

1 [Increase in cap on mean gate fee for taxis; sunset provision for capping gate fees.]

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3 **Ordinance amending Section 1135.1 of the Police Code to increase the mean gate fee**  
4 **cap for taxis to \$90 per shift, and to provide that Section 1135.1 shall expire two years**  
5 **after effective date of amendment.**

6 Note: Additions are *single-underline italics Times New Roman*;  
7 deletions are *strikethrough italics Times New Roman*.  
8 Board amendment additions are double underlined.  
9 Board amendment deletions are ~~strikethrough normal~~.

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

10 Section 1. The San Francisco Police Code is hereby amended by amending Section  
11 1135.1, to read as follows:

12 SEC. 1135.1. GATE FEES.

13 (a) Cap on Gate Fees. The mean gate fee charged drivers by a taxicab company  
14 may not exceed ~~\$83.50~~ \$90.00 for a shift of 10 hours or longer. The cap shall be prorated at  
15 ~~\$8.35~~ \$9.00 per hour for shifts shorter than 10 hours. The mean gate fee shall be determined  
16 by adding together the gate fees charged by the company for all available shifts during one  
17 week and dividing that total by the number of available shifts during the week.

18 (b) "Gate Fee" Defined. For the purposes of this Section, "gate fee" shall mean any  
19 monetary fee or other charge or consideration, or any combination thereof, required of a driver  
20 other than a permitholder for the privilege of driving a taxicab during a particular shift, or for  
21 any period of time, including receipt of all services provided in connection with such privilege,  
22 whether said fee is set by contract, lease or other agreement, orally or in writing, and whether  
23 said fee is paid by the driver as a flat rate, as a commission on receipts from fares, or as a  
24 specified fee for any other purpose.

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1 (c) ~~Chief's~~ Regulations; Penalties. The ~~Chief of Police~~ Taxi Commission may, from  
2 time to time and after a noticed public hearing, adopt regulations to carry out the purposes of  
3 this Section. Violation of any provision of this Section, or of any regulation adopted pursuant  
4 to this Section, may be cause for revocation or suspension of any permit granted to the  
5 violator by the City and County related to the operation of taxicabs or other motor vehicles for  
6 hire, or for the imposition of any other penalties authorized under this Article.

7 (d) Evaluation By Taxi Commission. The Taxi Commission shall evaluate the  
8 impact of this ordinance and any lease fee cap and report back to the Board of Supervisors  
9 within nine months of the final adoption of this ordinance.

10 (e) Operative Date. This Section shall only become operative on the date that the  
11 fare increases authorized in Ordinance No. 188-98 become operative.

12 (f) Sunset Provision. This Section shall expire twenty-four months after the effective date of  
13 the amendment to subsection (a) increasing the cap on mean gate fees to \$90.00 per shift of 10 hours or  
14 longer.

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

17 By: \_\_\_\_\_  
18 PAUL ZAREFSKY  
19 Deputy City Attorney