

FILE NO. 040302

ORDINANCE NO. 101-04

1 [Requiring that applicants for a ramped taxi permit have completed at least 100 wheelchair
2 pick-ups during the six months immediately preceding the Taxi Commission's hearing on the
3 application.]

4 **Ordinance amending the San Francisco Police Code, by amending Section 1148.1, to**
5 **require that applicants for a ramped taxi permit have completed at least 100 wheelchair**
6 **pick-ups during the six months immediately preceding the Taxi Commission's hearing**
7 **on the application.**

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

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

12 Section 1. The San Francisco Police Code is hereby amended by amending
13 Section 1148.1, to read as follows:

14 **SEC. 1148.1. PERMIT APPLICATIONS; PREFERENCES.**

15 (a) **Submission of Applications.** Applications for permits for ramped taxis shall be
16 made to the Taxi Commission on a form to be furnished by the Commission. Applications for
17 permits for ramped taxis shall be accepted by the Commission and shall be recorded by the
18 date and time at which each application is received. Except as otherwise provided herein, the
19 Commission shall maintain a list in the order of receipt ("ramped taxi list"). In the absence of
20 any preference provided for in this Division, applicants for permits for ramped taxis shall be
21 processed and considered by the Commission in accordance with the order of application as
22 set forth on the ramped taxi list. When a permit becomes available for issuance and an
23 applicant on the waiting list is eligible for a hearing before the Taxi Commission, the
24 Commission shall so notify the applicant.
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1 As of the effective date of Ordinance No. 562-88, ~~this ordinance~~ all persons whose
2 application is already on "the taxicab waiting list" as provided for in Section 1121 of this Article
3 will be placed on the ramped taxi list. Their place on the ramped taxi list shall be determined
4 as of the date and time on which his or her application for the taxicab waiting list was received
5 by the Commission. Those individuals so placed will remain on the taxicab waiting list until
6 they are removed in accordance with Section 1080(c)(1) of this Article.

7 (b) **Limitation on Acceptance of Other Permits.** All persons accepting a ramped
8 taxi permit shall be precluded from accepting any other motor vehicle for hire permit regulated
9 by this Article for a minimum of five years after receipt of a ramped taxi permit or, in the
10 alternative, for a minimum of three years after receipt of the ramped taxi permit so long as six
11 months have elapsed since the permittee gave notice of his or her intent to leave the ramped
12 taxi program in accordance with the provisions of Subsection (c). If the permittee becomes
13 eligible for a permit from another motor vehicle for hire waiting list at a time when the
14 permittee is precluded from accepting the permit, the permittee's application will be kept
15 active until a permit becomes available when the permittee is no longer precluded from
16 accepting one.

17 (c) **Notice of Intent to Leave the Ramped Taxi Program.** Upon completion of a
18 minimum of 30 months as a ramped taxi permittee, the permittee may opt to leave the ramped
19 taxi program by filing with the Taxi Commission a written notice of intent to leave the program.
20 The date the Commission receives the notice of intent to leave the ramped taxi program shall
21 be deemed the date the permittee filed the notice. Upon receipt of the notice, the
22 Commission shall promptly inform a reasonable number of persons at the head of the ramped
23 taxi list of the permittee's intent to leave the ramped taxi program.

24 In accordance with Subsection (b), the permittee's decision to leave the ramped taxi
25 program shall become effective six months after his or her filing of the notice of intent to leave

1 the program. Subject to qualifications (i) and (ii) below, upon completion of the six-month
2 notice period, the permittee shall be required to leave the ramped taxi program, and shall no
3 longer be precluded from accepting another motor vehicle for hire permit regulated by this
4 Article.

5 (i) If, at the completion of the six-month period, the permittee is not yet eligible for a
6 permit from another motor vehicle for hire list, or no such permit is available, the permittee, at
7 his or her option, may remain in the ramped taxi program for any period of time until the
8 permittee becomes eligible for a permit from another motor vehicle for hire list and such
9 permit becomes available.

10 (ii) The permittee's decision to leave the ramped taxi program shall become
11 inoperative if, within the first three months of the required six-month notice period, the
12 permittee informs the Commission in writing of his or her decision to rescind the notice of
13 intent to leave the program. The permittee shall be required to file a subsequent notice of
14 intent to leave the program if he or she subsequently decides to leave the program. The
15 same requirements governing the permittee's initial notice of intent to leave the program,
16 including the full six-month notice period, shall govern any subsequent notice of intent to leave
17 the program.

18 (d) Notwithstanding any other provision of this Section, the Taxi Commission may
19 require that a taxicab permit to be issued to a ramped taxi permittee exiting the ramped taxi
20 program be issued (i) three months after the Commission hearing on the application for the
21 taxicab permit or (ii) when a new permittee has qualified for the ramped taxi permit and has
22 acquired a suitable vehicle which has passed inspection, whichever event occurs first. Before
23 the taxicab permit is issued, the ramped taxi permittee who is exiting the ramped taxi program
24 shall retain the ramped taxi permit and continue to operate the ramped taxi permit. Under no
25 circumstances may an individual simultaneously hold a ramped taxi permit and a taxicab

1 permit. Under no circumstances may two individuals hold the same ramped taxi permit or
2 taxicab permit.

3 **(e) Preference for Full-Time Drivers of Ramped Taxis.** Among the applicants

4 whose names appear on the ramped taxi list, the Taxi Commission shall give preference to
5 any applicant who has been a full-time driver of a ramped taxi during the 6 months
6 immediately preceding the Commission's hearing on that applicant's application, granting
7 permits to all otherwise eligible full-time drivers of ramped taxis on the list before granting
8 permits to others on the ramped taxi list. Any applicant seeking a preference pursuant to this
9 Subsection shall, at least 21 days prior to the hearing at which the applicant seeks to be
10 considered, so notify the Commission in writing and submit evidence to prove that the
11 applicant was a full-time driver of a ramped taxi in the preceding 6 months. For purposes of
12 this section, "full-time driver of a ramped taxi" shall mean a permitted driver who is actually
13 engaged in the mechanical operation and having physical charge or custody of a ramped taxi
14 as defined in this Article which is available for hire or actually hired for at least four hours
15 during any 24-hour period on at least 75 percent of the business days during the calendar
16 year.

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1 (f) Wheelchair Pick-Up Requirement. To qualify for a ramped taxi permit, an applicant must
2 have completed at least 100 wheelchair pick-ups as a ramped taxi driver during the six months
3 immediately preceding the Commission's hearing on the application. If no ramped taxi applicant has
4 completed the necessary wheelchair pick-ups, the Commission shall issue the permit to the applicant
5 next on the list who has completed the most wheelchair pick-ups within the six months prior to the
6 Commission's hearing, if the Commission determines that the public convenience and necessity
7 requires the immediate issuance of the permit. A ramped taxi applicant has the burden of showing that
8 he or she has completed the requisite number of wheelchair pick-ups to qualify for the permit, and shall
9 keep records sufficient to document his or her performance.

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

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15 By:


16 THOMAS J. OWEN
17 Deputy City Attorney
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City and County of San Francisco

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

Tails Ordinance

File Number: 040302

Date Passed:

Ordinance amending the San Francisco Police Code, by amending Section 1148.1, to require that applicants for a ramped taxi permit have completed at least 100 wheelchair pick-ups during the six months immediately preceding the Taxi Commission's hearing on the application.

May 18, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval

May 25, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Alioto-Pier

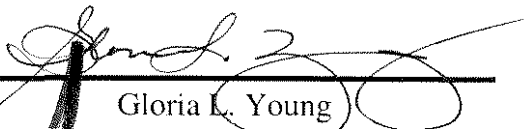
Excused: 1 - Hall

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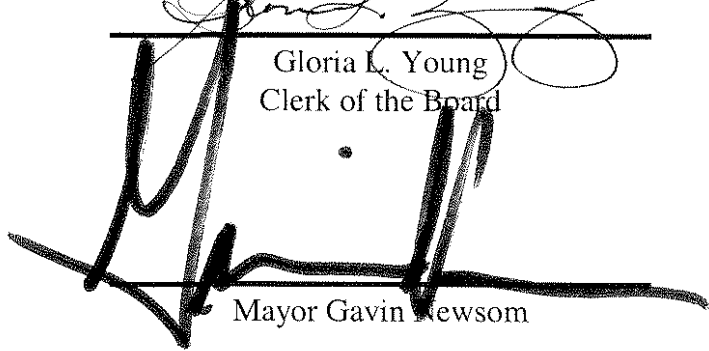
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on May 25, 2004 by
the Board of Supervisors of the City and
County of San Francisco.

JUN 04 2004

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom