

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 13-218

WHEREAS, Current provisions of the Transportation Code related to dispatch were originally adopted as part of the Police Code in 1988, and by the Taxi Commission in 2007; and,

WHEREAS, Enforceable dispatch performance standards are needed to increase the reliability of taxis to neighborhoods outside of the downtown area, including minimum dispatch service size requirements, a minimum number of completed dispatch orders and minimum dispatch equipment standards; and

WHEREAS, Minimum requirements for dispatch permit transferability should be clarified in the regulations; now therefore, be it

RESOLVED, That the Board of Directors amends Transportation Code Sections 1102, 1103 and 1107 to implement dispatch performance standards, and to adopt minimum requirements for dispatch equipment and for the transfer of a dispatch service permit.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of September 17, 2013.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Dispatch Service Standards]

Resolution amending Article 1100 of Division II of the Transportation Code by amending the definition of “dispatch service,” imposing minimum dispatch service standards that become increasingly rigorous over the next two years, eliminating outmoded requirements for call processing, imposing minimum requirements for dispatch equipment, and imposing new standards for approval of requests to transfer dispatch service permits.

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 1102 to read as follows:

SEC. 1102. DEFINITIONS.

"Dispatch Service" shall mean an entity that holds a Dispatch Service Permit to Dispatch Taxis and Ramp Taxis that are affiliated with the Dispatch Service, ~~any person, business, firm, partnership, association or corporation~~ and that receives communications from the public regarding taxi service for the purpose of forwarding such communications to a Driver Permit Holder, motor vehicle for hire drivers, and shall include any owner, manager, employee, lessee and any agent of said service.

"Dispatch Service" shall not include any service through which the public is able to communicate directly with Drivers, and shall not include any effort on the part of a Driver to market his or her services to the public.

Section 2. Article 1100 of Division II of the Transportation Code is hereby amended by amending Section 1103 to read as follows:

(g) Additional Requirements Applicable To Dispatch Service Permit Applications. ~~Reserved.~~

(1) Dispatch Service Permit Transfers. Any transfer of a Dispatch Service permit must be approved in advance by the SFMTA. The Permit Holder shall give notice to the SFMTA of the intended transfer at least 30 days prior to such transfer. Prior to approving a transfer of a Dispatch Service permit, the SFMTA shall conduct an investigation to ensure that the proposed transferee meets all requirements of this Article. For the purpose of this subsection, the transfer of a business means the transfer of 50 percent or more of an ownership interest in the business to a person or entity that did not already hold an ownership interest in the business as of September 17, 2013. In addition to any other documents establishing compliance with laws and regulations that the SFMTA may require as a condition of approval of the transfer, the parties to the transfer must provide:

(A) Proof of compliance with the requirements of this Article applicable to Dispatch Service Permit Holders, including all required insurance;

(B) A business license;

(C) A signed partnership agreement among multiple purchasers or documentation of current valid corporate status; and

(D) A signed lease establishing the buyer's right of occupancy at a business premises.

Section 3. Article 1100 of Division II of the Transportation Code is hereby amended by amending Section 1107 to read as follows:

SEC. 1107. CONDITIONS APPLICABLE TO DISPATCH SERVICE PERMITS.

(a) In addition to all other conditions applicable to a Dispatch Service Permit, each Dispatch

Service Permit Holder shall comply with the following performance standards:

(b) Minimum Dispatch Service Standards.

(1) A Dispatch Service must affiliate with at least 50 medallions and must successfully complete an average of at least 250 verifiable Dispatch requests per day with an average of a least three completed Dispatch requests per medallion, per day, from November 1, 2013 through December 31, 2013.

(2) A Dispatch Service must affiliate with at least 75 medallions and must successfully complete an average of at least 375 verifiable Dispatch requests per day with an average of a least 3.75 completed Dispatch requests per medallion, per day, from January 1, 2014 through December 31, 2014.

(3) A Dispatch Service must affiliate with at least 100 medallions and must successfully complete an average of at least 500 verifiable Dispatch requests per day with an average of a least five completed Dispatch requests per medallion, per day, from January 1, 2015 through December 31, 2015.

(4) Any Dispatch Service that does not meet the minimum required levels for completion of Dispatch requests per medallion set forth in Sections 1107(b)(1) through (3), and all Color Scheme Permit Holders affiliated with that Dispatch Service Holder shall be placed on Administrative Probation for not more than 90 days. If after 90 days the Dispatch Service cannot meet the applicable minimum required levels for completion of Dispatch requests per medallion, the Dispatch Service permit shall be automatically revoked and all affiliated Color Scheme Permit Holders shall affiliate with a Dispatch Service that meets minimum service standards.

(c) Dispatch Service Operational Requirements. A Dispatch Service must:

(1)(a) Maintain and update an emergency plan that conforms to SFMTA requirements for Drivers and Dispatch Service employees to follow in emergencies, and file an updated emergency plan annually at the time of permit renewal.

(b) List a 24 hour telephone number and the names of the Color Scheme(s) for which they provide dispatch services in the Yellow Pages section of the telephone book.

(e) Promptly dispatch a Ramp Taxi in response to Ramp Taxi service request, and, within

20 minutes of receiving the Ramp Taxi service request, the Dispatch Service must:

(1) — ~~Contact the customer who requested a Ramp Taxi with the vehicle number of the Ramp Taxi assigned to handle the call, or to advise the customer that no Ramp Taxi has been dispatched; or~~

(2) — ~~If the call cannot be dispatched to a Ramp Taxi affiliated with a Color Scheme that uses that Dispatch Service within 20 minutes, call another Dispatch Service to handle the request, and then call the customer with the name and telephone number of the Color Scheme of the responding Ramp Taxi; or~~

(3) — ~~Advise the customer that no vehicle was dispatched.~~

(4) — ~~If there are no Ramp Taxis immediately available to respond to a customer's request, record the customer's name and phone number and the names of the other Dispatch Services contacted.~~

~~(d) — Record all requests for taxi service, noting the date and time of the request for service, the service address, the vehicle number dispatched and the time that the Taxi or Ramp Taxi was dispatched to respond to the call.~~

~~(e) — Maintain the capacity to broadcast and to receive transmissions from every Taxi or Ramp Taxi operating under their service.~~

~~(2)(f)~~ Answer all calls by human, mechanical or other device within six rings 365 days per year, 24 hours per day. At least one person shall be available to respond to calls at all times.

~~(g) — Contact customers who have requested a return call if a vehicle has not been dispatched within 20 minutes of the call.~~

~~(h) — Upon customer request, call back customers with an approximate arrival time of the dispatched vehicle.~~

~~(3)(i)~~ Assign each dispatcher, operator and/or call taker employed by the Dispatch Service a unique individual identifier.

~~(4)(j)~~ Require all dispatchers, operators and/or call takers, to answer a call with the name of the Dispatch Service, and, upon request of the caller, to identify themselves with either their unique individual identifier or their ~~true~~ legal name.

~~(5)(k)~~ If two or more Color Schemes share the same Dispatch Service, the Dispatch Service may not dispatch a vehicle from a Color Scheme other than the one requested by the caller to respond to the call until the Dispatch Service operator first advises the customer of the Color Scheme of the vehicle that will respond to the call.

~~(f) **Dispatch Service Permits Transferable.** Dispatch Service Permits are transferable, subject to the approval of the SFMTA, which shall determine whether the proposed transferee meets the criteria set forth in this Article, and whether taxi service would be improved by the transfer of the Dispatch Service Permit. The Permit Holder shall give notice to the SFMTA of any intended transfer at least 30 days prior to any such transfer.~~

~~(6)(m) **Workers' Compensation Requirements.** All Dispatch Service Permit Holders shall comply with all applicable state laws and regulations concerning Workers' Compensation.~~

~~(d)(n) Found Property.~~

(1) Dispatch Service Permit Holders shall take reasonable measures to attempt to return Found Property to its rightful owner in a timely fashion. If the owner cannot be contacted ~~found~~, the property shall be held for safekeeping for a period of not less than 120 days. A receipt shall be issued to the Driver for each item turned in.

(2) If the Found Property is currency, is of the value of \$100 or more, is either a serialized item or an electronic device or contains owners identification information, within 30 calendar days the Dispatch Service Permit Holder ~~or a designee~~ shall transfer the property to the ~~Taxi Detail~~ SFMTA, make a Police Report, and obtain both Police Incident Report Number and a receipt of the items processed.

(3) Dispatch Service Permit Holders shall advise passengers claiming to have lost property of value in a ~~taxicab~~ Taxi or Ramp Taxi, to make a lost property police report if their property has not been found. Color Schemes shall not inform customers to call 311 to report or recover Found Property.

~~(4) Dispatch Service Permit Holders shall notify SFMTA when an item of Found Property is returned to its owner.~~

(e) Minimum Dispatch Equipment Requirements. Each Dispatch Service permit holder

must maintain at a minimum the following dispatch equipment and dispatch capacity as of February 1, 2014:

- (1) A hard-mounted driver information monitor or mobile data terminal capable of two-way communication to display and accept orders, which must be directly connected to the taximeter or connected to the taximeter as part of a secondary system such as a payment system; and
- (2) Integrated GPS to allow for nearest taxi distribution of available orders; and
- (3) Ability to dispatch entered orders based on vehicle type;
- (4) Configurable polling time of vehicle data and status;
- (5) Ability to report data on all orders entered into system, including but not limited to: time and date, order status, drivers/vehicles rejected and drivers/vehicles accepted, all timing points of order (entry time, dispatch time, acceptance or rejected time, and trip completion time), abandoned and non-completed jobs, driver login and logout status while on duty;
- (6) Functional direct voice access and two-way communication with all affiliated Taxis and Ramp Taxis.

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment.

Section 5. Scope of Ordinance. In enacting this ordinance, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that are explicitly shown in this ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

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

By: _____
Mariam 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 September 17, 2013.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency