File No. 120060 Committee Item No. 5
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Land Use and Economic Development **Date** June 11, 2012

Board of Supervisors Meeting **Date** _____

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OTHER **(Use back side if additional space is needed)**

☒	☐	Board of Supervisors Ordinance No. 45-11
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Completed by: Derek Evans **Date** June 8, 2012
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

_____ 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment
____ 2. Request for next printed agenda without reference to Committee
__X__3. Request for Committee hearing on a subject matter
_____ 4. Request for letter beginning "Supervisor _____ inquires..."
_____ 5. City Attorney request
_____ 6. Call file from Committee
_____ 7. Budget Analyst request (attach written motion).
_____8. Substitute Legislation File Nos.
_____ 9. Request for Closed Session
_____ 10. Board to Sit as A Committee of the Whole

Sponsor(s): Supervisor Wiener

SUBJECT: Quarterly Report on Improved Taxi Service

Pursuant to File 101~~42~~ 27 (Ordinance 45-11) Supervisor Wiener requests a hearing before the Land Use Committee of the Board of Supervisors on SFMTA's progress increasing and improving Taxi service in San Francisco. The report shall include quantitative data demonstrating the Agency's progress in meeting demand for Taxi service as a way to reduce non-permitted Taxi service.

Signature of Sponsoring Supervisor: _____

For Clerk's Use Only:

120060

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: January 31, 2012

SUBJECT: HEARING MATTER INTRODUCED

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed hearing, introduced by Supervisor Wiener on January 24, 2012. A representative from your department will be expected to present information at the committee hearing.

File No. 120060

Hearing on the San Francisco Municipal Transportation Agency's progress increasing and improving Taxi service in San Francisco pursuant to File No. 101442 (Ordinance No. 45-11) to include quantitative data demonstrating the Agency's progress in meeting demand for Taxi service as a way to reduce non-permitted Taxi service.

Please note: A hearing date has not yet been scheduled, but I will send you a notification when it is agendized.

To submit your reports prior to the hearing, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Janet Martinsen, Government Affairs Liaison, Municipal Transportation Agency
Kate Breen, Government Affairs Manager, Municipal Transportation Agency

120040
2/4/12- Received in Committee

First of all I would like to start out by saying we in fact we need more taxi's on the streets of San Francisco. I drove a cab in San Francisco for about 7 years until an unfortunate accident with an uninsured motorist occurred that caused some problems for me medically. I worked for two companies: Arrow Cab and National Cab.

If we are looking at how the MTA has an effect on taxi service in San Francisco let me break into to sections, the driver and the passenger.

First from the passenger's perspective; I take cabs on a regular basis when I can. The biggest issue I have is I live in Hayes Valley and just like the Richmond and the Sunset. There is a big problem with getting a cab. Franklin and Gough two heavily used streets by cabs run through Hayes Valley. Many times and at almost any time of the day it is impossible to get a cab. Even if you call for a cab, they hardly ever show up and decide to pick someone else along the way instead of picking up the radio call. This would not change with an Open Taxi Access system. Also the dispatchers as a general rule are rude and very unpleasant. I use to mainly call National Cab Company for a cab because I worked there. There are times when you call for a cab you are waiting on the line for almost 30 minutes, then you have to wait for the dispatcher to actually dispatch the call and deal with the person on the other line who obviously needs a communication class and work on mannerisms. The MTA should be more involved with their complaint process regarding these issues in regards to dispatch after all there is a rule that a driver must pick up one passenger per hour from dispatch. As a rule I would say most of the drivers are very friendly and outgoing. However there are many times you get into a cab and the driver is talking on a cell phone or has the radio blaring. The cabs sometimes smell like pot and on several occasions was kicked out of a cab for being gay. We are told to call 311 and report an incident however the SFMTA is apparently under staffed and are months behind in responding to calls. These types of negative experiences will in fact make people want to drive their own vehicle or walk and think twice about getting in a cab again. The SFMTA should be more involved with the complaint system and actually follow up on the calls they receive. I think by adding more cabs on the streets and making the drivers a little hungrier for rides, this will make the driver look at things from a different perspective and maybe become a little nicer and practice more professionalism when a customer gets in their cab. Let me point out that not all cab drivers are like what I am stating, but there are a lot.

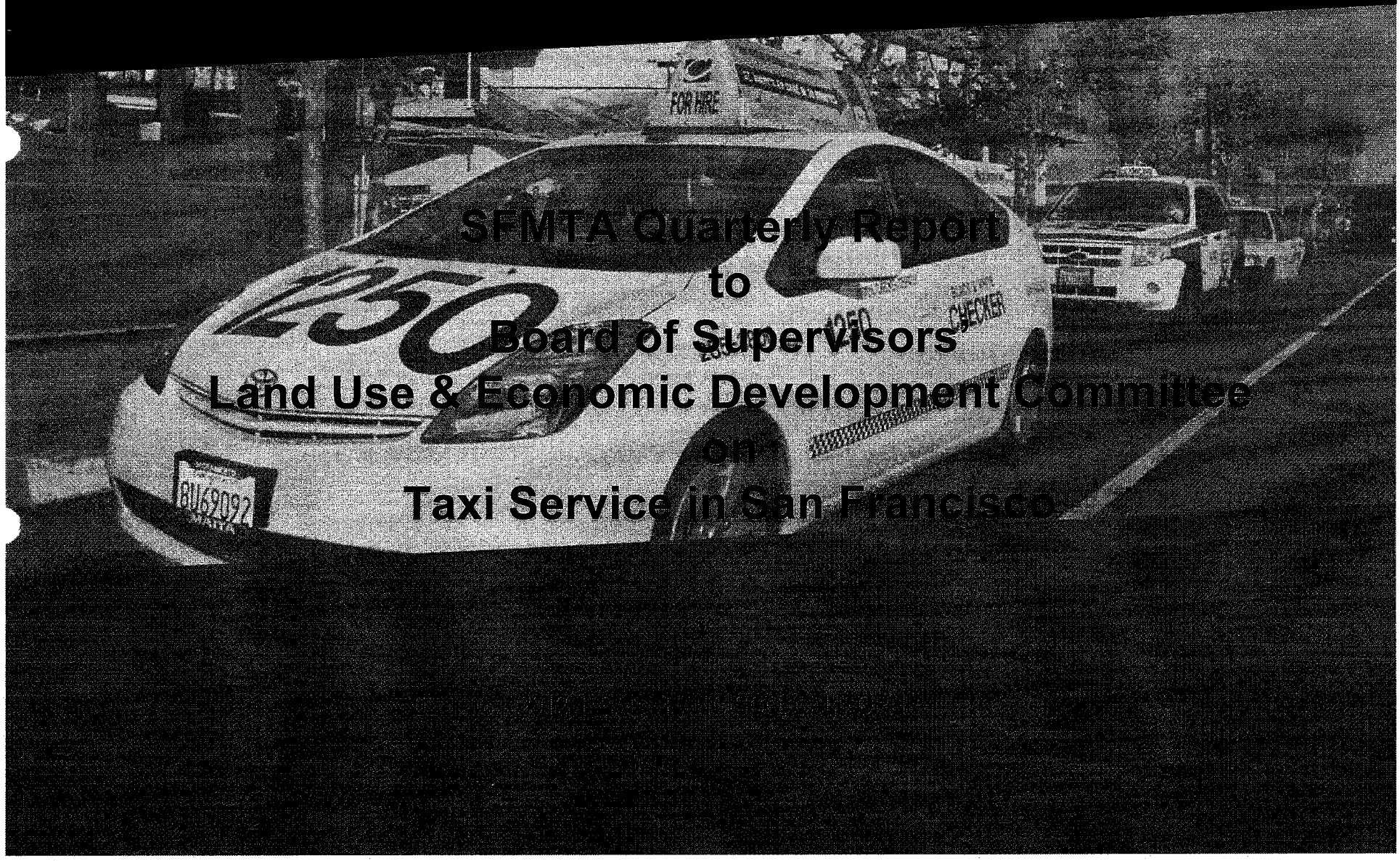
From one Drivers perspective. I feel very strong about the fact we need a centralized dispatch system in order to organize and eliminate the passenger having to wait on the line for a dispatcher and shorten the wait to time to actually get in a cab. As for the drivers experience having to work for a cab company, I think the taxi industry needs a major over haul. I believe the working conditions and the way labor is treated also affects the passenger's ability to get a cab in San Francisco. I have also learned if you complain about a problem with a cab company or another driver the SFMTA turns it back onto the driver who is complaining. The SFMTA claims they only have jurisdiction on the permit process. Apparently the SFMTA does not feel as thought he permit process includes the cab drivers or the cab companies to have to follow city legislation. What I mean by this is

that the SFMTA will not get involved with other drivers or cab companies who cause property damage or assaults on a person because of discrimination reasons at work. The SFMTA did not get involved and help when a complaint of lack of functional air bags or missing air bags like in my accident and several other cars I noticed that were in accidents where the air bags did not deploy. However if a person is a passenger and claims there is a problem with a driver because of race or sexual orientation the SFMTA will do something about it, and reprimand the driver and cab companies. I feel the SFMTA could get involved when a driver experiences racist and homophobic comments in the workplace which would lead to eliminating that type of driver with permits to be on the streets practicing their racist attitude to passengers. In addition the cab companies who do nothing to protect the rights and provide a safe work environment for people of all races and sexual orientation. Over the years I heard of problems with gay patrons, hence homomobile pops into the competition. One huge complaint I heard is that women were sometimes afraid to get in cabs because of a rash of problems with certain people who look down to women. In some cases the women were yelled at and told they did not know anything and in some cases sexually abused. I told the passenger to call the 311 reporting system or next time phone the police and get the cab number. I feel the SFMTA in order to make

Dean Clark
phone 415-240-2433

File 120040 2/6/12 - Presented in Committee

MTA Municipal Transportation Agency



SFMTA Quarterly Report to Board of Supervisors Land Use & Economic Development Committee on Taxi Service in San Francisco

Recent SFMTA Initiatives to Improve Taxi Service

- Best Practices Study
- Peak Times
- Wheelchair Service
- Capital Investments
- Dispatch Accountability
- Regulatory Initiatives
- Driver Training

Peak Time Service

Single Operator Permits: SFMTA is anticipating the issuance of 50 additional part-time "single operator" taxis.

Dispatch response for these permits would be incentivized by waiving the SFMTA permit fee for drivers who are responsive to radio calls.

Status: Invitation to participate to be mailed to 500 most senior drivers, with 20-40 years' driving experience in San Francisco to operate these permits.

Capital Investments

SFMTA has included in its five-year capital plan two taxi-related projects that affect level and quality of taxi service:

1. Design and acquire uniform taxi top lights to improve visibility, clearly indicate when a taxi is off-duty, allow easy identification of licensed taxis, and provide emergency lights for drivers.
2. Develop an application that would show all available San Francisco taxis in real-time and allow direct electronic hailing by a customer.

Status: These projects will require issuing Requests for Proposals.

Regulatory Initiatives

- The SFMTA has been gradually reviewing, updating and streamlining taxi regulations.
- The Best Practices Study will include analysis of important service-related issues, such as:
  1. How do other jurisdictions address the problem of geographic distribution, where taxis tend to cluster in dense urban areas to pick up street hails, and customers calling for service can't get a taxi?
  2. What are the vehicle quality an safety standards in other jurisdictions?
  3. What technology is available for improving taxi service?

Status: When we have information about best practices on these issues we will present regulatory amendments to the SFMTA Board of Directors.

[Transportation Code Police Code -- Motor Vehicles for Hire and Enforcing Parking Laws]

Ordinance amending Article 3 of Division I of the San Francisco Transportation Code to allow certain Municipal Transportation Agency employees to enforce specified parking laws and order removal of vehicles, and amending Article 7 of Division I of the Transportation Code to make it a misdemeanor to operate a taxi, a dispatch service, or a color scheme, or to drive a motor vehicle for hire, without a permit, to solicit or accept payment for referral of passengers to a motor vehicle for hire, to solicit or accept payment for motor vehicle for hire shifts, assignments or dispatch calls, to knowingly make false or misleading representations in connection with application for, renewal of, possible revocation of, or operation of a vehicle pursuant to a permit issued under Article 1100 of the San Francisco Transportation Code, to refuse to pay the legal fare to a driver of a motor vehicle for hire, and to charge excessive rates for transport in a motor vehicle for hire; and amending the San Francisco Police Code by deleting Sections 1078, 1089, 1105, 1110, 1132, 1135 and 1145.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Transportation Code is hereby amended by amending Section 3.1 to read as follows:

SEC. 3.1. POLICE COMMISSION REGULATION OF TRAFFIC; CIVILIAN EMPLOYEES AUTHORIZED TO ENFORCE PARKING REGULATIONS.

(a) The Chief of Police is hereby authorized to direct, control, divert and regulate all traffic by means of Police Officers or persons designated as special police officers limited to the control and direction of traffic by the Chief of Police pursuant to Section 4.127 of the Charter for the exclusive or main purpose of enforcing the provisions of Division 11 of the Vehicle Code, the issuance of citations for the violation of this Code, Article 12 of the Police Code, or the Vehicle Code, and the emergency use of temporary signs and devices.

(b) Any Police Officer, ~~or~~ Parking Control Officer, *or other SFMTA employee authorized to enforce parking laws* may issue citations to or authorize the removal of any vehicle that is Parked in the street, on Public Property or in a Municipal Parking Facility, in accordance with the provisions of this Code, the Police Code or the Vehicle Code. *SFMTA employees whose authority to enforce parking laws is limited to specified violations may order removal of a vehicle only if it is parked in violation of one of the specified laws.*

(c) Where curb painting or parking regulations are necessary for public safety, such determination shall be reviewed by the Chief of Police and Fire Chief as appropriate.

(d) Any Parking Control Officer employed by the Municipal Transportation Agency and assigned to the "Robert Greenstrand Disabled Placard Detail" shall have the power and authority to issue misdemeanor citations for violations of Vehicle Code §§ 4461 and 4463.

(e) The Director of Transportation shall be empowered to identify staff with authority to enforce other parking laws and regulations in compliance with the requirements of the Vehicle Code.

(f) Any employee of the Municipal Transportation Agency who is authorized by the Agency to enforce the provisions of Article 1100 of this Code may enforce Sections 7.2.27, regulating Parking in white zones, 7.2.38, prohibiting unauthorized vehicles from Parking in Stands, 7.2.39, prohibiting vehicles from Parking in Transit-Only Areas designated in Section 601, 7.2.70, prohibiting obstruction

of traffic, 7.2.80, regulating Parking of vehicles for hire in residential zones, and 7.2.86, regulating idling of commercial vehicles.

Section 2. The San Francisco Transportation Code is hereby amended by amending Section 3.3 to read as follows:

SEC. 3.3. AUTHORITY TO CITE VEHICLES ON PUBLIC PROPERTY.

Any Police Officer or Parking Control Officer may issue a citation to a vehicle or the owner or driver of a vehicle, and/or may order the removal of any vehicle that has been Parked on Public Property in violation of any prohibition contained in this Code or other applicable law to the extent authorized by this Code and by applicable state and federal law. *SFMTA employees whose authority to enforce parking laws is limited to specified violations may order removal of a vehicle only if it is parked in violation of one of the specified laws.*

Section 3. The San Francisco Transportation Code is hereby amended by adding Sections 7.3.5 through 7.3.10 to read as follows:

SEC. 7.3.5 OPERATING WITHOUT A PERMIT.

(a) *For any person or entity to drive or operate any taxi on the public street without a permit issued by the SFMTA authorizing such driving or operation.* ~~The penalty for a violation of this subsection 7.3.5(b) shall be $2,500 for the first offense and $5,000 for the second offense, or such other amount as set forth in California Public Utilities Code Section 5412.2(a).~~ *For purposes of this subsection 7.3.5(a), taxi shall mean a motor vehicle for hire that picks up passengers without prearrangement.*

(b) *For any person or entity to operate any Dispatch Service or to provide taxi-related services to Drivers or Medallion Holders, including but not limited to procurement of a Taxi or Ramp Taxi vehicle, vehicle insurance or maintenance, or the recruitment, management or scheduling of Drivers, without a permit issued by the SFMTA authorizing such operation in accordance with the provisions of this Code.*

(c) *For any person to drive, or to allow another person to drive, a vehicle that is authorized for use as a Motor Vehicle for Hire without a Driver Permit issued by the SFMTA.*

Unless otherwise stated, for purposes of Sections 7.3.5, 7.3.6, 7.3.7, 7.3.8, 7.3.9 and 7.3.10 of Article 7 of this Code, the terms "Color Scheme," "Dispatch Service," "Dispatch Service Permit," "Driver," "Driver Permit," "Motor Vehicle for Hire," "Medallion," "Medallion Holder," "Permit Holder," "Ramp Taxi," and "Taxi" shall have the meanings ascribed to these terms in Article 1100 of this Code.

SEC. 7.3.6 SOLICITATION AND PAID PASSENGER REFERRALS PROHIBITED.

(a) *For any driver of a motor vehicle for hire, or any person acting in concert with or on behalf of the driver, to solicit passengers for the vehicle where the solicitation is made from any from any public street, sidewalk, or other public property.*

(b) *For any person to solicit or accept payment for referral of a passenger to a motor vehicle for hire, or for any person or business, firm, association or corporation to act in concert with or on behalf of another person or persons to solicit or accept payments for the referral of passengers to a motor vehicle for hire; provided, however, that this Section shall not apply to a Dispatch Service, a passenger referral service by which passengers are able to communicate directly with drivers, or any effort on the part of a Driver to market his or her services to the public.*

(c) *For purposes of this Section, "motor vehicle for hire" shall include any taxicab, limousine, or other privately owned motor-propelled passenger-carrying vehicle for hire, regardless of whether the City and County has issued or could issue a permit for that vehicle.*

SEC. 7.3.7 GIFTS OR GRATUITIES.

For any person to solicit or accept gifts and/or gratuities or anything of value from any holder of a San Francisco Motor Vehicle for Hire Permit, except as authorized in this Code, in return for any dispatch call, assignment, vehicle, or shift.

SEC. 7.3.8 FALSE STATEMENTS PROHIBITED.

For any person or entity knowingly to make any false or misleading representation, to manufacture any record, or knowingly to conceal information from any person authorized by this Code to enforce Motor Vehicle for Hire laws and regulations in connection with the application for, renewal of, possible revocation of, or operation of vehicle pursuant to a permit issued under Article 1100 of this Code.

SEC. 7.3.9 REFUSAL TO PAY FARE.

For any person to refuse to pay the legal fare and any applicable surcharges for a Motor Vehicle for Hire.

SEC. 7.3.10 EXCESSIVE AND UNAUTHORIZED CHARGES.

(a) *For a Driver of a motor vehicle for hire to charge a passenger any amount in excess of the legally authorized rate of fare and any applicable surcharges.*

(b) *For any Medallion Holder, Color Scheme or Dispatch Service Permit Holder to levy an administrative fee, service charge, processing fee, or other surcharge on Driver Permit Holders except as expressly authorized in this Code.*

Section 4. The San Francisco Transportation Code is hereby amended by adding Section 7.4 to read as follows:

SEC. 7.4 REPORT ON IMPROVED TAXI SERVICE.

Beginning April 1, 2011, the SFMTA shall report quarterly to the Board of Supervisors on SFMTA's progress increasing and improving Taxi service in San Francisco. Such reports shall include quantitative data demonstrating the Agency's progress in meeting demand for Taxi service as a way to reduce non-permitted Taxi service.

Section 5. The San Francisco Police Code is hereby amended by deleting Sections 1078, 1089, 1105, 1110, 1132, 1135 and 1145 as follows:

~~***Sec. 1078 PERMIT REQUIRED FOR OPERATION OF MOTOR VEHICLES FOR HIRE; EXCLUSIONS.***~~

~~*(a)* ***Permit Required.*** *No person, business, firm, partnership, association or corporation shall drive or operate any motor vehicle for hire on the public streets of the City and County of San Francisco, nor shall any person, business, firm, partnership, association or corporation operate any taxicab radio dispatch service or taxicab color scheme in the City and County of San Francisco, without a permit issued by the Taxi Commission authorizing such driving or operation in accordance with the provisions of this Article.*~~

~~*(b)* ***Limitation on Types of Vehicles for Hire.*** *No person, business, firm, partnership, association or corporation shall drive or operate, directly or indirectly, any motor vehicle for hire on the public streets of the City and County of San Francisco which is not specifically defined in this Article; provided, however, that the Taxi Commission may declare, after a noticed public hearing, that the public convenience and necessity require the operation of a type, kind or class of motor vehicle for hire not herein defined, and issue a permit or permits for such type, kind or class of motor vehicle for hire in accordance with the procedures and provisions set forth in Sections 1079 through 1081 of this Article.*~~

~~*(c)* ***Exclusions for Vehicles Licensed in Other Jurisdictions.*** *This Article shall not apply to any motor vehicle for hire duly licensed by any city, county or other public entity which may enter the City and County of San Francisco for the purpose of delivering passengers who have hired said motor vehicle for hire within a jurisdiction in which said motor vehicle for hire is licensed to operate; provided, however, that no such motor vehicle for hire shall accept or be hired by any passenger while in the City and County of San Francisco.*~~

~~*(d)* ***Exclusion for Vehicles Licensed by California PUC.*** *This Article shall not apply to the operation of motor vehicles engaged in the business of, or used for, transporting passengers for hire when such motor vehicles are operated under and by authority of certificates of public convenience and necessity issued by the Public Utilities Commission of the State of California; provided, however, that this clause shall be construed to create an exception only to the extent, character and type of operation*~~

~~*expressly prescribed and authorized by the certificate issued by said Public Utilities Commission and shall be limited by and entirely within the scope of said certificate as issued by said Public Utilities Commission. No limousine or other charter party carrier of passengers, whether licensed by the California Public Utilities Commission or not, shall operate as a taxicab on the public streets of the City and County of San Francisco without a permit issued by the Taxi Commission authorizing such driving or operation in accordance with the provisions of this Article.*~~

~~***(e) Partial Exclusion for Funeral Limousines.*** *Any person engaged in the business of undertaker or funeral director desiring a permit for the operation of a limousine or limousines used solely in connection with said business shall not be required to qualify under Sections 1079 through 1081 or Sections 1091 through 1094 of this Article; provided, however, that the Taxi Commission shall have the power to grant permits exclusively for such funeral limousines after a noticed hearing on an application therefor. The Taxi Commission may prescribe the form and content for such applications. All funeral limousine permittees shall be subject to the condition and rulemaking authority of the Taxi Commission and the Executive Director of the Taxi Commission as provided for in Section 1077 of this Article. Such permits shall be nonassignable and nontransferable.*~~

~~***(f) Exclusion for Employer's Buses.*** *No permit is required under this Article for the operation of an employer's bus as defined in Section 1076(w).*~~

~~***(g) Exclusion for Private Ambulances.*** *This Article shall not apply to private ambulances regulated under Part II, Chapter V of the Municipal Code (Health Code).*~~

~~***(h) Exclusions for Rail Vehicles.*** *This Article shall not apply to any vehicle operating on fixed tracks or rails.*~~

~~***Sec. 1089 DRIVERS PERMITS.***~~

~~***(a) Permit Required.*** *It shall be unlawful for any person to act as a driver of any motor vehicle for hire licensed pursuant to this Article unless that person holds a driver's permit from the Police Department issued pursuant to this Section.*~~

~~(b) **Application.** Application for a permit to drive a motor vehicle for hire shall be made to the Chief of Police on a form provided by the Police Department and shall pay to the City and County of San Francisco a fee to cover the costs of investigating and processing the application, such fee to be determined periodically as deemed appropriate by the Police Commission. No application for a driver's permit hereunder shall be deemed to be complete until and unless such sum is fully paid.~~

~~(c) **Examination for Permit.** Every applicant for a driver's permit as required by this Article shall be required to take and pass an examination given by the Chief of Police. Said examination shall cover the provisions of this Article and all rules or regulations promulgated pursuant thereto, the California Vehicle Code, the traffic regulations of the City and County of San Francisco.~~

~~(d) **Requisites for Driver's Permit.** Each applicant for a driver's permit from the Chief of Police must:~~

~~(1) Be a resident of the United States, of good moral character;~~

~~(2) Be of the age of 21 years or over;~~

~~(3) Be of sound physique, with good eyesight and not subject to any disease, condition, infirmity, or addiction to the use of alcohol or any controlled substance, which might render the applicant unfit for the safe operation of a taxicab or other motor vehicle for hire;~~

~~(4) Be able to read and write the English language;~~

~~(5) Be clean in dress and person;~~

~~(6) Hold a valid California driver's license of a class sufficient for the lawful operation of the motor vehicle to be driven.~~

~~(e) **Photographs of Applicant.** Each applicant for a driver's permit under this Section must file with his or her application to recent photographs of himself or herself of a size that may be easily attached to a motor vehicle for hire driver's license. One copy of said photograph shall be attached to the license when issued, and carried by such licensed driver at all times when driving a taxicab or other motor vehicle for hire. The photograph shall be so attached to the license that it cannot be~~

~~*removed and another photograph substituted without detection. Each licensed driver shall, upon demand by any police officer or passenger, exhibit his license and photograph for inspection. The other copy of the photo shall be filed with the application to the Police Department.*~~

~~***(f) Issuance of Permit.*** *After approving the application, the Chief of Police shall forward notice of that approval to the Tax Collector, who shall issue the permit upon payment by the applicant of the applicable fee.*~~

~~***(g) Badge for Drivers.*** *In addition to the permits required by this Section, there shall be furnished to each licensed driver of a taxicab, or other motor vehicle for hire, upon the presentation of a driver's annual permit granted by the Chief of Police, a badge of such form and style as the Tax Collector may prescribe, with the license number of such driver thereon, which must, under penalty of revocation of the license, be constantly and conspicuously displayed on the outside of the driver's clothing when engaged in his or her employment, and shall only be worn by the person to whom the badge is issued.*~~

~~*In addition thereto, the Tax Collector shall issue annually, to the person named in such permit, a driver's annual identification card which identification card shall be of such design and lettering as the Tax Collector shall determine. Separate fees shall be charged for the identification card and the driver's badge to cover the cost of issuance.*~~

~~***(h) Renewal of Driver's Permits.*** *Driver's licenses and permits shall be issued as of the first day of January of each year and shall be valid unless revoked or suspended, up to and including the 31st day of December, next succeeding. The Chief of Police may cause the renewal of the driver's license from year to year upon the filing with the Tax Collector of a statement by the driver providing his or her current address and current employer and the payment of the annual license fee. All driver's licenses and permits which are valid on the effective date of this Article shall remain in effect and may be renewed under this Section.*~~

~~***Sec. 1105 SOLICITATION PROHIBITED.***~~

~~*(a) It shall be unlawful for any driver of a motor vehicle for hire, or any person acting in concert with or on behalf of the driver, to solicit passengers for the vehicle where the solicitation is made from any public street, sidewalk, or other public place.*~~

~~*(b) For purposes of this Section, "motor vehicle for hire" shall include any taxicab, limousine, or other privately owned motor propelled passenger carrying vehicle for hire, regardless of whether the City and County has or could issue a permit for that vehicle.*~~

~~*(c) This Section shall not prohibit solicitation of passengers otherwise authorized in connection with cab pooling pursuant to Section 1147.9.*~~

~~***Sec. 1110 FALSE STATEMENTS PROHIBITED.***~~

~~*It shall be unlawful knowingly to make any false or misleading representation, or knowingly to conceal information where this Article requires that information be disclosed, in connection with the application for, renewal of, or possible revocation of a permit issued under this Article.*~~

~~***Sec. 1135 RATES FOR TAXICABS.***~~

~~*(a) The rates of fare for taxicabs shall be as follows: $2.85 for the first fifth of a mile or "flag"; $0.45 for each additional fifth of a mile or fraction thereof; $0.45 for each one minute of waiting or traffic delay time. The aforementioned rates of fare for taxicabs shall become operative on January 1, 2003 or, if the effective date of the Ordinance creating the higher cap on gate fees provided for in Section 1135.1(b) of this Article occurs thereafter, on the effective date of that Ordinance. For out of town trips exceeding 15 miles beyond City limits, the fare will be 150 percent of the metered rate; for trips exceeding 15 miles from San Francisco International Airport and not terminating within the City limits of San Francisco, the fare will be 150 percent of the metered rate except for those trips from San Francisco International Airport traversing through San Francisco going to Marin County or to the East Bay the 15 mile limit will apply from the City limits of San Francisco as set forth above. For taxicab trips originating at San Francisco International Airport that incur an airport trip fee, the taxicab driver may collect $2.00 of that trip fee from the passenger upon receipt of cab fare from the*~~

~~*passenger.*~~

~~*(b) The driver of a public passenger vehicle may transport two or more passengers who voluntarily agree to share the vehicle from the same boarding point to one destination point. Each passenger shall pay a fare at the destination point in an amount equal to the total fare divided by the number of passengers sharing the ride.*~~

~~*(c) A passenger who first engages a public passenger vehicle has the exclusive right to conveyance therein to his or her destination. The driver shall not solicit or accept any additional passenger without the prior consent of any passenger who has previously engaged the vehicle.*~~

~~*(d) It shall be unlawful for any taxicab operator or taxicab dispatch service to levy an administrative fee, service charge, processing fee, or other surcharge on drivers of taxicabs for trips paid with scrip, credit cards or other non-cash tender.*~~

~~***Sec. 1142 REFUSAL TO CONVEY; EXCESSIVE CHARGES.***~~

~~*(a)* **Refusal to Convey.** *It shall be unlawful for the owner, lessee or driver of any taxicab operating under permit issued by the police authority of the City and County of San Francisco, to fail or refuse, or to permit the failure or refusal, when in service and not otherwise engaged for hire, to transport to his announced destination within the City and County of San Francisco at rates authorized in this Article, any person who presents himself for carriage in a sober and orderly manner and for a lawful purpose.*~~

~~*(b)* **Excessive Charges.** *Any charge made, or sought to be made, any patron of a motor vehicle for hire in excess of the charges authorized by this Article for the particular type of service rendered or sought, when shown either by confession of the party, or competent testimony, or any failure on the part of any driver or operator of any motor vehicle for hire to make proper returns to his employer, shall result in immediate suspension of the license of such driver or operator until such times as, after due process, such license is either reinstated or revoked. Either the person, or the employer of a person, responsible for any overcharge shall be required to make restitution to any defrauded patron,*~~

~~*for the amount of such overcharge.*~~

~~***Sec. 1145 PENALTY FOR REFUSAL TO PAY FARE.***~~

~~*Except where credit is extended, any person who shall fail or refuse to pay, at the end of the trip, or the termination or discharge of service, the legal fare for a motor vehicle for hire, that he has hired, shall be guilty of a misdemeanor, and upon conviction thereof, in addition to the penalty provided for the violation of Section 1185 of this Article, shall be compelled to pay to the driver of said vehicle an amount equal to the legal fare, and in case any bail required is forfeited, the amount of the legal fare shall be paid to the driver from such amount forfeited, and the Court or Judge, before whom the case is heard, shall order the same to be paid from the treasury of the City and County.*~~

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

By: Mariam Morley
Mariam Morley
Deputy City Attorney

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101422 **Date Passed:** March 08, 2011

Ordinance amending the San Francisco Transportation Code Article 3, Division I, to allow certain Municipal Transportation Agency employees to enforce specified parking laws and order removal of vehicles, and amending the Transportation Code Article 7, Division I, to make it a misdemeanor to operate a taxi, a dispatch service, or a color scheme, or to drive a motor vehicle for hire, without a permit, to solicit or accept payment for referral of passengers to a motor vehicle for hire, to solicit or accept payment for motor vehicle for hire shifts, assignments or dispatch calls, to knowingly make false or misleading representations in connection with application for, renewal of, possible revocation of, or operation of a vehicle pursuant to a permit issued under Transportation Code Article 1100, to refuse to pay the legal fare to a driver of a motor vehicle for hire, and to charge excessive rates for transport in a motor vehicle for hire; and amending the San Francisco Police Code by deleting Sections 1078, 1089, 1105, 1110, 1132, 1135, and 1145.

February 03, 2011 Public Safety Committee - CONTINUED

February 17, 2011 Public Safety Committee - RECOMMENDED

March 01, 2011 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

March 01, 2011 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

March 08, 2011 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

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I hereby certify that the foregoing Ordinance was FINALLY PASSED on 3/8/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Edwin Lee

3/10/11
Date Approved