

ORD. NO. 9599 (N. S)

**AN ORDINANCE AMENDING THE COUNTY CODE OF
REGULATORY ORDINANCES SECTION 21.312 RELATING TO
TAXICAB DRIVER'S IDENTIFICATION CARD**

The Board of Supervisors of the County of San Diego ordains as follows:

SECTION 1. Section 21.312. of the County Code of Regulatory ordinance is hereby amended to read as follows:

Sec. 21.312. DRIVER'S IDENTIFICATION CARD

- (a) It shall be unlawful for any person to drive any taxicab doing business in the County of San Diego without first obtaining a taxicab driver's identification card from the Sheriff.
- (b) Pending completion of the Sheriff's investigation of the applicant driver, a temporary identification card may be granted for a period not to exceed sixty days.
- (c) No identification card shall be issued to any of the following persons:
 - (1) Any person under the age of 18 years.
 - (2) Any person who does not possess a valid State of California Vehicle operator's license.
 - (3) Any person who has been convicted of a crime, the nature of which indicates the applicant's unfitness to operate a taxicab in a safe and lawful manner, including, but not limited to, the following:
 - A. Any of the offenses described under Penal Code Section 290;
 - B. Any of the offenses requiring registration for violation of the Uniform Controlled Substances Act pursuant to Health and Safety Code Section 11590;
 - C. A felony;
 - D. Driving a vehicle upon the highway under the influence of intoxicating liquor or narcotics, or reckless driving.

Unless five (5) years have elapsed since date of applicant's discharge from a penal institution or date placed on probation, during which period the applicant's record is good.

- (4) Any person who is addicted to any substance prohibited by the Uniform Controlled Substance Act (Health & Safety Code Section 1100 et seq.) unless enrolled and successfully participating in a drug treatment program approved by the Court.
- (5) Any person who, within the 12 months immediately preceding the processing of the application, has been convicted of, or held by any final administrative determination to have been in violation of, any statute, ordinance, or regulation pertaining to the same or similar business operation which would have resulted in the suspension or revocation of the driver's identification card in accordance with Section 21.315 of this article.
- (6) Any person who has not successfully completed a drug-screening test pursuant to Government Code section 53075.5(b) (3).

- (d) The Sheriff may deny an application for an identification card to any person who has been convicted of a crime the nature of which indicates the applicant's unfitness to operate a taxicab in a safe and lawful manner, including but not limited to assault or battery or any form thereof unless five (5) years shall have elapsed since date of applicant's discharge from a penal institution or date placed on probation during which period the applicant's record is good.
- (e) For the purpose of this section, plea or verdict of guilty, a finding of guilty by a court in a trial without a jury, a plea of nolo contendere, or a forfeiture of bail is deemed a conviction.
- (f) The Issuing Officer shall fingerprint every applicant and forward fingerprints to the California Bureau of Identification for search. A photograph shall be affixed to the driver's identification card.
- (g) The Issuing Officer or his representative may examine each applicant for an identification card as to such applicant's knowledge of the provisions of this chapter, traffic regulations and geography of the County and if the results of the investigation mentioned in paragraph (b) above are satisfactory, the Issuing Officer shall approve the application and issue a driver's identification card to said applicant.

PASSED, APPROVED AND ADOPTED this 23rd day of September 2003.