

**EXCERPTS FROM PROPOSED LEGISLATION**

**FOR MARCH 12, 2013**

**SFMTA BOARD MEETING:**

**Electronic Trip Information and Financial Reporting; Smoking in Taxicabs**

Resolution amending Sections 1102, 1105, 1108, 1109, 1113 and 1114 of the Transportation Code to transfer, from color scheme permit holders to dispatch service permit holders, the obligation to provide electronic trip data to the SFMTA, to extend the deadline for complying with that obligation from February 28 to April 30, 2013, to require all dispatch service permit holders, by a date to be determined by the SFMTA, to integrate their dispatch systems with and implement the SFMTA's new data collection system for real-time reporting of electronic trip data, to require color scheme permit holders and other permit holders to cooperate with the SFMTA to implement the new data collection system, to extend from February 28 to a date to be determined by the SFMTA the obligation of each color scheme permit holder to install in each taxi vehicle a rear-seat passenger information monitor, eliminating the option of installing an alternate type of credit/debit card processing device, requiring all color scheme permit holders to provide the SFMTA with specified financial data and access to specified financial records, and providing that a driver may not smoke inside a taxi at any time.

**SEC. 1102. DEFINITIONS.**

(p) "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).

(q) "Electronic Taxi Access System" shall mean the vendor selected by the SFMTA to provide the Electronic Taxi Access System.

(r) "Electronic Taxi Access System Provider" shall mean the vendor selected by the SFMTA to provide the Electronic Taxi Access System.

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

**(b) Electronic Taxi Access System.**

By a date to be determined by the SFMTA, 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 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. 1108. CONDITIONS APPLICABLE TO DRIVER PERMITS.**

**(d) Driver Duties at Beginning of Shift.**

(33) No Driver shall burn any substance in the vehicle at any time, or drink, or eat while a passenger is in the vehicle.

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

(d)(3) By a date to be determined by the SFMTA ~~February 28, 2013~~, every Taxi shall be equipped with either an operational rear-seat passenger information monitor (PIM) that is connected to the Taximeter, ~~or another credit and debit card payment processing device that is installed in the back seat or may be handed to the passenger in the back seat and allows the passenger to swipe his or her own payment card and choose a tip amount.~~ Such PIM or payment processing device must meet any functional requirements and standards established, in writing, by the Director of Transportation. Not less than six months before the date by which the equipment must be installed, the Director of Transportation shall provide all Color Scheme Permit Holders with notice of the installation deadline, and notice of any functional requirements and standards.

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

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

(10) Semiannual Report. No later than May 1 of every other year, beginning May 1, 2013, each Color Scheme that has five or more Medallions must provide the SFMTA with an audited financial statement for the previous calendar year containing the following information:

(A) A list of all the Color Scheme's Medallions categorized as follows:

(i) Operated by the Color Scheme as a Gas and Gates Medallion;

(ii) Operated by the Medallion Holder;

(iii) Operated by a Driver pursuant to an agreement with the Medallion

Holder; or

(iv) Operated by a Driver subject to a Lease with the Color Scheme.

(B) All operating revenue, including:

(i) Gate fees for leasing vehicles to Drivers by the shift;

(ii) Affiliation fees for use of colors and dispatch and insurance, if

applicable;

(iii) Revenue received from leasing Medallions to Drivers by the month;

(iv) All other operating revenue, including all funds received from Drivers

for fuel, cashiering services, parking and tips; and

(iv) All funds received from contractors for advertising, merchant account or payment processing services, or other goods or services contracts.

(C) All operating expenses, including:

(i) Total payments to Medallion Holders, including the value of Gate Fee discounts, Medallion lease payments, and Medallion Holder annual permit renewal fees;

(ii) Total vehicle maintenance and repair expenses;

(iii) Total auto liability insurance premiums, or if self-insured, total payments made for claims arising from vehicle operation;

(iv) Total worker's compensation insurance premiums;

(v) Total taxi equipment purchase or lease and installation costs (Driver information monitors, radios, toplights, passenger information monitors, decals);

- (vi) Total air time costs for payment processing;
- (vii) Total administrative and overhead costs (office equipment and supplies, telephone and internet service, advertising, etc.):
- (viii) Total labor costs, including a list of all positions that are salaried; and
- (ix) All other costs of goods and services:
- (D) Net income.
- (E) A detailed description of internal control procedures for accounts payable, cash handling, fixed assets, inventory, and enforcement of medallion lease terms.
- (F) A detailed description of current control risks over revenues and expenditures.
- (G) A detailed chart of accounts.
- (H) A detailed trial balance for the calendar year under review.

(11) Other Financial Information. Each Color Scheme Permit Holder shall have readily available and shall allow an authorized representative of the SFMTA to inspect, immediately upon request during regular business hours:

- (A) All general ledger details for each trial balance account;
- (B) All supporting documentation for each trial balance account;
- (C) All systems, facilities and records; and
- (D) A list of all accounting systems used and all financial reports.

**(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 no later than April 30, 2013. Such system must, at a minimum, archive all taxi trip data for at least six 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 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.