



**BEFORE THE PUBLIC UTILITIES COMMISSION OF
STATE OF CALIFORNIA**

FILED
11-07-13
04:59 PM

Order Instituting Rulemaking on
Regulations Relating to Passenger
Carriers, Ridesharing, and New Online-
Enabled Transportation Services

R.12-12-011

**SAN FRANCISCO INTERNATIONAL AIRPORT'S RESPONSE TO TPAC AND UBER
APPLICATIONS FOR REHEARING OF DECISION 13-09-045 REGARDING
TRANSPORTATION NETWORK COMPANIES**

John L. Martin
Airport Director
San Francisco International Airport
International Terminal – 5th Floor
PO Box 8097
San Francisco, CA 94128

I. INTRODUCTION

The San Francisco International Airport (“Airport” or “SFO”) submits this response to the Application for Rehearing, filed separately by the Taxicab Paratransit Association of California (“TPAC”) and Uber. Consistent with all of SFO’s prior briefings in this Rulemaking Proceeding, our primary concerns are public safety and minimizing congestion on Airport roadways. Because Uber’s Application is a complete rejection of *any* regulation, we write to provide support for the Commission’s final decision, which recognizes that this new industry requires regulation. In addition, we submit this response to TPAC’s Application to make a record of SFO’s concurrence with several points raised in TPAC’s brief.

II. SFO CONCURS WITH TPAC’S SAFETY ARGUMENTS

TPAC’s argues throughout its application that the Commission erroneously concluded that TNCs are charter-party carriers. TPAC argues that TNCs are really taxicabs, which should be regulated by local public entities to ensure public safety. While the Airport does not have an opinion regarding whether TNCs are taxicabs or charter-party carriers, we agree that the Commission’s decision does not go far enough to protect public safety.

Limousines, taxis and TNCs are all engaged in the same business – transporting members of the public from one destination to another in exchange for compensation. The fact that one model relies on passengers flagging down drivers on a street corner, another is gets business through phone or on-line reservations and a third relies on smart phone apps does not change the essential nature of the business.¹

From a public safety standpoint, the Airport sees no reason why limousines, taxicabs and TNCs should not all have the same basic public safety requirements:

- safe vehicles that are all subject to regular inspections by a state certified third party;
- drivers who pass a criminal history background check based on fingerprints, which law enforcement officials confirm is the most reliable starting point;

¹ As other parties have noted in these proceedings, advances in technology are rapidly blurring the distinction between modes of communication.

