



**November 17, 2017**

**The Honorable Members of the Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton Goodlett Place, Room 244  
San Francisco, CA 94102**

***Subject: Amendment to Transportation Code Division I to prohibit Non-Standard Vehicles from operating without a permit.***

**Honorable Members of the Board of Supervisors:**

The San Francisco Municipal Transportation Agency (SFMTA) requests that the San Francisco Board of Supervisors amend Division I of the San Francisco Transportation Code to make it a violation of the Transportation Code to operate a Non-Standard Vehicle, including a private transit vehicle, without the applicable permit.

**Background**

On October 17, 2017, the SFMTA Board of Directors (SFMTA Board) voted to amend Division II of the San Francisco Transportation Code to create a private transit vehicle permit program, including application requirements, permit terms and conditions, fees, and administrative penalties. The SFMTA Board also voted to recommend that the Board of Supervisors approve an amendment to the Transportation Code, Division I to prohibit the operation of Non-Standard Vehicles, including private transit vehicles, without the applicable permit.

Private transit vehicles (PTVs), often known as “jitneys,” started operating in San Francisco over 100 years ago, carrying passengers in shared vehicles along fixed routes for individual fares. For decades they were regulated under the Police Code, but they underwent a rapid decline in the 1970s when the Police Department stopped issuing new permits and BART opened along Mission Street, one of their primary routes. By 2011 jitneys had all but disappeared from San Francisco streets, so the SFMTA Board repealed the former jitney regulations from the Transportation Code. However, the Board amended the Transportation Code to establish a placeholder for “non-standard vehicle” permits, allowing for new regulations to be added in the future.

In 2014, new PTVs started operating in San Francisco. Transportation services that operate between cities fall under the jurisdiction of the California Public Utilities Commission (CPUC), but as these new PTVs operate only within San Francisco city limits, they fall under SFMTA jurisdiction.

The legislation approved by the SFMTA Board reinstated local regulation of private transit vehicles, requiring companies to apply for a permit, pay a fee, and abide by a set of permit terms and conditions in order to operate in San Francisco. These requirements are focused on improving

safety, minimizing impacts on public transit, ensuring responsiveness to constituents, providing accessibility to people with disabilities, and collecting data to help policy-makers understand how these services fit into San Francisco's transportation system.

These regulations are contained in a new Article 1200 of the Transportation Code Division II, entitled Regulation of Non-Standard Vehicles. Initially, this article only contains requirements for PTVs, but regulations for other types of Non-Standard Vehicles will be added in the future.

On August 14, 2017, the Planning Department determined that approval of the Private Transit Vehicle Permit Program and Regulatory Framework is not a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b). Individual permit applications would be reviewed by the Planning Department under CEQA.

The legislation adopted by the SFMTA Board takes effect on November 16, 2017. The legislation includes a \$5000 fine for operating a Non-Standard Vehicle without a permit. In order for the SFMTA to impose this fine or take other action against an entity operating PTVs or other Non-Standard Vehicles without a permit, there must be a violation authorized in Division I of the Transportation Code, which falls under the jurisdiction of the Board of Supervisors.

## **Public Outreach**

The impetus for this proposal first arose in response to complaints from San Francisco residents, Muni operators, and others regarding PTV service in San Francisco, including violations of traffic laws and traffic and community impacts.

Staff discussed the potential permit program with the SFMTA's Citizens' Advisory Council (CAC), Taxi Task Force, and Multimodal Accessibility Advisory Committees in March 2017, and at the CAC's Operations & Customer Service Committee meeting in July 2017. Input received at these meetings shaped many of the proposed application requirements and permit terms and conditions. Based on CAC concerns regarding enforcement, staff developed the enforcement strategy, dedicating taxi investigator resources to the program while continuing to work with parking control officers to address violations.

Staff also sought input from key stakeholders, including members of the Board of Supervisors, labor unions, the Bay Area Council, the Chamber of Commerce, the Chinatown Community Development Corporation, and the San Francisco Transit Riders. Finally, the SFMTA met with representatives of Chariot, the only PTV service provider currently operating in the City, several times over the spring and summer of 2017 to seek Chariot's feedback on the proposal. Several elements proposed by Chariot were incorporated into the legislation, such as streamline hearing procedures, accommodation for bike racks on vehicles and a clear process for developing and adjusting the criteria for determining whether a PTV route duplicates Muni service.

**Recommendation**

The SFMTA requests that the San Francisco Board of Supervisors approve the attached amendment to Division I of the Transportation Code to prohibit the operation of Non-Standard Vehicles, including private transit vehicles, without the applicable permit.

Thank you for your time and consideration of this proposal. Should you have any questions or require more information, please do not hesitate to contact me at any time.

**Sincerely,**



**Edward D. Reiskin**  
**Director of Transportation**

