

[Amending Article 1100 Division II of the Transportation Code.]

**Resolution amending Article 1100 of Transportation Code Division II, regulating Motor Vehicles for Hire.**

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. The San Francisco Transportation Code, Division II, Article 1100 is hereby amended to read as follows:

**ARTICLE 1100 REGULATION OF MOTOR VEHICLES FOR HIRE**

**SEC. 1101. SCOPE AND PURPOSE OF REGULATIONS**

**(a) Scope of Regulations**

**(1) Classes of Permits**

This Article, ~~adopted pursuant to San Francisco Charter Section 8A.101(b) and Police Code Section 1075.1, as amended (File No. 08138, Ordinance No. 303-08),~~ shall apply to the following classes of permits issued by the SFMTA:

**(A) Permits issued to a person:**

**(i) Driver ~~permits~~ Permits**

**(B) Permits issued to a person for use with an identified vehicle or vehicle(s):**

**(i) Taxi/Ramp Taxi ~~permits~~ Medallions**

**(ii) Non-Standard Vehicle ~~permits~~ Permits**

**(C)** Permits issued to a business that affiliates with permitted vehicles:

**(i)** Color Scheme ~~permits~~ Permits

**(ii)** Dispatch Service ~~permits~~ Permits

**(2)** Exclusion for Certain Vehicles

This Article shall not apply to the operation of a motor vehicle:

**(A)** Engaged in the business of, or used for, transporting passengers for hire when such motor vehicle is operated under and by authority of ~~certificates~~ of public convenience and necessity issued by the Public Utilities Commission of the State of California (CPUC); ~~however, this Article shall only be inapplicable to the extent, character and type of operation expressly authorized by such certificate, and any such commercial operation of a motor vehicle pursuant to a CPUC certificate within the City and County of San Francisco shall be limited by and~~ to the extent that the commercial operation of such a Motor Vehicle for Hire is entirely within the scope of such certificate;

**(B)** Licensed by any city, city and county, county or other public entity as a motor vehicle for hire which may enter the City and County of San Francisco for the purpose of delivering passengers who have hired the vehicle in a jurisdiction in which it is licensed to operate, provided, however, that no such motor vehicle for hire may solicit or accept any passenger while in the City;

**(C)** ~~A vehicle that~~ That is regularly operated by a business to transport employees;

**(D)** Operated as ~~a private ambulances~~ ambulance and regulated by Article 14 of the San Francisco Health Code; or

**(E)** Operating on fixed tracks or rails.

**(3)** Application of Regulations to Permit Holder Conduct

This Article applies to the conduct of Permit Holders at all times while engaged in activity related to the permit.

**(b) Purpose of Regulations; Limitation of Liability**

It is the purpose of this Article to require all persons, businesses or corporations holding permits issued pursuant to this Article to take steps to improve taxi service to the public and to protect the public health and safety when providing such service. By adopting this Article, the SFMTA is assuming an undertaking to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

**(c) Notice of Regulations**

The SFMTA shall ~~offer provide~~ a copy of this Article to each person who is applying for or renewing a permit at the time of application or renewal.

**(d) Incompatible Activities**

No permit governed by this Article may be issued to an employee of the SFMTA except with the prior written approval of the Director of Transportation.

**(e) ~~(4)~~ Severability**

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article or any part thereof, is for any reason held to be invalid or ineffective, such decision shall not affect the validity or effectiveness of the remaining portions of this Article or any part thereof. The SFMTA Board hereby declares that it would have adopted and promulgated each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid or ineffective.

## SEC. 1102. DEFINITIONS

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

**(a) “Administrative Probation”** shall mean the status of being substantially out of compliance with this Article according to by a written determination of Administrative Probation issued by the SFMTA.

**(b) “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 business that provides taxi service, or a business that provides taxi service and holds a Color Scheme Permit ~~permit~~ issued by the SFMTA ~~or predecessor agency~~, including any owner, manager, employee, ~~or lessee, and any agent of said Color Scheme such business.~~

**(c) “Color Scheme Permit”** shall mean a permit issued by the SFMTA to operate a Color Scheme in the City.

**(d) “Controlled Substance Testing Program”** shall mean a program adopted by the SFMTA Board to comply with California Government Code § 53075.5.

**(e) “Dispatch Service”** shall mean any person, business, firm, partnership, association or corporation which holds itself out to the public as a service by or through which taxis may be summoned or dispatched by radio, telephone, or other means of communication, including any owner, manager, employee, lessee and any agent of said service.

**(f) “Dispatch Service Permit”** shall mean a permit issued by the SFMTA to operate a Dispatch Service in the City.

**(g) “Driver”** shall mean ~~either a~~ any 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.

**(h)** “Driver Permit” or “A-Card” shall mean a permit issued by the SFMTA to operate a Taxi or Ramp Taxi in the City.

**(i)** “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.

**(j)** ~~(e)~~ **“Filing 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.

**(k)** “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.

**(l)** “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, whichever shall come first.

**(m)** ~~(d)~~ **“Gate Fee”** shall mean any monetary fee or other charge or consideration, or any combination thereof, required of a Driver who is not a Taxi or Ramp Taxi ~~Permit~~ Medallion Holder for the privilege of driving a Taxi or Ramp Taxi during a particular shift, or for any period of time, including receipt of all services provided in connection with such privilege, whether said fee is set by contract, lease or other agreement, orally or in writing, and whether said fee is paid by the Driver as a flat rate, as a commission on receipts from fares, or as a specified fee for any other purpose.

**(n)** “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).

**(o)** “Key Personnel” shall mean a Taxi Permit Holder who works in an administrative capacity or performs functions integral to a Color Scheme, who is a bona fide employee on the payroll of the Color Scheme and who works on-site at the Color Scheme’s principal place of business.

**(p)** “Lease” shall mean an otherwise lawful written document, employment contract, or other agreement that for consideration authorizes the temporary operation of a Taxi or Ramp Taxi Medallion by a person or Color Scheme other than the Taxi or Ramp Taxi Medallion Holder.

**(q)** ~~(e)~~ **“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 ~~Permit~~ Medallion Holder for the privilege of operating that Medallion ~~Taxi Permit Holder’s~~ ~~Taxi or Ramp Taxi permit~~ during a particular shift, or for any period of time.

**(r)** “Medallion” shall mean a permit issued by the SFMTA to operate a particular Taxi or Ramp Taxi vehicle in the City.

**(s)** “Medallion Holder” shall mean the person or entity to whom a Medallion was issued.

**(t)** ~~(f)~~ **“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.

**(u)** ~~(g)~~ **“Motor Vehicle for Hire Permit”** shall mean a permit issued by the SFMTA ~~Board~~ for the operation of an identified vehicle for the purpose of transporting passengers for a price, including Taxi and Ramp Taxi Medallions and Non-Standard Vehicle permits, and does not include Dispatch Service, Color Scheme or Driver Permits ~~permits~~.

(v) "Model Year" shall mean the year model designated at the time of manufacture of first assembly as a completed vehicle (e.g. If a vehicle is produced in 2007, but is designated for sale as a 2008 model, then the vehicle is considered a 2008 Model Year.)

(w) "Non-Standard Vehicle" shall mean a privately owned, motor-propelled passenger carrying vehicle which may be legally operated on the streets of the City under all applicable state and local laws and regulations, and which is not defined elsewhere in this Article.

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

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

(z) "Paratransit Coordinating Council" shall mean the community advisory committee which advises the SFMTA regarding paratransit services.

(aa) "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.

(bb) (h) "Permit Fee" shall mean a fee in an amount established by the SFMTA Board, required to be paid by a permit applicant ~~upon qualifying for permit and prior to~~ ~~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.

(cc) (i) "Permittee" or "Permit Holder" shall mean any person, business, 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 ~~said~~ such Permit Holder including, but not limited to, any owner, manager, employee or lessee of ~~said~~ such Permit Holder.

**(dd)** **"Police Department"** shall mean the Police Department of the City and County of San Francisco.

**(ee)** **(j)** **"Ramp Taxi"** shall mean a Taxi that is specially adapted with access for wheelchair users.

**(ff)** **"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.

**(gg)** **"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.

**(hh)** **(k)** **"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.

**(ii)** **"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.

**(jj)** **"SFMTA"** shall mean the San Francisco Municipal Transportation Agency of the City, or any predecessor agency with regulatory jurisdiction over Motor Vehicles for Hire.

**(kk)** **(l)** **"Taxi"** shall mean a vehicle operated pursuant to a Taxi or Ramp Taxi Medallion permit 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.

**(ll)** "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.

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

**(nn)** ~~(m)~~ "Waiting List" shall mean a list of applicants for Taxi or Ramp Taxi Medallions permits for whom such Medallions permits are not yet available, maintained in the order of receipt of complete applications from qualified applicants.

### **SEC. 1103. PERMIT APPLICATIONS ~~AND ELIGIBILITY~~**

~~Reserved.~~

#### **(a) Application Forms**

Application for any permit issued pursuant to this Article shall be made to the SFMTA on a form provided by the SFMTA. The applicant shall provide such information and documents as the SFMTA requires, which may include a physical examination and/or background check of the applicant. The SFMTA shall record the date and time that a complete application, including the Filing Fee, is received, which shall be the date and time assigned to the application for the purpose of placing the applicant on the Waiting List.

#### **(b) Applications Deemed Active**

Every application for a permit shall be deemed to remain active and shall be considered until the earliest of the following events:

- (1) The applicant withdraws the application in writing;
- (2) The applicant is determined to be ineligible for the permit by the SFMTA;
- (3) The applicant receives a permit;
- (4) The SFMTA determines that the applicant has engaged in fraud,

misrepresentation or other serious misconduct in connection with the permit application process;  
or

(5) The SFMTA attempts to contact the applicant at the mailing address listed on the application on at least two separate occasions and the applicant fails to respond within 30 days of the second notice.

**(c) Additional Requirements Applicable to Driver Permit Applications**

(1) Application Requirements

In addition to complying with all applicable requirements of this Section 1103, each applicant for a Driver Permit shall:

- (A) Provide his or her fingerprints; and
- (B) Take and pass a written examination; and
- (C) Take and pass a physical examination if required by the SFMTA;

and

(D) Certify that the applicant has successfully completed an SFMTA-approved Driver training course; and

(E) Enclose two recent photographs of the applicant of passport photo size, taken no more than 12 months prior to the time of application; and

(F) Enclose a statement of affiliation signed by the applicant, the Color Scheme and the Dispatch Service associated with the Color Scheme. The applicant's choice of

Color Scheme shall be subject to the approval of the SFMTA, which may deny such request if in the SFMTA's judgment the proposed affiliation could be detrimental to the Driver, the Color Scheme or to the public.

(G) Reserved: Controlled Substance Testing Program.

(2) Driver Qualifications

Each applicant for a Driver's Permit must:

(A) Be a resident of the United States;

(B) Be clean in dress and person;

(C) Be free of any disease, condition, infirmity, or addiction that might render the applicant unable to safely operate a motor vehicle or that otherwise poses a risk to public health and safety;

(D) Hold a valid California driver's license of a class sufficient for the lawful operation of the motor vehicle to be driven;

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

(F) Have no prior convictions of a crime involving sexual assault, the use of a vehicle in the commission of a felony, fraud, violence against a person, or two or more convictions of driving under the influence within the previous five years, whether or not such convictions occurred while driving a Motor Vehicle for Hire;

(G) Have attained the age of 21;

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

(I) Reserved: Controlled Substance Testing Program.

**(d) Additional Requirements Applicable to Taxi and Ramp Taxi Medallion**

**Applications**

(1) Waiting List

In the absence of any other preference specified in this Article, applicants for a Medallion shall be processed and considered by the SFMTA in the order of receipt. The SFMTA shall maintain a Waiting List of Medallion applications arranged in chronological order by the date that each complete Medallion application, including Filing Fees, is received from a qualified applicant. Each applicant for a Taxi or Ramp Taxi Medallion shall have held a valid Driver Permit for a minimum of two consecutive years prior to applying for a Medallion.

(A) Every applicant for a Taxi or Ramp Taxi Medallion must continuously maintain a valid Driver Permit in order to maintain his or her position on the Waiting List.

(B) The SFMTA may periodically require applicants to execute written statements to reaffirm their desire to keep their applications are active.

**(e) Additional Requirements Applicable To Ramp Taxi Medallion Applications**

**(1) Limitation on Acceptance of Other Permits**

No person to whom an Ramp Taxi Medallion is issued may accept any other Medallion for a minimum of three years after receipt of the Ramp Taxi Medallion. If a Ramp Taxi Medallion Holder becomes eligible for a Taxi Medallion during his or her first three years as an Ramp Taxi Medallion Holder, and so long as the Ramp Taxi Medallion Holder remains otherwise qualified, the Ramp Taxi Medallion Holder's application shall be kept active and shall be considered for a Taxi Medallion before other qualified applications after the three year period has elapsed.

**(2) Notice of Intent to Leave the Ramp Taxi Program**

**(A) Upon completion of a minimum of 30 months as an Ramp Taxi Medallion Holder, the Permit Holder may elect to leave the Ramp Taxi program at any time by filing six months' advance written notice of the Permit Holder's intent to leave the program with the SFMTA ("Notice of Intent"). The date that the SFMTA receives the Notice of Intent shall be deemed the date of the Notice.**

**(B) Notice of Intent Effective Date; Qualification for New Permit**

The Permit Holder's decision to leave the Ramp Taxi Program shall become effective six months after the Notice of Intent is filed. Except as provided by subsections (C) and (D) below, upon completion of the six month notice period, the Ramp Taxi Medallion shall expire by operation of law, and the Permit Holder shall no longer be precluded from accepting another Motor Vehicle for Hire Permit.

(C) If, at the completion of the six-month notice period, the Permit Holder is not yet eligible for a Taxi Medallion, or if no such Taxi Medallion is available, the Permit Holder may elect to remain in the Ramp Taxi program for any period of time until a Taxi Medallion becomes available.

(D) The Permit Holder's decision to leave the Ramp Taxi Program shall become inoperative if, prior to expiration of the of the six-month notice period, the Permit Holder files a statement of his or her decision to withdraw the Notice of Intent. The Permit Holder shall be required to file a subsequent Notice of Intent if he or she later decides to leave the Ramp Taxi Program. The same requirements governing the Permit Holder's initial Notice of Intent, including the full six-month notice period, shall apply to any subsequently filed Notice of Intent to leave the Ramp Taxi Program.

**(f) Additional Requirements Applicable to Non-Standard Vehicle Permit Applications**

(1) An applicant may request a Non-Standard Vehicle class of permit for any vehicle(s) that is not otherwise included within another class of Motor Vehicle for Hire permits.

(2) If a Non-Standard Vehicle permit applicant proposes to operate along fixed routes within the City, such fixed routes shall be specified in the permit application. Fixed routes proposed for a permit must be approved by the SFMTA and shall be included in the Non-Standard

Vehicle permit as a permit condition. Consideration of such routes by the SFMTA shall include evaluation of their impact on public transit.

**(g) Additional Requirements Applicable To Dispatch Service Permit Applications**

**(1) Submission of Emergency Plans**

Applicants for Dispatch Service Permits or permit renewal shall submit a "Standard Emergency Plan for Drivers and Dispatchers" to follow in an emergency. Such plan is subject to SFMTA approval. SFMTA may require revisions to such Emergency Plan in order to coordinate with the emergency plans of the City, other Permit Holders and the Paratransit Program. Such plan shall include emergency communication protocols between Dispatch Services and their Color Scheme affiliates and the emergency evacuation of the public from the City, including but not limited to paratransit customers.

**(2) Lost and Found Protocol Compliance**

No application for a Dispatch Service Permit shall be approved or renewed if a Dispatch Service Permit applicant cannot demonstrate knowledge of and ability to adhere to SFMTA's protocol for the handling of Found Property.

**(h) Additional Requirements Applicable To Color Scheme Permit Applications**

Reserved.

**SEC. 1104. ELIGIBILITY**

**(a) Determination of Eligibility**

Every applicant for a permit other than a Driver Permit shall have a hearing to review and determine the individual applicant's eligibility before a permit is issued. Each application shall be investigated by the SFMTA to determine the applicant's eligibility pursuant to the factors listed herein. The SFMTA, in determining whether the permit should be granted, may consider such facts as it deems pertinent, but shall at least consider the following factors:

(1) The applicant's financial responsibility and ability to comply with all insurance requirements and to maintain proper financial records.

(2) The applicant's compliance with all applicable statutes, ordinances and regulations. If, during the 12 months prior to application, an applicant has violated any statute, ordinance or regulation which would be a basis for revocation of the permit, the SFMTA may, in its discretion, refuse to issue the permit.

(3) The record of the applicant with regard to any other permits issued for the commercial operation of a motor vehicle for the transport of passengers, either in the City or elsewhere.

(4) Any prior convictions of a crime involving sexual assault, the use of a vehicle in the commission of a felony, fraud, or violence against a person, or two or more convictions of driving under the influence within the preceding five years, whether or not such convictions occurred while driving a Motor Vehicle for Hire.

**(b) Burden of Proof on Applicant**

A permit applicant shall have the burden of proving that the applicant meets all requirements for a permit.

**(c) Eligibility for a Medallion**

(1) Applicants for a Taxi or Ramp Taxi Medallion must meet the eligibility requirements listed in Section 1103(c)(2)(A) through 1103(c)(2)(H) and be in compliance with any Controlled Substance Testing Program adopted by the SFMTA Board.

(2) Each applicant for a Taxi or Ramp Taxi Medallion shall submit all completed application materials, including Waybills and forms, and take the written examination within 45 calendar days of the date of the notice informing the applicant of the availability of a Medallion. No Medallion shall be issued except to a natural person and in no case to any

business, firm, partnership, association or corporation, and no Medallion shall be issued to, or in the name of, more than one person.

(3) Before issuing a Taxi or Ramp Medallion, in addition to all other eligibility requirements, the SFMTA must determine that the applicant has been a Full-Time Driver during the calendar year immediately preceding the hearing, and during any four of the five calendar years immediately preceding that calendar year. The driving requirement for the year in which the application is heard may be pro-rated from the date of application. This requirement may only be satisfied by driving a Taxi or Ramp Taxi for which a permit has been issued by the SFMTA. Only written Waybills completed in compliance with Section 1109(c)(5) may be used to establish eligibility for a Medallion for the purposes of this Section.

**(d) Eligibility For Ramp Medallion**

The SFMTA shall not issue a Ramp Taxi Medallion to an applicant unless the applicant provides written documentation of the following requirements:

(1) The applicant has been a Full-Time Driver of a Ramp Taxi for at least 400 hours during the six months immediately preceding the hearing on the permit application.

(2) The applicant has completed at least 156 wheelchair pickups in the City as an Ramp Taxi Driver during the 12 months immediately preceding the permit hearing.

(3) The applicant has satisfactorily completed training for operation of a Ramp Taxi in compliance with SFMTA requirements.

(4) The applicant has been interviewed through a process approved by the Paratransit Coordinating Council.

(5) SFMTA certification of satisfactory aptitude and attitude necessary for an Ramp Taxi Medallion Holder.



(6) The applicant is affiliated with a Color Scheme in compliance with, and agrees to operate said permit at all times subject to, the regulations of the SFMTA's Paratransit Program.

**SEC. 1105. ~~SEC. 1104~~ GENERAL PERMIT CONDITIONS**

Reserved.

**(a) Conditions Applicable to All Permits**

**(1) Permits Required**

No person, business, firm, partnership, association or corporation shall drive, or operate or cause to be operated any Motor Vehicle For Hire within the City, nor shall any person, business, firm, partnership, association or corporation operate any Dispatch Service or Color Scheme, without a permit issued by the SFMTA authorizing such driving or operation in accordance with this Article.

**(2) Business Permits; Named Individual**

Any permit issued to a business pursuant to this Article shall be registered in the name of and with contact information for at least one natural person who complies with all permit requirements except those that by their nature can have no application to a natural person.

**(3) Permits a Privilege**

Permits granted pursuant to this Article constitute a privilege and are not the property of the Permit Holder.

**(4) Permits Not Transferable**

Except as expressly provided in this Article or in permit conditions, no permit issued pursuant to this Article shall be transferable or assignable, either expressly or by operation of law.

**(5) Duration of Permits**

(A) Unless earlier revoked or suspended, Taxi and Ramp Taxi Medallions shall expire on the first day of July next following their issuance or renewal, and all other permits shall expire the first day of January next following their issuance or renewal.

(B) As a condition of renewal, a Permit Holder must meet the eligibility requirements required for new applicants listed in Section 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 his or her designee, at all times, 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 designee, on all matters relating to regulatory

compliance at all times, including but not limited to compliance with requests for the inspection of records. Permit Holders shall not hinder, delay 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.

(9) Continuous Operation Requirement; Temporary Suspension; Revocation

(A) With the exception of Non-Standard Vehicle Permit Holders and Medallion Holders who obtained their Medallion prior to June 6, 1978, 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. Non-Standard Vehicle Permit operation shall be in accordance with the times and dates of required operation specified in 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 (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)(E) does not apply to Driver Permits.

**(10)** Gifts and Gratuities

No Permit Holder or agent of a Permit Holder may accept or solicit gifts and/or gratuities or anything of value from any Driver, other than Gate Fees, Lease Fees, payments for goods actually received, or other payments authorized by this Article. A Permit Holder or agent of a Permit Holder shall issue a receipt for any payment received from a Driver.

**(11)** Lease of Taxi and Ramp Taxi Medallions

Reserved.

**(12)** Participation in Paratransit Program

Each Color Scheme, Dispatch Service, Medallion Holder and Driver meeting the qualifications established by the SFMTA must participate in and shall at all times operate subject to and in compliance with the regulations of the SFMTA's Paratransit Program.

**(13)** Shift Change at Color Scheme Required for All Vehicles; Unattended Vehicles

All Permit Holders shall ensure that taxi vehicles which they operate begin and end all shifts at the Color Scheme's place of business, except with the prior written approval of the SFMTA. When a vehicle is not being operated for hire, the Permit Holder shall either leave the vehicle at the Color Scheme's place of business or make a written request for SFMTA approval of an alternative location that is off the public street and sidewalk. No Taxi vehicle may be left unattended on a public street for more than four hours.

**(14)** 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

natural person who holds a permit from the SFMTA pursuant to this Article shall give written notice to the SFMTA within ten days of any change of residence address, 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.

**(15) Service of Process**

All Permit Holders agree to accept service of process, official notices, and correspondence (“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.

**(16) 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.

**(17) Response Time Goals**

All Permit Holders shall make best efforts to comply with Response Time Goals at all times.

**SEC. 1106 (a) CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS**

In addition to all other conditions applicable to a Color Scheme permit a Color Scheme Permit Holder must notify the SFMTA within 5 business days of terminating its affiliation with a holder of a Driver permit. Permit, each Color Scheme Permit Holder shall meet the following requirements and performance standards:

**(a) Rights of Color Scheme Permit Holder; Permit Required**

A Color Scheme Permit entitles the Permit Holder to operate a business that provides taxi service using vehicles painted with trade dress authorized by the permit and unique to that business. Any major change in trade dress colors of a Scheme Permit Holder shall require a

permit application requesting the issuance of a new Color Scheme Permit. Minor changes in trade dress may be approved by SFMTA without a new permit application. SFMTA shall determine, in its sole discretion, whether a requested change of trade dress is major or minor. No person shall operate a Color Scheme business without a valid permit from the SFMTA.

**(b) Color Scheme Trade Dress**

Upon request, the Color Scheme Permit Holder shall provide to SFMTA electronic, high-resolution copies of color photographs of the front, sides and rear of each make and model of Taxi and Ramp Taxi vehicle affiliated with the Color Scheme.

**(c) Use of Dispatch Service**

Each Color Scheme shall ensure that all Medallion Holders affiliated with that Color Scheme utilize the same Dispatch Service utilized by the Color Scheme. A Color Scheme must obtain the prior written approval of the SFMTA before changing Dispatch Services. A Color Scheme request for change of Dispatch Service shall be approved unless the Color Scheme or the Dispatch Service have been declared ineligible for new affiliations based on a finding, following a hearing, that the Color Scheme or the Dispatch Service has continuing permit violations or a pattern of repeated permit violations that affect the quantity or quality of taxi service to the public or which threaten public health and safety. Upon such finding by a hearing officer, the Permit Holder regarding which the finding was made may not undertake any new affiliations until the ongoing violations listed in the hearing officer's findings are cured.

**(d) Principal Place of Business**

All Color Schemes shall maintain a principal place of business within the City, which must be staffed by at least one person Monday through Friday from 9:00 A.M. to 5:00 P.M., excepting federal holidays. Every Color Scheme must have the capacity to send and receive faxes and email messages at all times, and the fax number and email address must be provided to the SFMTA.

**(e) Change of Business Location; Transfer of Color Scheme Permits**

A Color Scheme must obtain the prior written approval of the SFMTA before changing its principal place of business, selling or otherwise transferring the business. 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 does not already hold an ownership interest in the business as of June 19, 2009.

**(f) Telephone Access**

Every Color Scheme shall subscribe to a telephone service and publish the name of the business, the Color Scheme Permit number and the telephone number to which requests for service and inquiries about Found Property may be addressed in the Yellow Pages section of the San Francisco telephone directory. The published telephone number shall not be used for the conduct of any business enterprise other than the business of the Color Scheme. If a change occurs in the name of the company or telephone number under which taxi service is provided the Color Scheme shall promptly request to change the listing in the Yellow Pages section of the San Francisco telephone directory. During those times when the current listing in the Yellow Pages section of the San Francisco telephone directory is incorrect or when a new listing cannot be made until the next printed copy is published, the Color Scheme shall maintain a current listing, including the name of the company and telephone number, with the San Francisco directory assistance (411) and the City's 311 system.

**(g) Designated Manager**

(1) All Color Schemes shall designate a natural person as 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 Motor Vehicle for Hire Permit issued by the SFMTA suspended or revoked in the past five years, except as otherwise approved in writing by the SFMTA. A Color

Scheme may designate additional managers for specialized matters subject to the prior written approval of the SFMTA.

(2) The designated manager of a Color Scheme shall be the agent for service of process for the Color Scheme.

(3) Designation of a manager for purposes of this subsection 1106(g)(3) does not qualify the manager as Key Personnel for the Color Scheme.

**(h) Staffing Requirements**

Every Color Scheme shall employ some combination of qualified staff, contracted services and/or automated devices adequate to perform at least the following functions and provide the following capabilities:

(1) Receive and dispatch requests for service in a timely fashion.

(2) Receive inquiries about Found Property on a 24-hour basis.

(3) Receive and respond to communications and information requests from the SFMTA.

(4) Document and track all Found Property and turn it over to the Color Scheme's Dispatch Service for processing.

(5) Comply with all state laws regarding Found Property.

**(i) Workers' Compensation Requirements**

Color Scheme Permit Holders shall comply with all applicable state laws and regulations concerning Workers' Compensation.

**(j) Participation in Paratransit Program**

Color Schemes qualifying for the Paratransit Program 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, and every contract entered into between a participating Color Scheme and a Driver affiliated with



that Color Scheme shall require the Driver to operate at all times subject to the rules and regulations of the Paratransit Program.

**(k) Vehicle Maintenance and Cleaning**

(1) Every Color Scheme shall provide Drivers free access to a facility that is adequate to thoroughly wash all affiliated vehicles and that is in compliance with all applicable laws and regulations, including but not limited to environmental and zoning requirements.

(2) When a Color Scheme receives notice of a problem with the equipment of a vehicle affiliated with that Color Scheme, the Color Scheme and the Medallion Holder are jointly and severally responsible for compliance with all of the following requirements:

(A) Ensuring that all equipment on the vehicle that is required by this Article is working properly, including but not limited to Ramp Taxi ramps, wheelchair securements and In-Taxi Equipment.

(B) Taking out of service and repairing any vehicle immediately if the failure of any equipment presents a safety issue, if communications equipment is not in working order, or if the Taximeter seal (paper, wire, etc.) is broken, removed, destroyed, marred or otherwise tampered with.

(3) The Color Scheme with which a vehicle is affiliated and the Medallion Holder are jointly and severally responsible for complying with any written order issued by the San Francisco Department of Public Health that relates to a Motor Vehicle For Hire.

(4) When a Color Scheme receives notice from a Driver assigned to a Taxi or Ramp Taxi vehicle that any equipment in or on that vehicle is unsafe, the Color Scheme is required to promptly provide the Driver with another Taxi or Ramp Taxi vehicle that is in compliance with this Article.

**.(l) Spare Vehicles**

(1) Taxis or Ramp Taxis that are taken out of service must either return to service within 30 days or be permanently replaced by another vehicle, except as otherwise approved by SFMTA.

(2) A spare vehicle may operate with a Medallion borrowed from a Taxi or Ramp Taxi. Spare vehicles shall only be used to replace temporarily disabled Taxi or Ramp Taxi vehicles. During any time a spare vehicle is operating, the Taxi or Ramp Taxi it is replacing shall be available for inspection by the SFMTA.

(3) During any time a spare vehicle is in operation as a Motor Vehicle For Hire, the Taxi or Ramp Taxi it is replacing shall be available for inspection by the SFMTA.

(4) Color Schemes with which one or more Ramp Taxis are affiliated shall maintain at least one Ramp Taxi spare vehicle for every three spare non-Ramp Taxi vehicles. If three or fewer Ramp Taxi Medallions are affiliated with a Color Scheme, only one Ramp Taxi Medallion may be used in a spare Taxi vehicle at any time. For each additional three Ramp Taxi Medallions, or any fraction thereof, affiliated with a Color Scheme, an additional Ramp Taxi Medallion may be used in a spare Taxi.

(5) Each Color Scheme shall be issued a series of “spare numbers” at the ratio of one spare number for every five vehicles operating at that Color Scheme.

(6) All spare vehicles shall be kept at the Color Scheme’s place of business or other location approved by SFMTA when not in actual use with a Medallion.

(7) Once a vehicle is designated as a spare, it may not be re-introduced to the fleet except by approval of the SFMTA. All spare vehicles must be owned by the Color Scheme and shall be registered and insured as required by all applicable law.

(8) Color Schemes may not lease a spare vehicle, whether on a per-shift, weekly, monthly, or other basis, unless such vehicle is using a Medallion which is not in use in

any other vehicle. Any Color Scheme found to be violating this Section shall be deemed to be operating a vehicle without a permit.

**(m) Reduced Emissions by Color Scheme**

Beginning on June 1, 2011, each Color Scheme Permit Holder shall maintain average per vehicle greenhouse gas emissions at a level set by the Department of the Environment to achieve the goal of a 20% reduction in taxi fleet greenhouse gas emissions from 1990 levels by the year 2012. For the purpose of this requirement, Ramp Taxis shall not be included in calculation of the Color Scheme's average per vehicle greenhouse gas emissions.

**(n) Information Required to be Posted**

All Color Schemes shall post the following information at their place of business in a place where it is easily visible to Drivers and Color Scheme employees:

**(1) Certificate of Worker's Compensation**

A copy of a current and valid Certificate of Worker's Compensation Insurance and information about how to file a claim.

**(2) Gate Fees**

The amounts charged for Gate Fees including the amount charged for each available shift over the seven days of the week.

**(3) Information Provided by SFMTA**

From time to time, other industry-related printed matter provided by the SFMTA. The SFMTA may require a Color Scheme to distribute designated materials to each Driver, including the requirement that the Color Scheme obtain written acknowledgments of receipt, within a time period specified by SFMTA.

**(o) Required Notifications**

**(1) Color Schemes must notify the SFMTA of any injury accident involving**

any Motor Vehicle for Hire affiliated with the Color Scheme within 24 hours of the accident.

(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.

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

(1) Each Color Scheme shall ensure that every Driver starts and ends each shift at the Color Scheme's principal place of business, except with the prior written approval of the SFMTA.

(2) Each Color Scheme shall ensure that every affiliated Driver holds a valid A-Card, and shall not allow any Driver to operate a vehicle affiliated with the Color Scheme if the Driver does not have a valid California drivers' license or a valid A-Card.

(3) A Color Scheme shall not charge an applicant for a Driver Permit for the statement of affiliation required by Section 1103(c)(1)(F).

(4) A Color Scheme shall issue receipts for payments received from any Driver for fuel, Gate Fees, Lease Fees or other payments.

(5) Medical Certification of Drivers

Every Color Scheme shall ensure that all affiliated Drivers undergo any medical examination required by the SFMTA in accordance with SFMTA requirements.

**(q) Controlled Substance Testing Program; Controlled Substances**

(1) Reserved: Controlled Substance Testing Program.

(2) A Color Scheme having actual knowledge that a Driver has tested positive for a controlled substance as defined in 40 Code of Federal Regulations Title 49 shall not permit the Driver to operate a Taxi or Ramp Taxi until such time as the Driver has tested negative.

(3) Color Schemes shall maintain drug- and alcohol-free workplaces.

(4) No Color Scheme having actual knowledge that a Driver has used and is currently under the influence of a intoxicating or controlled substance, as defined in 21 Code of Federal Regulations Section 1308.01 et seq., shall permit that Driver to operate or continue to operate a Taxi or Ramp Taxi.

**(r) Found Property**

(1) Color Scheme 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 found, 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 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 Color Scheme Permit Holder or the designee shall transfer the property to the Taxi Detail, make a Police Report, and obtain both Police Incident Report Number and a receipt of the items processed.

(3) Color Scheme Permit Holders shall advise passengers claiming to have lost property of value in a taxicab, 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.

**(s) Dissolution Plan**

Any Color Scheme that will be terminating its business operations as a Color Scheme and surrendering its permit shall file a dissolution plan with the SFMTA at least 30 days prior to the date that the Color Scheme anticipates that it will cease to respond to requests for taxi service. The dissolution plan shall include but not be limited to plans for the disposition of records and preservation of Waybills and Driver Rosters, Driver and Medallion Holder files and Leases, handling Found Property, notifying the public of the termination in service and contact information for future inquiries.

**SEC. 1107 (e) CONDITIONS APPLICABLE TO DISPATCH SERVICE PERMITS**

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

(a) 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.

(b) List a 24 hour telephone number and the names of the Color Scheme(s) for which they provide dispatch services in the Yellow Pages section of the telephone book.

(c) Promptly dispatch a Ramp Taxi in response to Ramp Taxi service request, and, within 20 minutes of receiving the Ramp Taxi service request, the Dispatch Service must:

(1) Contact the customer who requested a Ramp Taxi with the vehicle number of the Ramp Taxi assigned to handle the call, or to advise the customer that no Ramp Taxi has been dispatched; or

(2) If the call cannot be dispatched to a Ramp Taxi affiliated with a Color Scheme that uses that Dispatch Service within 20 minutes, call another Dispatch Service to handle the request, and then call the customer with the name and telephone number of the Color Scheme of the responding Ramp Taxi; or

(3) Advise the customer that no vehicle was dispatched.

(4) If there are no Ramp Taxis immediately available to respond to a customer's request, record the customer's name and phone number and the names of the other Dispatch Services contacted.

(d) Record all requests for taxi service, noting the date and time of the request for service, the service address, the vehicle number dispatched and the time that the Taxi or Ramp Taxi was dispatched to respond to the call.

(e) Maintain the capacity to simultaneously broadcast and to receive transmissions from every Taxi or Ramp Taxi operating under their service.

(f) 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.

(g) Contact customers who have requested a return call if a vehicle has not been dispatched within 20 minutes of the call.

(h) Upon customer request, call back customers with an approximate arrival time of the dispatched vehicle.

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

(j) 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 true name.

(k) 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.

(l) Dispatch Service Permits Transferable

Dispatch Service Permits are transferable, subject to the approval of the SFMTA, which shall determine whether the proposed transferee meets the criteria set forth in this Article, and whether taxi service would be improved by the transfer of the Dispatch Service Permit. The Permit Holder shall give notice to the SFMTA of any intended transfer at least 30 days prior to any such transfer.

**(m) Workers' Compensation Requirements**

All Dispatch Service Permit Holders shall comply with all applicable state laws and regulations concerning Workers' Compensation.

**(n) 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 found, 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 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 or a designee shall transfer the property to the Taxi Detail, 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 taxicab, 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.**

**(4) Dispatch Service Permit Holders shall notify SFMTA when an item of Found Property is returned to its owner.**

**SEC. 1108 ~~(d)~~ CONDITIONS APPLICABLE TO DRIVER PERMITS**



~~Conditions Applicable to Driver Permits.~~ In addition to all other applicable permit conditions applicable to a Driver permit

**(a) Driver Identification**

Upon issuance of a Driver Permit, the SFMTA will issue to each Driver the following identification:

**(1) Driver Permit Card (A-Card)**

Every Driver shall carry his or her A-Card 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 or passenger.

**(2) Badge with the Permit Number**

Every Driver shall display a SFMTA-issued badge constantly and conspicuously displayed on the outside of the Driver's clothing and jacket at all times while operating or in possession of a Motor Vehicle for Hire. The badge shall only be worn by the Permit Holder to whom the badge is issued.

**(3) Color Scheme Identification Card**

A Driver's Color Scheme Identification Card must be displayed conspicuously at all times in any Motor Vehicle for Hire that the Driver is operating in a manner that the badge number printed on the card is easily visible to any passenger in the vehicle.

**(b) Renewal of Driver's Permits**

**(1) Driver Permits shall be issued as of the first day of January of each year and shall be valid unless revoked or suspended, up to and including the 31st day of December, next succeeding. The SFMTA may cause the renewal of the Driver's Permit from year to year upon the filing of a statement by the Driver Permit Holder providing his or her current address and current employer and the payment of the annual permit renewal fee.**

**(2) Controlled Substance Testing Program: Reserved.**

(3) Drivers have an affirmative duty to report any criminal convictions which would be a basis for denying a permit pursuant to Section 1103(a)(4). A Driver Permit shall not be renewed if he or she has been convicted of any offense listed in Section 1103(a)(4).

(4) Controlled Substances

(A) No Driver may operate a Motor Vehicle for Hire while his or her driving ability is impaired by any controlled substance, as defined in 21 CFR 1308.01 et seq. including prescription drugs. No Driver may consume or be under the influence of any intoxicating substance while operating a Motor Vehicle for Hire.

(B) Drivers shall maintain a drug and alcohol-free workplace and shall not sell, use, or possess alcohol or controlled substances, as defined in 21 CFR 1308.01 et seq., 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**

(1) All Drivers must notify the SFMTA at least three business days prior to the effective date of any change of affiliation with a Color Scheme. No Driver may affiliate with a Color Scheme that in on administrative probation pursuant to Section 1118(g).

(2) In accordance with California Government Code Section 53075.5(b)(1)(B), a Driver's Permit shall become void upon termination of affiliation with a Color Scheme.

(3) A Driver shall return his or her Color Scheme Identification Card to the Color Scheme 30 calendar days after terminating affiliation with the Color Scheme, and shall return his or her A-Card to the SFMTA 30 calendar days after terminating affiliation with the Color Scheme if by that date the Driver has not yet affiliated with a new 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. If the Driver finds any unsafe equipment, then the Driver shall notify the Color Scheme, and the Color Scheme shall put the vehicle out of service until it is repaired and shall make another vehicle available to the Driver.

(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) Current copy of book of regulations issued by SFMTA;

(C) A supply of receipts, preprinted with the name of the affiliated Color Scheme; and

(D) Current maps of San Francisco and San Mateo counties or a functional GPS device.

(E) Working flashlight.

(F) Working ballpoint pen with black or blue ink.

(G) SF Paratransit manual trip ticket forms.

(H) Manual credit card transaction device and forms.

(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, sober, and orderly manner and for a lawful purpose and the Driver has sufficient time before the end of his or her shift.

(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.

(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 on the Waybill. If the Driver feels that 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. Upon request by a passenger, the Driver shall remain with the passenger until the dispatched assistance has arrived. A Driver shall inform the passenger(s) of his or her intention to activate the Taximeter when said 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.

(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 on the Waybill. The Driver shall remain with the passenger until assistance from another Driver or appropriate service has arrived.

(7) Every Driver must accept dispatch assignments, including, when available, an average minimum of one dispatch call per hour during each shift from their Dispatch Service. Drivers must advise their Dispatch Service if they are unable to handle an accepted call within five minutes of the time when they acknowledged or accepted the call.

(8) A passenger who first engages a Motor Vehicle for Hire has the exclusive right to conveyance therein to his or her 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.

(9) Except as prohibited by the rules of the Paratransit Program, A Driver may transport two or more passengers who voluntarily agree to split the fare between them. The passengers may by mutual agreement split the fare according to any formula; however, regardless of any mutual agreement of the passengers, the Driver shall not collect from all combined passenger payments in any amount in excess of the fare shown on the Taximeter at the time that the last passenger reaches their destination.

(10) Drivers shall comply with any passenger request to turn down, turn off or change the channel of any audible device that is not required for safe operation of the vehicle or

communication with a Color Scheme, Dispatch Service, law enforcement agency, health care provider, or other emergency service agency. A Driver is not required to comply with a passenger request for any particular broadcast station or other passenger listening preferences.

(11) Except for emergencies, including but not limited to an emergency call to a Dispatch Service, a law enforcement agency, health care provider, or other emergency service agency, Drivers shall immediately comply with any passenger request to terminate mobile telephone conversations.

(12) Drivers may only use personal telephones for voice or any other type of communication in the vehicle in accordance with all applicable laws, including but not limited to the use of hands free telephone equipment while operating the vehicle. While a passenger is in the vehicle, Drivers' personal conversations must be limited in number and short in duration, and at no time shall a Driver allow a personal communication to interfere with the Driver's full attention to the operation of the vehicle.

(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.

(14) A Driver shall not operate a Motor Vehicle for Hire in a reckless or dangerous manner.

(15) Ramp Taxi Service

(A) Every Ramp Taxi Driver must log on the In-Taxi Equipment at the beginning of the shift.

(B) 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.

(C) A Ramp Taxi Driver, once dispatched to a call from a customer using a wheelchair may not accept any other fare while en route to that dispatched call except as otherwise instructed by the dispatcher.

(D) If available from their Dispatch Service, every Ramp Taxi Driver shall handle an average of three wheelchair service calls per shift.

(16) Drivers shall only receive a tip when expressly and voluntarily offered by the person paying the fare. Drivers may not demand, request, imply, assume or otherwise suggest that the Driver should receive any amount in excess of the authorized fare. A Driver may, without demanding or assuming that the passenger will pay a tip, ask the passenger whether they would like to tip the Driver when the tip is only capable of being added to a payment only by action of the Driver.

(17) The Driver must keep any audio communication device required by this Article at an audible volume, or any visual communication device visible to the Driver at all times during the shift.

(18) Drivers shall, at the beginning of a trip, inform any passenger whose destination 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) .

(19) Drivers shall carry sufficient cash to be able to provide change for 20 dollars.

(20) Drivers shall, at the beginning of a trip, inform passenger(s) whose destination requires the crossing of a toll bridge, the amount of the toll charged and that the toll charge is to be paid by the passenger(s) regardless of the direction in which the toll is collected.

(21) Drivers may charge a passenger less than the fare shown on the Taximeter at the end of a trip.

(22) Drivers shall give a fare receipt upon request of the person paying the fare. Drivers shall complete fare receipts legibly with the Driver's badge number, the Vehicle Number, the Medallion number, and the amount of the fare.

(23) Drivers shall make a visual check of the interior of the vehicle at the conclusion of each trip to determine if any property has been left behind. If any of the passenger's property was loaded in the trunk, the Driver shall check the trunk area at the end of the trip to ensure that no property was left behind.

(24) Upon discovery, a Driver shall report the Found Property to the Dispatch Service immediately, and shall take reasonable measures to attempt to return Found Property in the vehicle to the rightful owner during the shift in which it was discovered. If it is not possible to return the Found Property before the end of the shift, the Driver shall leave it with the Color Scheme or Dispatch Service at the end of the shift. Drivers shall record a description of the Found Property on a form provided by the Color Scheme or Dispatch Service, stating whom they have contacted about the Found Property, and whether it was returned to the owner during the shift in which it was discovered, and if not, where and with whom it was left.

(25) If during the course of the work shift, any equipment failure makes the continued operation of the Taxi or Ramp Taxi unsafe, including but not limited to a Ramp Taxi without the required number of functional tie-down securements and lap/shoulder seat belts, then the Driver shall immediately return to vehicle to the Color Scheme to be taken out of service.

(26) The Driver shall not place or allow to be placed any loose items on the dashboard or rear shelf of the vehicle.



(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.

(28) No Driver shall leave a vehicle unattended on a public street for more than 4 hours.

(29) No Driver shall threaten, harass, or abuse another person, nor may a Driver speak in an obscene, threatening or abusive manner.

(30) Drivers shall not use or attempt to use any physical force against any person except proportional, reasonable force necessary for self-defense or defense of another.

(31) Drivers shall be clean in dress and person.

(32) Any Driver who is pulled over by a peace officer while the Taximeter is in operation must turn off the Taximeter from the time the vehicle is pulled over until the time that the peace officer authorizes the vehicle to depart.

(33) It shall be unlawful for any Driver to burn any substance, drink, or eat while a passenger is in the vehicle.

(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 original destination without additional charge.

**(f) Duties at End of Shift**

(1) Drivers shall turn in all completed Waybills to the Color Scheme at the conclusion of each shift.

(2) The Driver shall remove any litter, personal items, and any other loose items that do not belong with the vehicle.

(3) Drivers shall turn any unreturned or unclaimed Found Property in the Driver's possession at the end of a shift to the Color Scheme's or Dispatch Services' place of business, and shall obtain a receipt for the item regardless of value.

~~(1)~~ A Driver must return his or her A-Card permit to the SFMTA ~~upon~~ within 30 calendar days of terminating his or her affiliation with a Color Scheme if the Driver does not affiliate with another Color Scheme within 30 calendar days. If the Driver will discontinue driving for a period of time in excess of 30 consecutive days but intends to resume driving a Motor Vehicle for Hire in the future, the SFMTA shall hold the Driver permit A-Card on file until the Permit Holder Driver informs the SFMTA of his or her intention to resume driving. Upon receiving such notice, the SFMTA shall return the permit A-Card to the Driver so long as all Filing Fees and Permit Fees are paid and the Driver Permit Holder remains qualified for the permit.

**(h) Controlled Substance Testing Program**

Reserved.

**SEC. 1109 (e) CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI**

**MEDALLIONS**

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

(1) A Medallion Holder shall be deemed affiliated with a particular Color Scheme when the SFMTA approves his or her application pursuant to this Article, and shall entitle the Medallion Holder to the right to the use of that Color Scheme's trade dress and place of business. Color Schemes shall not unreasonably withhold the use of the trade dress and place of business once affiliation has been approved.

(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 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 1118(g).

(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 subject to the provisions of this section 1109(c) 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 1108(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 or Ramp Taxi shall be granted unless the Medallion Holder shall declare under penalty of perjury his or her intention actively and personally to engage as a Full-Time Driver.

(4) Qualifying Vehicle

All Medallion Holders must drive the Taxi or Ramp Taxi associated with their Medallion when complying with Subsection 1108(c) unless that vehicle is unavailable.

(5) Medallion Holders Responsible for Documenting Compliance

A Medallion Holder has the responsibility to maintain his or her own business records, including Waybills. Only written Waybills completed in compliance with Section(c)(5) may be used to establish compliance with this subsection (3). Failure of a Color Scheme to maintain business records, including Waybills, as required by this Article shall not excuse a Medallion Holder from proving that he or she has satisfied this Subsection 1108(c) or any other requirement.

**(6) 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(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.

**(7) 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(B) 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.

**(F)** Ramped Taxi Permit Holders Ineligible

Ramped Taxi Permit Holders are not eligible to be designated as Key Personnel.

**(d)** Corporate Medallion Holders

**(1)** Permits Void in Event of Transfer or Sale of Permittee.

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.

(B) If the management or control of the Permit Holder is or has been transferred for consideration since the issuance of the permit;

(C) If the Medallion Holder's rights to receive income derived from the lease of a permit is assigned, transferred or sold.

**SEC. 1110 (F) 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) Wheelchair Priority

(1) Ramp Taxi Medallion Holders shall grant priority to requests for service from wheelchair users.

(2) No Ramp Taxi Driver, once dispatched to a "ramp service" call may accept any other fare while en route to that dispatched call. In the absence of requests for service for passengers in wheelchairs, Ramp Taxis may transport any person.

(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 a 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;

(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 Taxi

A Ramp Taxi Medallion may be used in a spare Taxi for the lesser of the time that it would take to repair the Ramp Taxi or 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 Taxi exceed 90 days within a 12 month period. The authorization to use the Ramp Taxi Medallion in a spare Taxi 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) Operation of Ramp Taxi by Qualified Driver

The Ramp Taxi Medallion Holder and the Color Scheme shall ensure that all persons with whom the Medallion Holder enters into an agreement for the operation of the Ramp Taxi Medallion satisfies the criteria set forth in Section 1104(d), and every Driver of the Ramp Taxi at all times hold a valid Driver Permit and satisfy the eligibility criteria set forth in Section 1105 of this Article.

**SEC. 1111 (g) CONDITIONS APPLICABLE TO NON-STANDARD VEHICLE PERMITS**

(a) Jitney Bus

(1) Jitney bus permits in effect as of June 19, 2009 shall continue in effect for the remainder of their terms and upon application by the Permit Holder shall be renewed as a Non-Standard Vehicle Permit.

(2) Fares



The fare for each route approved in Subsection (3) shall be 85+. Whenever the Adult Base Cash Fare for the Municipal Railway is increased, the fares to be charged by jitney buses shall be increased by a like amount in dollars and cents.

**(3) Routes**

The following routes are hereby approved for jitney bus operation:

- (A)** From Market Street at 4th to Hunters Point;
- (B)** From Market Street at 4th Street to 3rd and Army Streets;
- (C)** From 3rd and Army Streets to Hunters Point;
- (D)** From Hunters Point to Market at 3rd;
- (E)** From 3rd and Army Streets to Market at 3rd;
- (F)** From Hunters Point to 3rd and Army Streets;
- (G)** From the Ferry Building to the County Line on Mission Street;
- (H)** From the Ferry Building to Twenty-Second and Mission Streets;
- (I)** From Twenty-Second and Mission Streets to the County Line;
- (J)** From Sickles Avenue and Mission Street to the Ferry Building;
- (K)** From Sickles Avenue and Mission Street to Twenty-Second and Mission Streets;
- (L)** From Twenty-Second and Mission Streets to the Ferry Building;
- (M)** Between Ellis and Taylor Streets and Broadway Street, north or southbound;
- (N)** Between Fisherman's Wharf and Broadway Street, south or northbound;
- (O)** From Ellis and Taylor Streets past Broadway Street to Fisherman's Wharf;

(P) From Fisherman's Wharf past Broadway Street to Ellis and Taylor Streets;

(Q) Between Pier 39 and Ghirardelli Square or Maritime Museum, east or westbound.

**SEC. 1112. OPERATION REQUIREMENTS**

Reserved.

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

Reserved.

(a) 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 or with which they are affiliated meet all equipment requirements listed in this Section. In addition to imposing any applicable penalty for non-compliance with 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.

**(b) Equipment Placement**

The placement or display of any equipment required by this Section 1113 shall not interfere with the Driver's visibility or the operation of any O.E.M. equipment.

**(c) Exterior Display of Identifying Information**

**(1) Vehicle Number**

(A) All Taxis and Ramp Taxis shall have the Vehicle Number painted on or applied with adhesive on the vehicle in numerals of a color which contrasts with the color of the rest of the vehicle. Such number shall be 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 center, lower left or lower right corner of the rear facing portion of the trunk lid of the vehicle.

**(B)** The Vehicle Number shall be painted on the roof, hood or trunk of the vehicle in a color that contrasts with the color of the rest of the vehicle. The numbers shall be a minimum of 18 inches in length and must fill the entire width of the roof, hood or trunk. If the numbers are displayed on the roof, they shall be mounted and centered directly behind the top light.

**(2)** San Francisco Taxicab

The words "San Francisco Taxicab" with letters at least two inches in height, in a color which contrasts with the color of the rest of the vehicle shall be painted or attached by the use of adhesive letters on both sides of the vehicle's rear quarter panels and to the trunk directly above the rear bumper.

**(3)** Inspection Certificate

All Taxis and Ramp Taxis shall at all times conspicuously display a current and valid SFIA decal indicating satisfactory completion of vehicle inspection as required by Section 1113(s).

**(4)** Trade Name

Every Taxi and Ramp Taxi shall have the name of the Color Scheme with which the permit is affiliated painted in letters at least two inches in height on the exterior of the side doors of each side of the vehicle.

**(5)** Trade Dress

The exterior of every Taxi and Ramp Taxi shall be well painted with the color(s) of the Color Scheme with which it is affiliated.

**(d)** **Interior Display of Information**

**(1)** Rate Card

Every Taxi and Ramp Taxi shall have permanently affixed to the interior of the vehicle, in a place easily visible to passengers, a clear display enclosing a card upon which shall be printed in plain, legible letters the schedule of rates that may be charged for carriage in such vehicle and such

other provisions of this Article as the SFMTA may require. The display and its installed location in the vehicle must be approved by the SFMTA.

**(2) 311 Card**

Every Taxi and Ramp Taxi shall have a clear display to hold a 311 card permanently affixed to the interior of the vehicle in a place readily visible to any passenger. The 311 card must clearly display the Vehicle Number and the name of the Color Scheme in plain, legible letters.

**(3) Braille Display**

All taxicab vehicles shall have a large sign in Braille mounted on the interior of the right rear door indicating the Vehicle Number and the name of the Color Scheme.

**(4) Driver Identification**

Every Taxi and Ramp Taxi shall be equipped with a holder for a Color Scheme Identification Card, placed in such a position that any passenger in the vehicle has a clear view of the front of the Driver's photo identification.

**(e) Communication Equipment**

Every Taxi and Ramp Taxi shall be equipped with direct voice access and two-way communication with a Dispatch Service affiliated with the Taxi or Ramp Taxi.

**(f) Taximeters**

**(1) Seal Required**

The Taximeter installed in any Taxi and Ramp Taxi must have a current and valid seal from the Department of Public Health Weights and Measures. Any Taximeter removed from a Taxi or Ramp Taxi with or without its seals intact and placed in the same or another Taxi or Ramp Taxi must be certified and resealed by the Weights and Measures. Any Taxi or Ramp Taxi found to have Taximeter seals that are broken, removed, destroyed, marred or otherwise tampered with will be taken out of service until correctly repaired.

**(2) Temporary Operation**

Pending a Department of Public Health Weights and Measures inspection, a Taximeter that is new or a Taximeter that has a seal that has been broken, adjusted, repaired or serviced, may be placed in service for 24 hours when properly sealed, installed, replaced or repaired by a licensed technician approved by the Department of Public Health Weights and Measures. If the technician fails to comply with any state laws or regulations governing the Taximeter, then the vehicle shall be removed from service until corrected.

**(3) Installation**

All Taximeter makes and models must meet the approval of the SFMTA prior to their installation in any Motor Vehicle for Hire, and must meet all requirements of the Paratransit Program. The Taximeter shall be mounted no lower than either the lowest portion of the front window frame or the top of the dashboard in an area that is clearly visible at all times by any passenger in the vehicle. The Taximeter shall not be mounted in such a manner as to interfere with the intended function of O.E.M. equipment, including airbags.

**(4) Illuminating Devices**

Each Taximeter shall be equipped with an illuminating device that enables a passenger to conveniently observe the meter and the amount of fare registered at all times for that trip at all hours of the day and night.

**(g) Safety Partition**

Safety partitions of a design that is approved by the SFMTA may be installed in Taxi and/or Ramp Taxi vehicles at the option of the Color Scheme.

**(h) Emergency Equipment**

All Taxis and Ramp Taxis shall have at all times a functional spare tire, a working jack and wrench to replace a flat tire, and 2 flares or 2 freestanding reflectors.

**(i) Signage and Displays**

Only materials, signs and devices required by law or approved by the SFMTA may be placed on the windows, or displayed or hung inside or outside of a Taxi or Ramp Taxi.

**(j) Lights**

**(1) Standard Lights**

All O.E.M. lights must be maintained in working condition as designed, including headlights (high/low beam), parking lights, turn signals, tail and brake lights, inside dome light, dashboard lights, license plate light, emergency warning lights and side lights; and, all lenses of such lights are to be reasonably intact. No O.E.M. light may be obstructed or disconnected during operation. The "third" brake light shall be unobstructed and in good working condition at all times. Any additional modifications must have prior approval by the SFMTA.

**(2) Top Lights**

**(A)** All Taxis and Ramp Taxis must be equipped with a working top light containing a light or lights permanently attached to the roof of the vehicle, which may either have the name of the Color Scheme printed on it, or the words "Taxicab", "taxi", "cab" or "meter rates".

**(B)** Each Driver shall ensure that such top light is illuminated at all times except when the vehicle is engaged in the transportation of a passenger. The top light shall turn on while the Taximeter is in the non-recording position and shall turn off while the Taximeter is in the recording position.

**(k) Standard Equipment**

All Taxis and Ramp Taxis shall have the following standard equipment maintained in good working order such that the equipment functions effectively for the purpose for which it was intended:

**(1) Automatic door locks that can be controlled by the Driver**

(2) Available and easily visible seat belts in all seating positions where passengers may ride.

(3) Rear view mirror and side view mirrors on both sides of the vehicle

(4) Speedometer and odometer

(5) Horn

(6) Heater and air conditioner

(7) Door hinges, locks and latches

(8) Doors that operate easily and open and close securely from either the outside or inside of the vehicle.

(9) Bumpers and body moldings in good condition and properly attached as the manufacturer intended.

(10) Shock absorbers and springs

(11) Windshield wipers with blades in good condition

(12) Suspension

(13) Steering

(14) Brakes, including emergency brake

(15) A holder for the Medallion placed in such a position that the Medallion is clearly visible from the front exterior of the vehicle and that is either attached to the dashboard or to the left side of the right front support beam, on the interior of the vehicle.

(16) Exhaust system compliant with California law.

(17) In-Taxi Equipment.

**(1) Tires and Wheels**

All tires and wheels of Taxis and Ramp Taxis must comply with the following requirements:

(1) Meet all requirements of the California Vehicle Code.

(2) Be of matching design (i.e. all whitewalls or all black walls), and with matching hubcaps attached, either of original manufacturer design or of a design authorized by the SFMTA, unless wheels are of a custom design that does not use hubcaps.

(3) Only O.E.M.-size tires of the same size used at the time of the Taximeter inspection may be used on any vehicle, including spare vehicles.

(4) If a Taxi or Ramp Taxi is disabled because of a flat tire and the spare tire is not the O.E.M. size for normal operation, the vehicle shall remain out of service until a tire of the correct size is installed.

**(m) Windows**

All windows and the windshields of Taxis and Ramp Taxis shall be kept clean and clear, both the outside and inside. No additional tinting or reflective material may be placed on any vehicle window except factory installed tinting. Only safety glass with the lowest factory installed tint may be used. Nothing shall be placed in or on any portion of the vehicle in such a manner as to block the Driver's vision.

**(n) Cameras**

(1) All Taxis and Ramp Taxis shall be equipped with an approved operational security camera meeting SFMTA specifications and signage notifying passengers of the presence of the camera that complies with SFMTA requirements.

(2) The SFMTA shall develop a list of approved camera model/systems and specifications on an annual basis.

**(o) Sanitary Condition**

**(1) Regular Cleaning of Vehicle**

No Taxi or Ramp Taxi may be driven unless the interior is clean, orderly and kept free of offensive odors.

**(2) Disinfection of Vehicle**



A Taxi or Ramp Taxi must be disinfected whenever required in writing by the Department of Public Health.

**(3) Interior of Vehicle**

Seats, upholstery and rugs shall match the vehicle's interior colors and must be kept in good repair. They must not be torn, separated or ripped. Seat springs may not be broken nor may they protrude through the upholstery. Seats shall be firm and comfortable and the tension of the seat springs shall be evenly distributed. Seat covers may not be used to replace upholstery unless the colors match the vehicle's interior colors and they are sufficiently padded.

**(p) Vehicle Title**

The principal vehicle authorized for the operation of a Taxi or Ramp Taxi Medallion may be registered only in the name of the Medallion Holder, Color Scheme, and/or a Driver holding a valid lease for the vehicle that meets the requirements of this Article.

**(q) Vehicle Mileage**

Starting mileage may not be more than 70,000 miles when a vehicle is placed into service. No vehicle may be operated as a Taxi or Ramp Taxi after the vehicle has reached 350,000 miles.

**(r) Vehicle Age**

No vehicle may serve as a Taxi or Ramp Taxi vehicle if it is older than eight model years. Beginning January 1, 2010, no vehicle which is older than seven model years may serve as a Taxi or Ramp Taxi; provided, however, that vehicles introduced into the fleet between January 1, 2007 and July 1 2008 shall be allowed to operate through December 31, 2010. Beginning January 1, 2011, no vehicle which is older than six model years may serve as a taxicab. Beginning January 1, 2012, no vehicle which is older than five model years may be used as a Taxi or Ramp Taxi vehicle.

**(s) Inspections**

**(1) Inspection Required**

All Taxis and Ramp Taxis shall be inspected by the SFMTA or its designee every six months for spare vehicles and every 12 months for regular vehicles at a date and time designated by the SFMTA, and at any other time deemed necessary. At the time of a scheduled inspection of the vehicle, the Color Scheme or Taxi or Ramp Taxi Medallion Holder must provide the following:

(A) Valid and current State of California vehicle registration card in the name of the Permit Holder.

(B) Valid and current Brake Certificate issued by an official inspection station certified by the State of California within 60 days prior to inspection.

(C) Proof of insurance meeting the requirements of all applicable laws and regulations.

(D) A Vehicle Introduction Form signed and approved by the SFMTA.

(2) New Vehicle

If a new vehicle is purchased for use as a Taxi or Ramp Taxi, the vehicle owner may furnish a written certificate of compliance issued by the automobile dealership in lieu of the documents required in subparagraphs 1113(s)(1)(A) through 1113(s)(1)(D) above, provided that the certificate is dated within 60 days of the annual inspection. The automobile dealership must be certified by the State of California as an official inspection station.

(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. 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 shall affix an SFIA decal and transponder to the Taxi or Ramp Taxi which authorizes the Taxi or Ramp Taxi to be operated for the time period specified upon the decal. All Taxi and Ramp Taxis shall have a valid and current SFIA decal. The decal shall be conspicuously displayed on the Taxi or Ramp Taxi at all times.

**(5) Failing Inspection**

If, on inspection, the Commission or its designee determines that a vehicle does not meet the requirements described in these Rules and Regulations or in the Municipal Police Code, 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 by the Commission or its designee before being returned to service and must pass another inspection in six months from the date of return to service. If a vehicle does not return to service within thirty (30) days it shall be permanently out of service, except by permission of the Commission or its designee and proof of repair. The decision to pass or fail a vehicle shall be at the sole discretion of the Commission or its designee.

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

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

**(B)** If the SFMTA determines that additional repairs or further inspection of the mechanical condition or safety equipment of a Taxi or Ramp Taxi by a licensed mechanic or technician is necessary, the Color Scheme 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 from the repair person.

**(7) Fraud in Connection with Inspection Prohibited**

Misconduct in connection with required inspection is strictly prohibited and is grounds for revocation of a permit. Misconduct may include, but is not limited to, substitution of registered owners on a temporary basis for inspection purposes, or knowingly making false statements to SFMTA or SFPD or their designees in connection with an inspection. This Section shall be strictly enforced to ensure the integrity of the San Francisco Taxi fleet and the safety of the public.

**(t) Condition of Vehicle**

**(1) Vehicle Integrity**

The vehicle shall be structurally sound and operate with minimum vibration and noise.

**(2) Vehicle Appearance**

Vehicle bodies must be free of noticeable dents, rust and holes. A Taxi or Ramp Taxi shall not be placed in service if:

**(A) There are visible dents which exceed three square feet in any single area of the exterior surface of the vehicle, provided that the deepest point of depression  $\frac{3}{4}$  of an inch deep or greater, or**

**(B) There are visible dents which exceed four square feet of the total exterior surface of the vehicle, provided that the deepest point of depression is  $\frac{3}{4}$  inch deep or greater, or**

**(C) There are visible dents which exceed six lineal feet of the total exterior surface of the vehicle, provided that the deepest point of depression is  $\frac{3}{4}$  inch deep or greater, or**

**(D) There is any area of the exterior surface of the vehicle that contains a hole larger than six square inches or there is a visible dent which exceeds 144 square inches, provided that the deepest point of depression is more than two inches.**

**(u) Replacement Vehicles**

Whenever an existing Taxi or Ramp Taxi is replaced with another vehicle, the replacement vehicle must be inspected and approved prior to use.

**(v) Ramp Taxis**

Every vehicle used as a Ramp Taxi shall have a ramp at least 30 inches wide. Any new model of Ramp Taxi vehicle proposed for use as a Ramp Taxi shall be subject to the prior approval of the SFMTA and the Paratransit Coordinating Council.

**(w) Retired Vehicles**

No Permit Holder 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 removed.

**(x) Tobacco Advertising Ban**

**(1)** Color Schemes and Medallion Holders are prohibited from placing or maintaining, or causing or allowing to be placed or maintained, any advertising or promotion of cigarettes or tobacco products on any Taxi or Ramp Taxi.

**(2)** For the purposes of this subsection, "tobacco product" shall mean any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipes, tobacco, snuff, chewing tobacco and dipping tobacco. For the purposes of this Section, "promote" or "promotion" shall include a display of any logo, brand name, character, graphics, colors, scenes, or designs that are trademarks of a particular brand of tobacco product.

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

Reserved.

**(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 delegee 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. SFMTA shall give Permit Holders a receipt for in-person delivery of records. Except where a particular method of delivery is required for a specific records, records may be submitted by any of the following means:

(A) In person by the Permit Holder, or in the case of a corporation, by the person designated in a document on file with the California Secretary of State as an agent of the Permit Holder for the purpose of service of process. The SFMTA may require the Permit Holder's agent to produce documentation of the designation at the time that the filing is submitted. In person delivery of required documents may be to a location or address specified by SFMTA:

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

(C) By fax; 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.

**(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) Badge and Identification Information**

Each Driver shall provide his or her badge number to any passenger upon request.

**(3) Medical Examination Certificates**

The Driver shall retain the original report or certification completed by the examining physician or laboratory following any physical examination required by this Article, and shall file a copy of the report or certification with the SFMTA.

**(4) Waybills**

Drivers of Taxis and Ramp Taxis shall produce an accurate and legible Waybill, completed in indelible ink. Each Waybill shall include the following information for the period covered by that Waybill:

**(A) Date of trip;**

**(B) Driver's name;**

**(C) Driver's Permit number;**

**(D) Driver's signature at the commencement of the shift;**

**(E) Vehicle Number and vehicle license number;**

**(F) Medallion number;**

**(G) Starting mileage of the vehicle for the shift;**

- ~~(H) Starting meter units for the shift;~~
- (I) Mileage of the vehicle at the end of the shift;
- ~~(J) Meter units at the end of the shift;~~
- (K) Number of passengers on each trip;
- (L) Origin and destination of each trip;
- (M) The fare for each trip;
- (N) The time of hire and discharge for each trip; and
- (O) A mechanically or electronically generated time stamp showing the

starting and ending times of the shift.

~~(P) Notations of passenger requests for assistance as described in Section 1103(c)(5)(F);~~

~~(Q) If the vehicle is temporarily placed out of service because of a mechanical failure, the Driver shall make a notation on the Waybill listing the time the vehicle goes out of service and the time it is returned to service.~~

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

**(1) 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 Corporate Medallion Holders**

**(1) Annual Filings Required for Renewal**

Any corporation holding a 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 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**

**(1) Waybills**

(A) A Color Scheme shall use a Waybill format approved by the SFMTA.

(B) A Color Scheme shall retain original Waybills for all Drivers and Medallion Holders for at least one year at its principal place of business.

(C) Color Schemes shall maintain originals and/or legible copies of Waybills for at least six years to document driving performed by Drivers affiliated with the Color Scheme. Color Schemes may store Waybills more than 12 months old in a secure electronic format, and duplicate copies of such electronic record shall be given to Drivers for each year of record. Drivers, Medallion Holders and applicants on the Waiting List are responsible for maintaining their own individual records.

(D) Color Schemes shall store Waybills either alphabetically, numerically or chronologically. If a Color Scheme's Waybills are not so organized, the SFMTA may require the Color Scheme to reorganize the Waybills either alphabetically, numerically or chronologically, and the Color Scheme shall order Waybills in accordance with SFMTA direction within 90 days of SFMTA request. A Color Scheme may request a waiver of such requirement if the Permit Holder demonstrates to SFMTA's satisfaction that its Waybills are already organized in a different manner that allows efficient inspection and auditing by SFMTA. Any Waybills presented to SFMTA for inspection in any manner other than as required or approved by SFMTA may not be counted for compliance with the Full-Time Driving requirement.

(E) If requested, Color Schemes shall provide each Driver duplicate copies of that Driver's Waybills for a prior year in an electronic or paper format. If the Waybills are provided in paper format, the Color Scheme may charge no more than \$0.10 per page, or a flat fee not to exceed \$50 for duplication of all Waybills of a Driver for the period of one year.

(2) Medallion Holder Files

Color Schemes must maintain files for each Medallion Holder affiliated with the Color Scheme. Such files shall at least contain written copies of all Leases or permits associated with the Motor Vehicle for Hire at the Color Scheme's principal place of business, and employment or other applications initiating affiliation with the Color Scheme. Color Schemes shall provide copies of a Lease to any party to the Lease upon request.

(3) Driver Files

Color Schemes shall retain the Color Scheme Identification Cards of former Drivers in their files.

(4) Receipts to Drivers

Color Scheme Holders shall provide receipts for payments for fuel, Gate Fees, Lease fees or any other payment made by Drivers to Color Schemes, and for Found Property turned in to the Color Scheme.

**(5) Medical Examination Certificates**

Reserved.

**(6) Vehicle Inventory Changes**

Prior to placing a Taxi or Ramp Taxi into service for the first time, when changing one vehicle for another, or when assigning a new Vehicle Number, the Color Scheme shall submit the information required by this Section to the SFMTA on a form provided by the SFMTA.

**(7) Current Information Required to be Maintained**

All Color Schemes shall maintain at the principal place of business the following information in a place where it is easily accessible to dispatchers and for immediate inspection upon request by SFMTA:

**(A) Driver Roster**

**(B) List of Affiliated Drivers**

A current list updated at least weekly with all affiliated Drivers, including Driver's name, home address, cellular telephone number, Driver Permit number, and California driver's license number.

**(C) Property Log Book**

Every Color Scheme shall maintain a log book in a form approved by the SFMTA which records the date, time, vehicle number, Driver by name or badge number, Incident Report Number (if applicable), description and disposition of the property. The log book shall be retained for a minimum period of one year.

**(D) Vehicles**

A current list of all affiliated Taxis and Ramp Taxis including, but not limited to, the vehicle number, the vehicle license number, the vehicle identification number, the Model Year and make of the vehicle.

**(8) Weekly Reporting Requirements**

Color Schemes shall fax or email to the SFMTA the following reports. Except as otherwise provided, weekly reports shall be submitted by close of business on the first business day of each week:

**(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, whether or not the Medallion is leased on a per-shift, weekly, monthly, or other basis.. This schedule shall include the schedules of all Medallion Holders affiliated with a Color Scheme. The Driver Roster shall be provided to the SFMTA as part of the weekly report, and shall made available for inspection by the SFMTA or law enforcement agencies during business hours.**

**(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 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. The SFMTA may grant exceptions for submission for companies with exceptionally large schedules or which have an electronic timecard system for schedules.**

**(B) Waybill Report**

All Color Schemes shall list all affiliated Medallion Holders in the weekly Waybill Report. On the first business day of each week, all Color Schemes shall fax to the SFMTA, the names of all affiliated Medallion Holders who have failed to turn in Waybills for the previous week, whether or not that Medallion Holder appears on the Driver Roster or is otherwise scheduled.

**(C)** 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.

**(D)** Mechanical Breakdown Log

A record of all Taxis and/or Ramp Taxis which have been out of service for more than 72 hours 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.

**(E)** Found Property Report

On the first business day of each week, each Color Scheme shall fax or email to the SFMTA a copy of all entries made in the property log for the previous week. Those Color Schemes having no entries for that week will fax or email a notice advising the SFMTA that no property was turned in.

**(9)** Filings Required for Emissions Compliance

**(A)** Company Emission Reduction Plans

On June 1, 2010, each Color Scheme Permit Holder shall submit a written Emission Reductions Plan describing the Color Scheme's plans to implement reductions requirements of Section 1106(m) during 2010. On June 1, 2010, and June 1, 2011, each Color Scheme Permit Holder shall submit to the SFMTA a written statement on the steps the Color Scheme has taken in the prior year to carry out that year's Emissions Reduction Plan and the results of those efforts.

**(10)** 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;

(G) Copy of company drug-free workplace policy;

(H) Blank sample of company Waybill and receipt for Waybill; and

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

**(e) Additional Requirements Applicable to Dispatch Services**

**(1) Semi-Annual Service Report**

All Dispatch Services must provide the SFMTA with a semi-annual dispatch service report on a form provided and a date specified by the SFMTA.

**(2) 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 2 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 badge number of the Driver who turned it in and the number of the vehicle in which it was found.

**(D)** Property Log Book

Every Dispatch Service Permit Holder shall maintain at the principal place of business a log book in a form approved by the SFMTA which records the date, time, vehicle number, Driver by name or badge number, Incident Report Number (if applicable), description and disposition of the property. The log book shall be retained for a minimum period of one year.

**(E)** Weekly Property Report to SFMTA

On the first business day of each week, each Dispatch Service Permit Holder shall fax or email to the SFMTA a copy of all entries made in the property log for the previous week. 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.

**(3)** 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. 1115. DETERMINATION OF NUMBER OF PERMITS**

The SFMTA Board will from time to time but no more than once per 12-month period, hold a hearing to determine whether to limit the number of a class of permits to be issued and/or whether to issue new permits, and, if so, the limit on the number of a class of permits or the number of permits to be issued for each class of permits for the upcoming 12-month period no later than August 1 of each year following public hearing. In making this determination, the Board will consider the availability of service provided by each class of permit compared to the demand for that service, and the public interest. Based upon the record of the hearing and any further evidence which the SFMTA Board may request, the SFMTA Board will determine the number of each class of permits to be issued, or that no new permits of a particular class will be issued., ~~for the upcoming 12-month period.~~ The Board shall consider any evidence offered at the hearing to establish other means of improving service that would provide the same or greater benefits to the public as increasing the number of permits. The SFMTA shall post notice at least 30 days prior to any hearing held pursuant to this Section.

## **SEC. 1116. GENERAL PROVISIONS GOVERNING HEARINGS**

### **(a) Definitions.**

For the purpose of Sections 1116 through 1118, "SFMTA" shall refer to the SFMTA's Taxis and Accessible Services Division. The term "hearing officers" as used in those Sections refer to individuals assigned to the SFMTA's Hearing ~~Section Division~~, and designated by the SFMTA Board of Directors to conduct hearings as described herein.

### **(b) 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 parties 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 each 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 Taxis and Accessible Services Division and the Hearing ~~Section~~ Division with respect to any pending case. This prohibition does not preclude the two SFMTA Divisions from communicating about administrative, procedural or policy matters that do not involve any pending case regarding any individual permit or permit application.

**(c) Presentation of Evidence**

(1) During any hearing the hearing officer(s) shall have the discretion allow the introduction of any relevant evidence. The hearing officer, on his or her own motion, may subpoena witnesses, documents and other evidence where the attendance of the witness or the admission of evidence is deemed necessary by the hearing officer to render a decision.

(2) 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 their case by means of oral or documentary evidence, may submit rebuttal evidence, and may conduct cross-examination of adverse witnesses. ~~Either party may call as live witnesses at a hearing any person whose written declaration was submitted as part of their complaint or response.~~

(3) The hearing officer may set reasonable time limits for the presentation of each party's case, but in all cases any time limitation or any extension thereof must apply equally to both parties.

(d) Public comment

Public comment is not required during hearings governed by Sections 1116 through 1118 but may be permitted in the sole discretion of the hearing officer.

(e) Notices

(1) Any notice, filing or other communication required to be provided to ~~the Permit Holder~~ any person(s) by Sections 1116 through 1118 shall be delivered ~~to the Permit Holder or the permit applicant~~ by personal delivery, ~~or~~ registered U.S. mail to both the last known address of the intended recipient ~~Permit Holder or the permit applicant~~ and of the color scheme with which the ~~Permit Holder or applicant~~ is associated, if any, that is on file with the SFMTA.

(2) If the SFMTA is unable to determine the intended recipient's mailing address, the local agency shall post the notice for at least 10 calendar days.

(3) ~~(2)~~ All notices, filings or other communications required to be provided to the SFMTA shall be delivered by hand or mailed by first class mail, postage pre-paid to:

San Francisco Municipal Transportation Agency  
Division of Taxis and Accessible Services, Permits Section  
1 South Van Ness, 7th Floor  
San Francisco, CA 94103

(4) ~~(3)~~ All notices, filings or other communications required to be provided to a hearing officer or the Hearing ~~Section~~ Division shall be delivered by hand or mailed by first class mail, postage pre-paid to:

San Francisco Municipal Transportation Agency

Hearing ~~Section –Taxis Division~~

11 South Van Ness

San Francisco, CA 94103

(5) ~~(4)~~ The date of any notice, filing or other communication directed to the SFMTA or the Hearing ~~Section Division~~ shall be the date that it is received at one of the locations listed above.

(6) Notice of Violation.

Any notice of violation shall contain sufficient information to identify the alleged violator, to inform the alleged violator of the alleged violations of statute, ordinance or regulation, and the procedures for protesting the allegations contained in the notice.

**SEC. 1117. PERMIT ISSUANCE; INACTIVE APPLICATION**

(a) Permit Issuance. The SFMTA may issue any class of Motor Vehicle for Hire Permit upon its determination that the permit applicant meets all requirements and qualifications for the permit.

(b) Investigation. The SFMTA shall investigate each individual permit applicant. SFMTA shall provide results of the investigation to the applicant. The applicant must furnish any additional material requested by the SFMTA within 60 days of the date of the SFMTA's notice to the applicant of the results of the investigation. If additional material requested by the SFMTA is not provided within 60 days' of request, the application shall be deemed inactive.

(c) ~~(b)~~ Hearing Procedures for SFMTA Actions and Determinations Permit Application; Appeal

(1) If the SFMTA ~~denies a permit application for any permit other than a Taxi or Ramp Taxi permit~~ takes any of the following actions or makes any of the following

determinations the SFMTA shall provide a notice of such action denial of the permit or determination to the applicant and/or Permit Holder.

(A) Denies a permit application for any permit other than a Taxi or Ramp Taxi permit Medallion; or

(B) Revokes a permit pursuant to Section 1105(a)(9)(D) (non-operation) or Section 1113; or

(C) Refuses to renew a permit pursuant to Section 1105(a)(5)(B)

(D) Determines that an application for any permit is inactive pursuant to Sections 1103(b)(2) or 1103(b)(4); or

(E) Determines that a Permit Holder is subject to Administrative Probation pursuant to Section 1118(g);

(2) The applicant or Permit Holder who has received notice of an SFMTA action or determination listed in 1117(c)(1) may request a hearing on the action or determination denial of the permit by submitting to SFMTA a request for hearing within 20 business days of the date that the notice of denial is personally delivered or sent to the applicant or Permit Holder by registered mail.

(3) A hearing on the action or determination denial of the permit shall be scheduled within 120 60 calendar days from the date that the applicant or Permit Holder submitted a request for hearing. The SFMTA shall provide the complete application and/or grounds for the action taken and the results of any investigation to the Hearing Section upon receipt of a request for hearing.

(4) Prior to making a decision on a permit application, SFMTA may refer the permit application to a hearing officer for hearing if there are factual discrepancies in the application that the SFMTA is unable to resolve, or if investigation reveals that the applicant may

have engaged in fraud, misrepresentation, or other misconduct in connection with the application process.

~~(5)(2)~~ The SFMTA shall schedule a hearing prior to the issuance of any Taxi or Ramp Taxi permit Medallion at least 30 calendar days prior to the scheduled hearing date. Any interested party may file a written submission no less than 5 business days prior to the hearing, containing any information relevant to the qualifications of the applicant for the Taxi or Ramp Taxi permit that the interested party would like the hearing officer to consider. ~~he~~ submission shall not exceed 10 double spaced typed pages, excluding exhibits. ~~The interested party may appear at the hearing and shall be given at least ten minutes to present the information contained in the written submission.~~

~~(6)(3)~~ The An applicant or Permit Holder is entitled to a ~~30 calendar day~~ continuance of the hearing date, of up to 60 days in the hearing officer's sole discretion, if a written request is submitted to the hearing officer at least 14 calendar days prior to the scheduled hearing. ~~The applicant may request an additional continuance within 14 days of the continued hearing date, but no continuance may be granted for a period in excess of 60 days.~~

~~(7)(4)~~ The SFMTA may present a summary of its investigation of no more than 10 ten double-spaced pages, excluding exhibits, no less than 20 calendar days prior to the hearing. If the SFMTA intends to present witnesses at the hearing, it shall present a list of witnesses at least five calendar days prior to the hearing.

~~(8)(5)~~ No less than ~~5~~ five business days prior to the hearing, the applicant or Permit Holder may file a written submission containing any information the applicant deems relevant to the application or the results of the investigation. The submission shall not exceed ~~10 ten~~ double-spaced typed pages, excluding exhibits. If the applicant or Permit Holder intends to present witnesses at the hearing, it shall present a list of these witnesses at least ~~5~~ five calendar days prior to the hearing.

~~(9)(6)~~ The burden of proof shall be on the applicant or Permit Holder to establish that the applicant meets all ~~permit~~ requirements.

~~(10)(7)~~ If the hearing officer determines that a permit applicant is qualified for the permit, the SFMTA shall issue the permit within ~~10~~ ten business days of the hearing officer's determination. If an applicant is contesting his or her removal from a Waiting List, and the hearing officer determines that the applicant is eligible for the Medallion and has met all permit application requirements, the SFMTA shall restore the applicant to their place on the Waiting List. If an applicant is contesting a determination that his or her application is inactive, and the hearing officer determines that the application is active in accordance with the criteria listed in Section 1103(b), then the SFMTA shall continue to process the application. If a Permit Holder contests revocation of a permit, and the hearing officer determines that grounds for revocation of the permit do not exist, then the SFMTA shall restore the permit.

~~(11)(8)~~ A hearing officer's decision on any permit application shall be based upon the qualifications of the applicant and the criteria set forth in this Article. The hearing officer(s) shall make a written report of findings setting forth evidence in support of each finding within ~~120~~ 60 calendar days of the hearing. Any finding made at or as a result of a hearing conducted pursuant to this Section may be appealed by the applicant to the Board of Appeals.

## **SEC. 1118. ~~DISCIPLINARY~~ ADMINISTRATIVE PROCEEDINGS**

### **(a) Complaint**

In order to initiate ~~a disciplinary~~ an administrative proceeding against any person alleged to be in violation of any law or regulation that is subject to administrative penalties, the SFMTA must present a written complaint consisting of a list of each alleged violation, the alleged facts that establish each violation, and any argument in support of requested disciplinary measure(s) or monetary penalties. The complaint shall not exceed 10 double-spaced

pages, excluding exhibits. ~~In addition to the complaint, the~~ The SFMTA may ~~submit include as~~ a part of the ~~complaint~~ any proposed findings to the hearing officer that the SFMTA proposes be adopted by the hearing officer.

**(b) Scheduling an ~~Administrative~~ Disciplinary Hearing**

The ~~disciplinary~~ administrative hearing shall be scheduled no sooner than 30 calendar days after the ~~disciplinary~~ written complaint is ~~provided~~ noticed to the Permittee respondent unless the parties agree to a different schedule. The Permittee 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 ~~10~~ three business days. The final decision on the request for continuance shall be provided to the respondent and shall be posted on the SFMTA's website. No continuance of the administrative hearing may exceed ~~be granted for a period in excess of~~ 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 1119.

**(c) Response to Complaint**

No later than ~~5~~ ten business days prior to the hearing, the Permittee respondent may provide the SFMTA and the hearing officer a written response to the disciplinary complaint, along with any additional information the Permittee respondent considers relevant to the case. The response shall not exceed ~~10~~ ten double-spaced pages, excluding exhibits, and shall include a list of the witnesses, if any, that the Permittee respondent will present at the hearing. In addition to the response, the ~~The~~ Permittee respondent may include as a part of the response ~~complaint~~ any proposed findings that the Permittee respondent proposes be adopted by the hearing officer. The SFMTA may ~~submit include as~~

~~a part of the complaint~~ any proposed findings to the hearing officer that the SFMTA proposes be adopted by the hearing officer.

**(d) Presentation of the Case**

**(1)** 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 ~~and that such facts constitute violation(s).~~ The respondent may present evidence following the SFMTA's presentation.

**(2)** Following presentation of evidence, each party shall have at least ~~5~~ five minutes to present their rebuttal arguments, if any.

**(e) Decision**

**(1)** The hearing officer shall issue a written decision within ~~10~~ ten business days of the date of the hearing, and shall include written findings and disciplinary measures or monetary penalties, if any. No later than ~~3~~ three business days following the hearing the SFMTA shall publish a summary of the results of the disciplinary case on the SFMTA website, referenced by the case number, date of hearing and the affected permit number. The full text of the decision shall be sent to the ~~Permittee~~ respondent no later than the business day following the issuance of the 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 ten business days of the last submittal.

**(2)** The hearing officer's decision shall take effect on the date ~~that~~ of notice is provided to the ~~Permittee~~ respondent.

**(f)** The appeal to the Board of Appeals of any decision to suspend or revoke a permit for the operation of a Motor Vehicle for Hire shall automatically suspend the permit that is the



subject of the appeal for the duration of the appeal.

**(g)** Administrative Probation

**(1)** The SFMTA shall develop uniform criteria for making a determination that either a Color Scheme or a Dispatch Service Permit Holder is on Administrative Probation based on the number and degree of violations of this Article. In addition to any other applicable disciplinary measures, the SFMTA may declare the Permit Holder to be on Administrative Probation based on such criteria.

**(2)** A Color Scheme on Administrative Probation may not execute new affiliations with Drivers or Medallion Holders, and a Dispatch Service on Administrative Probation may not execute new affiliations with Color Schemes, until the SFMTA makes a written determination that the violations are cured or the conditions stated in the notice of Administrative Probation are met.

**SEC. 1119. SUMMARY SUSPENSION OF PERMIT FOR HEALTH OR SAFETY REASONS**

**(a)** Summary suspension. When the SFMTA determines that an alleged permit violation poses an ongoing risk to public health or safety, the SFMTA may summarily suspend the permit pending the outcome of a ~~disciplinary~~ hearing conducted pursuant to Section 1118. Any affected ~~Permittee~~ Permit Holder shall be given notice of such suspension in writing delivered to said ~~Permittee~~ Permit Holder in person or by registered U.S. mail. Such notice shall also contain a statement of the grounds for suspending the permit.

**(b)** Summary Suspension Hearing; Decision Following Hearing

**(1)** Any ~~Permittee~~ Permit Holder who wishes to challenge the summary suspension of his or her permit may request, in writing, a hearing at which the ~~Permittee~~ Permit Holder may show cause why the permit should not be summarily suspended

pending the outcome of ~~the disciplinary~~ an administrative hearing conducted pursuant to Section 1118. Upon receipt of a ~~Permittee's~~ Permit Holder's request for a summary suspension hearing, SFMTA shall promptly set the time and place for said hearing and shall cause notice of such hearing to be delivered to ~~Permittee~~ the Permit Holder in person or by registered U.S. mail.

(2) The hearing officer shall render a written decision no later than the business day following the summary suspension hearing.

(c) Appeal. A hearing officer's decision regarding summary suspension is not subject to appeal. Where a permit is revoked after a summary suspension, the revocation shall be effective immediately and, if the Permittee appeals to the Board of Appeals, shall remain in effect until a final decision is issued by the Board of Appeals.

(d) While a Taxi or Ramp Taxi ~~permit~~ Medallion is suspended pursuant to Section 1119, the SFMTA may allow continued operation of the Medallion with the SFMTA's prior written approval, subject to any conditions specified in such approval. ~~Color Scheme with which the permit is affiliated may allow the operation of the permit by any person with a valid Driver permit other than the Permittee.~~ During the period of suspension any lessee of the permit shall continue to pay Lease Fees to the Permittee. The lessee may withhold an amount from each Lease Fee payment representing the actual expenses incurred by the lessee during the prior payment period to maintain the vehicle in accordance with all requirements of this Article, including insurance payments. The lessee must provide documentation of all such expenses to the lessor at the time that any such funds are withheld from Lease Fee payments.

## **SEC. 1120. REVOCATION OF PERMITS**

### **(a) Revocation or Suspension for Cause**

Any permit issued under this Article may be suspended or revoked by the SFMTA for good cause after a noticed hearing. "Good cause" hereunder shall include, but shall not be limited to, the following:

- (1) A Medallion Holder ceased to be a Full-Time Driver.
- (2) A Permit Holder failed to pay a permit fee within 90 days following notice of nonpayment.
- (3) A Permit Holder or the lessee of a Permit Holder's permit operated without the insurance required by this Article.
- (4) A Permit Holder or an agent of a Permit Holder knowingly made false statements to or concealed information from the SFMTA or the Chief of Police.
- (5) A Permit Holder has failed to satisfy any judgment for damages arising from unlawful or negligent operation under any permit issued under this Article.
- (6) A Permit Holder has been convicted of any crime listed in Section 1103(c)(2)(F).
- (7) The Permit Holder has been convicted of violating any statute or ordinance governing the operation or licensing of the vehicles and services regulated by this Transportation Code.

**(b) Mandatory Revocation or Suspension**

The SFMTA shall have discretion to suspend or revoke a permit as set forth above, except that a suspension and/or revocation shall be mandatory in the circumstances described in Subsections (1) through (6) above.

**(c) 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 or suspend all such permits.

**~~SEC. 1112.~~ 1121. NOTICES**

**(a) Posting Notice**

Except as otherwise provided herein, all public notices required to be given by the SFMTA pursuant to this Article shall be posted on the SFMTA's official website and in the main branch of the Public Library for no less than 3 three business days.

**(b) Notice of Permit Hearing**

When a permit becomes available for issuance the SFMTA shall publish notice in accordance with subparagraph (a), and shall notify the next 5 five applicants on the Waiting List.

**(c) Notice of SFMTA Actions**

Except as otherwise provided herein, SFMTA shall post a notice of any determination related to an individual permit or class of permits within 5 five business days following the hearing in which such determination was made.

**SEC. ~~1113~~. 1122. FEES, RATES AND CHARGES**

**(a)** At any time during calendar year 2009, the SFMTA Board may review and in its sole discretion, increase or decrease the rates of fare and/or the cap on gate fees applied to motor vehicles for hire. ~~The rates of fare and the cap on gate fees established under these regulations shall be reviewed by the SFMTA Board on an annual basis beginning in 2010. No later than September 1 of 2010 and each year thereafter, From time to time but no more than once per 12-month period,~~ the SFMTA Board shall hold a hearing to determine whether evaluate the rates of fare and cap on gate fees then in effect, ~~and shall determine whether said rates and fees~~ should be increased, decreased or remain unchanged.

**(b) Taxi Fares**

**(1)** The fare for Taxis and Ramp Taxis shall be as follows: \$3.10 for the first fifth of a mile or "flag"; \$0.45 for each additional fifth of a mile or fraction thereof; \$0.45 for each one minute of waiting or traffic delay time.

**(2) Out-of-Town Trips**

For out-of-town trips exceeding 15 miles beyond City limits, the fare will be 150 percent of the metered rate; for trips exceeding 15 miles from San Francisco International Airport and not terminating within the City limits of San Francisco, the fare will be 150 percent of the metered rate except for those trips from San Francisco International Airport traversing through

San Francisco going to Marin County or to the East Bay the 15-mile limit will apply from the City limits of San Francisco as set forth above. For taxicab trips originating at San Francisco International Airport that incur an airport trip fee, the taxicab driver may collect \$2.00 of that trip fee from the passenger upon receipt of cab fare from the passenger.

**(c) Gate Fees**

**(1) Cap on Gate Fees**

The mean gate fee charged drivers by a taxicab company may not exceed \$96.50 for a shift of 10 hours or longer. The cap shall be prorated at \$9.65 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.

**(2) Gate Fee Surcharge For Low Emission Vehicles**

Notwithstanding subsection 1122(c)(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 Section, "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.

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

**(d) Emergency Rates**

During any period of emergency, strike or other impairment or lack of municipal railway transportation declared by the Mayor and affecting the entire City or any part thereof, Drivers of Motor Vehicles for Hire shall accept passengers traveling in the same general direction, though each passenger or passengers may have differing points of pickup or discharge. At each stop for the pickup or discharge of a passenger or passengers, a Taxi or Ramp Taxi Driver shall collect, or tabulate for later collection at the passenger's point of discharge, the pro-rata share of the amount due as indicated by the meter, and said meter shall then be reset. The rates shall be those set forth in Section 1115(b).

**(e) Deduction for Time While Disabled**

In the event that a taxicab, while conveying for hire any passenger or passengers, becomes disabled, or breaks down, the time of stoppage shall be deducted from the time for which the passenger is charged.

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

By: \_\_\_\_\_  
STEPHANIE STUART  
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 May 19, 2009.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

