

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 13-199

WHEREAS, Taxi driver training is important to ensure that taxi drivers have adequate knowledge of local and regional geography, rules and regulations, good traffic safety skills, crime prevention strategies, health and safety, and customer service; and,

WHEREAS, Private entities provide training courses for taxi drivers that are certified by the SFMTA; and,

WHEREAS, Existing standards for certification are unclear and need to be improved; and,

WHEREAS, Annual certification of driver training courses will allow Taxi Services to hold private entities accountable for performance; and,

WHEREAS, San Francisco taxi drivers are required to complete an SFMTA approved driver training course prior to obtaining a driver permit; and,

WHEREAS, Annual driver training for driver permit holders will allow Taxi Services to hold taxi drivers accountable for performance; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends San Francisco Transportation Code, Article 1100 of Division II, to define the term "driver training course" to provide for certification of such courses provided by private entities and to require annual renewal of such certification, and to allow the San Francisco Municipal Transportation Agency to require that taxi drivers complete a driver training course annually.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of August 20, 2013.

R. Bowmer

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

[Transportation Code – Taxi Driver Training Course]

Resolution amending the San Francisco Transportation Code to define the term “driver training course” to provide for certification of such courses provided by private entities and to require annual renewal of such certification, and to allow SFMTA to require that taxi drivers complete a driver training course annually.

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.

For purposes of this Article the following words and phrases shall have the meanings set forth below:

* * * *

"Driver Training Course" shall mean a mandatory training course for new or current Drivers that is provided by the SFMTA or is provided by an outside entity and certified, on an annual basis and in accordance with procedures adopted by the Director of Transportation, to comply with requirements adopted by the Director of Transportation.

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

SEC. 1103. PERMIT APPLICATIONS AND RENEWAL.

* * * *

(c) Additional Requirements Applicable to Driver Permit Applications.

(1) Application Requirements. In addition to complying with all applicable requirements of this Section, each applicant for a Driver Permit shall:

- (A) Provide his or her fingerprints; and
- (B) Take and pass a written examination; and
- (C) Take and pass a physical examination if required by the SFMTA; and
- (D) ~~Demonstrate~~ Certify that he or she ~~the applicant~~ has successfully completed an SFMTA-approved a Driver Training Course for new Driver~~training course~~; and
- (E) Provide photographs of the applicant, taken no more than 12 months prior to the time of application; and
- (F) Enclose a statement of affiliation signed by the applicant and the Color Scheme documenting the Color Scheme's commitment to offer the applicant a position as a Driver if the Driver Permit is issued; and

(G) Reserved: Controlled Substance Testing Program.

(2) Driver Qualifications. Each applicant for a Driver's Permit must:

- (A) Be a legal resident of the United States;
- (B) Be clean in dress and person;
- (C) Be free of any disease, condition, infirmity, or addiction that might render the applicant unable to safely operate a motor vehicle or that otherwise poses a risk to public health and safety;
- (D) Have held a valid California driver's license for one year immediately prior to the date of application;
- (E) Have the physical capacity to operate a motor vehicle for at least four hours per day;

(F) Have no prior convictions of a crime that would, in the judgment of the SFMTA, present a risk to public safety if the permit is granted, including but not limited to convictions involving sexual assault, the use of a vehicle in the commission of a felony, fraud, violence against a person, reckless disregard for public safety, two or more recent convictions of drug-related offenses, or two or more recent convictions of driving under the influence, whether or not such convictions occurred while driving a Motor Vehicle for Hire. The SFMTA may, in its discretion, issue a permit notwithstanding prior convictions if, following review of an individual case, it determines that the applicant or Permit Holder does not pose a current risk to public safety;

(G) Have attained the age of 24;

(H) Speak; read and write the English language;

(I) Reserved: Controlled Substance Testing Program.

(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)(F). 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)(F).

(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;

(CB) 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.

(4) Surrender of A-Card When Not Driving. A Driver must return his or her Color Scheme Identification Card to the Color Scheme within 30 calendar days of terminating his or her affiliation with a Color Scheme and must return his or her A-Card to the SFMTA within 30 calendar days if the Driver does not affiliate with another Color Scheme. If the Driver will discontinue driving for a period of time in excess of 30 consecutive days but intends to resume driving a Motor Vehicle for Hire in the future, the SFMTA shall hold the A-Card on file until the Driver informs the SFMTA of his or her intention to resume driving. Upon receiving such notice, the SFMTA shall return the A-Card to the Driver so long as all Application and Renewal Fees and other Permit Fees are paid and the Driver remains qualified for the permit.

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Section 3. Effective Date. This ordinance shall become effective 30 days after enactment.

Section 4. 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 August 20, 2013.

R. Boomer

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency