

1 [Authorizing a gate fee surcharge for alternate fuel vehicles put into service as taxicabs prior
2 to 2011; requiring that all vehicles put into service as taxicabs in 2011 and after be alternate
3 fuel vehicles.]

4 **Ordinance amending the San Francisco Police Code by adding Section 1135.3, to**
5 **authorize a graduated surcharge on the gate fee for new alternate fuel vehicles put into**
6 **service as San Francisco taxicabs during the next three years, and requiring that all**
7 **vehicles put into service as San Francisco taxicabs after January 1, 2011 be alternate**
8 **fuel vehicles.**

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

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

14 Section 1. The San Francisco Police Code is hereby amended by adding

15 Section 1135.3, to read as follows:

16 **SEC. 1135.3. GATE FEE SURCHARGE FOR ALTERNATE FUEL VEHICLES; ALL TAXIS TO**
17 **BE ALTERNATE FUEL VEHICLES BY 2011.**

18 (a) Gate Fee Surcharge. Notwithstanding any provision of Police Code Section 1135.1,
19 including the cap on gate fees imposed pursuant to that section, a taxicab company may collect a
20 surcharge on any gate fee charged for use of an alternate fuel vehicle, subject to the requirements of
21 this Section. The surcharge shall be in addition to the company's basic gate fee and any other
22 surcharges, increases, or adjustments to the gate fee cap authorized by the City, and may be collected
23 for the life of the vehicle.

24 (b) Definition of "Alternate Fuel Vehicle." For purposes of this Section, "alternate fuel
25 vehicle" means a taxicab vehicle approved by the Taxi Commission that is (1) powered by a
gasoline/electric hybrid system, a liquefied or compressed natural gas system, a biodiesel system, or an

1 all-electric system, and (2) averages at least 300 miles between any refuelings or recharging. The Taxi
2 Commission annually shall prepare a list of vehicles that qualify as "alternate fuel vehicles" for
3 purposes of this Section.

4 (c) Amount of the Surcharge. The surcharge for an alternate fuel vehicle purchased and first
5 put into service as a San Francisco taxicab in 2008 shall be 10 dollars.

6 The surcharge for an alternate fuel vehicle purchased and first put into service as a San
7 Francisco taxicab in 2009 shall be 6 dollars.

8 The surcharge for an alternate fuel vehicle purchased and first put into service as a San
9 Francisco taxicab in 2010 shall be 3 dollars.

10 The surcharge shall be for a shift of 10 hours or longer, and shall be prorated for shifts shorter
11 than 10 hours.

12 There shall be no surcharge for an alternate fuel vehicle put into service as a San Francisco
13 taxicab after January 1, 2011.

14 (d) All Taxis to be Alternate Fuel Vehicles by 2011. Beginning January 1, 2011, the Taxi
15 Commission may only approve alternate fuel vehicles for use as taxicabs. After that date, the Taxi
16 Commission may not issue or renew a permit to operate a taxicab for a vehicle other than an approved
17 alternate fuel vehicle. Ramp taxis shall not be subject to this requirement.

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19 Section 2. **Severability.** In the event that a court or agency of competent jurisdiction
20 holds that a federal or state law, rule or regulation invalidates any clause, sentence,
21 paragraph or section of this ordinance or the application thereof to any person or
22 circumstances, it is the intent of the Board of Supervisors that the court or agency sever such
23 clause, sentence, paragraph or section so that the remainder of this ordinance shall remain in
24 effect.

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

By: _____
THOMAS J. OWEN
Deputy City Attorney