

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 11-065

WHEREAS, San Francisco taxi drivers currently keep all trip records on a paper waybill that is used to document driving records for the purpose of permit requirements; and,

WHEREAS, The SFMTA Board of Directors initially required mandatory electronic waybills by March 31, 2011; and

WHEREAS, On February 1, 2011, the SFMTA Board extended the deadline for companies to implement electronic waybills to July 2011 in response to industry requests for a little more time to implement the requirement; and,

WHEREAS, San Francisco taxi drivers have expressed concerns to the Board about the safety and security of electronic waybills; and,

WHEREAS, Staff has represented that it will return to the Board within 120 days to report on the results of research and outreach; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors adopts amendments to the Transportation Code, Division II, Section 1114(e) to remove the specific deadline for implementation of electronic waybills.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of MAY 17 2011.



Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

[Electronic waybills.]

**Resolution amending Section 1114 of Division II of the San Francisco Transportation Code to change the date for mandatory implementation of an electronic waybill system from June 30,2011 to a future date to be set by the SFMTA Board of Directors.**

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

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 1100 of Division II of the Transportation Code is hereby amended by amending Section 1114, to read as follows:

SEC. 1114. - RECORDS AND REPORTING REQUIREMENTS APPLICABLE TO PERMIT HOLDERS.

(a) Requirements Applicable to All Records. Except as otherwise specified herein, all records required to be created and/or maintained by Permit Holders by this Article shall be subject to the following requirements:

(1) When a signature is required, the record must be signed by a Permit Holder, or in the case of a corporation, by a person authorized to bind the corporation or his or her delegee if accompanied by written documentation of the delegation of signature authority.

(2) The format and content of any records required to be created or maintained, or of any reports or plans required to be filed by Permit Holders by this Article shall be subject to SFMTA approval.

(3) Except as otherwise specified in this Article, all records required to be submitted to the SFMTA may be delivered by any means authorized in this Section. The Permit Holder that is subject to the records requirement shall have the burden of proving that the required records were actually delivered in a manner consistent with this Section. Except where a particular method of delivery is required for a specific records, records may be submitted by any of the following means:

- (A) In person by the Permit Holder to a location or address specified by SFMTA;
- (B) By first class U.S. Mail, postage pre-paid;
- (C) By fax; or
- (D) By email.

(4) All records required to be maintained by Permit Holders by this Article or by other law or regulation shall be made available for inspection by the SFMTA during normal business hours within three business days of request. The SFMTA may request that Permit Holders submit copies of records or original records within three business days of request. If the Chief of Police indicates that the inquiry relates to a criminal law enforcement investigation, such records shall be provided within one business day of request. In the event that SFMTA requires original records, the SFMTA shall provide the Permit Holder a receipt for any original documents that the SFMTA removes from the Permit Holders' premises, and shall protect and document the chain of custody of such original records until they are returned to the Permit Holder.

(5) All Permit Holders are responsible for creating, maintaining and preserving the documents and records that are required by as a condition of a permit or to meet permit qualification requirements.

(b) Additional Requirements Applicable to Drivers.

(1) Receipts for Fare to be Delivered to Passenger. All Drivers shall provide a receipt for fare paid upon the demand of any passenger.

(2) Badge Number. Each Driver shall provide his or her badge number to any passenger upon request.

(3) Medical Examination Certificates. The Driver shall retain the original report or certification completed by the examining physician or laboratory following any physical examination required by this Article, and shall file a copy of the report or certification with the SFMTA.

(4) Waybills. Except when driving for a Color Scheme that has implemented electronic Waybills in compliance with SFMTA requirements, Every Driver must produce an accurate and legible Waybill, completed in indelible ink. Each Waybill shall include the following information for the period covered by that Waybill:

- (A) Date of trip;
- (B) Driver's name;
- (C) Driver's badge number;
- (D) Driver's signature at the commencement of the shift;
- (E) Vehicle Number and vehicle license number;
- (F) Medallion number;
- (G) Starting mileage of the vehicle for the shift;
- (H) Mileage of the vehicle at the end of the shift;
- (I) Number of passengers on each trip;
- (J) Origin and destination of each trip;
- (K) The fare for each trip;
- (L) The time of hire and discharge for each trip; and

(M) A mechanically or electronically generated time stamp showing the starting and ending times of the shift.

(c) Additional Requirements Applicable to Medallion Holders.

(1) Annual Filings Required for Renewal. No Taxi or Ramp Taxi Medallion shall be renewed unless the Permit Holder files a sworn statement by May 1 of every year under penalty of perjury attesting to compliance with this Article and associated state and federal laws on a form designated by the SFMTA.

(d) Additional Requirements Applicable to Corporate Medallion Holders.

(1) Annual Filings Required for Renewal. Any corporation holding a Medallion issued pursuant to this Article shall maintain a stock register at its principal place of business in San Francisco. No Medallion held by a corporation may be renewed unless the Permit Holder files the following documents with the SFMTA by May 1 of each year: The SFMTA may require other corporate records to be provided to the SFMTA together with other required annual filings:

(A) Copy of current stock register;

(B) Copy of current filed copy of Statement of Domestic Stock Corporation issued by the California Secretary of State.

(2) All corporate Permit Holders shall report to the SFMTA in writing any of the following within 30 days of occurrence:

(A) Issuance or transfer of any shares of stock.

(B) Change in any of the corporate officers listed pursuant to Section 312 of the California Corporations Code or successor statute.

(C) Change of any member of its Board of Directors.

(D) Any notice of suspension or certificate of revivorship issued to the corporation by the California Secretary of State.

(e) Additional Requirements Applicable to Color Schemes.

(1) Waybills.

(A) A Color Scheme shall use a Waybill format approved by the SFMTA.

(B) Each Color Scheme Permit Holder shall implement a system that generates electronic Waybills in a format approved by the SFMTA for all affiliated vehicles **by a date to be set by the SFMTA Board of Directors no later than June 30, 2011.** An electronic Waybill system must include, at a minimum:

- (i) Driver's identification established by authentication through driver's license swipe or other secure system;
- (ii) Date of shift;
- (iii) Vehicle Number and vehicle license number;
- (iv) Medallion number (manually entered);
- (v) Number of passengers on each trip (manually entered);
- (vi) GPS-generated origin and destination of each trip;
- (vii) The fare for each trip including applicable fees charged;
- (viii) The mileage for each trip;
- (ix) The total number of trips for each shift;
- (x) The time of hire and discharge for each trip;
- (xi) The starting and ending times and total hours of each shift;
- (xii) Capacity to sort and summarize data for analysis in customizable reports;
- (xiii) Capacity to archive electronic waybill information for at least five years; and

(xiv) Restricted internet-based, read-only access by SFMTA, driver and color scheme to electronic waybill data and reporting capacity that is compatible with off-the-shelf database and spreadsheet software.

(C) A Color Scheme shall retain original paper Waybills for all Drivers and Medallion Holders for at least one year at its principal place of business; and shall maintain originals and/or legible copies of paper Waybills and the data generated by electronic Waybills for at least six years to document driving performed by Drivers affiliated with the Color Scheme. Color Schemes may store copies of original paper Waybills more than 12 months old in a secure electronic format.

(D) Color Schemes shall store paper Waybills either alphabetically, numerically or chronologically. If a Color Scheme's Waybills are not so organized, the SFMTA may require the Color Scheme to reorganize the Waybills either alphabetically, numerically or chronologically, and the Color Scheme shall order Waybills in accordance with SFMTA direction within 90 days of SFMTA request. A Color Scheme may request a waiver of such requirement if the Permit Holder demonstrates to SFMTA's satisfaction that its Waybills are already organized in a different manner that allows efficient inspection and auditing by SFMTA. Any Waybills presented to SFMTA for inspection in any manner other than as required or approved by SFMTA may not be counted for compliance with the Full-Time Driving requirement.

(E) If requested, Color Schemes shall provide each Driver duplicate copies of that Driver's Waybills for a prior year in an electronic or paper format. If the Waybills are provided in paper format, the Color Scheme may charge no more than \$0.10 per page, or a flat fee not to exceed \$50 for duplication of all Waybills of a Driver for the period of one year.

(2) Medallion Holder Files. Color Schemes must maintain files for each Medallion Holder affiliated with the Color Scheme. Such files shall at least contain

written copies of all Leases or permits associated with the Motor Vehicle for Hire at the Color Scheme's principal place of business, and employment or other applications initiating affiliation with the Color Scheme. Color Schemes shall provide copies of a Lease to any party to the Lease upon request.

(3) Receipts to Drivers. Color Scheme Holders shall provide receipts for payments for fuel, Gate Fees, Lease fees or any other payment made by Drivers to Color Schemes.

(4) Medical Examination Certificates. Reserved.

(5) Vehicle Inventory Changes. Prior to placing a Taxi or Ramp Taxi into service for the first time, when changing one vehicle for another, or when assigning a new Vehicle Number, the Color Scheme shall submit the information required by this Section to the SFMTA on a form provided by the SFMTA.

(6) Current Information Required to be Maintained. All Color Schemes shall maintain at the principal place of business the following information in a place where it is easily accessible to dispatchers and for immediate inspection upon request by SFMTA:

(A) Driver Roster.

(B) List of Affiliated Drivers. A current list updated at least weekly with all affiliated Drivers, including Driver's name, home address, cellular telephone number Driver Permit number, and California driver's license number.

(C) Vehicles. A current list of all affiliated Taxis and Ramp Taxis including, but not limited to, the vehicle number, the vehicle license number, the vehicle identification number, the Model Year and make of the vehicle.

(7) Weekly Reporting Requirements. Color Schemes shall fax or email to the SFMTA the following reports. Except as otherwise provided, weekly reports shall be submitted by close of business on the first business day of each week:



(A) Driver Roster.

(i) Every Color Scheme Permit Holder shall maintain a Driver Roster, updated after each shift to reflect actual shift assignments, that must at a minimum include: the date of the shift assignment, Driver's name, and the hours worked for that shift, vehicle number and Medallion number, if different. This schedule shall include the schedules of all Medallion Holders affiliated with a Color Scheme. The Driver Roster shall be provided to the SFMTA as part of the weekly report, and shall be made available for inspection by the SFMTA or law enforcement agencies during business hours.

(ii) All original Driver Rosters shall be retained at the Color Scheme's principal place of business for a period of not less than six years. Color Schemes shall maintain at the principal place of business the most recent 12 months of Driver Rosters in a paper format. Color Schemes may store Driver Rosters more than 12 months old in a secure electronic format. The SFMTA may excuse a Color Scheme from retaining schedules for a particular year by certifying that a Color Scheme has submitted all 12 schedules for that year. The SFMTA may grant exceptions for submission for companies with exceptionally large schedules or which have an electronic timecard system for schedules.

(B) Waybill Report. All Color Schemes shall list all affiliated Medallion Holders in the weekly Waybill Report. On the first business day of each week, all Color Schemes shall fax to the SFMTA the names of all affiliated Medallion Holders who have failed to turn in Waybills for the previous week, whether or not that Medallion Holder appears on the Driver Roster or is otherwise scheduled.

(C) List of Terminated Drivers. Color Schemes shall list the name and A-Card number of any Driver terminated during the prior week, and the date of termination.

(D) Mechanical Breakdown Log. A record of all Taxis and/or Ramp Taxis which have been out of service for more than 72 hours as of the preceding week on a form approved

by the SFMTA, including but not limited to the and the spare vehicle, if any, that was assigned to replace the out-of-service Taxi and/or Ramp Taxi, the reason for the breakdown and the estimated date of return to service.

(8) Filings Required for Emissions Compliance.

(A) Company Emission Reduction Plans. On June 1, 2010, each Color Scheme Permit Holder shall submit a written Emission Reductions Plan describing the Color Scheme's plans to implement reductions requirements of Section 1106(m) during 2010. On June 1, 2010, and June 1, 2011, each Color Scheme Permit Holder shall submit to the SFMTA a written statement on the steps the Color Scheme has taken in the prior year to carry out that year's Emissions Reduction Plan and the results of those efforts.

(9) Permit Renewal Requirements. No Color Scheme Permit shall be renewed unless the Permit Holder files the following documents by May 1 of each year:

- (A) Current San Francisco business license;
- (B) Completed designated manager form(s);
- (C) Current list of all affiliated Drivers, Medallion Holders and type of Lease for each;
- (D) Insurance certificates demonstrating compliance with the insurance requirements of this Article for every vehicle and Medallion affiliated with the Color Scheme;
- (E) Copy of company drug-free workplace policy;
- (F) Sworn statement attesting to compliance with this Article and applicable state and federal laws.

(f) Additional Requirements Applicable to Dispatch Services.

(1) Semi-Annual Service Report. All Dispatch Services must provide the SFMTA with dispatch service reports covering the period of January 1 through June 30

due to the SFMTA by August 1, and covering the period of July 1 through December 31 by February 1 of each year in a format approved by the SFMTA.

(2) Reports of Found Property.

(A) Receipt to Drivers. Every Dispatch Service Permit Holder shall issue a receipt to the Driver for any Found Property located in an affiliated Taxi or Ramp Taxi and provided to the Dispatch Service.

(B) Return to Owner. Every Dispatch Service Permit Holder shall endeavor to return Found Property to its rightful owner. If after 2 business days the owner cannot be located, the Dispatch Service Permit Holder shall give the property to SFMTA with a receipt that includes an inventory of the property, the date it was turned in, the name or badge number of the Driver who turned it in and the Vehicle Number of the vehicle in which it was found.

(C) Property Log Book. Every Dispatch Service Permit Holder shall maintain at the principal place of business a log book in a form approved by the SFMTA which records the date, time, vehicle number, Driver by name or badge number, Incident Report Number (if applicable), description and disposition of the property. The log book shall be retained for a minimum period of one year.

(D) Weekly Property Report to SFMTA. On the first business day of each week, each Dispatch Service Permit Holder shall fax or email to the SFMTA a copy of all entries made in the property log for the previous week. Those Dispatch Services having no entries for that week will fax or email a notice advising the SFMTA that no property was turned in. Dispatch Service Permit Holders shall account for all affiliated Color Schemes.

(3) Annual Filings Required for Renewal of Permit. No Dispatch Service Permit shall be renewed unless the Permit Holder files the following documents by May 1 of each year:

(A) Copy of current City business license;

- (B) Completed Designated Manager Form;
- (C) List of all affiliated Color Schemes;
- (D) Copy of company drug-free workplace policy;
- (E) Insurance certificates demonstrating compliance with the insurance

requirements of this Article;

(F) Sworn statement attesting to compliance with this Article and applicable state and federal laws.

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

By:

  
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Mariam M. Morley  
Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of MAY 17 2011

  
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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency