

FILE NO. 98-0761

ORDINANCE NO. 362-98

1 [Taxicab Gate Fees]

2 AMENDING PART II, CHAPTER VIII, ARTICLE 16, OF THE SAN FRANCISCO MUNICIPAL
3 CODE (POLICE CODE) BY ADDING SECTION 1135.1, SETTING A CAP ON TAXICAB
4 GATE FEES, AUTHORIZING REGULATIONS AND PENALTIES, THE CAP TO BECOME
5 OPERATIVE WHEN ORDINANCE NO. 188-98 FARE INCREASES BECOME OPERATIVE,
6 REQUESTING THE TAXI COMMISSION TO REPORT TO THE BOARD WITHIN NINE
7 MONTHS ON THE IMPACT OF THIS LEGISLATION, AND PROVIDING FOR ON-GOING
8 REVIEW BY THE BOARD OF SUPERVISORS AND THE CONTROLLER.

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10 Note: This entire section is new.

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

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14 Section 1. Article 16 of the San Francisco Police Code is hereby amended by adding
15 Section 1135.1, to read as follows:

16 **SEC. 1135.1. GATE FEES.**

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

22 (b) **"Gate Fee" Defined.** For the purposes of this section, "gate fee" shall mean any
23 monetary fee or other charge or consideration, or any combination thereof, required of a
24 driver other than a permit-holder for the privilege of driving a taxicab during a particular shift,
25 or for any period of time, including receipt of all services provided in connection with such

1 privilege, whether said fee is set by contract, lease or other agreement, orally or in writing,
2 and whether said fee is paid by the driver as a flat rate, as a commission on receipts from
3 fares, or as a specified fee for any other purpose.

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

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

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

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City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails

Ordinance

File Number: 980761

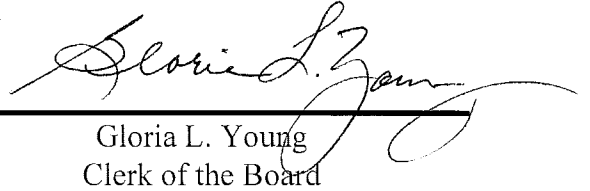
Date Passed:

Ordinance amending Police Code by adding Section 1135.1, setting a cap on taxicab gate fees, authorizing regulations and penalties, the cap to become operative when Ordinance No. 188-98 fare increases become operative, requesting the Taxi Commission to report to the Board within nine months on the impact of this legislation, providing for ongoing review by the Board of Supervisors and the Controller.

- November 23, 1998 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee
- November 23, 1998 Board of Supervisors — PASSED ON FIRST READING AS AMENDED
Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee
- December 7, 1998 Board of Supervisors — FINALLY PASSED
Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Medina, Newsom

File No. 980761

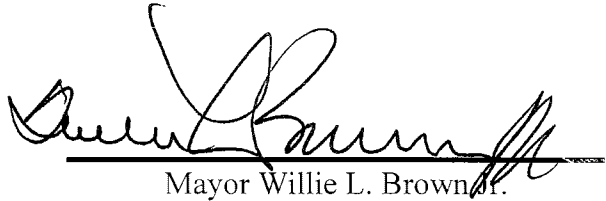
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on December 7, 1998
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

DEC 18 1998

Date Approved



Mayor Willie L. Brown Jr.