

1 [Synchronizing the cycle for the Controller's biennial review of taxi fares and the gate cap with
2 the City's budget cycle.]

3 **Ordinance amending the San Francisco Police Code by amending Section 1137, to**
4 **synchronize the cycle for the Controller's biennial review of taxi fares and the gate cap**
5 **with the City's budget cycle.**

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

11 Section 1137, to read as follows:

12 **SEC. 1137. REVIEW OF RATES OF FARE AND CAP ON GATE FEES.**

13 The rates provided in Sections 1135 and 1136 of this Article and the cap on gate fees
14 provided in Section 1135.1 of this Article shall be reviewed by the Controller in ~~odd- even-~~
15 numbered years, beginning with ~~2009~~ 2004. Not later than ~~April~~ August 1st of each ~~odd- even-~~
16 numbered year, the Controller shall transmit to the Board of Supervisors a determination as to
17 increases or decreases in the rates of fare for taxicabs and an increase or decrease in the cap
18 on gate fees based upon changes in the Consumer Price Index since the prior determination,
19 and related information submitted to the Controller pursuant to Section 1095(b) of this Article.
20 ~~The Controller's August 1, 2004 determination as to increases or decreases in the rates of fare for~~
21 ~~taxicabs and an increase or decrease in the cap on gate fees shall be based upon changes in the~~
22 ~~Consumer Price Index since January 1, 2003, and related information submitted to the Controller~~
23 ~~pursuant to Section 1095(b) of this Article. In addition, the The Controller's April August 1 ,2004~~
24 determination both as to increases or decreases in the rates of fare for taxicabs and as to an
25 increase or decrease in the cap on gate fees shall include appropriate adjustments to ensure,

1 in accordance with the procedure provided for in Section 1137.5 of this Article, that
2 appropriate sums are collected to offset any the increased monthly cost of paratransit scrip
3 incurred by the paratransit program, except if the voters of the City and County of San
4 Francisco have reauthorized a new sales tax to fund transportation.

5 The Controller's determination as to increases or decreases in the rates of fare for
6 taxicabs and an increase or decrease in the cap on gate fees shall take effect on July
7 ~~November~~ 1 of the odd- even-numbered year in which the Controller makes the determination,
8 and shall remain in effect through June 30 ~~October 31~~ of the next odd- even-numbered year,
9 unless the following events occur: (i) By May ~~September~~ 1 of the odd- even-numbered year in
10 which the Controller makes the determination the Board of Supervisors by resolution
11 determines that the Board, or a committee thereof, should hold a hearing on the Controller's
12 determination; (ii) by June ~~October~~ 1 of that year a hearing is held in accordance with the
13 aforementioned resolution; and (iii) by June 30 ~~October 31~~ of that year the Board adopts a
14 resolution disapproving or modifying the Controller's determination. Any resolution modifying
15 the Controller's determination shall be based upon changes in the Consumer Price Index,
16 costs recently incurred and expected to be incurred by drivers and color scheme
17 permitholders, projected income of drivers and projected revenues of color scheme
18 permitholders, and local economic conditions. If all three events occur, the Controller's
19 determination shall not go into effect on July ~~November~~ 1 of that year.

20 *The Controller's determination as to increases or decreases in the rates of fare for taxicabs and*
21 *an increase or decrease in the cap on gate fees shall, beginning January 1, 2006, treat the higher mean*
22 *gate fee cap of \$91.50, provided for in Section 1135.1(b), as if it were \$90.00 when instituted, and treat*
23 *the higher meter rate of \$2.85 for the first fifth of a mile or "flag," as provided for in Section 1135(a),*
24 *as if it were \$2.75 when instituted. In addition, the Controller's determination as to increases or*

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1 ~~decreases in the rates of fare for taxicabs and an increase or decrease in the cap on gate fees shall,~~
2 ~~beginning January 1, 2006, make a similar accounting for any adjustments made in the Controller's~~
3 ~~August 1, 2004 determination designed to offset increased costs to the paratransit program arising~~
4 ~~from further increases in meter rates.~~

5 In cases where the holder of more than one permit to operate a sedan, limousine or
6 taxicab fails to render a financial report within the time prescribed and in such form as the
7 Controller may request, for the purpose of reviewing the rates of fare for taxicabs and the cap
8 on gate fees and making a determination as to increases or decreases in the rates of fare for
9 taxicabs and an increase or decrease in the cap on gate fees, such failure shall be a basis for
10 cancellation of such permits by the Taxi Commission, provided such cancellation is approved
11 by the Board of Supervisors.

12 No recommendations for a paratransit passthrough shall become effective without
13 separate authorization.

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

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19 By: _____
20 THOMAS J. OWEN
21 Deputy City Attorney