

[Requiring adequate taxi service, protecting public ownership of taxi medallions and other features of the medallion program, and ensuring the welfare of taxi drivers.]

## CHARTER AMENDMENT

## PROPOSITION \_\_\_\_\_

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 8A.116 to require the Municipal Transportation Agency to determine the number and types of taxi permits sufficient to ensure adequate taxi service; to require that Agency regulations are consistent with certain principles – that taxi medallions are a public asset that may not be sold, assigned, or transferred; that medallions may only be issued to natural persons, with a limit of one per person; that only application-related fees may be charged medallion applicants; that medallion applications will be considered in the order received, with preference given to applicants who have been active drivers since 2004; and that medallion holders must satisfy an annual driving requirement; and to require that the Agency provide for the welfare of medallion holders and active drivers, including health care, retirement, and disability.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 3, 2009, a proposal to amend the Charter of the City and County by adding Section 8A.116 to read as follows:

NOTE: Additions are single-underline italics Times New Roman;  
deletions are ~~strike-through italics Times New Roman~~.

SEC. 8A.116. TAXI SERVICE.

(a) The Agency is bound by the provisions of this Section when exercising its authority under Section 8A.101(b) to regulate the City's taxi system. The Agency shall have the responsibility to establish regulations that assure prompt, courteous, and honest taxi service to the riding public.

(b) The Board of Directors of the Agency shall regularly hold a hearing to determine the number and types of taxi permits that are sufficient to ensure adequate taxi service throughout the City and County of San Francisco.

(c) The Board of Directors of the Agency shall adopt regulations regarding the permit to operate a particular taxi (the "medallion"). Any Agency regulations shall be consistent with the following principles:

(1) A medallion is a public asset that remains the property of the City and County of San Francisco.

(2) No medallion may be sold, assigned, or transferred.

(3) No medallion may be issued except to a natural person, and in no case to any business, firm, partnership, association, or corporation.

(4) No more than one medallion may be issued to any one person.

(5) No fee or other sum of money may be charged for an applicant to receive a medallion, other than to cover costs of investigating and processing the medallion application.

(6) Applications for medallions shall be processed in the order received. The waiting list for medallions in existence as of February 28, 2009, including persons submitting applications thereafter, shall be maintained, subject to the continued eligibility of the applicant and the active status of the application, as reasonably determined by the Agency. A preference in the issuance of medallions shall be given to applicants who have fulfilled the personal driving requirement of 800 hours per year in all years save one since calendar year 2004 and who have fulfilled that requirement in the calendar year preceding the Agency's consideration of the application. If no applicant meets this threshold, a preference shall be given to applicants who have fulfilled the personal driving requirement of 800 hours per year in the greatest number of years since calendar year 2004 and who have fulfilled that requirement in the calendar year preceding the Agency's consideration of the application. For purposes of this subsection, for any year preceding 2010, compliance with any definition recognized in that year by the City as "full-

time" driving shall constitute fulfillment of the personal driving requirement for that year. The Agency may establish other reasonable qualifications for medallion applicants.

(7) Medallion holders shall comply with the personal driving requirement of 800 hours per year. The Agency may modify the personal driving requirement for medallion holders who work in a regular capacity as key personnel of a taxi company, provided that any such modification is not less stringent than the modifications allowed by the City for such medallion holders as of February 28, 2009. The Agency may modify the personal driving requirement for a medallion holder with an injury or medical condition that precludes full compliance with that requirement, to the extent that the medallion holder remains in substantial compliance with the requirement, as reasonably determined by the Agency. This subsection shall not apply to medallion holders whose medallions were issued before the effective date of Appendix 6 of the San Francisco Administrative Code.

(d) The Agency shall make provision for the welfare of medallion holders and all taxi drivers who satisfy the personal driving requirement of 800 hours per year, including health care, retirement, and disability. This program shall be operational no later than July 1, 2011. This program shall not include medallion holders whose medallions were issued before the effective date of Appendix 6 of the San Francisco Administrative Code.

(e) Any Agency regulation that is inconsistent with this Section shall be null and void, including a regulation that was adopted prior to the effective date of this Section.

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

By: \_\_\_\_\_  
PAUL ZAREFSKY  
Deputy City Attorney

SUPERVISOR DALY  
BOARD OF SUPERVISORS