

Agenda: Item 4

Consideration of Proposed Rule 5.H.18, Requiring Designated Managers
for Color Schemes [ACTION]

CITY AND COUNTY OF
SAN FRANCISCO



TAXI COMMISSION
MAYOR GAVIN NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3
PATRICIA BRESLIN, VICE PRESIDENT
RICHARD BENJAMIN, COMMISSIONER, ext. 1
TOM ONETO, COMMISSIONER, ext. 6
MIN PABK, COMMISSIONER, ext. 7
R. JAMES SLAUGHTER, ext. 4
SUSAN SUVAL, COMMISSIONER, ext. 5

JORDANNA THIGPEN, EXECUTIVE DIRECTOR

TO: Honorable Commissioners
FROM: Jordanna Thigpen
RE: Managers Required
DATE: August 6, 2008

Attached please find a Resolution proposing a new rule, which was passed unanimously at the Rules Subcommittee.

Companies would be required to designate a manager by September 1, 2008. Any company that was unable or unwilling to do so would be required to appear before the Commission to explain why. One company has already expressed an inability to comply with the requirement, should the Commission adopt this rule.



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JORDANNA THIGPEN, EXECUTIVE DIRECTOR

August 13, 2008

At the meeting of the Taxicab Commission on Tuesday, August 12, 2008, the following resolution was adopted:

RESOLUTION NO. 2008-XX

ADDING RULE 5.H.18 OF THE TAXICAB/RAMPED TAXI RULES AND REGULATIONS:

WHEREAS, the Rules and Regulations Subcommittee recommends adding 5.H.18 of the Taxicab/Ramped Taxi Rules and Regulations as follows; and

Rule 5.H.18:

- a. All Color Schemes shall be required to fill out a new application by September 1, 2008 which will designate a manager who shall serve as the central point of contact for all matters of regulatory compliance. This manager shall be an individual who has not had a permit suspended or revoked by the Commission in the past five years, except with permission of the Executive Director. A Color Scheme may designate additional managers for specialized matters subject to approval by the Executive Director.
- b. The manager shall be designated as the official agent and agent for service of process for the color scheme. The Color Scheme shall be held strictly accountable to the Commission for all activities of the manager. Failure to accept service of process shall be a cause for discipline of the Color Scheme.
- c. Designation of a manager for purposes of this section shall not mean that the manager qualifies as key personnel under MPC § 1081.5.

WHEREAS, the Rules and Regulations Subcommittee recommends classifying Rule 5.H.18 as a Major Violation with a penalty structure of \$250 for the first violation, \$400 for the second violation, and \$500 for the third violation; and

THEREFORE BE IT RESOLVED, that the Taxi Commission adopts the changes described above.

AYES:

ABSENT:

NOES:

RECUSED: