

FILE NO. 081505

ORDINANCE NO.

1 [Continuation of existing taxi fares and gate fee cap.]

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3 **Ordinance amending Section 1137 of the Police Code to maintain current taxi fares and**
4 **gate fee cap.**

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

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

9 Section 1. The San Francisco Police Code is hereby amended by amending Section
10 1137, to read as follows:

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

12 The rates provided in Sections 1135 and 1136 of this Article and the cap on gate fees
13 provided in Section 1135.1 of this Article shall be reviewed by the Controller in even-
14 numbered years, beginning with 2004. Not later than August 1st of each even-numbered year,
15 the Controller shall transmit to the Board of Supervisors a determination as to increases or
16 decreases in the rates of fare for taxicabs and an increase or decrease in the cap on gate
17 fees based upon changes in the Consumer Price Index since the prior determination, and
18 related information submitted to the Controller pursuant to Section 1095(b) of this Article. The
19 Controller's August 1, 2004 determination as to increases or decreases in the rates of fare for
20 taxicabs and an increase or decrease in the cap on gate fees shall be based upon changes in
21 the Consumer Price Index since January 1, 2003, and related information submitted to the
22 Controller pursuant to Section 1095(b) of this Article. In addition, the Controller's August 1,
23 2004 determination both as to increases or decreases in the rates of fare for taxicabs and as
24 to an increase or decrease in the cap on gate fees shall include appropriate adjustments to
25 ensure, in accordance with the procedure provided for in Section 1137.5 of this Article, that

1 appropriate sums are collected to offset the increased monthly cost of paratransit scrip
2 incurred by the paratransit program, except if the voters of the City and County of San
3 Francisco have reauthorized a new sales tax to fund transportation.

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

18 The Controller's determination as to increases or decreases in the rates of fare for
19 taxicabs and an increase or decrease in the cap on gate fees shall, beginning January 1,
20 2006, treat the higher mean gate fee cap of \$91.50, provided for in Section 1135.1(b), as if it
21 were \$90.00 when instituted, and treat the higher meter rate of \$2.85 for the first fifth of a mile
22 or "flag," as provided for in Section 1135(a), as if it were \$2.75 when instituted. In addition, the
23 Controller's determination as to increases or decreases in the rates of fare for taxicabs and an
24 increase or decrease in the cap on gate fees shall, beginning January 1, 2006, make a similar
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1 accounting for any adjustments made in the Controller's August 1, 2004 determination
2 designed to offset increased costs to the paratransit program arising from further increases in
3 meter rates.

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

11 Notwithstanding the other provisions of this Section, or any other provision of this Article, any
12 change in the rates of fare for taxicabs and in the cap on gate fees based on the Controller's report for
13 the even-numbered year 2008 shall not go into effect. The rates of fare for taxicabs and the cap on gate
14 fees in effect on November 25, 2008 shall remain in effect.

15 Section 2. On January 14, 2009, changes in the rates of fare for taxicabs and in the
16 cap on gate fees based on the Controller's report for 2008 go into effect. Once Ordinance
17 No. _____ goes into effect, the rates of fare for taxicabs and cap on gate fees shall revert to
18 the rates of fare for taxicabs and the cap on gate fees in effect on November 25, 2008.

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

22 By: _____
23 PAUL ZAREFSKY
24 Deputy City Attorney
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