

Agenda Item: 6

Consideration of Recommended Amendments to *Taxicab/Ramped Taxi Rules & Regulations* 4.A.7, 4.B.1, 4.B.3, AND 5.G.2.a. [ACTION]



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JORDANNA THIGPEN, ACTING EXECUTIVE DIRECTOR

April 13, 2008

At the meeting of the Rules and Regulations Subcommittee of the Taxicab Commission on Thursday, April 10, 2008 the following resolutions and findings were unanimously recommended for adoption by the full Taxi Commission:

RESOLUTION NO. 2008-XX

AMENDING RULES 5.A.3 and 7.A.6 OF THE TAXICAB/RAMPED TAXI RULES AND REGULATIONS:

WHEREAS, the Rules & Regulations Subcommittee desires to amend Rule 5.A.3 of the Taxicab/Ramped Taxi Rules & Regulations as follows:

~~Every person (known as the Color Scheme Holder) to whom a distinguishing color scheme has been assigned pursuant to MPC § 1125, shall within sixty (60) days of the adoption of these regulations, transmit a copy of these regulations to each taxicab driver operator and medallion holder using said color scheme and obtain a written acknowledgment including signature and printed name of each such permittee that they have read and understand the regulations, and from time to time distribute other printed matter to each taxicab driver operator in the manner outlined above in this paragraph, when requested by the Taxicab Commission or their designee. Color Scheme Holders shall ensure that every taxicab operating under their color scheme contains a copy of these regulations. Each Color Scheme Holder shall notify the Taxicab Detail, in writing, upon completing the requirements of this section. Every Color Scheme Holder shall make a current copy of these Regulations available for inspection at its place of business at all times to any permittee affiliated with that color scheme. The Taxi Commission may require Color Scheme Holders to distribute amendments to permittees and obtain a sworn statement that Color Schemes have complied with distribution requirements.~~

WHEREAS, the Rules & Regulations Subcommittee desires to amend Rule 7.A.6 of the Taxicab/Ramped Taxi Rules & Regulations as follows:

Each course shall issue a copy of the certificate of completion upon achieving a passing score. Each certificate shall include, but not limited to, a permanent sequential number, the driver's name, date of completion, and the signature of the instructor. *Each course shall be responsible for issuing a copy of the Taxicab/Ramped Taxi Rules and Regulations to each Taxicab Driver who achieves a passing score.*

THEREFORE BE IT RESOLVED, the Rules and Regulations Subcommittee hereby recommends the above amendments.

AYES:
ABSENT:

NOES:
RECUSED:

Respectfully submitted,

Jordanna Thigpen
Acting Executive Director

CITY AND COUNTY OF
SAN FRANCISCO



TAXI COMMISSION
MAYOR GAVIN NEWSOM

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JORDANNA THIGPEN, ACTING EXECUTIVE DIRECTOR

April 7, 2008

At the meeting of the Rules and Regulations Subcommittee of the Taxicab Commission on Thursday, April 10, 2008 the following resolutions and findings were unanimously recommended for adoption by the full Taxi Commission:

RESOLUTION NO. 2008-XX

ADDING RULE 5.A.10 TO THE TAXICAB/RAMPED TAXI RULES AND REGULATIONS:

WHEREAS, the California Superior Court, Court of Appeal, and the Worker's Compensation Insurance Ratings Bureau have repeatedly interpreted California worker's compensation laws to mean that color schemes must provide worker's compensation coverage for taxicab drivers who qualify as employees of those color schemes, despite drivers' status as independent contractors for tax purposes; and

WHEREAS, MPC § 1147.4 requires that all color schemes provide worker's compensation as required by State law; and

WHEREAS, the Taxi Commission has enforced MPC § 1147.4 through adopting recommendations from administrative hearing officers with regards to worker's compensation; and

WHEREAS, the Rules and Regulations Subcommittee desires to add Rule 5.A.10 to clarify worker's compensation coverage as follows:

All Color Scheme Permit Holders shall comply with all applicable state laws and regulations concerning worker's compensation, and shall maintain a policy that covers all employees and permittees employed by that Color Scheme. The Taxi Commission shall strictly enforce this section and violation shall be grounds for revocation of a Color Scheme Permit.

THEREFORE BE IT RESOLVED the Rules and Regulations Subcommittee hereby recommends the above amendment.

AYES:
ABSENT:

NOES:
RECUSED:

Respectfully submitted,

Jordanna Thigpen
Acting Executive Director