

Agenda: Item 5

Consideration of DRAFT SFMTA Motor Vehicle For Hire Regulations
[INFORMATION AND DISCUSSION]

DRAFT SFMTA MOTOR VEHICLE FOR HIRE REGULATIONS
THIS PRINT COVERS CALENDAR ITEM NO. : 11

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY

DIVISION: Taxis and Accessible Services

BRIEF DESCRIPTION:

Draft Motor Vehicle for Hire Regulations are offered to the San Francisco Municipal Transportation Agency Board of Directors for presentation and discussion.

SUMMARY:

- The San Francisco taxi industry is currently governed by Rules and Regulations adopted and enforced by the San Francisco Taxicab Commission.
- The Board of Supervisors finally passed an ordinance on December 9, 2008 (File No. 081383) that will transfer the powers and duties of the Taxicab Commission to the San Francisco Municipal Transportation Agency (SFMTA) effective March 1, 2009.
- These Motor Vehicle for Hire Regulations are drafted to implement the transfer of the powers and duties of the Taxicab Commission to the SFMTA, and upon adoption would be codified in Division II of the Transportation Code.

ENCLOSURES:

1. Draft Motor Vehicle for Hire Regulations

APPROVALS:

DATE

DIRECTOR OF DIVISION

PREPARING ITEM _____

FINANCE _____

EXECUTIVE DIRECTOR/CEO _____

SECRETARY _____

ASSIGNED SFMTAB CALENDAR DATE: _____

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PURPOSE

The purpose of this item is to commence discussion and public testimony regarding proposed Motor Vehicle for Hire Regulations drafted to implement the Board of Supervisors' transfer of the powers and duties the Taxicab Commission to the SFMTA effective March 1, 2009.

GOAL

The adoption of these regulations would further the following Strategic Plan Goals:

Goal 1-Customer Focus: To provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-alternative modes through the Transit First Policy.

The proposed regulations serve taxicab customers by ensuring that vehicles are clean, safe and fully operational, and by regulating drivers, taxicab companies and dispatch services to improve service to the public.

Goal 3-External Affairs - Community Relations: To improve the customer experience, community value, and enhance the image of the SFMTA, as well as ensure SFMTA is a leader in the industry.

The proposed regulations will be one of the SFMTA's first actions to establish a regulatory relationship with taxicab drivers and taxicab and dispatch companies. The regulations will also affect the taxicab experience of residents and tourists, taxicab vehicles themselves will be a highly visible component of the transportation system on the streets of San Francisco.

DESCRIPTION

As of March 1, 2009 the powers and duties of the San Francisco Taxicab Commission will be transferred to the SFMTA pursuant to ordinance of the Board of Supervisors. San Francisco taxis are currently regulated by Rules and Regulations adopted by the Taxicab Commission. In order to implement the transition from the Taxicab Commission to the SFMTA, the SFMTA will need to adopt its own regulations. The regulations, once adopted by the SFMTA Board of Directors, would be codified as a new Article in Division II of the Transportation Code.

Significant changes in these proposed Motor Vehicle for Hire Regulations from the Taxicab Commission's current Rules and Regulations include the following:

Section 1(a)(2)(D): Currently employee shuttle buses operated by employers with at least 100 employees within the City are exempted from motor vehicle for hire regulations. Police Code § 1076(w), 1077(f). These regulations would remove the restriction limiting employee shuttle buses to

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those operated by an employer with employees within the City limits. This would have the effect of excluding from these regulations shuttles provided by employers outside of San Francisco to transport employees from San Francisco to locations outside of the City.

Sections 2(c), 2(e), 2(v): These sections specify that a business that holds a permit under these Regulations is defined to include an owner, manager, employee or lessee of such business.

Section 3(a): Currently, the process for issuing new permits includes a hearing and a determination of whether the issuance of new taxi permits is consistent with "public convenience and necessity." If the Taxicab Commission decides that the public would be served by issuing additional permits, that decision is appealable to the Board of Appeals. These regulations would streamline that process by requiring a public hearing before the SFMTA Board of Directors prior to the Board's determination, no later than July 1 of each year, of the number of permits to be issued during that fiscal year. That decision would not be appealable to the Board of Appeals. All decisions related to the grant, denial, suspension or revocation of an individual permit would be heard by hearing officers appointed by the SFMTA, and would still be appealable to the Board of Appeals. In a case involving the revocation of an individual permit, the permit would be suspended until the outcome of the appeal, or 90 days, whichever is less.

Section 3(a)(3)(D): This section specifies that a protest must be filed in writing three business days before a permit hearing is scheduled, and sets forth the requirements and a deadline for filing protests to be considered in a permit hearing.

Section 3(b): This section provides that notice of permitting decisions be posted in the main branch of the Public Library. Currently, notices of permitting decisions are required to be noticed through advertisements in the official newspaper. Section 3(b) eliminates the requirement of posting notice every time a new application for a permit is received. Instead, notice is to be posted prior to a hearing on any permit to be issued.

Section 4(a)(3): Newly specifies that no person may hold more than one taxi or ramped taxi permit.

Section 4(c), 4(g)(2)(D): These sections allow the SFMTA to remove an applicant from a taxi or ramped taxi waiting list if it determines that the applicant is ineligible for a permit.

Section 4(c)(5): Grounds for determining that a permit application is inactive would be expanded to include circumstances where the applicant currently holds a permit and has been determined to have violated the conditions of that permit, or where the SFMTA determines that the applicant has engaged in fraud, deceit, misrepresentation or other misconduct in connection with the permit application process.

Section 4(d)(2): The regulations provide that the SFMTA Board of Directors may refuse to renew a permit if a past violation would have supported revocation of the permit.

Section 4(d): These permit qualifications are new: (4) whether the applicant has been convicted of certain specified crimes that relate to using a vehicle to commit a crime, violence against a person, driving under the influence or use of illegal substances; (5) whether the applicant is the owner of the vehicle that would be operated pursuant to the permit, and whether that vehicle complies with all

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requirements; and (6) whether the applicant has failed to satisfy any liens, judgments or other debts.

Section 4(d)(3): The proposed regulations specify that a permit may not be issued to an employee of the SFMTA or a full-time employee of the City and County of San Francisco.

Section 4(f)(1)(F): Standards for documenting affiliation between drivers, taxi and ramped taxi permit holders and color schemes are specified. In deciding whether to approve a requested affiliation, the SFMTA is required to consider the impact of an requested affiliation upon the quantity and quality of taxi service or paratransit service available to the public.

Section 4(f)(2)(e): This section requires that a taxi or ramped taxi permit holder have the physical capacity to operate a motor vehicle for at least four hours per day.

Section 4(f)(13), 5(b)(3): Drivers and color schemes are required to comply with the Controlled Substance Testing Program. Drivers must test negative for each of the controlled substances specified in Part 40 (commencing with Section 40.1) of Title 49 of the Code of Federal Regulations in accordance with Government Code Section 53075.5. Color schemes have specified obligations with respect to maintaining confidentiality of testing records.

Section 4(i): The proposed regulations create a new class of permit, the "Non-Standard Vehicle" permit. This class is intended to replace the non-taxi, miscellaneous vehicle permit classes that currently exist, such as the motorized rickshaw permit and the jitney bus permit. The existing jitney bus permit would remain in effect through its term, and be entitled to automatic renewal as a Non-Standard Vehicle permit. Thereafter the permit would be subject to all applicable requirements for renewal of permits.

Section 5(a)(2): All permits issued to businesses would have to be issued in the name of at least one natural person for reasons of accountability. That person would have to comply with all permit requirements except those that by their nature can have no application to a natural person.

Section 5(a)(9): Permit holders with actual or constructive knowledge that another Permittee has been convicted of a certain crimes would be required to report that fact to the SFMTA within 24 hours of obtaining such knowledge, and failure to do so would be grounds for revocation of the permit.

Section 5(a)(10): The period for which a taxi or ramped taxi permit holder may request suspension of the full time driving requirement is reduced from 90 days to 60 days in these proposed regulations.

Section 5(a)(13): The execution of any lease of a taxi or ramped taxi permit that does not comply with the regulations would be a considered a violation that would support permit revocation under the proposed regulations. The regulations currently prohibit the lease of a taxi permit, either on a per shift basis or for any term of time, to anyone other than the Permit Holder or the color scheme with which the taxi permit is affiliated. The proposed regulations would also prohibit leasing a taxi permit from anyone other than the Permit Holder or the color scheme with which the permit is affiliated.

Section 5(c)(3)(C): The requirements to for "Key Personnel" of a color scheme or dispatch service qualify as an exception to the full-time driving requirement are increased. The proposed regulations include a definition of qualifying work and increased reporting requirements to prove the Key Personnel status in order for a taxi permit holder to be exempted from the full-time driving

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requirement. See

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Section 9. The regulations also prohibit a ramped taxi permit holder from being designated as Key Personnel. See Section 5(d)(4).

Section 5(c)(3)(D): If a taxi or ramped taxi permittee requests from the color scheme the specific vehicle associated with that person's permit for a particular shift with at least four hours' notice, the color scheme shall make that vehicle available.

Section 5(d)(2)(B): The proposed regulations specify that a ramped taxi permit may not be used in a spare taxi vehicle for more than 90 days within a 12 month period.

Section 5(f)(15): Color schemes would be required to notify the SFMTA of any injury accident involving a taxi permit affiliated with the color scheme, or of any accident which causes a vehicle to be out of service for more than 72 hours.

Section 5(f)(17): A color scheme that plans to terminate its business operations as a color scheme would be required to file a Dissolution Plan with the SFMTA at least 30 days prior to the date that the color scheme ceases to respond to requests for taxi service.

Section 5(g)(1)(D): The proposed regulations provide that a corporate taxi permit would be revoked if the California Secretary of State suspends the entity's corporate status.

Section 8(t): This section addresses specifications and requirements for cameras in taxi vehicles.

Section 8(aa)(4): This is a new section that would make fraud in connection with a required vehicle inspection grounds for revocation of a permit.

In **Section 9** generally, record keeping and reporting requirements are specified in detail to address monitoring issues identified by Taxicab Commission staff. **Section 9(d)(9)** provides that a color scheme's failure to report the death of a taxi or ramped taxi permit holder and return the taxi or ramped taxi permit within 14 days of the death of the permit holder is a violation of a color scheme permit. Failure to return a taxi or ramped taxi permit to the SFMTA within 6 months of the death of the permit holder would be grounds for revocation of the color scheme permit

Section 9(a)(1) and (2): The proposed regulations newly specify that when a signature is required, the record would have to be signed by a Permittee, or in the case of a corporation, by a person authorized to bind the corporation; that the format and content of any records required to be created or maintained, or of any reports or plans required to be filed by Permittees is be subject to SFMTA approval; and that all records required to be provided or maintained under the proposed regulations would have to be in writing.

The proposed Motor Vehicle for Hire Regulations incorporate 311 system by requiring dispatch services to maintain a listing with the 311 system, and by requiring vehicles to display a card, in a form to be determined by SFMTA, containing 311 information for the public.

The City Attorney has reviewed this report.

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ALTERNATIVES CONSIDERED

The proposed Motor Vehicle for Hire Regulations were prepared with substantial input from the Taxicab Commission staff. These draft regulations will be available for discussion and opportunities for public testimony at SFMTA Board of Directors' meetings of January 27 and February 3, 2009, as well as before the Citizens' Advisory Committee on January 8, 2009. To the extent that alternative provisions are identified by that process they may be included in these regulations prior to final adoption. These regulations may be further amended by SFMTA Board of Directors resolution in the future as needed.

FUNDING IMPACT

These regulations do not address funding for the new SFMTA taxi regulation function. The adoption of these regulations was anticipated in the Taxicab Commission budget for the current fiscal year.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

None.

RECOMMENDATION

Staff offers these proposed Motor Vehicle for Hire Regulations to the SFMTA Board of Directors for presentation and discussion at its meeting of January 6, 2009.

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[Amending Division II of the Transportation Code to enact regulations implementing Police Code Section 1075.1.]

Resolution adopting Article XX of Transportation Code Division II, regulating Motor Vehicles for Hire.

Note: Additions are single-underline italics Times New Roman;

deletions are ~~strikethrough italics Times New Roman~~.

Board amendment additions are double underlined.

Board amendment deletions are ~~strikethrough-normal~~.

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

Section 1. The San Francisco Transportation Code is hereby amended by adding Article XX to Division II, to read as follows:

ARTICLE XX MOTOR VEHICLE FOR HIRE REGULATIONS

1. 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. 081383, Ordinance No. ~~insert ordinance #~~), shall apply to the following classes of permits issued by the SFMTA:

(A) Permits issued to a person:

(i) Driver permits

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

(i) Taxi/Ramped Taxi permits

(ii) Non-Standard Vehicle permits

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

2 (i) Color Scheme permits

3 (ii) Dispatch Service permits

4 (iii) Funeral limousine permits

5 (2) Exclusion for Certain Vehicles

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

7 (A) Engaged in the business of, or used for, transporting passengers for hire
8 when such motor vehicle is operated under and by authority of certificates of public convenience and
9 necessity issued by the Public Utilities Commission of the State of California (CPUC); however, this
10 Article shall only be inapplicable to the extent, character and type of operation expressly authorized by
11 such certificate, and any such commercial operation of a motor vehicle pursuant to a CPUC certificate
12 within the City and County of San Francisco shall be limited by and entirely within the scope of such
13 certificate; [1078(d)]

14 (B) Licensed by any city, city and county, county or other public entity as a motor
15 vehicle for hire which may enter the City and County of San Francisco for the purpose of delivering
16 passengers who have hired the vehicle in a jurisdiction in which it is licensed to operate, provided,
17 however, that no such motor vehicle for hire may solicit or accept any passenger while in the City;
18 [1078(c)]

19 (C) Used in the course of the operation of a business providing funeral services;
20 [1078(e)]

21 (D) Capable of transporting 12 or more passengers that is regularly operated by
22 a business to transport employees; [1078(f)]

23 (E) Operated as private ambulances and regulated by Article 14 of the San
24 Francisco Health Code; [1078(g)] or

25 (F) Operating on fixed tracks or rails [1078(h)]

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(3) Application of Regulations to Permittee Conduct

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

(b) Purpose of Regulations; Limitation of Liability [1147.5]

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

By August 1, 2009, the SFMTA shall send a copy of by first class U.S Mail this Article to each Permittee and to each applicant on the Taxi or Ramped Taxi Waiting Lists. Thereafter, the SFMTA shall provide a copy of this Article to each person who is applying for or renewing a permit at the time of application or renewal. [1121(g)]

(d) 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.

2. DEFINITIONS [1076, Reg. 3]

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

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1 (a) "Chief of Police" shall mean the Chief of Police of the Police Department of the City and
2 County of San Francisco and his or her designee(s) within the Police Department.

3 (b) "City" shall mean the City and County of San Francisco.

4 (c) "Color Scheme" shall mean either the design or trade dress of a vehicle used as a Taxi or
5 Ramped Taxi that is distinct to the fleet of a business that provides Taxi service, or a business that holds
6 a Color Scheme permit, including any owner, manager, employee or lessee of said Color Scheme.

7 (d) "Director" shall mean the Director of Transportation of the San Francisco Municipal
8 Transportation Agency.

9 (e) "Dispatch Service" shall mean any person, business, firm, partnership, association or
10 corporation which holds itself out to the public as a telephone answering and radio dispatch service by
11 or through which taxis may be summoned or dispatched by radio, including any owner, manager or
12 employee of said Dispatch Service.

13 (f) "Driver" shall mean any person engaged in the mechanical operation and having physical
14 charge or custody of a Motor Vehicle for Hire while said Motor Vehicle for Hire is available for hire or
15 is actually hired.

16 (g) "Filing Fee" shall mean a fee in an amount established by the SFMTA Board, due upon
17 application for a permit set at an amount to cover all SFMTA permit application investigation and
18 processing costs, and including any late payment penalties or interest for failure to pay in accordance
19 with the requirements of this Article or any other regulations adopted by the SFMTA Board applicable to
20 payment of such Filing Fee.

21 (h) "Found Property" shall mean anything found in or about a Motor Vehicle for Hire by a
22 Driver or delivered to a Driver or a Color Scheme by any person who has found such property.

23 (i) "Full-Time Driver" or "Full-Time Driving" shall mean any City Driver actually engaged
24 in, or the activity comprised of (respectively) the mechanical operation and physical charge and custody
25 of a Taxi or Ramped Taxi which is available for hire or actually hired for at least four hours during any

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24-hour period on at least 75 percent of the business days during the calendar year, or 156 four-hour shifts or 800 hours, whichever shall come first.

(j) "Gate Fee" shall mean any monetary fee or other charge or consideration, or any combination thereof, required of a Driver who is not a Medallion Holder for the privilege of driving a Taxi or Ramped 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. [1135.1]

(k) "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. [1081.5]

(l) "Lease" shall mean an otherwise lawful, written and dated document, employment contract, or other agreement that authorizes the temporary operation of a Medallion by a person or Color Scheme other than the Medallion Holder for consideration.

(m) "Lease Fee" shall mean any monetary fee or other charge or consideration, or any combination thereof, charged by or paid to a Taxi Permit Holder for the privilege of operating under that Permit Holder's Taxi Permit during a particular shift, or for any period of time, whether said fee is set by contract, lease or other agreement, orally or in writing, whether said fee is set as a flat rate, as a commission on receipts from fares, or as a specified fee for any other purpose, and whether said fee is paid by the driver or a third party. [1135.2(b)]

(n) "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 1997, but is designated for sale as a 1998 model, then the vehicle is considered a 1998 Model Year.)

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1 (o) "Motor Vehicle for Hire" shall mean every type of privately owned motor vehicle, as defined
2 in the Vehicle Code, which is available for hire and over which the City may exercise jurisdiction, except
3 as specified in Section 1.1(b).

4 (p) "Motor Vehicle for Hire Permit" shall mean a permit issued by the SFMTA Board for the
5 operation of an identified vehicle for the purpose of transporting passengers for a price, including Taxi
6 and Ramped Taxi and Non-Standard Vehicle permits, and does not include Dispatch Service, Color
7 Scheme or Driver permits.

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

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

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

15 (t) "Paratransit Program" shall mean the SFMTA program to provide transit services for
16 people unable to independently use public transit because of a disability or disabling health condition, as
17 required by the Americans with Disabilities Act.

18 (u) "Permit Fee" shall mean a fee in an amount established by the SFMTA Board, required to be
19 paid by a permit applicant upon qualifying for permit and prior to permit issuance or renewal, including
20 any late payment penalties or interest for failure to pay in accordance with the requirements of this
21 Article and any Regulations adopted by the SFMTA Board applicable to such Permit Fee.

22 (v) "Permittee" or "Permit Holder" shall mean any person, business, firm, partnership,
23 association or corporation which holds any permit issued by or under the authority of the SFMTA to
24 drive, operate or cause to be operated any Motor Vehicle for Hire or to operate any Dispatch Service or
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Color Scheme pursuant to this Article, and any agent of such Permittee including, but not limited to, any owner, manager, employee or lessee of said Permittee.

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

(x) "Ramped Taxi" shall mean a Taxi which is a minivan or similar vehicle specially adapted with ramp access for wheelchair users.

(y) "San Francisco Municipal Transportation Agency" or "SFMTA" shall mean the Municipal Transportation Agency of the City and County of San Francisco.

(z) "SFMTA Board" shall mean the Board of Directors of the Municipal Transportation Agency of the City, or when used with reference to any action taken prior to July 1, 2008, the City agency that was responsible for regulating Motor Vehicles for Hire at the time the action was taken.

(aa) "Stand" shall mean a place designated by the SFMTA for the use of Motor Vehicles for Hire while awaiting employment, which may or may not be restricted to a particular class of vehicle.

(bb) "Taxi" shall mean a Motor Vehicle for Hire legally authorized to pick up passengers within the City 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.

(cc) "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.

(dd) "Vehicle Number" shall mean the unique identifying number associated with each Taxi or Ramped Taxi vehicle.

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(ee) "Waiting List" shall mean a list of applicants for Taxi or Ramped Taxi permits for whom permits are not yet available, maintained in the order of receipt of applications from qualified applicants.

3. ADMINISTRATIVE PROCEDURES

(a) Hearings [1079]

(1) Annual Determination of Number of Permits

The SFMTA Board will determine the number of permit to be issued for each class of permit for the upcoming fiscal year no later than July 1 of each year following public hearing. 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 fiscal year.

(2) Investigation

Each individual application shall be investigated and the results of the investigation shall be transmitted to the hearing officer prior to the hearing on the applicant's qualifications. 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. [1079(j)]

(3) Permit Hearing Procedures; Appeal

(A) Any hearing related to the grant, denial, revocation, suspension or modification of permit conditions of a permit issued pursuant to this Article shall be conducted by hearing officer(s) designated by the SFMTA. During the hearing the hearing officer(s) shall have the discretion allow the introduction of testimony of additional witnesses or other relevant evidence. The burden of proof shall be on the applicant to establish that the applicant meets all permit requirements.

(B) Hearings related to the grant, denial, revocation, suspension or modification of permit conditions of individual permits issued pursuant to this Article may be

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1 consolidated in the discretion of the hearing officer(s), but the each permitting decision shall be based
2 upon the individual qualifications of the applicant. [1079(e)]

3 (C) The hearing officer(s) shall make a written report of findings setting forth
4 evidence in support of each finding. Any finding made at or as a result of a hearing conducted
5 pursuant to this Section 3(a) may be appealed to the Board of Appeals. The appeal to the Board of
6 Appeals of any decision to revoke a permit for the operation of a Motor Vehicle for Hire shall
7 automatically suspend the permit that is the subject of the appeal for the duration of the appeal, or 90
8 days, whichever is less. [1079(g)]

9 (D) Any person who wishes to protest the grant, denial, revocation,
10 suspension or modification of a permit issued pursuant to this Article may submit a written protest
11 stating the grounds for the protest and any facts and/or legal authority supporting the protest by the
12 3rd business day before the hearing date. The burden of proof of any facts alleged in the protest shall
13 be on the protestant. [1079(d)]

14 (b) Notices

15 (1) Posting Notice [1080(a)]
16 All public notices required to be given by the SFMTA pursuant to this Section 3(b) shall be posted on
17 the SFMTA's official website and in the main branch of the Public Library for no less than 3 business
18 days.

19 (2) Notice of Permit Hearing [1148.1]
20 When a permit becomes available for issuance the SFMTA shall notify the next applicant on the
21 Waiting List and shall post a notice of a hearing at least 14 and no more than 45 days before the date
22 scheduled for the hearing. The notice shall specify the time, date and location of the hearing, the name
23 of the Permittee or applicant, the permit number if applicable, the action to be considered at the
24 hearing (e.g., permit grant, denial, renewal, revocation, suspension or modification), and such other
25 information as may be necessary to identify the nature and purpose of the hearing.

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(3) Notice of SFMTA Actions

SFMTA shall post a notice of any determination related to an individual permit or class of permits within 5 business days after the hearing in which such determination was made.

4. PERMIT APPLICATIONS AND ELIGIBILITY

(a) Limitations on Certain Permits [1082]

Except for permits issued prior to June 6, 1978, and permits issued to a business:

(1) No permit to operate a Motor Vehicle for Hire shall be issued except to a natural person and in no case to any business, firm, partnership, association or corporation.

(2) No permit to operate a Motor Vehicle for Hire shall be issued to, or in the name of, more than one person.

(3) No more than one Taxi or Ramped Taxi permit shall be issued to any one person.

(b) 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 reasonably 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 any Waiting List for which the application is qualified.

(c) 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; [1081(c)(1)]

(2) The applicant is determined to be ineligible for the permit by the SFMTA; [1081(c)(2)]

(3) The applicant currently holds a permit and has been determined to have violated the conditions of that permit;

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1 (4) The applicant receives a permit; [1081(c)(3)]

2 (5) The SFMTA determines that the applicant has engaged in fraud, deceit,
3 misrepresentation or other misconduct in connection with the permit application process; or

4 (6) The SFMTA attempts to contact the applicant at the mailing address listed on the
5 application on at least three separate occasions and the applicant fails to respond within 30 days of the
6 third notice. [1081(d)]

7 (d) Determination of Eligibility [1081]

8 Every applicant for a permit shall have a hearing to review and determine the individual applicant's
9 eligibility before a permit is issued. Each application shall be investigated by the SFMTA to determine
10 the applicant's eligibility pursuant to the factors listed herein. [1079(i)] The SFMTA, in determining
11 whether an individual applicant should be granted a permit, may consider such facts as it deems
12 pertinent, but will give primary consideration to the following factors:

13 (1) Whether the applicant is financially responsible and will comply with all insurance
14 requirements and maintain proper financial records.

15 (2) Whether the applicant has complied with all applicable statutes, ordinances and this
16 Article. If an applicant has violated any statute, ordinance or regulation which would be a basis for
17 revocation of the permit during the 12 months prior to application, the SFMTA may, in its discretion,
18 refuse to issue the permit.

19 (3) Whether the applicant holds or has ever held any other permits issued for the
20 commercial operation of a motor vehicle for the transport of passengers, either in the City or elsewhere,
21 and the record of such applicant with regard to any such other or former permits.

22 (4) Whether the applicant has been convicted of a sex crime, or a crime involving the use
23 of a vehicle in the commission of a felony, the use of any illegal substance, driving under the influence,
24 fraud, or violence against a person.

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(5) If the permit is issued for use with a particular vehicle(s), whether the applicant is the owner of the vehicle(s) for which a permit is sought, and whether each such vehicle complies with all applicable statutes, ordinances and regulations.

(6) Whether the applicant has failed to satisfy any liens, judgments, or other debts owing to the City which may be recorded against the applicant or the applicant's property.

(7) A permit may not be issued to an employee of the SFMTA or a full-time employee of the City and County of San Francisco.

(e) Burden of Proof on Applicant [1121(e)]

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

(f) Additional Requirements for Driver Permit Applications: Forms and Qualifications, Compliance with Controlled Substance Testing Program [1089]

(1) Application Requirements [1147.1]

In addition to complying with all other requirements of this Section 4, each applicant shall:

(A) Provide fingerprints for SFMTA records; and

(B) Take and pass a written examination; [1089(c)] 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 of at least 16 hours, including the following subjects: instruction on crime prevention, vehicular safety, the geography of the City, applicable state and local laws and regulations, pedestrian and bicycle safety, and any other subject that the SFMTA may determine is relevant to the public health and safety with respect to the operation of Motor Vehicles for Hire.

(E) Enclose two recent photographs of the applicant of passport photo size, taken no more than 12 months prior to time of application. [1089(e)]

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(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 in its discretion, but the SFMTA shall consider the impact of a Color Scheme affiliation requested by an applicant upon the quantity and quality of taxi service or paratransit service available to the public before allowing any such affiliation.

(2) Driver Qualifications [1121(a)]

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, which might render the applicant unfit for the safe operation of a motor vehicle;
- (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 good moral character, as may be determined through investigation, including but not limited to a background check by the SFMTA;
- (G) Have attained the age of 21;
- (H) Read and write the English language;
- (I) Comply with the Controlled Substance Testing Program by testing negative for each of the controlled substances specified in Part 40 (commencing with Section 40.1) of Title 49 of the Code of Federal Regulations in accordance with the requirements of Government Code § 53075.5(b)(3).

(g) Additional Requirements For Taxi and Ramped Taxi Application; Waiting List; Eligibility; and Other Information Required [1080, 1125a]

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(1) Application Requirements

Each applicant for a Taxi or Ramped Taxi permit shall, at the time of issuance of a permit, be subject to the eligibility requirements listed in Section 4(f) and shall hold a valid Driver's permit.

(2) Waiting List [1121(a)]

In the absence of any other preference specified in this Article, applicants for permits shall be processed and considered by the SFMTA in the order of receipt. The SFMTA shall maintain a Waiting List of Taxi and Ramped Taxi applicants.

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

(B) The SFMTA shall maintain separate Waiting Lists for all Taxi permit and Ramped Taxi permit applications for which a permit is not currently available, with each list arranged in chronological order by the date that each completed permit application, including Filing Fees, is received from a qualified applicant.

(C) When a permit becomes available, the SFMTA shall notify the next applicant on the Waiting List.

(D) The SFMTA may periodically require applicants to execute written statements and reaffirm that their applications are active. The SFMTA may review the qualifications of each applicant and remove any applicant from the Waiting List who is determined by the SFMTA to be ineligible for a permit. The SFMTA shall notify the applicant of their removal from the Waiting List.

(3) Eligibility [1122]

Before issuing a Taxi or Ramped Taxi Permit, in addition to all other eligibility requirements, the SFMTA must determine that:

(A) [1121(b)(vi)] The applicant has been a Full-Time Driver during the calendar year immediately preceding the hearing, and during three of the four calendar years immediately preceding that calendar year; or a Full-Time Driver during the calendar year in which the

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1 application is heard, and during three of the four calendar years immediately preceding that calendar
2 year. No waiver of the requirements of this subsection will be granted to any applicant for any reason.

3 (B) For applications with hearings occurring during Calendar Year 2009, an
4 applicant must have been a Full-Time Driver during any four of the following calendar years: 2005,
5 2006, 2007, 2008, or 2009, with 2009 pro-rated from the date of hearing. No waiver of the requirements
6 of this subsection will be granted to any applicant for any reason.

7 (C) The driving requirement may only be satisfied by driving a Taxi or
8 Ramped Taxi for which a permit has been issued by the SFMTA.

9 (h) Additional Requirements Specific To Ramped Taxi Permit Applications [1148.1]

10 (1) Limitation on Acceptance of Other Permits [1148.1(b)]

11 No person to whom a Ramped Taxi permit is issued may accept any other Motor Vehicle for Hire
12 permit for a minimum of 5 years after receipt of a Ramped Taxi permit or, in the alternative, for a
13 minimum of 3 years after receipt of the Ramped Taxi permit and at least 6 months following the
14 Permittee's written notice of intent to leave the Ramped Taxi program as required by Section 4(h)(2). If
15 the Permittee becomes eligible for a permit from another Motor Vehicle for Hire Waiting List at a time
16 when the Permittee is precluded from accepting the permit, and so long as the Permittee otherwise
17 remains qualified as an applicant, the Permittee's application shall be kept active until such time that a
18 permit becomes available when the Permittee is no longer precluded from accepting such permit.

19 (2) Notice of Intent to Leave the Ramped Taxi Program [1148.1(c)]

20 Upon completion of a minimum of 30 months as a Ramped Taxi Permittee, the Permittee may elect to
21 leave the Ramped Taxi program by filing written notice of the Permittee's intent to leave the program
22 with the SFMTA ("Notice of Intent"). The date that the SFMTA receives the Notice of Intent shall be
23 deemed the date of the Notice.

24 (3) Notice Effective Date; Qualification for New Permit

25

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1 The Permittee's decision to leave the Ramped Taxi program shall become effective six months after the
2 Notice of Intent is filed. Except as provided by paragraphs (A) and (B) below, upon completion of the
3 six month notice period, the subject permit shall expire by operation of law, and the Permittee shall no
4 longer be precluded from accepting another Motor Vehicle for Hire permit.

5 (A) If, at the completion of the six month period, the Permittee is not yet eligible
6 for a Taxi permit, or if no such permit is available, the Permittee may elect to remain in the Ramped
7 Taxi program for any period of time until a Taxi permit becomes available.

8 (B) The Permittee's decision to leave the Ramped Taxi program shall become
9 inoperative if, within the first three months of the six month notice period, the Permittee files a statement
10 of his or her decision to rescind the Notice of Intent. The Permittee shall be required to file a
11 subsequent Notice of Intent if he or she later decides to leave the program. The same requirements
12 governing the Permittee's initial Notice of Intent, including the full six month notice period, shall apply
13 to any subsequently filed Notice of Intent to leave the Ramped Taxi program.

14 (4) Preference for Full-Time Drivers of Ramped Taxis [1148.1(f)]

15 Among the applicants on the Ramped Taxi Waiting List, the SFMTA shall give preference to any
16 applicant who has been a Full-Time Driver of a Ramped Taxi during the six months immediately
17 preceding the hearing on that application, and shall grant permits to all otherwise qualified Full-Time
18 Drivers of Ramped Taxis on the list before granting permits to others on the Ramped Taxi Waiting List.
19 The applicant has the burden of demonstrating his or her eligibility for this preference.

20 (5) Eligibility For Ramped Taxi Permit [1148.2]

21 The SFMTA shall not issue a Ramped Taxi permit to an applicant unless:

22 (A) The applicant has completed at least 100 wheelchair pickups in the City as a
23 Ramped Taxi Driver during the six months immediately preceding the permit hearing. [1148.1(g)]

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1 (B) The applicant has completed a course of instruction approved by the SFMTA
2 for the safe, effective and efficient operation of Ramped Taxis and has been certified by the SFMTA to
3 have satisfactorily demonstrated the aptitude and attitude necessary for a Ramped Taxi permit Holder;

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

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

8 [1122]

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

11 (2) If a Non-Standard Vehicle permit applicant proposes to operate along fixed
12 routes within the City, such fixed routes shall be specified in the permit application. Fixed routes
13 proposed for a permit must be approved by the SFMTA and shall be included in the Non-Standard Vehicle
14 permit as a permit condition. Consideration of such routes by the SFMTA shall include evaluation of
15 their impact on public transit. [1151]

16 (j) **Additional Requirements Specific To Dispatch Service Permit Applications**

17 (1) **Submission of Emergency Plans**

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

24 Lost and Found Protocol Compliance

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

5. PERMIT CONDITIONS

(a) Conditions Applicable to All Permits

(1) Permits Required [1120 (Medallions), 1078(a) (Motor Vehicle, Color Scheme, Dispatch Service), 1089(a) (Driver's permit)]

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 [1084(a)]

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

(4) Permits Not Transferable [1084(a)]

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

(5) Duration of Permits [1086]

(A) Unless earlier revoked or suspended, Taxi permits 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.

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(B) As a condition of renewal, a Permittee shall swear under penalty of perjury that he or she meets the eligibility requirements required for new applicants, and the SFMTA may investigate any Permittee at any time to ensure the veracity of such statements. [1089(h)]

(6) Compliance with Laws and Regulations [Reg. §§ 4.A.1, 4.A.3]
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 Vehicle Code, California Worker's Compensation laws, the Americans with Disabilities Act, and all regulations adopted by the San Francisco International Airport, San Francisco Department of Weights and Measures, and any other governmental jurisdictions through which the Permit Holders traverse.

(7) Cooperation with Regulatory Agencies [Reg. §§ 6.A.2-6.A-3; 6.A.5-6.A.6]
Every Permittee shall cooperate with and obey any lawful request or order of a Parking Control Officer, peace officer or the Director at all times, including, but not limited to, providing upon request the Permittee's name, the permit number, official identification, and any documents required by this Article to be in the Permittee's possession. All Permittees shall respond to routine SFMTA or Police Department inquiries within 24 hours, and shall respond to any SFMTA or Police Department emergency request within 2 hours.

(8) Cooperation with Regulatory Agencies; False Statements [1110/Reg. §§ 4.A.2, 6.A.4]

Every Permit Holder shall at all times, fully cooperate with a Parking Control Officer, peace officer or the Director on all matters relating to regulatory compliance at all times, including but not limited to inspection of records. Permittees shall not hinder, delay or knowingly make false or misleading statements to the SFMTA or withhold information on any matter relating to regulatory compliance.

(9) Notification of Criminal Convictions

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1 A Permittee having actual or constructive knowledge that a Permittee has been arrested for or
2 convicted of a crime that would be grounds for the denial of a permit must notify the SFMTA within 24
3 hours of obtaining such knowledge. Failure to make such notification shall be grounds for revocation
4 of a permit. For arrests and convictions occurring prior to March 1, 2009, Permittees must make such
5 notification by April 1, 2009.

6 (10) Suspension of Operations [1096]

7 The SFMTA may, on written application and following an investigation, grant to any Permittee
8 permission to suspend application of the continuous operation or Full-Time Driving requirement for a
9 period not to exceed 60 calendar days in any 12-month period in case of sickness, death, or other
10 similar hardship.

11 (11) Gifts and Gratuities [Reg. §§ 5A.7, 6.D.8]

12 No Permittee or an agent of a Permittee may accept or demand gifts and/or gratuities or anything of
13 value from any person for a preferred vehicle, shift assignment, dispatch call, fare or any enhancement
14 of employment to be provided to a Permittee or an agent of a Permittee.

15 (12) Settlement of Fare Disputes [Reg. § 6.A.2]

16 Permittees may refer fare disputes to any peace officer, who shall have the authority to settle such
17 disputes. Resolution of a fare dispute by a peace officer may include, but is not limited to, persuading
18 the passenger to pay the fare, adjusting the disputed fare amount, issuing a citation or making an
19 arrest.

20 (13) Lease of Taxi Permits [1124]

21 (A) Provided that a Taxi permit is operated in compliance with all other
22 applicable statutes, laws and Regulations, a Taxi Permit Holder may authorize a Color Scheme or
23 Driver to operate or drive the Taxi permit pursuant to a Lease.

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1 (B) A Lease is only valid if it is in writing, on file with the SFMTA, and is
2 limited to the following parties: a Taxi Permit Holder, a Color Scheme and/or a Driver who will
3 actually drive the vehicle associated with that Taxi permit.

4 (C) No person may lease a Taxi Permit, either on a per shift basis or for any
5 term of time, to or from anyone other than the Permit Holder or the Color Scheme with which the Taxi
6 permit is affiliated.

7 (D) A Lease is not assignable or transferable. Any attempt to assign or
8 transfer a Lease is invalid, and shall render the Lease void by operation of law as of the date of the
9 attempted assignment or transfer. [Reg. §§ 4.C.1, 6.A.11]

10 (E) A true and correct copy of any Lease shall be filed with the SFMTA within
11 45 calendar days of execution, and the original shall be retained at the Color Scheme's place of
12 business during the term of the Lease. All Leases must be available twenty-four hours a day for
13 inspection by the SFMTA and/or the Chief of Police.

14 (F) Nothing in this Section shall be deemed to modify, limit or excuse the
15 obligations of any Permittee under this Article or to suspend any permit conditions.

16 (G) This Section 5(a)(13) shall be strictly enforced, and violation shall be
17 grounds for revocation of any Permittee who executes a Lease for the use of a Taxi permit in violation
18 of this Section. Any person who executes any oral or written Lease for the use of a Taxi permit in
19 violation of this Section shall be considered to be operating without a permit in violation of Section
20 5(a)(1).

21 (H) The SFMTA may require Permit Holders to provide information supplied
22 by the SFMTA related to crime prevention and public health and safety to any person who executes a
23 Lease for the use of their Taxi Permit.

24 (I) All persons who enter into an agreement with a Permittee for the use of a
25 Ramped Taxi permit shall at all times satisfy the eligibility criteria for Ramped Taxi Permittees set

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1 forth in this Article. All Drivers of Ramped Taxis, in addition to meeting all requirements for holding a
2 Driver's permit pursuant to this Article, shall also complete all training required for a Ramped Taxi
3 permit. [1148.4] Any Lease that does not comply with this Section shall be null and void, and any
4 person who is party to such Lease shall be considered to be operating without a permit in violation of
5 Section 5(a)(1).

6 (14) Participation in Paratransit Program [1147.8]

7 Each Color Scheme, Dispatch Service, Taxi Permit Holder and Driver must participate in and shall at
8 all times operate subject to and in compliance with the regulations of the SFMTA's Paratransit
9 Program.

10 (15) Shift Change at Color Scheme Required for All Vehicles; Unattended Vehicles

11 All Permittees shall ensure that taxicab vehicles which they operate begin and end all shifts at the
12 Color Scheme's place of business, except with the prior written approval of the SFMTA. When a
13 vehicle is not being operated for hire, Permittee shall either leave the vehicle at the Color Scheme's
14 place of business or make a written request for SFMTA approval of an alternative location that is off
15 the public street and sidewalk. [Reg. § 4.A.9, 5.B.6, Reg. § 6.C.4] No Taxi vehicle may be left
16 unattended on a public street for more than 4 hours. [Reg. § 5.B.9]

17 (16) Current Address Required; Emergency Contact Notification

18 All Permittees shall keep contact information current with the SFMTA. All Taxi and Ramped Taxi
19 Permittees and Drivers shall keep contact information current with their Color Schemes. Every
20 Permittee that is a natural person shall give written notice to the SFMTA within ten days of any change
21 of residence address. Color Scheme and Dispatch Service changes of address are subject to the prior
22 written approval of the SFMTA. No Permittee may use a post office box as a current address.

23 (17) Except for emergencies, every Taxi or Ramped Taxi Permittee who first

24 obtained a permit after June 6, 1978 must submit a written notification to the SFMTA if his or her
25 permit will not be operated for a period of 30 consecutive days or more. Notifications must be received

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within two business days prior to the start of the period of non-operation and shall include both the reason for the non-operation and the date of return to operation. In the case of emergencies, notice may be provided no later than 2 days following suspension of operations. [Reg. § 4.A.11]

(18) Service of Process

All Permittees agree to accept service of process, official notices, and correspondence ("service of process") from the SFMTA as a condition of retaining a permit(s). Color Schemes must accept service of process from the SFMTA on behalf of any Permittee affiliated with that Color Scheme. The failure or refusal of a Color Scheme to accept service of process shall not invalidate service of process provided to the Permittee's last known address of record. [Reg. 4.A.13]

(b) Additional Conditions Specific to Driver Permits

(1) Driver Identification

Upon issuance of a Driver's permit, the SFMTA will issue to each Driver the following identification:

(A) Driver Permit Card [1089(g)]

Every Driver shall carry his or her SFMTA-issued Driver Permit Card at all times while operating a Motor Vehicle for Hire, and shall provide the Card for inspection upon request by any peace officer or passenger.

(B) Badge with Permit Number

Every Driver shall display a SFMTA-issued badge constantly and conspicuously 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 Permittee to whom the badge is issued.

(C) Color Scheme Identification Card

A Driver's Color Scheme Identification Card must be displayed conspicuously at all times in a Taxi or Ramped Taxi Vehicle he or she is operating in a manner that is easily readable by any passenger in the vehicle. [Reg. § 6.B.5]

(2) Renewal of Driver's Permits [1089(h)]

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1 (A) In accordance with California Government Code § 53075.5, no Driver's
2 permit shall be renewed unless he or she is certified by an independent testing facility to be in
3 compliance with Section 4.(f)(2)(I).

4 (B) Drivers have an affirmative duty to report any criminal convictions
5 which would be a basis for revocation under Section XX. No Driver's permit shall be renewed if he or
6 she has obtained such convictions.

7 (3) Controlled Substances [1101]

8 (A) No Driver shall consume or be under the influence of any intoxicating
9 substance while acting in the capacity of a Driver.

10 (B) No Driver shall act in the capacity of a Driver while their abilities are
11 impaired by any controlled substance, including prescription drugs. [Reg. § 6.G]

12 (C) Drivers shall maintain a drug-free workplace and shall not sell, use, or
13 possess controlled substances while in the capacity of a Driver or at a Color Scheme's place of
14 business.

15 (4) Notification to SFMTA of Change of Affiliation with Color Scheme

16 (A) All drivers must notify the SFMTA at least 2 business days prior to the
17 effective date of any change of affiliation with a Color Scheme.

18 (B) In accordance with California Government Code § 53075.5(b)(1)(B), a
19 Driver's permit shall become void upon termination of affiliation with a Color Scheme and failure to
20 affiliate with a new Color Scheme.

21 (C) A driver shall return his Driver Permit Card to the SFMTA and his Color
22 Scheme Identification Card to the Color Scheme upon termination of employment.

23 (5) Driver Duties at Beginning of Shift

24 (A) A Driver is required to perform a safety check on any Motor Vehicle for
25 Hire prior to placing it in operation. The driver is responsible for ensuring that all equipment on the

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1 vehicle that is required by this Article is working properly, including but not limited to a Ramped Taxi
2 lift. If any equipment is found to present a hazard or safety issue, then vehicle shall be put out of
3 service until it is repaired. [Reg. §§ 6.C.1, 6.C.5, 9.B.8]

4 (B) A Driver is required to perform a "radio check" at the commencement of
5 each shift to determine if the radio is capable of both receiving and transmitting voice information. If
6 the radio is not in working order, that vehicle shall be taken out of service until such time as the radio
7 is functioning properly.

8 (C) Drivers shall ensure that their vehicle is supplied with the following:

9 (i) An SFMTA-issued 311 Card prominently displayed in the taxicab
10 vehicle and visible to all passengers [Reg. § 6.B.2]

11 (ii) A current copy of this Article [Reg. § 6.B.3]

12 (iii) A supply of receipts, preprinted with the name of the Color
13 Scheme for that vehicle [Reg. § 6.B.4]

14 (iv) Current maps of San Francisco and San Mateo counties.

15 (D) A Driver shall ensure that the vehicle is clean inside and out and free of
16 offensive odors, shall wash the exterior of the vehicle and/or sweep the interior passenger compartment
17 and trunk as needed, and shall remove any loose items from the vehicle's dashboard and/or rear shelf.
18 [Reg. §§ 6.C.2-6.C.3, 6.C.12]

19 (6) Driver Duties During Shift

20 (A) A Driver shall not refuse, or direct or permit the refusal, of prospective
21 passengers in any place within the City for transportation to any other place in the City, or to the San
22 Francisco International Airport, or to the Oakland International Airport, at rates authorized by law, if
23 the prospective passengers present themselves for transportation in a clean, sober, and orderly manner
24 and for a lawful purpose and the driver has sufficient time before the end of his or her shift. [Reg. §
25 6.E.1]

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1 (B) A Driver shall not operate a Taxi or Ramped Taxi in a reckless or
2 dangerous manner. [1101]

3 (C) A Driver shall not refuse to transport a passenger's luggage, wheelchair,
4 crutches or other property that can be transported within the confines of the vehicle's trunk and/or
5 passenger areas. [Reg. § 6.E.4]

6 (D) A Driver shall not refuse to transport any service animal, well behaved
7 and/or a contained animal. [Reg. § 6.E.5]

8 (E) A Driver shall, if requested, reasonably assist a passenger as necessary
9 to get into and out of the vehicle, or to load or unload luggage, only to the extent that such assistance is
10 within the physical capacity of the Driver. The Driver shall record the request for assistance and
11 results on the Waybill. If the Driver feels that their personal safety is at risk or is unable to assist the
12 passenger, the Driver shall request appropriate assistance capable of handling the request from the
13 Dispatch Service. The Driver shall remain with the passenger until the dispatched assistance has
14 arrived. Drivers shall inform passenger(s) of their intention to activate the meter when said
15 passenger(s) has such a large amount of baggage, luggage, packages and/or equipment to be loaded or
16 unloaded that the Driver's departure is delayed, or when it is necessary to wait for dispatched
17 assistance to arrive. [Reg. §§ 6.E.1, 6.E.6, 6.E.8]

18 (F) A passenger who first engages a Motor Vehicle for Hire has the exclusive
19 right to conveyance therein to his or her destination. The Driver shall not solicit or accept any
20 additional passenger without the prior consent of any passenger who has previously engaged the
21 vehicle. [1135(c)]

22 (G) A Driver may transport 2 or more passengers who voluntarily agree to
23 share the vehicle from the same boarding point to one destination point. Each passenger shall be
24 responsible for paying an amount equal to the total fare divided by the number of passengers sharing
25 the ride. [1135]

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1 (H) Drivers shall comply with any passenger request to turn down, turn off or
2 change the channel of any audible device that is not required for safe operation of the vehicle or
3 communication with a Color Scheme, Dispatch Service, law enforcement agency, health care provider,
4 or other emergency service agency. [Reg. § 6.D.6]

5 (I) Except for emergencies, including but not limited to an emergency call to a
6 Dispatch Service, a law enforcement agency, health care provider, or other emergency service agency,
7 Drivers shall immediately comply with any passenger request to terminate mobile telephone
8 conversations. [Reg. § 6.D.9]

9 (J) Drivers may only use personal telephones in the vehicle in accordance
10 with all applicable laws, including but not limited to the use of hands free telephone equipment while
11 operating the vehicle. Personal conversations must be limited in number and short in duration, and at
12 no time shall a Driver allow a personal telephone call or texting to interfere with the Driver's full
13 attention to the operation of the vehicle.

14 (K) Drivers shall only receive a tip/gratuity when expressly and voluntarily
15 offered by the person paying the fare. Drivers may not demand, request, imply, assume or otherwise
16 suggest that the Driver should receive any amount in excess of the authorized fare. [Reg. § 6.D.7]

17 (L) Every Taxi or Ramped Taxi Driver must accept radio dispatch
18 assignments, including an average minimum of 1 radio call an hour during each shift when available
19 from their Dispatch Service. Taxi or Ramped Taxi Drivers must advise their Dispatch Service if they
20 are unable to handle an accepted call within 10 minutes of the time when they acknowledged the call.
21 [Reg. § 6.C.10]

22 (M) If available from their Dispatch Service, every Ramped Taxi Driver shall
23 handle an average of 3 wheelchair service calls per shift. [Reg. § 9.B.7]

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1 (N) During a shift a Taxi or Ramped Taxi Driver shall only monitor or listen
2 to the Dispatch Service associated with the Color Scheme with which the vehicle is affiliated. [Reg. §
3 6.C.11]

4 (O) Any radio required by this Article must be kept on at a volume audible to
5 the operator at all times during the shift. [Reg. § 6.C.6]

6 (P) Drivers shall, at the beginning of a trip, inform any passenger(s) whose
7 announced destination is more than 15 miles from City limits, or if the passenger is picked up at the
8 San Francisco International Airport, whose announced destination is more than 15 miles from the San
9 Francisco International Airport and is not within the City limits, that the fare to be charged will be
10 150% of the amount registered on the Taximeter. [Reg. §§ 6.E.9-6.E.10]

11 (Q) Drivers shall carry sufficient cash to be able to provide change for
12 twenty dollars. [Reg. § 6.E.7]

13 (R) Drivers shall, at the beginning of a trip, inform passenger(s) whose
14 announced destination requires the crossing of a toll bridge, the amount of the toll charged and that
15 the toll charge is to be paid by the passenger(s) regardless of the direction in which the toll is
16 collected. [Reg. § 6.E.11]

17 (S) Drivers shall give a fare receipt upon request of the person paying the
18 fare. Drivers shall complete fare receipts legibly with the Driver's badge number, the Vehicle Number,
19 the Taxi permit number, if different from the Vehicle Number, and the amount of fare. [Reg. § 6.B.4]

20 (T) Drivers shall make a visual check of the interior of the vehicle at the
21 conclusion of each trip to determine if any property has been left behind. If any of the passenger's
22 property was loaded in the trunk, the Driver shall check the trunk area at the end of the trip to ensure
23 that no property was left behind. [Reg. § 6.C.13]

24 (U) Upon discovery, Drivers shall make every reasonable attempt to return
25 Found Property in their vehicle to the rightful owner during the shift. Drivers shall record a

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description of the Found Property on the Waybill, 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. Drivers shall be personally liable for any loss of properties suffered by their passenger(s) caused by intentional misconduct or gross negligence of the Driver.

[Reg. § 6.F]

(V) *If during the course of the work shift, any equipment becomes a safety or hazard issue, then the vehicle is to be place out of service immediately. [Reg. § 6.C.1]*

(W) *The Driver shall not place or allow to be placed any loose items on the dashboard or rear shelf of the vehicle. [Reg. § 6.C.12]*

(X) *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. [Reg. § 6.C.14]*

(Y) *No Driver shall leave a vehicle unattended on a public street for more than four hours. [Reg. § 6.C.9]*

(Z) *No Driver shall threaten, harass, or abuse another person, nor may a Driver speak in an obscene, threatening or abusive manner to another person while engaged in any activity related to a permit issued under this Article. [Reg. §§ 6.D.1-6.D.2]*

(AA) *Drivers shall not attempt to use or attempt to use any physical force against any person except proportional, reasonable force necessary for self-defense or defense of another. [Reg. § 6.D.3]*

(BB) *Drivers shall be clean in dress and person. [Reg. § 6.D.4]*

(CC) *No Driver may smoke, drink, or eat while a passenger is in the vehicle. [Reg. § 6.D.5]*

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1 (DD) Any Driver who is pulled over by the Police while the Taximeter is in
2 operation must turn off the Taximeter from the time the Taxi is pulled over until the time that the Police
3 Officer authorizes the vehicle to depart.

4 (7) Duties at End of Shift

5 (A) Drivers shall turn in all completed Waybills to the Color Scheme at the
6 conclusion of each shift. [1107, Reg. §§ 4.A.9; 6.C.8]

7 (B) The Driver shall remove any litter, personal items, and any other loose
8 items that do not belong with the vehicle. [Reg. § 6.C.12]

9 (C) Drivers shall turn any unreturned or unclaimed Found Property in the
10 Driver's possession at the end of a shift to the Color Scheme's place of business, and shall obtain a
11 receipt for the item regardless of value. [Reg. § 6.F.1-6.F.3]

12 (c) Additional Conditions Applicable To Taxi, Ramped Taxi, and Color Scheme Permits

13 (1) Affiliation With Color Scheme Required; Color Scheme Change [1125(a)]

14 (A) A Taxi or Ramped Taxi Permittee shall be deemed affiliated with a
15 particular Color Scheme when a permit is issued to that Taxi or Ramped Taxi Permittee. The permit
16 shall entitle the Taxi or Ramped Taxi Permittee to the right to the use of that Color Scheme's trade
17 dress and place of business. Color Schemes shall not unreasonably withhold the use of the trade dress
18 and place of business once affiliation has been approved.

19 (B) Affiliation with a Color Scheme does not relieve the Permit Holder of his
20 or her responsibility to comply with this Article.

21 (C) A Taxi or Ramped Taxi Permittee may apply to the SFMTA for a change
22 in affiliation. The applicant's choice of Color Scheme shall be subject to the approval of the SFMTA
23 in its discretion, but the SFMTA shall consider the impact of a request for Color Scheme affiliation
24 upon the quantity and quality of taxi service or paratransit service available to the public before
25 allowing any such affiliation.

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1 (2) Use of Dispatch Service [1123(b)]

2 All Taxi and Ramped Taxi Permittees affiliated with a Color Scheme must utilize the same Dispatch
3 Service.

4 (3) Full-Time Driving Requirement [1096, 1121(b)]

5 (A) Exception for Certain Permits

6 Notwithstanding any contrary provision in this Article, the requirements set forth in this subsection
7 5(c)(3) shall not apply to any person holding a permit issued on or before June 6, 1978.

8 (B) Declaration Required

9 No permit to operate a Taxi or Ramped Taxi may be issued unless the Permittee declares under
10 penalty of perjury his or her intention to actively and personally to engage as a Full-Time Driver. A
11 Color Scheme has an affirmative duty to report actual or constructive knowledge that any Taxi or
12 Ramped Taxi Permittee, whether or not affiliated with that Color Scheme, is failing to comply with this
13 Section 5(c)(3).

14 (C) Requirements for Color Scheme Key Personnel [1081.5]

15 (i) Alternative Driving Requirement for Color Scheme Key Personnel

16 Permittees who are designated as Key Personnel by a Color Scheme may satisfy the Full-Time Driving
17 requirement by driving 120 hours per year and performing 1,500 hours of work per year as Key
18 Personnel for the Color Scheme. Key Personnel activities include office duties, dispatching, cashiering,
19 or managing a Color Scheme.

20 (ii) Partial Completion of Requirements

21 If a Taxi Permit Holder performs at least 750 hours of work as designated Key Personnel for the a
22 Color Scheme during the year but less than 1,500 hours, the Permit Holder shall be entitled to partial
23 credit against the Full-Time Driving requirement on a pro rata basis. The credit shall correspond to
24 the percentage of 1,500 hours that the designated Permit Holder worked for the company in such
25 capacity. If a Permit Holder does not perform at least 750 hours of work as designated personnel for

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1 the Color Scheme during the year, the Permit Holder shall not be entitled to any credit against the
2 Full-Time Driving requirement.

3 (D) Qualifying Vehicle

4 All Taxi and Ramped Taxi Permittees must drive the specific vehicle associated with the permit for the
5 purpose of compliance with Section 5(c)(3) unless that vehicle is unavailable. If a Taxi or Ramped
6 Taxi Permittee requests from the Color Scheme the specific vehicle associated with that person's
7 permit for a particular shift with at least four hours' notice, the Color Scheme shall make that vehicle
8 available. [Reg. § 4.A.10]

9 (E) Taxi and Ramped Taxi Permittees Responsible for Documenting Compliance

10 A Permittee has the responsibility to maintain his or her own business records, including Waybills for
11 the purpose of documenting compliance with this Section 5(c)(3). Failure of a Color Scheme to
12 maintain business records, including Waybills, as required by this Article shall not excuse a Permittee
13 from proving that he or she has satisfied Section 5(c)(3) or any other permit requirement. [1121(f)/Reg.
14 § 4.A.9]

15 (d) Additional Conditions Specific to Ramped Taxi Permits [1127]

16 (1) Wheelchair Priority

17 (A) Ramped Taxis shall grant priority to requests for service from wheelchair
18 users. [1148.5]

19 (B) No Ramped Taxi Driver, once notified dispatched to a "ramped service"
20 call may accept any other fare while en route to that dispatched call. [Reg. §§ 6.C.10.c, 9.B.5] In the
21 absence of requests for service for passengers in wheelchairs, Ramped Taxis may transport any person
22 in accordance with the provisions of this Article. [1148.5]

23 (2) Use of Ramped Taxi Permit in Spare Taxi [1148.6]

24 (A) Authorization to Use Ramped Taxi Permit in Spare Taxi

25

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1 Notwithstanding any other provisions of law or this Article, upon written request from a Color Scheme,
2 the SFMTA may, in its discretion, allow a Ramped Taxi permit to be used for the purpose of operating
3 a Taxi, provided that:

- 4 (i) the Taxi is a spare Taxi, as approved by the SFMTA;
- 5 (ii) the Taxi meets all applicable requirements for its operation;
- 6 (iii) the Ramped Taxi permit cannot be used in the Permittee's
7 Ramped Taxi because that vehicle is out of service or must be replaced;
- 8 (iv) the Ramped Taxi permit cannot be used in a spare Ramped Taxi
9 because none are available at the Color Scheme with which the Ramped Taxi permit is affiliated;
- 10 (v) the use of the Ramped Taxi permit in a spare Taxi does not exceed
11 the durational and fleet limits described in subsections 5.5(s) and 5.3(b)(ii); and
- 12 (vi) in each instance the SFMTA approves the use of the Ramped Taxi
13 permit in a spare Taxi.

14 (B) Time Limits on Use of Ramped Taxi Permit in Spare Taxi [1148.6(b)]
15 A Ramped Taxi permit may be used in a spare Taxi for the time that it would take to repair or replace
16 the Ramped Taxi, but in no event shall such use be initially allowed for more than 30 consecutive days.
17 For good cause shown the SFMTA may extend the time limit beyond 30 days in increments of no
18 greater than 15 consecutive days. In no event shall the total time in which a Ramped Taxi permit is
19 used in a spare Taxi exceed 90 days. The authorization to use the Ramped Taxi permit in a spare Taxi
20 shall expire by operation of law on the day that the applicable durational limit has been reached, or
21 upon completion of repair or replacement of the Ramped Taxi, whichever occurs first. A Ramped Taxi
22 permit may not be used in a spare Taxi for more than 90 days within a twelve-month period.

23 (3) Ramped Taxi Response Time [Reg. § 9.A.3]
24 All Permittees operating Ramped Taxis shall provide an average response of 20 minutes.

25 (4) Ramped Taxi Permittees Ineligible to be Color Scheme Key Personnel

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No Ramped Taxi Permittee may be designated as Key Personnel by a Color Scheme at any time, for any reason.

(e) Additional Conditions Specific To Dispatch Service Permits [1127]

(1) Dispatch Service Performance Standards

Dispatch Service Permittees shall meet the following requirements and performance standards:

(A) Ensure that affiliated Permittees and their business operations adhere to all requirements of this Article and affirmatively report actual or constructive knowledge of violations of this Article to the SFMTA. [Reg. § 4.A.3]

(B) Maintain and update an emergency plan for Drivers and Dispatchers to follow in emergencies. Each Dispatch Service that currently holds a permit shall file an updated plan within 90 days of the adoption of this Article and thereafter at the time of annual permit renewal. [Reg. §§ 5.E.1.d, 8.A.10]

(C) Employ a minimum of one operator/call taker on duty for each 75 vehicles in operation. [Reg. § 8.A.3]

(D) Provide dispatch services 24 hours a day, 365 days per year. [Reg. § 8.A.4]

(E) List their 24 hour telephone number and the names of the Color Schemes for which they provide dispatch services in the Yellow Pages section of the telephone book. [Reg. § 8.A.5]

(F) Ensure that every service request for a Ramped Taxi is dispatched in a timely manner. [Reg. § 8.A.10, 9.B.4]

(G) Contact customers within 20 minutes with the vehicle number of the Ramped Taxi assigned to handle the call, or to advise that no vehicle was dispatched.

(H) If the call cannot be dispatched to a Ramped Taxi affiliated with a Color Scheme that uses that Dispatch Service, the dispatcher/operator shall first call another Dispatch

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1 Services to handle the request, and then shall call the customer with the name of the Color Scheme and
2 the Vehicle Number of the responding Ramped Taxi.

3 (I) If there are no Ramped Taxis available, the dispatcher shall record the
4 customer's name and phone number and the names of the other Dispatch Services contacted.

5 (J) Maintain a current Driver roster from all Color Schemes affiliated with
6 that Dispatch Service, which must be available 24 hours a day for inspection by the SFMTA or the
7 Chief of Police. [Reg. § 8.A.11]

8 (K) Record all requests for taxi service, noting the date and time of the
9 request for service, the service address, and the vehicle number dispatched to respond to the call.
10 [Reg. § 8.A.14]

11 (L) Maintain the capacity to simultaneously broadcast transmissions and to
12 receive transmissions from every vehicle operating under their service. [Reg. § 8.A.15]

13 (M) Answer all calls by human or mechanical/device within six rings. [Reg. §
14 9.B.1]

15 (N) Contact Taxi customers who have requested a return call if a vehicle has
16 not been dispatched within 20 minutes of the call. [Reg. § 9.B.2]

17 (O) Upon request, provide callers with an approximate arrival time of the
18 dispatched vehicle. [Reg. § 9.B.3]

19 (P) Assign each dispatcher, operator and/or call taker employed by the
20 Dispatch Service a unique individual identifier. [Reg. § 9.B.4]

21 (Q) Require all dispatchers, operators and/or call takers to identify
22 themselves with either their unique individual identifier or their true name upon answering a call.
23 [Reg. § 9.B.4]

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1 (R) Require all dispatchers, operators and/or call takers to give either their
2 individual identifier or their true name and the shift they are working if requested by a caller. [Reg. §
3 9.B.4]

4 (S) If two or more Color Schemes share the same Dispatch Service, the
5 Dispatch Service may not dispatch a vehicle from a Color Scheme other than the one requested by the
6 caller to respond to the call until the Dispatch Service operator first advises the customer of the Color
7 Scheme of the vehicle that will respond to the call. [Reg. § 9.B.5]

8 (2) Dispatch Service Permits Transferable [1127(b)]
9 Dispatch Service permits are transferable, subject to the approval of the SFMTA, which shall
10 determine whether the proposed transferee meets the criteria set forth in this Article, and whether taxi
11 service would be improved by the transfer of the Dispatch Service permit. The Permittee shall give
12 notice to the SFMTA of any intended transfer at least 30 days prior to any such transfer.

13 (3) Workers' Compensation Requirements [1147.4]
14 All Dispatch Service Permit Holders shall comply with all applicable state laws and regulations
15 concerning Workers' Compensation.

16 (4) Emergency Plan Required Annually
17 Dispatch Service Permittees shall file an updated emergency plan annually at the time of permit
18 renewal.

19 (f) Additional Conditions Applicable To Color Scheme Permits [1125]

20 (1) Rights of Color Scheme Permittee; Permit Required
21 A Color Scheme permit entitles the Permit Holder to operate a business that provides taxi services
22 using vehicles painted with trade dress colors authorized by the permit and unique to that business.
23 Any change in trade dress colors of a Color Scheme Permit Holder shall require a permit application
24 requesting the issuance of a new Color Scheme permit. No person shall operate a Color Scheme
25 business without a valid permit from the SFMTA.

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(2) Reduced Emissions by Color Scheme

Beginning on June 1, 2011, each Color Scheme Permittee shall maintain average per vehicle greenhouse gas emissions at a level set by the SFMTA, in consultation with the Department of the Environment, that will allow the City to achieve its overall goal of a 20 percent reduction in taxi fleet greenhouse gas emissions from 1990 levels by the year 2012. Ramped Taxis operated by the Color Scheme shall not be included in calculation of the Color Scheme's average per vehicle greenhouse gas emissions.

(3) Color Scheme Permits Transferable

A Color Scheme permit is transferable, subject to the approval of the SFMTA upon its determination that the proposed transferee meets all eligibility requirements for a Color Scheme permit. The Permittee shall give notice to the SFMTA of any intended transfer at least 14 days prior to any such transfer.

(4) Use of Dispatch Service

Each Color Scheme shall ensure that all Taxi Permittees affiliated with that Color Scheme utilize the same Dispatch Service. The Color Scheme's choice of Dispatch Service shall be subject to the approval of the SFMTA, which shall include consideration of the impact of the request upon the quantity and quality of taxi and paratransit service available to the public.

(5) Workers' Compensation Requirements [1135.1(b)(ii), 1147.4]

All Color Scheme Permit Holders shall comply with all applicable state laws and regulations concerning Workers' Compensation, and shall maintain a policy that covers all employees and Permittees employed by or affiliated with that Color Scheme.

(6) Participation in Paratransit Program [1147.8]

Each Color Scheme Permit Holder must be approved for participation in the SFMTA's Paratransit Program and must execute a contract defining the rights and obligations of the parties.

(7) Vehicle Maintenance and Cleaning

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The Color Scheme is responsible for ensuring that all equipment on the vehicle that is required by this Article is working properly, including but not limited to Ramped Taxi lifts. If any equipment is found to present a hazard or safety issue, then that vehicle shall be put out of service until it is repaired. [Reg. §§ 6.C.1, 6.C.5, 9.B.8] Every Color Scheme shall provide facilities at its place of business which are adequate for the thorough washing of all affiliated vehicles and which comply with all City environmental and zoning requirements. [Reg. § 5.F.2]

(8) Principal Place of Business

All Color Schemes shall maintain a San Francisco address as their principal place of business, which must be staffed by at least one manager on Monday through Friday from 9:00 A.M. to 5:00 P.M., excepting legal holidays. Every principal place of business of a Color Scheme must have the capacity to send and receive faxes at all times, and the fax number must be provided to the SFMTA.

(9) Designated Manager

(A) 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 a City permit suspended or revoked in the past five years, except with permission of the SFMTA. A Color Scheme may designate additional managers for specialized matters subject to approval by the SFMTA.

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

(C) Designation of a manager for purposes of this section does not qualify the manager as Key Personnel for the Color Scheme.

(10) Posting Requirements

All Color Schemes shall post the following information at their place of business in a place where it is prominently displayed and easily visible to Permittees:

(A) Daily Schedule

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1 A schedule updated daily with shift information that must include at minimum the shift assignment,
2 Driver's name, vehicle number and/or Taxi permit number (if different), and the hours worked for that
3 shift, whether or not the Taxi permit is leased on a per-shift, weekly, monthly, or other basis.

4 (B) List of Affiliated Drivers

5 A list updated daily with all affiliated drivers, including Driver's name, home address, cellular
6 telephone number, Driver permit number, and California driver's license number

7 (C) Vehicles

8 A current list of all affiliated Taxis and Ramped Taxis including, but not limited to, the vehicle number,
9 the vehicle license number, the vehicle identification number, the model year and make of the vehicle,
10 and the operating status of each affiliated vehicle.

11 (D) Certificate of Worker's Compensation

12 A copy of a current and valid Certificate of Worker's Compensation Insurance and information about
13 filing claims.

14 (E) Gate Fees

15 The amounts charged for Gate Fees including the amount charged for each and all available shifts
16 over the seven days of the week.

17 (F) Taxi School Information

18 A list of the names, locations and phone numbers of all SFMTA-approved taxi schools. [Reg. § 5.A.8]

19 (G) Information Provided by SFMTA

20 From time to time, other industry-related printed matter to each Driver, including obtaining written
21 acknowledgments of receipt, when requested by the SFMTA. [Reg. § 5.A.3]

22 (11) Telephone Access

23 Every Color Scheme shall subscribe to a telephone service and cause to be published in the Yellow
24 Pages section of the San Francisco telephone directory, the name of the business, and the telephone
25 number to which requests for service and inquiries about Found Property may be addressed. The

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1 published telephone number shall not be used to operate other businesses or services. If a change
2 occurs in the name of the company or telephone number under which taxi service is provided the Color
3 Scheme shall, within 10 days, make the necessary notification and request to change the listing in the
4 Yellow Pages section of the San Francisco telephone directory. During those times when the current
5 listing in the Yellow Pages section of the San Francisco telephone directory is incorrect or when a new
6 listing cannot be made until the next printed copy is published and circulated, the Color Scheme shall
7 maintain a current listing, including the name of the company and telephone number, with the San
8 Francisco Directory Assistance Operator and the City's 311 system.

9 (12) Staffing Requirements

10 Every Color Scheme shall employ adequate, qualified staff or contracted services to perform the
11 following functions and provide the following capabilities:

12 (A) Receive inquiries about Found Property on a 24 hour basis.

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

15 (C) Comply with all state laws regarding Found Property.

16 (13) Controlled Substance Testing Program; Controlled Substances

17 (A) In accordance with Government Code § 53075.5, Color Schemes must
18 maintain the confidentiality of any drug test results received for applicants for permits and Permittees.

19 (B) No Color Scheme having actual knowledge that a Driver who tested
20 positive for a controlled substance shall not permit the Driver to operate a taxicab until such time as
21 the Driver has tested negative.

22 (C) Color Schemes shall maintain drug- and alcohol-free workplaces and
23 shall affirmatively report to the SFMTA any actual or constructive knowledge that a Driver is engaged
24 in the sale, use, or possession of drugs or alcohol in a Taxi or Ramped Taxi Vehicle.

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1 (D) No Color Scheme having actual or constructive knowledge that a Driver
2 has used and is currently under the influence of a controlled substance shall permit that Driver to
3 operate or continue to operate a vehicle. [Reg. § 5.J]

4 (14) Medical Certification of Drivers
5 Every Color Scheme shall ensure that all affiliated Drivers have passed a bi-annual medical
6 examination before operating a Taxi or Ramped Taxi affiliated with that Color Scheme. [Reg. § 6.A.10]

7 (15) Notification of Accidents
8 Color Schemes must notify the SFMTA of any injury accident involving a Taxi permit affiliated at the
9 Color Scheme, or of any accident which causes a vehicle to be out of service for more than 72 hours.

10 (16) Spare Vehicles [Reg. § 5.D]
11 (A) A spare vehicle may operate with a Taxi or Ramped Taxi permit borrowed
12 from a regular vehicle. Spare vehicles shall only be used to replace temporarily disabled Taxi or
13 Ramped Taxi vehicles. Color Schemes shall notify the SFMTA if an individual vehicle will be disabled
14 for more than seventy-two hours. Regularly assigned vehicles that are taken out of service must either
15 return to service within 30 days or be permanently replaced by another vehicle.

16 (B) During any time a spare vehicle is operating, the regular vehicle it is
17 replacing shall be available for inspection by the SFMTA.

18 (C) Color Schemes that are affiliated with one or more Ramped Taxis shall
19 maintain a sufficient number of spare Ramped Taxi vehicles. If three or fewer Ramped Taxi permits
20 are affiliated with a Color Scheme, only one Ramped Taxi permit may be used in a spare Taxi vehicle
21 at any one time. For each additional 3 Ramped Taxi permits, or any fraction thereof, affiliated with a
22 Color Scheme, an additional Ramped Taxi permit may be used in a spare Taxi. [1148.6(c)]

23 (D) Each Color Scheme shall be issued a series of "spare numbers" at the
24 ratio of one spare number for every five vehicles operating at that Color Scheme.

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1 (E) All spare vehicles shall be kept at the Color Scheme's place of business
2 when not in actual use with a permit.

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

6 (G) Color Schemes may not lease spare vehicles, whether on a per-shift,
7 weekly, monthly, or other basis, unless the vehicle is using a Taxi permit which is not in use in any
8 other vehicle.

9 (H) Any Color Scheme that violates this Section shall be deemed to be
10 operating a vehicle without a permit.

11 (I7) Dissolution Plan.
12 Any Color Scheme that will be terminating its business operations as a Color Scheme shall file a
13 Dissolution Plan with the SFMTA at least 30 days prior to the date that the Color Scheme ceases to
14 respond to requests for taxi service.

15 (g) Additional Permit Conditions Applicable to Corporate Permit Holders with Permits
16 Issued Prior to June 6, 1978 [1083]

17 (1) Permits Void In Event of Transfer or Sale of Permittee
18 Any Taxi permit held by a Permittee that is not a natural person and which would otherwise remain in
19 effect, shall be deemed null and void and revoked in any of the following circumstances:

20 (A) Upon transfer or sale of the Permittee after June 6, 1978; with a
21 cumulative sale or transfer of (A) 10 percent or more of the stock or other ownership of the Permittee,
22 or (B) 10 percent of the Permittee's assets since June 6, 1978 constituting a sale or transfer for
23 purposes of this section, the Permittee submits a written request for approval of the transfer or sale,
24 and such transfer or sale is approved by the SFMTA Board.

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1 (B) Upon transfer of the management or control of the Permittee for
2 consideration;

3 (C) Upon assignment, transfer or sale of the Permittee's rights to receive
4 income derived from the lease of a permit is assigned, transferred or sold.

5 (D) Upon suspension of the Permittee's corporate status by the California
6 Secretary of State.

7 (h) Additional Conditions Applicable to Non-Standard Vehicle Permits

8 (1) Permit Available For Non-Standard Vehicle Types

9 The SFMTA Board may issue a permit or permits for vehicle types not defined elsewhere in this Article
10 as a Non-Standard Vehicle permit.

11 (2) Existing Non-Standard Vehicles, Jitney Bus

12 Any jitney bus permit in effect as of June 30, 2008, shall continue in effect until the natural expiration
13 of its term. Any person holding a valid jitney bus permit as of June 30, 2008, shall be entitled to renew
14 such permit as a Non-Standard Vehicle permit. Thereafter, such permit shall be subject to all
15 requirements for renewal of Non-Standard Vehicle permits in accordance with the requirements of this
16 Article.

17 (3) Suspension of Non-Standard Vehicle Operations [1153]

18 Notwithstanding any contrary provisions of this Article, upon request of a Non-Standard Vehicle
19 Permittee, the SFMTA may allow any Non-Standard Vehicle Permittee to temporarily suspend
20 operations. In making such determination, the SFMTA may consider the average weather conditions
21 during such period of suspended operations, local or temporary road conditions, the seasonal
22 availability of riders wishing to use the services offered by Non-Standard Vehicle Permittee, or any
23 other circumstances unique to the nature of the Non-Standard Vehicle which are relevant to
24 determining whether the continuous operation requirements of this Article would result in undue
25 hardship to the Permittee.

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(i) Revocation or Suspension of Permits [1090]

(1) 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. If good cause is shown at the hearing, the SFMTA shall have discretion to suspend or revoke a permit. Suspension or revocation shall be mandatory in the circumstances described in Subparts (A) through (F) below. "Good cause" for the purposes of this subsection (i) shall include, but shall not be limited to, the following:

(A) The Permittee has not met Full-Time Driver requirements.

(B) The Permittee has failed to pay a Permit Fee within 30 days of the date that the SFMTA mails written notice of nonpayment to the Permittee.

(C) The Permittee or the lessee of the Permittee's permit has been operated without the insurance required by this Article.

(D) The Permittee or an agent of the Permittee has knowingly made false statements to or concealed information from the SFMTA or the Police Department.

(E) The Permittee has been convicted of any crime that would be the basis for denying an application for a new permit.

(F) The Permittee has failed to satisfy any judgment for damages arising from unlawful or negligent operation under any permit issued under this Article.

(G) The Permittee has been convicted of a misdemeanor violation set forth in Transportation Code Division I, Article XX, Sections XX (Misdemeanor violations of Motor Vehicle for Hire Regulations).

(H) The Permittee has committed serious and/or repeated violations any law or regulation applicable to the Permittee's conduct while operating under a permit issued pursuant to this Article.

(2) Summary Suspension

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The SFMTA may suspend summarily any permit issued under this Article pending a disciplinary hearing when it determines that the public health or safety requires such summary suspension. Any affected Permittee shall be given notice of such summary suspension by personal delivery or registered letter.

6. FEES, RATES AND CHARGES

(a) Payment of Fees Required

Except as otherwise provided in this Article, no application for a permit shall be processed, nor shall any permit that has been approved by the SFMTA Board, or notice of the renewal of a permit be issued by the SFMTA until the applicant has paid the required Filing and Permit Fees.

(b) Permit Application Filing Fee [1080(b), 1089(b)]

Applicants for permits authorized by this Article shall pay to the SFMTA an application Filing Fee set by the SFMTA Board. Filing Fees are payable at the time of submitting a permit application and are not refundable. The SFMTA shall compile an annual report of the revenues received from each type of Filing Fee collected by the SFMTA, the costs incurred in providing the services for which the Filing Fee is assessed, the anticipated costs for the ensuing year and the amount of Filing Fees which would be necessary to recover costs for each class of permit. Following issuance of such annual report, the SFMTA Board shall determine Filing Fees for each class of permit the ensuing fiscal year.

(c) Permit Fees [1085]

(1) Non-Refundable

Permit Fees are not refundable upon the denial, suspension, or revocation of any permit.

(2) Late Payment Penalties

All Permit Fees are payable when due, unless otherwise provided, in the manner and at the location(s) designated by SFMTA. If a Permittee requests renewal of a permit after the permit has expired, such request shall be subject to the procedures and requirements for new permit applications.

(3) Identification Card Fees [1088]

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The SFMTA shall collect a fee for each form of identification issued to a Permittee, in an amount . The cost for the Taxi Permit, badge or Driver Permit Card shall be set by the SFMTA and shall be limited to the cost of processing and issuing the Taxi Permit, badge or Driver Permit Card.

(d) Rates of Fare/Gate Fees/Additional Rates and Charges [1135, 1135.1, 1135.2]

[This Section is a placeholder for rates/gate fees/additional rates and charges to be established by resolution of the SFMTA Board of Directors as a separate agenda item after March 1, 2009.]

(e) Fare for Shared Rides

If 2 or more passengers voluntarily agree to share the vehicle from the same boarding point to one destination point, each passenger shall be responsible for payment of a fare at the destination point in an amount equal to the total fare divided by the number of passengers sharing the ride. [1135(b)]

(f) Deduction for Time While Disabled [1146]

In the event that a vehicle becomes disabled, or breaks down while conveying any passenger, the time of stoppage shall be deducted from the time charged to the passenger.

7. OPERATION REQUIREMENTS

All Permittees shall be subject to the following requirements for operation of their permits:

(a) Continuous Operation [1096]

With the exception of holders of Driver and Non-Standard Vehicle Permit Holders, all Permittees shall regularly and daily operate or arrange for the exercise of their permit during each day of the year, or other dates during which the permit conditions require operation of the permit. A Non-Standard Vehicle Permittee shall be subject to the times and dates of required operation specified in the permit.

(b) Minimum Insurance Coverage [1092, Reg. §§ 4.B.1-4.B.2]

(1) Policy Required For Taxis and Ramped Taxis

Each Taxi or Ramped Taxi Permittee shall file with the SFMTA and thereafter keep in full force and effect a policy of insurance, executed by an insurer approved by the SFMTA, which conforms to all applicable laws and Regulations and which insures the public against any loss or damage that may

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1 result to any person or property from the operation of such vehicle or vehicles. Such policy shall
2 include at least the following endorsements:

3 (A) Commercial Automobile Insurance

4 Commercial automobile insurance coverage shall be provided using a Business Automobile Liability
5 Insurance Policy, or the equivalent replacement, with limits not less than \$1,000,000 each occurrence
6 combined single limit for Bodily Injury and Property Damage, including coverage for owned, hired, or
7 non-owned vehicles, as applicable.

8 (B) Premises, Auto Operations of Insured

9 The insurance policy required by this section shall include activities and operations upon, in and
10 around the San Francisco International Airport, the Oakland International Airport and the City and
11 County of San Francisco.

12 (C) No Other Insurance Stipulation

13 No other insurance held by the City and County of San Francisco or the SFMTA will be called upon by
14 the Permittee to contribute to a loss required to be covered hereunder.

15 (D) Severability of Interests (Cross Liability)

16 The term "the insured" is used severally and not collectively and the insurance afforded under the
17 liability coverages of Bodily Injury and Property Damage applies separately to each insured against
18 whom claim is made or suit is brought, but the inclusion herein of more than one insured shall not
19 operate to increase the limits of the company's liability.

20 (E) Cancellation or Limits Reduction Change Notice

21 Written notice of cancellation, non renewal of or any limits reduction in said policy shall be mailed to
22 SFMTA Division of Taxi and Accessible Services, 1 S. Van Ness, San Francisco, CA 94102, 10 business
23 days in advance of the effective date thereof.

24 (2) Certificates of Insurance Required
25

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1 (A) Certificates evidencing insurance policies in effect as required by this
2 Article shall be kept on file with the SFMTA.

3 (B) All required insurance policies or certificates shall include the name of
4 both the Taxi Permit Holder and Color Scheme.

5 (C) The Certificate of Insurance must name the City and County of San
6 Francisco, the San Francisco Municipal Transportation Agency and the Airport Commission of the
7 City and County of San Francisco and all of their officers, and employees as additional named insured
8 hereunder.

9 (3) New Policy to be Furnished [1093]
10 If, at any time, the policy required by this section is cancelled by the issuing company, the insured-
11 Permittee shall report that fact to the SFMTA within 3 business days after the insured-Permittee
12 received notice of cancellation. The Permittee shall replace said policy and provide verification of that
13 replacement policy to the SFMTA prior to the termination of the existing policy. The SFMTA shall
14 review the replacement policy to verify that the issuing insurer is satisfactory.

15 (4) Provisions for Self-Insurers [1094]
16 Any person, firm, corporation, association or organization of owners of Motor Vehicles For Hire who
17 have a certificate of self-insurance from the State of California pursuant to Sections 16050 et. seq. of
18 the Vehicle Code may file said certificate with the SFMTA, and shall thereupon be deemed in
19 compliance with the insurance requirements of this Section 7.2.

20 (5) Requirements Subject to Change
21 The SFMTA Board may set different minimum insurance requirements from time to time for different
22 classes of permits by amending this Article, or for individual Non-Standard Vehicle permits by setting
23 permit conditions appropriate to the type of vehicle to be used and the type of service proposed to be
24 offered by the applicant for the permit.

25 8. TAXI AND RAMPED TAXI EQUIPMENT REQUIREMENTS

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All Taxis and Ramped Taxis must be maintained in a safe operating condition. [1097] Except as otherwise specified herein, all Taxi Permit Holders and Color Schemes are jointly and severally responsible for ensuring that all Taxis and Ramped Taxis for which they hold permits or with which they are affiliated meet all equipment requirements listed in this Section 8. [Reg. § 5.C.1] The SFMTA may remove any vehicle from service for any violation of Section 8.

(a) San Francisco Taxicab

The words "San Francisco Taxicab" with letters at least 2 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. [Reg. § 5.C.25]

(b) Taxi Permit Number [1123]

(1) Exterior Display [1088]

The Taxi permit number assigned by the SFMTA shall be 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. [Reg. §§ 4.A.5; 5.C.26]

(2) Interior Display

All Taxis and Ramped Taxis shall be equipped with a holder for the Taxi or Ramped Taxi permit in the interior of the vehicle, attached to the dashboard or to the left side of the right front support beam. The holder shall be placed in such a position that it is clearly visible from the front exterior of the vehicle. The placement of the holder shall not interfere with visibly of the Driver or the intended function of any O.E.M. equipment. The Taxi or Ramped Taxi permit pursuant to which the vehicle is being operated shall be displayed in the holder at all times. [Reg. § 5.C.32]

(c) Vehicle Number

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The vehicle number shall be painted on the roof, hood or trunk of the vehicle, and in Braille on the right rear passenger door. 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. [Reg. §§ 5.C.27, 5.C.33]

(d) Inspection Certificate

All Taxis and Ramped Taxis shall at all times conspicuously display a current and valid SFIA decal indicating satisfactory completion of vehicle inspection as required by this Article. [Reg. § 5.G.4]

(e) Color Scheme Identification

(1) Trade Name

Every Taxi and Ramped 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 side doors of each side of the vehicle, and in Braille on the right rear passenger door. [1126, Reg. § 5.C.33]

(2) Trade Dress

The exterior of every Taxi and Ramped Taxi shall be well painted with the color(s) of the Color Scheme with which it is affiliated. [Reg. § 5.C.16]

(f) Radio Required [1123, 1147.2]

Every Taxi and Ramped Taxi shall have a radio in working order permitting direct voice access and two-way communication with a Dispatch Service affiliated with the Taxi.

(g) Taximeters [1140, Reg. § 5.C.2]

(1) Seal Required

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

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1 out of service until correctly repaired.

2 (2) Temporary Operation

3 Pending a Department of Weights and Measure inspection, a Taximeter may be placed in service for
4 twenty-four hours when properly sealed, installed, replaced or repaired by a licensed technician listed
5 with the Department of Weights and Measures. If the technician fails to comply with state regulations
6 concerning the Taximeter, then the vehicle shall be removed from service until corrected.

7 (3) Installation

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

14 (4) Illuminating Devices

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

18 (h) Rate Cards

19 Every Taxi and Ramped Taxi shall have permanently affixed to the interior of the vehicle, in a place
20 readily visible to passengers, a frame covered with glass or plastic enclosing a card upon which shall
21 be printed in plain, legible letters the schedule of rates authorized for carriage in such vehicle and such
22 other provisions of this Article as the SFMTA may require. The frame and its installed location in the
23 vehicle must be approved by the SFMTA. [1103, 1123/ Reg. § 5.C.5]

24 (i) 311 Information

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1 Every Taxi and Ramped Taxi shall display 311 information in the interior of the vehicle in a place
2 readily visible to any passenger in a form to be determined by the SFMTA.

3 (j) Street Map

4 Each Taxi or Ramped Taxi shall be equipped with a San Francisco and San Mateo County street guide
5 or map with a complete index of all the streets. [Reg. § 6.B.1]

6 (k) Copy of SFMTA Regulations

7 Every Taxi or Ramped Taxi shall contain a copy of this Article while in operation. [Reg. § 5.A.3]

8 (l) Driver Identification [1123/Reg. § 5.C.31]

9 Every Taxi or Ramped Taxi shall be equipped with a holder for a Color Scheme Identification Card,
10 placed on the dashboard, adjacent to the Taximeter, in such a position that any passenger in the
11 vehicle has a clear view of the Driver's photo identification. The holder shall not be placed in such a
12 way as to interfere with O.E.M. equipment, including airbags.

13 (m) Safety Partition [1147.2]

14 Safety partitions may be installed at the option of the Color Scheme. No Driver operating a Taxi with a
15 safety partition may refuse to transport a person with disabilities in the front seat. All safety partitions
16 must form a complete barrier between the Driver and the rear passengers of the vehicle, excepting a
17 space of no more than 2 inches at the bottom and 1 inch at the top and sides of the partition. The upper
18 portion of the safety partition must be of clear polycarbonate, or equivalent material, with the quarter
19 panel directly behind the Driver a minimum of 3/4 inch thick and a minimum 3/8 inch for the remaining
20 portion. Entire partitions comprised of laminated polycarbonate with a minimum 3/8 inch thickness
21 may be used. The lower portion must be of a minimum 10 gauge steel or material of equal strength if
22 an alternative material is used for critical areas and 14 gauge for non-critical areas. The safety
23 partition must have a retractable portion controlled only by the Driver and fare exchange tray.

24 (n) Emergency Equipment

25 All Taxis and Ramped Taxis shall have at all times a functional spare tire, a working jack and wrench

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1 to replace a flat tire, a First Aid kit, a working flashlight, and 2 flares or 2 freestanding reflectors.

2 [Reg. § 5.C.8]

3 (o) Signage and Displays

4 Only materials, signs and devices required by law or approved by the SFMTA may be placed on the
5 windows, or displayed or hung inside or outside of a Taxi or Ramped Taxi. [Reg. §§ 5.C.6, 5.C.9]

6 (p) Lights [Reg. § 5.C.10]

7 (1) Standard Lights

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

14 (2) Top Lights

15 Each Color Scheme shall ensure that all Taxis and Ramped Taxis are equipped with a top light
16 containing a light or lights permanently attached to the roof of the vehicle, which may either have the
17 name of the Color Scheme printed on it, or the words "Taxi", "taxi", "cab" or "meter rates". All top
18 lights for the same Color Scheme must be of the same color, shape and lettering. Each Driver shall
19 ensure that such top light is illuminated at all times except when the vehicle is engaged in the
20 transportation of a passenger. The Driver shall turn the top light on while the Taximeter is in the non-
21 recording position and shall turn the top light off while the Taximeter is in the recording position.

22 (q) Standard Equipment [Reg. § 5.C.11-5.C.14, 5.C.17, 5.C.18, 5.C.20-5.C.23]

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

25 (1) Automatic door locks that can be controlled by the Driver [1147.2]

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- (2) Available and visible seat belts in all seating positions where passengers may ride [Reg. § 5.C.4]
- (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 in good mechanical order
- (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) Exhaust system compliant with state law

(r) Tires and Wheels [Reg. §§ 5.C.7-5.C.8, 5.C.19]

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

- (1) Meet all requirements of the 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 may be used on all vehicles, including spare vehicles.

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1 (4) Only the O.E.M. size tires used at the time of the Taximeter inspection shall be
2 used on the vehicle.

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

6 (s) Windows

7 All windows and the windshields of Taxis and Ramped Taxis shall be kept clean and clear, both the
8 outside and inside. No additional tinting or reflective material may be placed on any vehicle window
9 except factory installed tinting. Only safety glass with the lowest factory installed tint may be used.
10 Nothing shall be placed in or on any portion of the vehicle in such a manner as to block the Driver's
11 vision. [Reg. § 5.C.10]

12 (t) Cameras

13 All Taxis and Ramped Taxis shall be equipped with an operational security camera meeting SFMTA
14 specifications and standards. Each Taxi and Ramped Taxi must post a clearly visible notice on the
15 exterior of the vehicle stating: "Vehicle Equipped With Security," and within the vehicle a clearly
16 visible notice stating: "This vehicle is equipped with camera security and all occupants will be
17 photographed." [Reg. § 5.C.34, 5.C.34(e)(a)] Color Schemes shall allow SFMTA or its designee to
18 perform an annual inspection of each vehicle's camera system. If five percent of a Color Scheme's
19 cameras fail inspection during an annual cycle, then cameras for that vehicle or Color Scheme shall
20 thereafter be inspected twice annually until the vehicle is retired or the Color Scheme receives a 96%
21 or better passing rate.

22 (u) No Retaliation For Equipment Requests

23 Any supplies, materials, equipment or repairs listed in this Section 8 shall be made available to any
24 Driver immediately upon the Driver's request, and no retaliation or discriminatory action may be taken
25 against any Driver who requests such equipment or repairs.

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1 (v) Sanitary Condition [1097, 1099]

2 (1) Regular Cleaning of Vehicle

3 No Taxi or Ramped Taxi may be driven unless the interior is clean, orderly and kept free of offensive
4 odors. [Reg. § 5.F.1] The exterior of each Taxi or Ramped Taxi shall be thoroughly washed at least
5 once per calendar week during which the vehicle is operated, and the interior shall also be carefully
6 swept and cleaned daily.

7 (2) Disinfection of Vehicle

8 Whenever required in writing by the Department of Public Health, a Taxi or Ramped Taxi must be
9 disinfected by spraying the vehicle with an efficient disinfectant. [Reg. § 5.F.2]

10 (3) Interior of Vehicle

11 Seats, upholstery and rugs shall match the vehicle's interior colors and must be kept in good repair.
12 They must not be torn, separated or ripped. Seat springs may not be broken nor may they protrude
13 through the upholstery. Seats shall be firm and comfortable and the tension of the seat springs shall be
14 evenly distributed. Seat covers may not be used to replace upholstery unless the colors match the
15 vehicle's interior colors and they are sufficiently padded. [Reg. § 5.C.3]

16 (w) Brake Inspection [1100]

17 The brakes on all Taxis and Ramped Taxis shall be inspected and tested daily by competent inspectors.

18 (x) Vehicle Title [Reg. § 4.A.7]

19 The principal vehicle authorized for the operation of a Taxi permit may be registered only in the name
20 of the Taxi Permit Holder, Color Scheme, and/or a Driver holding a valid lease for the vehicle that
21 meets the requirements of Section 5.1(j).

22 (y) Vehicle Mileage

23 Starting mileage may not be more than 60,000 miles when a vehicle is placed into service. No vehicle
24 may be operated as a Taxi or Ramped Taxi after the vehicle has reached 350,000 miles except for
25 London Taxis and other purpose-built vehicles placed into service before January 24, 2006, which

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1 have no cap. [Reg. §§ 4.A.8, 5.G.2.b(3)]

2 (z) Vehicle Age

3 Beginning March 1, 2009, no vehicle may serve as a San Francisco taxicab if it is older than eight
4 model years. Beginning January 1, 2010, no vehicle which is older than seven model years may serve
5 as a Taxi or Ramped Taxi, including London Taxis and other purpose-built vehicles. Beginning
6 January 1, 2011, no vehicle which is older than six model years may serve as a Taxi or Ramped Taxi,
7 including London Taxis and other purpose-built vehicles. Beginning January 1, 2012, no vehicle that is
8 older than five model years may serve as a Taxi or Ramped Taxi, including London Taxis and other
9 purpose-built vehicles. [Reg. § 5.G.2.a]

10 (aa) Inspections

11 (1) Inspection Required

12 There shall be inspections of all taxicab vehicles by the SFMTA. Inspections shall be done every six
13 months for spare vehicles and every 12 months for regular vehicles at a date and time designed by the
14 SFMTA, and at any other time deemed necessary. [Reg. §§ 4.A.8(a), 5.D.4, 5.G.2.b(2), 5.G.5] At the
15 time of the scheduled inspection of the vehicle, the Color Scheme or Taxi Permittee must provide the
16 following:

17 (A) Valid and current State of California vehicle registration card in the name
18 of the Permittees specified in Section 8(x). [Reg. § 5.G.2.a]

19 (B) Valid and current Brake Certificate issued by an official inspection station
20 certified by the State of California within sixty days prior to inspection. [Reg. § 5.G.2.e]

21 (C) Proof of insurance meeting the requirements of this Article, the Vehicle
22 Code, and the laws of the State of California concerning public passenger vehicles.

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

24 (E) If a new vehicle is purchased for use as a Taxi or Ramped Taxi vehicle,
25 the Taxi or Ramped Taxi operator may furnish a written certificate of compliance issued by the

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1 automobile dealership in lieu of the documents required above, provided that the certificate is dated
2 within 60 days of the annual inspection. The automobile dealership must be certified by the State of
3 California as an official inspection station.

4 (F) No vehicle which has been designated as "Salvage" by the Department
5 of Motor Vehicles may be placed into service as a Taxi or Ramped Taxi unless the vehicle has been
6 inspected and approved by the SFMTA. The SFMTA may require documents to establish the chain of
7 title for Salvage Vehicles.

8 (2) Passing Inspection; SFIA Decal
9 Upon satisfactory completion of all inspection requirements the SFMTA shall affix an SFIA decal to the
10 Taxi or Ramped Taxi which authorizes the Taxi or Ramped Taxi to be operated for the time period
11 specified upon the decal. All Taxi and Ramped Taxis shall conspicuously display a valid and current
12 SFIA decal at all times.

13 (3) Removal of Vehicle From Service Pending Inspection

14 (A) A Color Scheme shall make any vehicle available for inspection when
15 ordered by the SFMTA. If a Color Scheme fails to make a vehicle available for inspection or if the
16 SFMTA determines that a vehicle is not in compliance with this Article, the SFMTA may order the
17 vehicle to be removed from service until it passes inspection. [Reg. §§ 5.A.4, 5.G.6, 5.G.8]

18 (B) If the SFMTA determines that additional repairs or further inspection of
19 the mechanical condition or safety equipment of a Taxi or Ramped Taxi by a licensed mechanic or
20 technician is necessary, the Color Scheme shall make the necessary repairs or arrangements in order
21 to determine if repairs are necessary, and must provide a statement of findings to the SFMTA from the
22 repair person.

23 (4) Fraud in Connection with Inspection Prohibited
24 Misconduct in connection with required inspection is grounds for revocation of a permit. Misconduct
25 may include, but is not limited to, substitution of registered owners on a temporary basis for inspection

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1 purposes, or knowingly making false statements to SFMTA or the Chief of Police in connection with an
2 inspection.

3 (bb) Condition of Vehicle

4 (1) Vehicle Integrity

5 The vehicle shall be structurally sound and operate with minimum vibration and noise. [Reg. § 5.C.15]

6 (2) Vehicle Appearance

7 Vehicle bodies must be free of noticeable dents, rust and holes. A Taxi or Ramped Taxi shall not be
8 placed in service if: [Reg. § 5.C.24]

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

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

14 (C) There are visible dents which exceed 6 lineal feet of the total exterior
15 surface of the vehicle, provided that the deepest point of depression is $\frac{3}{4}$ inch deep or greater, or

16 (D) There is any area of the exterior surface of the vehicle that contains a
17 hole larger than 6 square inches or there is a visible dent which exceeds 144 square inches, provided
18 that the deepest point of depression is more than 2 inches.

19 (3) Replacement Vehicles

20 Whenever an existing Taxi or Ramped Taxi is replaced with a new vehicle, the new vehicle must be
21 inspected and approved prior to use. [Reg. §§ 4.A.6; 5.B.1]

22 (cc) Ramped Taxis

23 (1) All Ramped Taxis shall be equipped with a ramp capable of allowing persons using a
24 wheelchair to enter the vehicle without exiting the wheelchair. [Reg. § 9.A.1, 9.B.8]

25 9. RECORDS AND REPORTING REQUIREMENTS APPLICABLE TO PERMITTEES

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1 (a) Requirements Applicable to All Records

2 Except as otherwise specified herein, all records required to be created and/or maintained by
3 Permittees by this Article shall be subject to the following requirements:

4 (1) When a signature is required, the record must be signed by a Permittee, or in the case
5 of a corporation, by a person authorized to bind the corporation.

6 (2) The format and content of any records required to be created or maintained, or of any
7 reports or plans required to be filed by Permittees by this Article shall be subject to SFMTA approval. All
8 records must be in writing.

9 (3) Except as otherwise specified in this Article, all records required to be submitted to the
10 SFMTA may be delivered by any means authorized in this Section 9(a). The Permittee that is subject to
11 the records requirement shall have the burden of proving that the required records were actually
12 delivered in a manner consistent with this section. SFMTA will give Permittees a receipt for in-person
13 delivery of records. Except where a particular method of delivery is required for a specific records,
14 records may be submitted by any of the following means:

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

20 [insert address and hours]

21 (B) by first class U.S. Mail, postage pre-paid, addressed to:

22 [insert address]

23 (C) by fax to [insert fax number]; or

24 (D) by email to [insert email address]; or

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(4) All records required to be maintained by Permittees by law or by this Article shall be made available for inspection by the SFMTA or the Police Department during normal business hours within one business day of request. The SFMTA may request that Permittees submit paper copies of records, electronic copies if available, or original records, within one business day of request.

(b) Records and Information Requirements Applicable to Drivers

(1) Receipts for Fare to be Delivered to Passenger [1141]

All Drivers upon 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 and identification information to any passenger upon request. [Reg. § 6.B.2]

(3) Medical Examination Certificates

The Driver shall retain the original Medical Examination Report completed by the examining physician in accordance with Section 5.5(p), and shall file a copy of the report with the Color Scheme. [Reg. § 6.A.10]

(4) Waybills

Drivers of Taxis and Ramped Taxis shall keep an accurate and legible Waybill, completed in indelible ink. Each Waybill shall include the following information for the period covered by that Waybill: [1138/Reg. § 4.A.9, 6.C.8]

(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) Taxi permit number;

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

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(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 and total hours worked [Reg. § 6.C.8]

(P) Notations of passenger requests for assistance as described in Section 5.6(i)(iv);

(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. [Reg. § 6.C.7]

(c) Records and Information Requirements Applicable to Taxi and Ramped Taxi Permittees

(1) Prior Notice of Change of Color Scheme

Prior written request of any change of Color Scheme affiliation must be given to the SFMTA in writing by the Taxi Permittee within 10 days of the proposed effective date of the change. [1123]

(2) Annual Filings Required for Renewal

No Taxi or Ramped Taxi permit shall be renewed unless the Permittee files in person by May 1 of every year a notarized statement under penalty of perjury attesting to compliance with this Article and applicable state and federal laws, including worker's compensation, on a form designated by the SFMTA.

(d) Records and Information Requirements Applicable to Color Schemes

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(1) Waybills

(A) A Color Scheme shall retain original Waybills for All Drivers and Taxi and Ramped Taxi Permittees for at least 1 year at its principal place of business.

(B) Color Schemes shall maintain and retain originals and/or legible copies of Waybills for at least 6 years to document driving performed by Drivers of Taxis and Ramped Taxis affiliated with the Color Schemes. Color Schemes may store Waybills more than 12 months old in a secure electronic format. Drivers, Permittees, and applicants are responsible for maintaining their own individual records. [1121(b), 1121(f)/Reg. § 4.A.9]

(C) Color Schemes are responsible for storing Waybills in an orderly manner The SFMTA may require all Color Schemes or a particular Color Scheme to present Waybills for SFMTA inspection ordered in a manner that allows efficient inspection and auditing, including chronologically, numerically or alphabetically, and the Color Scheme(s) shall order Waybills in accordance with SFMTA direction within 90 days of SFMTA notice of such requirement. A Color Scheme may request a waiver of such requirement if the Permittee 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 by SFMTA may not be counted for compliance with the Full-Time Driving requirement 111651

(D) If requested, Color Schemes shall provide each Driver duplicate copies of that Driver's Waybills for the prior year in an electronic format. [Reg. § 5.H.14]

(2) Permittee Files.

Color Schemes must maintain files for each Permittee affiliated with the Color Scheme. Such files shall contain, but are not limited to, written copies of all Leases of Taxi Permits or permits at the Color Scheme's principal place of business, and employment or other applications initiating affiliation with

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1 the Color Scheme. Color Schemes shall provide copies to any party to the Lease upon request. [Reg.
2 §§ 4.C.2, 5.K.2]

3 (3) Vehicle Inventory Changes

4 Prior to placing a vehicle in service for the first time, when changing a vehicle for another, or when
5 assigning a new Vehicle Number, the Color Scheme shall submit the information required by this
6 Section to the SFMTA on a Vehicle Introduction Form. Verbal changes or additions will not be
7 accepted. No vehicle will be authorized to be placed in service until a complete, correct statement is
8 submitted in compliance with the Section 9.4(d), which shall contain at least the following information:

9 (A) The make, model, VIN number, mileage.

10 (B) The Taxi permit or spare number assigned and the number it is replacing, if
11 applicable.

12 (C) The purpose of placing the vehicle into service

13 (D) The required signature of an authorized representative of the Color Scheme.

14 (4) Weekly Reporting Requirements

15 (A) Weekly Driver Schedule

16 (i) Every Color Scheme shall maintain a daily schedule to include,
17 but not limited to: the shift assignment, driver's name, vehicle number and medallion number, if
18 different, and the hours worked for that shift. This schedule shall list all Taxi and Ramped Taxi
19 Permits affiliated with a Color Scheme, regardless of lease type. The schedule shall be updated on a
20 daily basis and shall be made available for inspection by the SFMTA or law enforcement agencies at
21 any time. Color Schemes shall submit electronic copies of the daily schedules to the SFMTA by the
22 fifth day of each month.

23 (ii) All original schedules shall be retained at the color scheme's
24 principal place of business for a period of not less than six (6) years. Color Schemes shall maintain at
25 the principal place of business the most recent twelve (12) months of schedules in a traditional hard-

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1 copy format. Color Schemes may store schedules more than twelve (12) months old in a secure
2 electronic form. The SFMTA may excuse a Color Scheme from retaining schedules for a particular
3 year by certifying that a Color Scheme has submitted all twelve (12) schedules for each month of that
4 year. The SFMTA may grant exceptions for submission for companies with exceptionally large
5 schedules or which have an electronic timecard system for schedules, provided that any Color Scheme
6 that is granted such an exception shall be subject to random audits of Driver schedules.

7 (B) Weekly Waybill Report

8 All Color Schemes shall account for Taxi Permit Holders in the Weekly Waybill Report. On the first
9 business day of each week, all Color Schemes shall fax, to the SFMTA, the names of all affiliated Taxi
10 or Ramped Taxi Permittee who have failed to turn in Waybills for the previous week, whether or not
11 that Taxi or Ramped Permittee appears on the Weekly Roster or is otherwise scheduled.

12 (C) Weekly List of Terminated Drivers

13 In accordance with California Government Code § 53075.5(b)(1)(D), Color Schemes shall fax, to the
14 SFMTA, the names of all Drivers terminated during the prior week.
15 If a Driver is terminated for good cause, including violence, driving under the influence, or other such
16 reasons, Color Schemes shall immediately notify the SFMTA and shall not wait for the Weekly Report
17 date.

18 (5) Filings Required for Emissions Compliance

19 (A) Green Vehicle Guide.

20 Every year by April 1, the SFMTA, in consultation with the Department of the Environment, shall
21 prepare and publicize a "Green Vehicle Guide" to assist Color Scheme Permittees in complying with
22 Section 5.6(b) of this Article. The Guide shall identify available funding sources and incentives for
23 such vehicles.

24 (B) Company Emission Reduction Plans

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1 On June 1, 2009 and June 1, 2010, each Color Scheme Permittee shall submit a written Emission
2 Reductions Plan describing the Color Scheme's plans to comply with Section 5.6(b). The Plan shall
3 provide for implementing reductions evenly over 2009 and 2010. On June 1, 2009, and every year
4 thereafter until June 1, 2011, each Color Scheme Permittee shall submit to the SFMTA a written
5 statement on the steps the Color Scheme has taken in the prior year to carry out that year's Emissions
6 Reduction Plan and the results of those efforts.

7 (6) Annual Filings Required for Renewal

8 (A) No Color Scheme permit shall be renewed unless the Permittee files the
9 following documents in person by November 1 of each year:

- 10 (i) A copy of DMV Pull Notice Contract
11 (ii) A current Fictitious Business Name Statement (if applicable)
12 (iii) A current City Business Tax Certificate
13 (iv) A completed Designated Manager Form(s)
14 (v) A current list of all affiliated Drivers, Taxi and Ramped Taxi
15 Permittees, with essential lease terms, including but not limited to all financial provisions and the
16 duration of the lease
17 (vi) Required insurance certificates, including liability insurance and
18 worker's compensation, for every vehicle and Taxi and Ramped Taxi permit affiliated with the Color
19 Scheme
20 (vii) A copy of the Color Scheme's drug-free workplace policy
21 (viii) A blank sample of the Color Scheme's Waybill and receipt for
22 Waybill
23 (ix) A notarized statement made under penalty of perjury attesting to
24 compliance with this Article and other applicable law, including worker's compensation insurance
25 requirements [1095, 1147.4]

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(x) Designation of Key Personnel

(I) Each Color Scheme seeking to designate one or more of its employees for a calendar year pursuant to this Section must file a written designation by November 1st of the preceding year. The Color Scheme may not change designations of Key Personnel during a calendar year. A Permittee 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 for a calendar year those Permittees named in the designation form signed and filed by the Color Scheme as of the immediately preceding November 1st.

(II) Each Color Scheme will be entitled to designate Key Personnel in accordance with the number of Taxi Permits affiliated with that Color Scheme. The number of Taxi Permits 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 Taxi permit 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 permits affiliated with that Color Scheme changes during the year.

A Color Scheme with 1 to 10 permits may not designate anyone as Key Personnel.

A Color Scheme with 11 to 20 permits may designate one person.

A Color Scheme with 21 to 40 permits may designate two people.

A Color Scheme with 41 to 60 permits may designate three people.

A Color Scheme with 61 to 80 permits may designate four people.

A Color Scheme with 81 to 100 permits may designate five people.

A Color Scheme with 101 to 150 permits may designate six people.

A Color Scheme with 151 to 200 permits may designate seven people.

A Color Scheme with 201 to 300 permits may designate eight people.

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1 A Color Scheme with 301 to 400 permits may designate nine people.

2 A Color Scheme with over 400 permits may designate nine people, plus one additional
3 person for every 100 permits over 400.

4 (xi) Statement of Work by Key Personnel

5 No later than February 1st of each year, each Color Scheme that has designated one or more
6 employees as Key Personnel must submit a written Statement of Work, demonstrating the number of
7 hours each of its designated Key Personnel worked during the previous year. The Statement of Work
8 shall be signed under penalty of perjury by both the Color Scheme and the Permittee designated as Key
9 Personnel. The Color Scheme shall be responsible for submitting proof of employment with the
10 Statement of Work, which shall consist of state or federal tax forms filed with the appropriate
11 regulatory agency. A Permittee and/or Color Scheme that submit a falsely sworn Statement of Work
12 shall be subject to automatic revocation of his or her Permit.

13 (B) The SFMTA shall provide a receipt for submission of all documents to certify
14 that a Color Scheme Permittee may renew its permit prior to the December 31 expiration of its current
15 permit. A Color Scheme Permit will not be renewed unless the Permittee has satisfied any amount due to
16 the City pursuant to this Article or any other applicable law.

17 (7) Receipts to Drivers [Reg. § 5.K.1-5.K.2]

18 All Color Scheme Holders shall provide receipts for payments for fuel, Gate Fees, Lease fees or any other
19 payment made by Drivers to Color Schemes upon request.

20 (8) Medical Examination Certificates [Reg. § 6.A.10]

21 Copies of medical examination certificates shall be retained at the business premise and shall be
22 available for inspection by the SFMTA. A list of all Drivers with valid medical examination certificates
23 shall be forwarded to the SFMTA on a bi-annual basis.

24 (9) Death of Driver or Taxi Permit Holder [1084(b)]

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1 Upon receiving actual or constructive notice of the death of a Driver or Taxi Permit Holder affiliated
2 with or employed by a Color Scheme, the Color Scheme must notify the SFMTA within 14 calendar
3 days of the death. If the deceased was a Taxi Permit Holder, then the Color Scheme must return the
4 Taxi permit within 14 calendar days of notice to the SFMTA. Retaining the Taxi permit of a deceased
5 person for more than 3 months after the date of death, whether having actual notice of the death or not,
6 is grounds for revocation of a permit.

7 (e) Requirements Applicable to Dispatch Services

8 (1) Semi-Annual Service Report

9 All Dispatch Services must provide the SFMTA with a semi-annual report that includes, but not limited
10 to, the number of calls for service received, the number of vehicles dispatched to calls, the number of
11 non-response complaints received, and the number of vehicles that serviced to the requested calls. [Reg.
12 § 8.A.8]

13 (2) Reports of Found Property [1107/Reg. § 5.I.1-5.I.2]

14 (A) Receipt to Drivers

15 Every Dispatch Service Permittee shall issue a receipt to the Driver for any Found Property located in
16 affiliated vehicles.

17 (B) Return to Owner

18 Every Dispatch Service Permittee shall endeavor to return Found Property to its rightful owner within
19 2 business days. If the owner cannot be located, the Dispatch Service Permittee shall give the property
20 to SFMTA with a receipt that includes an inventory of the property, the date it was turned in, the name
21 of the Driver who turned it in and the vehicle in which it was found.

22 (C) High Value Property

23 If the property is currency, is of the value of \$100 or more, is a serialized item or an electronic device,
24 or if it contains information that identifies the owner, the Dispatch Service Permittee shall transfer the
25

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property to the SFMTA within 2 business days with a copy of a Police Report, a Police Incident Report Number and an inventory of the property.

(D) Property Log Book

Every Dispatch Service Permittee shall maintain a log book which records the date, time, vehicle number, Driver, Incident Report Number (if applicable), description and disposition of the property at the principal place of business. The log book shall be retained for a minimum period of one year.

(E) Weekly Report to SFMTA

On the first business day of each week, all Dispatch Services shall fax 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 a notice advising the SFMTA that no Found Property was turned in. Dispatch Services shall account for the Found Property from all affiliated Color Schemes.

(3) Annual Filings Required for Renewal of Permit

No Dispatch Service permit shall be renewed unless the Permittee files the following documents in person by November 1 of each year:

(A) A copy of current City Business Operating Permit

(B) A completed Designated Manager Form

(C) A list of all affiliated color schemes

(D) A copy of the Dispatch Service's drug-free workplace policy

(E) A notarized statement attesting to compliance with this Article and associated State and federal laws, including worker's compensation [1095, 1147.4]

The SFMTA shall provide a receipt for submission of all documents to certify that a Dispatch Service Permittee may renew its permit prior to the December 31 expiration.

(f) Requirements Applicable to Corporate Permittees [1083(b), (c)]

Any corporation holding a permit issued pursuant to this Article shall maintain a stock register at the principal place of business in San Francisco. The SFMTA may require other specified corporate

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records to be provided to the SFMTA together with annual filings required by Section 9.7. All corporate Permittees 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.

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

By:

STEPHANIE STUART
Deputy City Attorney