RESOLUTION NO.

[Motor Vehicle for Hire Legislation]

Resolution approving amendments to the San Francisco Transportation Code, Division II that amend Section 310 to revise administrative fines for motor vehicle for hire violations.

NOTE: Additions are <u>single-underline Times New Roman</u>; deletions are <u>strike through Times New Roman</u>.

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

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

Sec. 310. SCHEDULE OF FINES.

Violation of any of the following subsections of the San Francisco Transportation Code governing the operation of a motor vehicle for hire shall be punishable by the <u>administrative</u> fines set forth below.

TRANSPORTATION	DESCRIPTION	FINE AMOUNT
CODE SECTION		1st/2nd/3rd offense
	CONDITIONS APPLICABLE TO ALL PERMIT	2 ′
Div II § 1105(a)(1)	Operating without a permit	\$5000
Div II 1105(a)(6)	Failure to comply with laws and regulations	\$75/\$150/\$450
Div II § 1105(a)(7)	Failure to comply with SFMTA orders	\$200 per occurrence
Div II § 1105(a)(8)	False statements to SFMTA	\$250/\$400/\$500
Div II § 1105(a)(9)	Failure to arrange continuous operation of a permit	Possible Revocation
Div II § 1105(a)(10)	Accepting and/or soliciting gifts from Drivers	\$200/\$400/\$600
Div II § 1105(a)(8)	Making false claim or request for payment or approval	\$500 per occurrence
Div II § 1105(a)(13)	Failing to shift change at company property	\$75/\$150/\$450
Div II § 1105(a)(14)	Failing to keep address current	\$25/\$50/\$100
Div II § 1105 (a)(17)	Failure to meet response time goals	\$50/\$100/\$150

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CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS			
Div II § 1106(a)	Operating without a color scheme permit	\$ 500	
Div II § 1106(b)	Failure to submit photos upon request	\$25/\$50/\$100	
Div II § 1106(c)	Failure to adhere to dispatch service rules	\$75/\$150/\$450	
Div II § 1106(d)	Failure to maintain business premises requirements	\$75/\$150/\$450	
Div II § 1106(c)	Failure to inform SFMTA before changing location and/or selling or transferring the business	\$250 per day until compliance	
Div II § 1106(f)	Failure to list color scheme in telephone directory	\$250/\$400/\$500	
Div II § 1106(h)	Failure to employ adequate staff for color scheme	\$75/\$150/\$450	
Div II § 1106(i)	Failure to comply with worker's compensation laws	\$45 per day for each day without insurance	
Div II § 1106(j)	Failure to execute contract with paratransit broker	\$250/\$400/\$500	
Div II § 1106(k)(1)	Failure to provide facility to clean vehicles	\$250 per occurrence	
Div II § 1106(k)(2)	Failure to maintain properly working vehicle equipment	\$1000/per occurrence	
Div II § 1106(k)(4)	Color scheme operating unsafe vehicle or vehicle equipment	\$1000/per occurrence	
Div II § 1106(1)(2-7)	Violations related to designation and use of spare vehicles	\$75/\$150/\$450	
Div II § 1106(l)(8)	Color scheme may not lease a spare vehicle unless such vehicle is using a medallion which is not in use in any other vehicle	\$5,000/per occurrence	
Div II § 1106(n)	Failure to post required certificates and other materials	\$75/\$150/\$400	
Div II § 1106(o)	Failure to comply with notification procedures	\$75/\$150/\$400	
Div II § 1106(p)	Failure to meet obligations related to drivers	\$75/\$150/\$400	
Div II § 1106(q)(4)	Color scheme having actual knowledge that a driver is operating under the influence of an intoxicating or controlled substance	\$1000/per occurrence	
Div II § 1106(r)	Failure to properly handle found property	\$75/\$150/\$400	
Div II § 1106(s)	Failure to file dissolution plan with SFMTA	\$50/per day until filed	
	CONDITIONS APPLICABLE TO DISPATCH PERMITS		
Div II § 1107(a)	Failure to maintain an emergency plan	\$50 per day until filed	
Div II § 1107(c)	Failure to ensure adequate ramp taxi response	\$75/\$150/\$400	
Div II § 1107(d)	Failure to keep adequate records of service calls	\$75/\$150/\$400	
Div II § 1107(e)	Failure to maintain adequate communications equipment	\$50 per day until compliance met.	
Div II § 1107(f)	Failure to maintain adequate staff for service calls	\$75 per occurrence	
Div II § 1107(g)	Failure to advise customers of service delay	\$75 per occurrence	
Div II § 1107(h)	Failure to advise customers of anticipated time of service	\$75 per occurrence	
Div II § 1107(i)	Failure to identify service staff with unique identifier	\$75/\$150/\$400	
Div II § 1107(j)	Failure to service staff to identify themselves	\$75 per occurrence	
Div II § 1107(k)	Failure to dispatch requested color scheme to customer	\$250/\$400/\$500	
Div II § 1107(m)	Failure to dispatch service to be in compliance with workers compensation laws	\$300/for each day without insurance	
Div II § 1107(n)	Failure to follow lost and found procedures	\$75 per occurrence	
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Div II § 1108(a)	Failure to carry, wear, or display proper identification	\$25/\$50/\$75
Div II § 1108(b)(3)	Failure to report criminal convictions	\$250/\$400/\$500
Div II § 1108(b)(4)(A)	Operating a motor vehicle for hire while under the influence	Summary suspension/possible revocation of permit
Div II § 1108(b)(4)(B)	Use, sale or possession of controlled substance	\$250/\$400/\$500
Div II § 1108(c)	Failure to notify the SFMTA of change of color scheme affiliation, failure to return driver permit after terminating color scheme affiliation	\$5/per day until compliance met.
Div II § 1108(d)(2)-(3)	Failure to perform duties at beginning of shift	\$25/\$50/\$75
Div II § 1108(d)(1)	Failure to take vehicle out of service notify Color Scheme	\$25/\$50/\$75
	when safety equipment is inoperable	
Div II § 1108(e)(3)	Refusal to transport person with disability in front seat	\$50/\$100/\$150
Div II § 1108(e)(1)	Refusing to convey a passenger	\$25/\$50/\$75
Div II § 1108(e)(2)	Refusing to transport luggage	\$25/\$50/\$75
Div II § 1108(e)(4)	Refusing to transport a service animal or a contained animal	\$50/\$100/\$150
Div II § 1108(e)(5)	Refusing to assist loading and unloading	\$25/\$50/\$75
Div II § 1108(e)(6)	Refusing to assist and secure a person with disabilities	\$50/\$100/\$150
Div II § 1108(e)(7)	Failure to accept and serve dispatch calls	\$25/\$50/\$75
Div II § 1108(e)(8)	Soliciting or accepting additional passenger without prior consent of any passenger who has previously engaged the vehicle.	\$25/\$50/\$75
Div II § 1108(c)(9)	Driver shall not collect from combined passenger payments any amount in excess of the fare shown on the taximeter at the time that the last passenger reaches their destination	\$25/\$50/\$75
Div II § 1108(e)(10)	Failure to comply with 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.	\$25/\$50/\$75
Div II § 1108(e)(11)	Using non-emergency or dispatch related communication device while passenger is in vehicle.	\$25/\$50/\$75
Div II § 1108(e)(12)	Failure to comply with State Law regarding cell phone usage in vehicles	\$25/\$50/\$75
Div II § 1108(e)(14)	Operating a motor vehicle for hire in a reckless or dangerous manner	\$50/\$100/\$150
Div II § 1108(e)(15)	Failure to operate in accordance with ramp taxi rules and regulations	\$50/\$100/\$150
Div II § 1108(e)(16)	Requesting gratuities or extra charges	\$25/\$50/\$75
Div II § 1108(e)(17)	Failure to keep required audio communication devices audible, or visual communication devices visible, to driver	\$25/\$50/\$75
Div II § 1108(c)(18)	Failure to inform passenger whose destination is 15 miles from City Limits, or 15 miles from SFO and not within city limits of meter and a half rates.	\$25/\$50/\$75
Div II § 1108(e)(19)	Failure to carry sufficient cash to be able to provide	<u>\$25/\$50/\$75</u>

	change for 20 dollars.	
Div II § 1108(e)(20)	Failure to inform passenger of toll charges at the beginning of the trip.	\$25/\$50/\$75
Div II § 1108(e)(22)	Failure to give receipt upon request to person paying fare.	\$25/\$50/\$75
Div II § 1108(e)(24)	failing to return found property during or after shift	\$25/\$50/\$75
Div II § 1108(e)(25)	Keeping unsafe taxi or ramp taxi in operation after discovery of safety issues	\$100/\$150/\$200
Div II § 1108(e)(26)	Placing loose items on dashboard or rear shelf of vehicle.	\$25/\$50/\$75
Div II § 1108(e)(27)	Failure to maintain clean trunk and/or baggage area	\$25/\$50/\$75
Div II § 1108(e)(29)	Threatening, harassing or abusing another person	Summary suspension and retraining
Div II § 1108(e)(30)	Using excessive physical force against a person	\$100/\$150/\$200 plus summary suspension and retraining.
Div II § 1108(e)(31)	Failure to be clean in dress and person	\$ 25/\$50/\$75
Div II § 1108(e)(32)	Failure to turn off the taximeter when pulled over by a peace officer.	\$25/\$50/\$75
Div II § 1108(e)(33)	Burning any substance, drinking or eating while a passenger is in the vehicle.	\$25/\$50/\$75
Div II § 1108(f)(1) (2)	Failure to perform duties at end of shift	\$25/\$50/\$75
Div II § 1108(f)(3)	Failure to turn in found property at end of shift	\$25/\$50/\$75
e	ONDITIONS APPLICABLE TO TAXI AND RAMP TAXI N	MEDALLIONS
Div II § 1109(b)	Failure to utilize dispatch service of affiliated color scheme	\$25/\$50/\$75
Div II § 1109(c)	Failure to comply with full time driving requirement	\$24000 multiplied by percentage of hours short of the full time driving requirement.
Div II § 1110(a)(1)	Failure to grant priority to service requests from wheelchair users	\$50/\$100/\$150
Div II § 1110(a)(2)	Accepting another fare once dispatched to a "ramp service" call.	\$50/\$100/\$150
Div II § 1110(d)	Failure to ensure drivers are qualified to operate ramp taxi	\$50/\$100/\$150
Div II § 1113(a)	Failure to maintain taxis and ramp taxis in safe operating condition	\$25/\$50/\$75
Div II § 1113(b)	Improper equipment placement	\$25/\$50/\$75
Div II § 1113(c)(1)-(2), (4) (5)	Failure to meet exterior display requirements	\$25/\$50/\$75
Div II § 1113(c)(3)	Failure to display proper inspection certificates	\$25/\$50/\$75
Div II § 1113(d)	Failure to meet interior display requirements	\$25/\$50/\$75
Div II § 1113(e)	Failure to provide communication equipment	\$ 25/\$50/\$75
Div II § 1113(f)	Failure to provide working taximeter	\$100/\$150/\$300
Div II § 1113(h)	Failure to provide emergency equipment	\$25/\$50/\$75
Div II § 1113(i)	Improper vehicle signage	\$ 25/\$50/\$75
Div II § 1113(j)	Failure to maintain vehicle lights	\$25/\$50/\$75
Div II § 1113(k)	Failure to maintain standard vehicle equipment	\$ 25/\$50/\$75

Div II § 1113(l)	Failure to maintain vehicle tires	\$ 25/\$50/\$75
Div II § 1113(m)	Failure to maintain vehicle windows	\$25/\$50/\$75
Div II § 1113(n)	Failure to maintain security cameras	\$25/\$50/\$75
Div II § 1113(o)	Failure to maintain sanitary condition	\$25/\$50/\$75
Div II § 1113(p)	Failure to meet vehicle title requirements	\$250 per occurrence
Div II § 1113(q)-(r)	Operating vehicle with excessive mileage/age	\$250 per occurrence
Div II § 1113(s)	Failure to comply with inspection rules; failure to remove vehicles from service	\$250 per occurrence
Div II § 1113(s)(7)	Fraudulent conduct in connection with inspection	\$250 plus revocation of permit.
Div II § 1113(t)	Failure to ensure safe vehicle condition	\$25/\$50/\$75
Div II § 1113(u)	Failure to submit replacement vehicle for inspection	\$250 per occurrence
Div II § 1113(v)	Failure to provide working ramp taxi ramp	\$25/\$50/\$75
Div II § 1113(w)	Failure to remove markings from taxis prior to re sale	\$250 per occurrence
Div II § 1113(x)	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	\$250 per occurrence
Div II § 1114(a)	Failure to maintain or provide records in manner required	\$25/\$50/\$75
Div II § 1114(b)(1)	Failure of driver to provide receipts to passengers upon request	\$ 25/\$50/\$75
Div II § 1114(b)(2)	Failure of Driver to provide badge number to passenger upon request	\$25/\$50/\$75
Div II § 1114(b)(3)	Failure to maintain medical certificate	\$25/\$50/\$75
Div II § 1114(b)(4)	Failure of driver to keep waybills as required	\$25/\$50/\$75
Div II § 1114(e)(1)	Failure of color schemes to meet waybill requirements	\$75/\$150/\$400
Div II § 1114(e)(2)	Failure to properly maintain medallion holder files	\$75/\$150/\$400
Div II § 1114(e)(3)	Failure to retain color scheme identification cards of former drivers	\$75/\$150/\$400
Div II § 1114(e)(4)	Failure to issue receipts to drivers for payments made	\$75/\$150/\$400
Div II § 1114(e)(6)	Failure to submit vehicle inventory changes	\$75/\$150/\$400
Div II § 1114(e)(7)	Failure to maintain current business information	\$75/\$150/\$400
Div II § 1114(e)(8)	Failure to meet weekly reporting requirements	\$75/\$150/\$400
Div II § 1114(e)(9)	Failure to submit a written emissions reduction plan	\$50 per day until received by the SFMTA
Div II § 1114(f)(1)	Failure of dispatch service to provide annual service report	\$50 per day until received by the SFMTA
Div II § 1114(f)(2)	Failure to provide reports of and receipts for found property	\$ 25/\$50/\$75
Div II § 1122(c)	Overcharging gate fees	\$500 per occurrence
Div II § 1122(d)	Overcharging a passenger for luggage	\$ 25/\$50/\$150

TRANSPORTATION	DESCRIPTION	FINE AMOUNT	
CODE SECTION			
	CONDITIONS APPLICABLE TO ALL PERMITS		
Div II § 1105(a)(14)	Address not current	\$25	
<u>Div II § 1105(a)(9)</u>	Continuous operation	\$50 per day for each day of violation	
Div II § 1105 (a)(17)	Response time goals	\$150	
Div II § 1105(a)(7)	Failure to comply with SFMTA orders	<u>\$200</u>	
Div II 1105(a)(6)	Failure to comply with laws and regulations	\$450	
Div II § 1105(a)(13)	Unattended Vehicle	\$450	
Div II § 1105(a)(13)	Improper shift change	\$450	
Div II § 1105(a)(8)	False statements	\$500	
Div II § 1105(a)(12)	Compliance with Paratransit Program	\$500	
Div II § 1105(a)(10)	Accepting and/or soliciting gifts from Drivers	\$600	
Div II § 1105(a)(1)	Operating without a permit	\$5000	
	CONDITIONS APPLICABLE TO COLOR SCHEME	PERMITS	
<u>Div II § 1106(s)</u>	Dissolution plan	\$50 per day until received by the SFMTA	
Div II § 1106(n)	Postings	<u>\$75</u>	
Div II § 1106(0)	Notification procedures	<u>\$75</u>	
<u>Div II § 1106(e)</u>	Notifications regarding business location	<u>\$250 per day for each day of</u> violation	
Div II § 1106(k)(1)	Facility to clean vehicles	<u>\$250</u>	
<u>Div II § 1106(i)</u>	Worker's compensation	\$300 for each day without insurance	
Div II § 1106(p)	Obligations related to drivers	\$400	
Div II § 1106(r)	Lost property	\$400	
Div II § 1106(c)	Dispatch service rules	\$450	
Div II § 1106(d)	Business premises requirements	\$450	
Div II § 1106(h)	Inadequate staffing	<u>\$450</u>	
<u>Div II § 1106(1)(2—</u> <u>7)</u>	Use of spare vehicles	<u>\$450</u>	
Div II § 1106(f)	Telephone directory	<u>\$500</u>	
Div II § 1106(j)	Paratransit Broker contract	<u>\$500</u>	
Div II § 1106(k)(2)(4)	Unsafe vehicle or equipment	<u>\$1000</u>	
Div II § 1106(q)(4)	Driver operating under the influence	<u>\$1000</u>	
Div II § 1106(a)	Operating without a color scheme permit	<u>\$5000</u>	
Div II § 1106(1)(8)	Spare vehicle without medallion	\$5,000	
CONDITIONS APPLICABLE TO DISPATCH PERMITS			
<u>Div II § 1107(a)</u>	Emergency plan	\$50 per day until received by the SFMTA	

TRANSPORTATION	DESCRIPTION	FINE AMOUNT
CODE SECTION		
Div II § 1107(e)	Adequate communications equipment	\$50 per day for each day of violation
Div II § 1107(d)	Service call records	<u>\$75</u>
<u>Div II § 1107(f)-(j)</u>	Failure to properly serve dispatch customers	<u>\$75</u>
<u>Div II § 1107(m)</u>	Workers compensation	\$300 for each day without insurance
<u>Div II § 1107(c)</u>	Inadequate ramp taxi response	<u>\$400</u>
<u>Div II § 1107(k)</u>	Improper dispatching	<u>\$500</u>
	CONDITIONS APPLICABLE TO DRIVER PER	MITS
<u>Div II § 1108(c)</u>	Change or termination of color scheme affiliation	<u>\$5 per day for each day of</u> <u>violation</u>
<u>Div II § 1108(a)</u>	Proper identification	<u>\$25</u>
<u>Div II § 1108(d)(2)-</u> (3)	Duties at beginning of shift	<u>\$25</u>
Div II § 1108(d)(3)	Designated items in vehicle	<u>\$25</u>
Div II § 1108(e)(2)	Refusing to transport luggage	<u>\$25</u>
Div II § 1108(e)(5)	Refusing to assist loading and unloading	<u>\$25</u>
Div II § 1108(e)(8)	No passenger consent	<u>\$25</u>
<u>Div II § 1108(e)(10) –</u> (12)	Failure to maintain duties to passenger	<u>\$25</u>
<u>Div II § 1108(e)(18)-</u> (20), (22)	Driver duties to passenger	<u>\$25</u>
Div II § 1108(e)(26)	Loose items in vehicle	<u>\$25</u>
Div II § 1108(e)(27)	Trunk and/or baggage area	<u>\$25</u>
Div II § 1108(e)(31)	Failure to be clean in dress and person	<u>\$25</u>
Div II § 1108(e)(32)	Taximeter violation	<u>\$25</u>
Div II § 1108(e)(33)	Smoking, drinking or eating	<u>\$25</u>
<u>Div II § 1108(f)(1)-</u> (2)	Failure to perform duties at end of shift	<u>\$25</u>
Div II § 1108(e)(4)	Service or contained animals	<u>\$50</u>
Div II § 1108(d)(1)	Inoperable safety equipment	<u>\$75</u>
Div II § 1108(e)(1)	Refusal to convey	\$75
Div II § 1108(e)(7)	Not servicing dispatch calls	\$75
Div II § 1108(e)(9)	Overcharging passengers	<u>\$75</u>
<u>Div II § 1108(e)(16)</u>	Requesting gratuities or extra charges	<u>\$75</u>
Div II § 1108(e)(24)	Lost property	<u>\$75</u>
<u>Div II § 1108(e)(3)</u>	Refusal to transport person with disability in front seat	<u>\$150</u>
Div II § 1108(e)(6)	Refusing to assist and secure a person with	<u>\$150</u>

TRANSPORTATION	DESCRIPTION	FINE AMOUNT
CODE SECTION		
	disabilities	
Div II § 1108(e)(14)	Reckless or dangerous driving	\$150
Div II § 1108(e)(15)	Ramp taxi rules and regulations	<u>\$150</u>
Div II § 1108(e)(25)	Operation of unsafe taxi	\$200
Div II § 1108(e)(30)	Excessive physical force	<u>\$200</u>
Div II § 1108(b)(3)	Criminal convictions	<u>\$500</u>
<u>Div II §</u> 1108(b)(4)(B)	Controlled substances	<u>\$500</u>
CONI	DITIONS APPLICABLE TO TAXI AND RAMP TAXI	MEDALLIONS
Div II § 1113(b)-(e), (h)-(j)	Taxi equipment and display requirements	<u>\$25</u>
Div II § 1113(m)	Vehicle windows	<u>\$25</u>
<u>Div II § 1113(o)</u>	Sanitary condition	<u>\$25</u>
Div II § 1114(b)(2)	Badge violation	<u>\$25</u>
Div II § 1114(b)(3)	Medical certificate	<u>\$25</u>
<u>Div II § 1114(b)(4)</u>	Waybills violation	<u>\$25</u>
<u>Div II § 1114(e)(8)</u>	Emissions reduction plan	\$50 per day until received by the SFMTA
Div II § 1114(f)(1)	Dispatch service report	\$50 per day until received by the SFMTA
Div II § 1109(b)	Not using appropriate dispatch	<u>\$75</u>
<u>Div II § 1113(a)</u>	Safe operating condition	<u>\$75</u>
<u>Div II § 1113(k)</u>	Standard vehicle equipment	<u>\$75</u>
<u>Div II § 1113(l)</u>	Vehicle tires	<u>\$75</u>
<u>Div II § 1113(n)</u>	Security cameras	<u>\$75</u>
<u>Div II § 1113(t)</u>	Safe vehicle condition	<u>\$75</u>
<u>Div II § 1113(v)</u>	Working Taxi ramp	<u>\$75</u>
<u>Div II § 1114(a)</u>	Records	<u>\$75</u>
<u>Div II § 1114(e)(3)</u>	Receipts	<u>\$75</u>
<u>Div II § 1114(e)(5)</u>	Vehicle inventory changes	<u>\$75</u>
<u>Div II § 1114(e)(7)</u>	Weekly reporting requirements	<u>\$75</u>
<u>Div II § 1114(f)(2)</u>	Lost property recordkeeping	<u>\$75</u>
<u>Div II § 1110(a)(1)-</u> (2)	Wheelchair priority	<u>\$150</u>
<u>Div II § 1110(b)</u>	Ramp Taxi Medallion in spare taxi	<u>\$150</u>
Div II § 1110(d)	Ramp Taxi qualifications	<u>\$150</u>
Div II § 1122(d)	Overcharging a passenger for luggage	<u>\$150</u>
Div II § 1113(p)	Vehicle title requirements	<u>\$250</u>
<u>Div II § 1113(q)-(r)</u>	Excessive vehicle mileage or age	<u>\$250</u>

TRANSPORTATION	DESCRIPTION	FINE AMOUNT
CODE SECTION		
Div II § 1113(s)	Inspection violations	<u>\$250</u>
Div II § 1113(s)(7)	Fraudulent conduct	<u>\$250</u>
Div II § 1113(u)	Replacement vehicle	<u>\$250</u>
Div II § 1113(w)	Vehicle markings	<u>\$250</u>
<u>Div II § 1113(x)</u>	No tobacco advertising	<u>\$250</u>
<u>Div II § 1113(f)</u>	Non-working taximeter	<u>\$300</u>
<u>Div II § 1114(e)(1)</u>	Waybill violations by Color Scheme	<u>\$400</u>
<u>Div II § 1114(e)(2)</u>	Medallion holder files	<u>\$400</u>
<u>Div II § 1114(e)(6)</u>	Current business information	<u>\$400</u>
<u>Div II § 1122(c)</u>	Overcharging gate fees	<u>\$500</u>
<u>Div II § 1109(c)</u>	Full-time driving requirement	<u>\$24000 multiplied by</u> percentage of hours short of the full time driving requirement .

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

By:

Mariam Morley Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal

Transportation Agency Board of Directors at its meeting of

Secretary to the Board of Directors San Francisco Municipal Transportation Agency