CONDITIONS.**

(a) Conditions Applicable to All Permits.

\* \* \* \*

(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.

\* \* \* \*

Section 5. Article 1100 of Division II of the Transportation Code is hereby amended by revising section 1106, to read as follows:

**SEC. 1106. CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS.**

\* \* \* \*

(j) ~~Participation in~~ Paratransit Program Minimum Requirements. All Color Schemes must qualify for the Paratransit Program and must execute a contract with the Paratransit Broker defining the rights and obligations of the parties. Thereafter, each such Color Scheme shall operate at all times subject to the ~~rules and regulations of the~~ Paratransit Program Minimum Requirements set by the SFMTA, including any rules requiring the Color Scheme to maintain insurance in excess of the insurance requirements of this Article. Every contract entered into between a Color Scheme and a Driver or Medallion Holder affiliated with that Color Scheme shall require the Driver to operate at all times subject to the rules and regulations of the Paratransit Program.

\* \* \* \*

(o) Required Notifications.

(1) By the fifth day of each month, each Color Scheme must file a report with the SFMTA listing each accident that occurred during the previous ~~previous~~ month involving any Taxi or Ramp Taxi affiliated with the Color Scheme and resulting in property damage or bodily injury.

(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 require 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 Driver or Medallion Holder. Upon receiving notice of the death of a Driver or 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. If the deceased was a Medallion Holder, 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 \$1,900 beginning as of the 15th day following the notice of death and until such date as the SFMTA requires the return of the Medallion.

\* \* \* \*

Section 6. Article 1100 of Division II of the Transportation Code is hereby amended by revising section 1107, to read as follows:

**SEC. 1107. CONDITIONS APPLICABLE TO DISPATCH SERVICE PERMITS.**

\* \* \* \*

(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 human, 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.

(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 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.

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

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

\* \* \* \*

Section 7. Article 1100 of Division II of the Transportation Code is hereby amended by revising 1108, to read as follows:

**SEC. 1108. CONDITIONS APPLICABLE TO DRIVER PERMITS.**

\* \* \* \*

(e) Driver Duties During Shift.

\* \* \* \*

(13) During a shift a Driver may not monitor or listen to any Dispatch Service other than the Dispatch Service that provides service to the Color Scheme with which the vehicle is affiliated. A Driver must be logged into all in-taxi equipment the Dispatch Service's dispatch equipment at all times while operating a taxi vehicle, using a means of identification approved by the SFMTA, and a Driver must be logged into the e-hail application with which the Dispatch Service is affiliated.

\* \* \* \*

(18) Drivers shall, at the beginning of a trip, inform any passenger whose announced destination falls within the parameters of Section 1124(b)(3) ~~is more than 15 miles from City limits, or if the passenger is picked up at the San Francisco International Airport, whose announced destination is more than 15 miles from the San Francisco International Airport and is not within the City limits,~~ that the fare to be charged will be 150% of the amount registered on the Taximeter ~~in accordance with Section 1122(b)(2).~~

\* \* \* \*

(33) No Driver or passenger shall burn any substance or use an e-cigarette or any type of vaping device in the vehicle at any time, ~~or~~ No Driver shall drink or eat while a passenger is in the vehicle.

\* \* \* \*

(39) A Driver must activate the Taximeter when carrying a passenger.

\* \* \* \*

Section 8. Article 1100 of Division II of the Transportation Code is hereby amended by revising section 1109, to read as follows:

**SEC. 1109. CONDITIONS APPLICABLE TO MEDALLIONS.**

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

\* \* \* \*

(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.

\* \* \* \*

(c) Full-Time Driving Requirement.

(1) Every Medallion Holder who is a natural person and who acquired his or her Medallion after June 6, 1978 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 holding a Medallion issued on or before June 6, 1978.

(3) Declaration Required. No permit to operate a Taxi shall be granted to a natural person unless the Medallion Holder shall declare under penalty of perjury that he or she will actively and personally continue to engage in Full-Time Driving.

(4) Medallion Holders Responsible for Documenting Compliance. A Medallion Holder has the responsibility to maintain his or her 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 from proving that he or she has satisfied this Subsection 1109(c) or any other requirement.

(56) Partial Years. During the year that a Medallion is first issued or any year in which operation of the 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.

(67) Exception for Color Scheme Key Personnel.

(A) Alternative Driving Requirement. Medallion Holders who are designated as "Key Personnel" by a Color Scheme may satisfy the Full-Time Driving requirement by driving 120 hours per year and performing 1,500 hours of work per year as Key Personnel for the Color Scheme.

(B) Written Designation of Key Personnel. Each Color Scheme seeking to designate one or more of its employees for a calendar year pursuant to this Subsection 1109(c)(7) must file a written designation by December 1st of the preceding year. A Permit Holder may not be designated as Key Personnel by more than one Color Scheme during a calendar year. The SFMTA will only recognize as Key Personnel only those Medallion Holders named in a completed designation form filed by the Color Scheme as of December 1st.

(C) Number of Key Personnel Designated at a Color Scheme. Each Color Scheme will be entitled to designate Key Personnel in accordance with the number of Medallions affiliated with that Color Scheme. The number of Medallions affiliated with a particular Color Scheme for a calendar year shall be determined as of December 1st of the previous year, based on the records of the SFMTA. Only individuals already holding a Medallion by December 1 of that year may be considered

for Key Personnel designation. The number of designated Key Personnel at a Color Scheme may not be increased or decreased during the subsequent calendar year even if the number of Medallions affiliated with that Color Scheme changes during the year.

A Color Scheme with 1 to 10 Medallions may not designate anyone as Key Personnel.

A Color Scheme with 11 to 20 Medallions may designate one person.

A Color Scheme with 21 to 40 Medallions may designate two people.

A Color Scheme with 41 to 60 Medallions may designate three people.

A Color Scheme with 61 to 80 Medallions may designate four people.

A Color Scheme with 81 to 100 Medallions may designate five people.

A Color Scheme with 101 to 150 Medallions may designate six people.

A Color Scheme with 151 to 200 Medallions may designate seven people.

A Color Scheme with 201 to 300 Medallions may designate eight people.

A Color Scheme with 301 to 400 Medallions may designate nine people.

A Color Scheme with over 400 Medallions may designate nine people, plus one additional person for every 100 Medallions over 400.

(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 submit a falsely sworn Statement of Work shall be subject to automatic revocation of his or her Permit.

(E) Partial Completion of Requirements. If a Medallion Holder performs at least 750 hours of work as designated Key Personnel for the a Color Scheme during the year but less than 1,500 hours, the Permit Holder shall be entitled to partial credit against the Full-Time Driving requirement on a pro rata basis. The credit shall correspond to the percentage of 1,500 hours that the designated Permit Holder worked for the company in such capacity. If a Permit Holder does not perform at least 750 hours of work as designated personnel for the Color Scheme during the year, the Permit Holder shall not be entitled to any credit against the Full-Time Driving requirement.

(d) Corporate Medallion Holders.

(1) Permits Void in Event of Transfer or Sale of Permit Holder. Any Medallion held by a Permit Holder that is not a natural person shall be deemed null and void and revoked if any of the following circumstances has occurred since the issuance of the Medallion:

(A) If the Medallion ~~Holder~~ is or was sold or transferred at any time after June 6, 1978. For the purposes of this Section, a sale or transfer occurs upon a cumulative sale or transfer of either 10 percent or more of the stock or other ownership of the Medallion Holder, or 10 percent of the Permit Holder's assets since June 6, 1978, unless such sale or transfer has the prior written approval of the SFMTA.

\* \* \* \*

Section 9. Article 1100 of Division II of the Transportation Code is hereby amended by revising section 1110, to read as follows:

**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 Medallion Holders:

(a) Serving Passengers Who Use Wheelchairs.

\* \* \* \*

(3) Every ~~every~~ holder of a 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 the holder 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 Use Agreement, the SFMTA may terminate the 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 a Use Agreement for violations of this Article or the rules and regulations of the Paratransit Program.

\* \* \* \*

(d) Use Agreements for Ramp Taxi Medallions.

\* \* \* \*

(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.

\* \* \* \*

Section 10. Article 1100 of Division II of the Transportation Code is hereby amended by revising section 1113, to read as follows:

**SEC. 1113. TAXI AND RAMP TAXI EQUIPMENT REQUIREMENTS.**

\* \* \* \*

(c) Exterior Display of Identifying Information. Every Taxi or Ramp Taxi shall have the following information displayed on the exterior of the vehicle:

(1) Vehicle Number.

(A) The Vehicle Number in numerals of a color that contrasts with the color of the rest of the vehicle, at least four inches high and positioned directly under the windows on or within six inches of the forward-most portion of both front doors, and on the rear facing portion of the trunk lid of the vehicle.

(B) The Vehicle Number on the ~~roof~~, hood of the vehicle, ~~or~~ and on the trunk of the vehicle if space is available, in numbers at least 18 inches in length of a color that contrasts with the color of the rest of the vehicle. If the numbers are displayed on the roof, they shall be mounted and centered directly behind the top light.

\* \* \* \*

Section 11. Article 1100 of Division II of the Transportation Code is hereby amended by revising section 1116, to read as follows:

**SEC. 1116. TAXI MEDALLION TRANSFER PROGRAM.**

\* \* \* \*

(d) Retransfer.

(1) A Medallion that 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, 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 ten 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(l)(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.

~~(4) — Any Transferee who receives a down payment loan from a Qualified Lender under the Taxi Medallion Sales Pilot Program, or a down payment assistance loan from the SFMTA under the Medallion Transfer Program, must operate the Transferable Medallion as a Gas and Gates Medallion until the Transferee repays the entire amount of the loan.~~

\* \* \* \*

Section 12. 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 13. Scope of Ordinance. In enacting this ordinance, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: \_\_\_\_\_  
MARIAM M. MORLEY  
Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of March 3, 2015.

\_\_\_\_\_  
Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency