

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 15-160

WHEREAS, The SFMTA's Taxis and Accessible Services Division is responsible for the regulation of the private businesses that make up the San Francisco taxi industry, including qualifying and licensing permit holders, monitoring regulatory compliance, and administering discipline for regulatory violations; and,

WHEREAS, The SFMTA is proposing to end the prohibition on wrap advertising for taxicabs; and,

WHEREAS, badges and color scheme identification cards have become obsolete because the new driver A-Card includes a unique identifier and the driver's photo; and,

WHEREAS, The SFMTA is proposing to eliminate the requirement for drivers to display badges and color scheme identification cards, and proposing drivers be required to display their A-Card on the outside of their clothing; and,

WHEREAS, The SFMTA is proposing that drivers be required to give passengers their A-Card number rather than their badge number upon request, and proposing to update the schedule of taxi-related fines to reflect that change; and,

WHEREAS, The SFMTA is proposing additional amendments to remove outdated language regarding paper waybills and correct inaccurate Code references; and,

WHEREAS, The proposed amendments to Transportation Code Division II do not constitute a project under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Section 15060(c); and,

WHEREAS, A copy of this determination is on file with the Secretary for the SFMTA Board of Directors; now, therefore be it

RESOLVED, That the Board of Directors amend Transportation Code Division II, Article 1100, Sections 1103, 1108, 1113, 1114 and 1118 to remove the ban on taxi wrap advertising, eliminate the requirement that drivers display metal badges and color scheme identification cards, require drivers to display their A-Card on the outside of their clothing, require drivers to give passengers their A-Card number rather than their badge number upon request, update the schedule of taxi-related fines to reflect that change, remove outdated language regarding paper waybills and correct inaccurate Code references.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of November 17, 2015.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

RESOLUTION # 15-160

[Transportation Code – Taxi Wrap Advertising, Driver Identification]

Resolution amending the Transportation Code to delete the requirement that Drivers display an SFMTA-issued badge and a color scheme identification card, to require Drivers instead to display their A-Cards, and to change the schedule of fines to be consistent with that change; to remove the ban on taxi wrap advertising; to remove outdated language re paper waybills; and to correct incorrect internal references to other Code sections.

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 300 of Division II of the Transportation Code is hereby revised by amending Section 310, to read as follows:

SEC. 310. SCHEDULE OF FINES.

Violation of any of the following subsections of the San Francisco Transportation Code governing the operation of a motor vehicle for hire shall be punishable by the administrative fines set forth below.

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2014	FINE AMOUNT Effective July 1, 2015
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CONDITIONS APPLICABLE TO DRIVER PERMITS			
Div II § 1108(c)	Color Scheme affiliation	\$6.00 per day	\$6.00 per day
Div II § 1108(a)	Driver identification	\$82.00	\$85.00
Div II § 1108(d)(2)	Duties at beginning of shift	\$82.00	\$85.00
Div II § 1108(d)(3)	Designated items in vehicle	\$82.00	\$85.00
Div II § 1108(e)(2)	Transporting passenger property	\$82.00	\$85.00

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2014	FINE AMOUNT Effective July 1, 2015
Div II § 1108(e)(5)	Loading and unloading assistance	\$82.00	\$85.00
Div II § 1108(e)(8)	Additional passengers	\$82.00	\$85.00
Div II § 1108(e)(10)-(12)	Mobile telephones; Other audible devices	\$82.00	\$85.00
Div II § 1108(e)(18)- (20), (22)	Driver duties re fares	\$82.00	\$85.00
Div II § 1108(e)(26)	Loose items	\$82.00	\$85.00
Div II § 1108(e)(27)	Trunk and/or baggage area	\$82.00	\$85.00
Div II § 1108(e)(31)	Clean in dress and person	\$82.00	\$85.00
Div II § 1108(e)(32)	Taximeter violation	\$82.00	\$85.00
Div II § 1108(e)(33)	Drinking or eating in vehicle	\$82.00	\$85.00
Div II § 1108(e)(33)	Smoking in vehicle	\$250.00	\$258.00
Div II § 1108(f)(1)-(3)	Duties at end of shift	\$82.00	\$85.00
Div II § 1114(b)(2)	Badge Driver A-Card	\$82.00	\$85.00
Div II § 1114(b)(3)	Medical certificate	\$82.00	\$85.00
Div II § 1108(e)(4)	Service animals or contained animals	\$164.00	\$169.00
Div II § 1108(d)(1)	Safety check	\$164.00	\$169.00
Div II § 1108(e)(1)	Refusal to convey	\$164.00	\$169.00
Div II § 1108(e)(7)	Servicing dispatch calls	\$164.00	\$169.00
Div II § 1108(e)(9)	Splitting fares	\$164.00	\$169.00
Div II § 1108(e)(16)	Requesting gratuities	\$164.00	\$169.00
Div II § 1108(e)(17)	Audio/visual communication device	\$164.00	\$169.00
Div II § 1108(e)(24)	Found property	\$164.00	\$169.00
Div II § 1124(d)	Accept credit card; Passenger payment choice	\$164.00	\$169.00
Div II § 1108(e)(3)	Transporting person with a disability in front seat	\$164.00	\$169.00
Div II § 1108(e)(6)	Assisting and securing person with a disability	\$164.00	\$169.00
Div II § 1108(e)(13)	Use of Dispatch Service; log in/out	\$164.00	\$169.00
Div II § 1108(e)(39)	Failure to activate meter	\$164.00	\$169.00
Div II § 1108(e)(14)	Reckless or dangerous driving	\$164.00	\$169.00
Div II § 1108(e)(15)	Ramp Taxi rules	\$164.00	\$169.00
Div II § 1108(e)(29)	Threats and abuse	\$164.00	\$169.00
Div II § 1108(e)(35)-(37)	Paratransit Debit Card	\$164.00	\$169.00

TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2014	FINE AMOUNT Effective July 1, 2015
Div II § 1124(c)(5)	Luggage charges	\$164.00	\$169.00
Div II § 1108(e)(25)	Unsafe taxi	\$217.00	\$224.00
Div II § 1108(e)(30)	Excessive force	\$217.00	\$224.00
Div II § 1103(c)(3)(A) 2	Criminal convictions	\$544.00	\$561.00
Div II § 1108(b)	Controlled substances	\$544.00	\$561.00
Div II § 1108(e)(38)	Tampering with equipment	\$544.00	\$561.00

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

SEC. 1103. PERMIT APPLICATIONS AND RENEWAL.

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(c) Additional Requirements Applicable to Driver Permit Applications.

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(3) Renewal of Driver's Permits.

(A) Drivers have an affirmative duty to report any criminal convictions that would be a basis for denying a permit pursuant to Section 1103(c) (2) (~~EF~~). The SFMTA may refuse to renew a permit if the Permit Holder would not be eligible to receive a new permit pursuant to Section 1103(c) (2) (~~EF~~).

(B) The SFMTA may require Drivers to successfully complete a Driver Training Course for current Drivers as a condition of renewal of their Driver Permits.

(C) Lapse of Active Permit Status; New Application; A-Card Seniority. A Driver Permit Holder who fails to renew his or her Driver Permit within the deadline for renewal set by the SFMTA may renew his or her Driver Permit upon submission of a new Driver Permit application and completion of all requirements for a new Driver Permit. If the Driver Permit Holder submits the new Driver Permit application and completes the requirements within two years of the renewal deadline, or prior to January 1, 1995, he or she

shall retain A-Card Seniority based on the original issuance date of the Driver Permit. If, on or after January 1, 1995, the Driver Permit Holder submits a new Driver Permit application and completes the requirements more than two calendar years after the renewal deadline, he or she shall have an A-Card Seniority date as of the date of the most recent Driver Permit.

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Section 3. Article 1100 of Division II of the Transportation Code is hereby revised by amending Section 1108, to read as follows:

SEC. 1108. CONDITIONS APPLICABLE TO DRIVER PERMITS.

(a) Driver Identification. Upon issuance of a Driver Permit, the SFMTA will issue to each Driver ~~a~~ he following identification:

(1) ~~—~~ Driver Permit Card (A-Card). Every Driver shall conspicuously display ~~carry~~ his or her A-Card on the outside of his or her clothing at all times while operating a Motor Vehicle for Hire, and shall provide the A-Card for inspection upon request by the SFMTA or any peace officer. The A-Card shall be worn only by the Driver to whom it is issued.

(2) ~~—~~ Badge with the Permit Number. ~~Every Driver shall display a SFMTA issued badge constantly and conspicuously displayed on the outside of the Driver's clothing and jacket at all times while operating or in possession of a Taxi or Ramp Taxi. The badge shall only be worn by the Driver to whom the badge is issued.~~

(3) ~~—~~ Color Scheme Identification Card. ~~A Driver's Color Scheme Identification Card, which must bear a photograph of the Driver, must be displayed conspicuously at all times in any Motor Vehicle for Hire that the Driver is operating in a manner that the badge number printed on the card is easily visible to any passenger in the vehicle.~~

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(e) Driver Duties During Shift.

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(22) Drivers shall give a fare receipt upon request of the person paying the fare. Drivers shall complete fare receipts legibly with the Driver's badge A-Card identification number, the Vehicle Number, the Medallion number, and the amount of the fare.

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Section 4. Article 1100 of Division II of the Transportation Code is hereby revised by amending Section 1113, to read as follows:

SEC. 1113. TAXI AND RAMP TAXI EQUIPMENT REQUIREMENTS.

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(d) Interior Display of Information. Every Taxi or Ramp Taxi shall have the following items in the interior of the vehicle in a place clearly visible to passengers and in a format approved by the SFMTA:

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~~(4) Driver Identification. A holder for a Color Scheme Identification Card.~~

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(i) Signage, Advertising and Displays. Advertising or other displays on the exterior or interior of a taxi:

(1) May not impede the Driver's vision in any way.

(2) May not cover any vehicle identifiers required by law or regulation.

(3) May not cover any portion of the license plate of the vehicle.

(4) May not interfere with vehicle operation, including but not limited to the tire inflation valve or any wheel balancing dynamics. Defects in any portion of the wheel must be remedied before any advertisement or other display is affixed to the wheel.

(5) May not interfere with any safety features of the vehicle or present a safety hazard to passengers.

~~(6) — Vehicle wrap advertising, whether partial or full, is not allowed on a Taxi or Ramp Taxi vehicle.~~

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Section 5. Article 1100 of Division II of the Transportation Code is hereby revised by amending Section 1114, to read as follows:

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

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(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~~ A-Card Identification Number. Each Driver shall provide his or her ~~badge~~ A-Card identification 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.~~

~~(A) — Until April 30, 2013, Drivers at Color Schemes that are not affiliated with a Dispatch Service that provides Electronic Trip Data shall be required to create a paper waybill for each shift, which shall include the date of the trip, the Driver's name and badge number, the medallion number and vehicle license number, the starting and ending mileage for each shift, the number of passengers on each trip, and the origin, destination and meter total for each trip. Such paper waybills shall be signed by the Driver at the conclusion of the shift and shall be mechanically or electronically time stamped at the beginning and end of each shift.~~

~~(B) — After April 30, 2013, no Driver shall be required to create paper waybills. Drivers shall continue to be responsible for maintaining certain manual documentation for regulatory purposes as required elsewhere in this Article, including but not limited to, documenting non-Paratransit Debit Card wheelchair using customers, recording any trip information that the Driver may need to substantiate his or her position with respect to any incident occurring in the Taxi, and manually entering onto the meter the medallion number at the beginning of each shift, and the number of passengers for each fare.~~

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(f) Additional Requirements Applicable to Dispatch Services.

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(4) 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 A-Card identification 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 A-Card identification 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.

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Section 6. Article 1100 of Division II of the Transportation Code is hereby revised by amending Section 1118, to read as follows:

SEC. 1118. REVOCATION, SUSPENSION, AND ADMINISTRATIVE FINES.

(a) Revocation, Suspension or Administrative Fine for Cause. The SFMTA may suspend or revoke any permit issued under this Article, and may impose an administrative fine against a Permit Holder, for good cause. "Good cause" hereunder shall include, but shall not be limited to, the following:

(1) A Permit Holder failed to pay a fine imposed by the SFMTA under Section 310 of this Code within 30 days of imposition or within such other time period as determined by the agreement of the Permit Holder and the SFMTA.

(2) A Permit Holder failed to pay a permit fee within 90 days following notice of nonpayment.

(3) A Permit Holder has been convicted of any crime that would disqualify him or her from holding a permit pursuant to Section 1103(c) (2)(~~EF~~), or is otherwise ineligible for a permit under Section 1104(c) or (d) of this Article.

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Section 7. Effective Date. This ordinance shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this ordinance. [If the operative date of the ordinance is different

than the effective date, then note the operative date in this section and change the title of the section to "Effective and Operative Dates," or note the operative date elsewhere in the ordinance.]

Section 8. 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 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 November 17, 2015.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency