

THIS PRINT COVERS CALENDAR ITEM NO.: 13

**SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY**

DIVISION: Taxis, Access & Mobility Services Division

BRIEF DESCRIPTION:

Amending Transportation Code, Division II, Article 1100, Sections 1102, 1105, 1108 - 1110, 1116, 1119- 1121, and 1124 to increase the standard taxi fare, to update the Gate Fee definition and clarify the Gate Fee cap, to remove outdated references to the Board of Appeals, to allow Medallion Holders to hold a maximum of 50 Transferable Medallions, and other non-substantive clean up, including minor grammatical fixes.

SUMMARY:

- Standard taxi fares have not increased since 2011. Due to 45% increase in the overall cost of living in the Bay Area since 2011 and a significant increase in fuel costs over the past few years (200% at its peak), staff is proposing to increase standard taxi fares.
- Update the definition of Gate Fee, simplify the Gate Fee cap requirement and add a Gate Fee reporting requirement to improve oversight and administration.
- SFMTA has discontinued its informal practice of allowing taxi permit appeals to be heard by the Board of Appeals. This process is duplicative of the due process hearing requirements established in Sections 1120 and 1121 administered by the SFMTA Hearing Section. Therefore, staff is proposing to remove outdated references to the Board of Appeals and clarify that a decision by the Hearing Officer is the final administrative decision.
- As part of the medallion reform package approved by the SFMTA Board in 2018, staff proposed that Medallion Holders be allowed to hold up to a maximum of 50 Transferable Medallions. Due to a clerical error, this proposed amendment was not codified in the Transportation Code. Staff is proposing to codify this amendment.

ENCLOSURES:

1. SFMTAB Resolution
- 2.

APPROVALS:

DIRECTOR



SECRETARY



DATE

October 12, 2022

October 12, 2022

ASSIGNED SFMTAB CALENDAR DATE: October 18, 2022

PURPOSE

Amending Transportation Code, Division II, Article 1100, Sections 1102, 1105, 1108 - 1110, 1116, 1119- 1121, and 1124 to increase the standard taxi fare, to update the Gate Fee definition and clarify the Gate Fee cap, to remove outdated references to the Board of Appeals, to allow Medallion Holders to hold a maximum of 50 Transferable Medallions, and other non-substantive clean up, including minor grammatical fixes.

STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES

The item will support the following goals and objectives of the SFMTA Strategic Plan:

- Goal 5. Deliver reliable and equitable transportation services.
- Goal 9: Fix things before they break, and modernize systems and infrastructure

This item will support the following Transit First Policy Principles:

- 2. Public transit, including taxis and vanpools, is an economically and environmentally sound alternative to transportation by individual automobiles. Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile.

DESCRIPTION

The Taxis, Access & Mobility Services Division of the San Francisco Municipal Transportation Agency (SFMTA) 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.

As part of that mandate, SFMTA’s Taxis, Access & Mobility Services Division strives to ensure that San Francisco taxicab industry remains a safe and reliable transportation choice. This includes proposing amendments to the Transportation Code for SFMTA Board consideration.

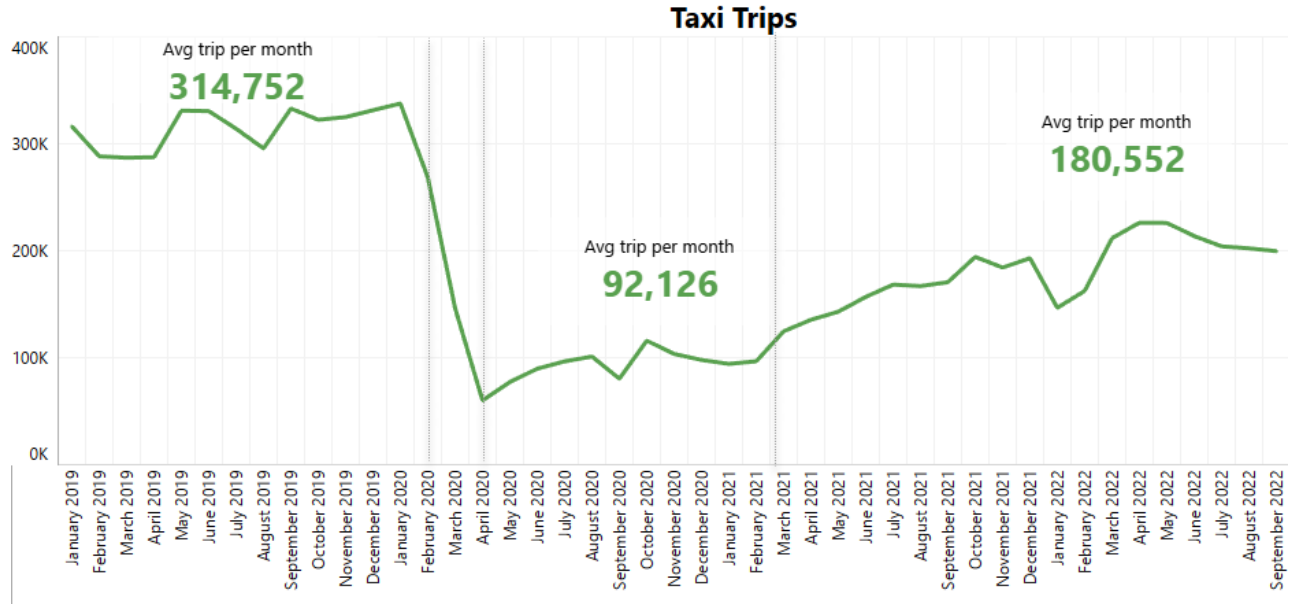
This legislation is part of an ongoing effort to reform and modernize taxicab rules to ensure a high standard of customer service and consumer protection while allowing the taxi industry to innovate. The proposed Transportation Code amendments reflect a range of minor clean-up items to more substantive changes to the taxicab regulatory framework, which are detailed by code section below.

BACKGROUND

The Taxis, Access & Mobility Services team has been working diligently to implement initiatives to support the taxi industry, particularly during the Covid-19 pandemic. Like all other transportation services, the taxi industry in San Francisco experienced a steep decline during the Covid-19 pandemic. Chart 1 below shows this change over time. Pre-Covid, the taxi industry averaged 315,000 trips per month, while the monthly average during the pandemic was 92,000 trips per month, or 29% of the typical number of trips. As San Francisco recovers from the

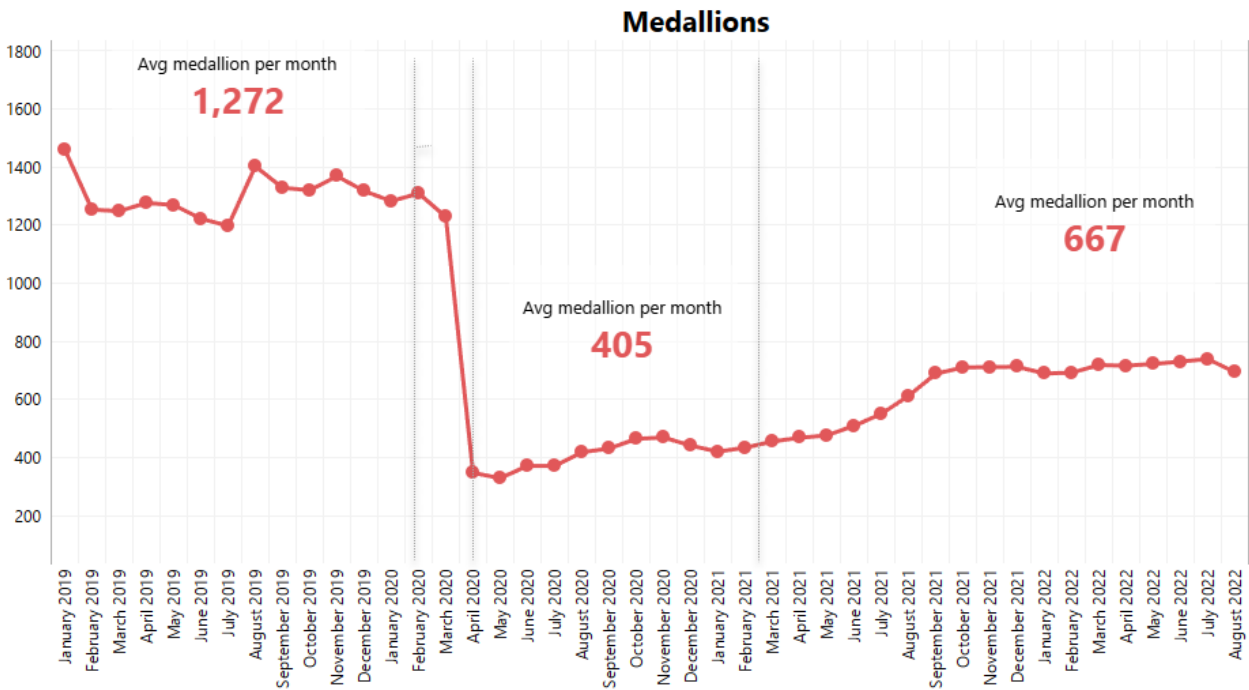
pandemic, the average trips have increased to over 180,000 per month, with the average continuing to increase each month – a very positive sign.

Chart 1: Average Taxi Trips Per Month



Another way to measure the health of the taxi industry is by looking at the number of taxi medallions in operation. Chart 2 below shows that pre-Covid, the industry averaged 1,272 taxi medallions operating per month, while during the pandemic, the taxi medallions operating per month was 405 on average. As San Francisco recovers from the pandemic, the average medallions in operation has increased to 667 per month. These figures show a healthy market response - more medallions enter back into service to accommodate the rising demand for trips. SFMTA is also seeing an uptick of new vehicles introduced into the taxi fleet, and an increase in new drivers, adding 74 new drivers thus far in 2022.

Chart 2: Average Medallions in Service Per Month



Throughout the pandemic, staff has been working to support the industry. Recent efforts include:

- Extensive tax code reform in 2021 approved by the SFMTA Board, including:
 - Standardizing and streamlining the administrative penalty structure
 - Simplifying and streamlining reporting requirements
 - Consolidating tax permit renewal requirements into one code section for clarity
 - Establishing the Taxi Upfront Fare Pilot to allow taxi e-hail application providers to offer more functionality to taxi customers. Under the Pilot, customers can book and pay for a taxi trip in advance of the trip. It also allows taxi e-hail application providers to partner with third-party entities to offer additional trips provided by taxi drivers.
- All taxi fees are waived for fiscal years 2022-23 and 2023-24, and since 2014, SFMTA has foregone over \$11.2M in revenue from reduced or waived taxi-related fees.
- Working in partnership with San Francisco Recreation & Parks, installed two new taxi stands in Golden Gate Park in front of the de Young Museum and the California Academy of Sciences. These two taxi stands allow taxis to serve a popular destination, which includes several attractions. These are the first taxi stands allowed inside Golden Gate Park.
- Increase the tip amount paratransit taxi customers. Starting September 1, 2022, paratransit taxi customers have the ability to provide a 15% tip up to a maximum of \$4.00 for paratransit taxi trips. Prior to this increase, paratransit taxi customers could provide a 10% tip up to a maximum of \$2.00.

- Recently added an additional \$100/month incentive for gas/operating expenses for ramp taxi drivers who meet wheelchair pick-up requirements. This bonus is in addition to the following existing ramp taxi driver incentives:
 - \$10 per wheelchair trip provided in a ramp taxi
 - \$15 per wheelchair trip for trips after 8:00pm and before 6:00am and for wheelchair trips that originate in outlying areas.
 - \$500 - \$600 Capital and Operating Incentive: ramp taxi medallion holders who purchase and operate their own accessible vehicle can earn a monthly incentive if they complete more than 20 wheelchair trips each month.
 - SFO incentive: 15 short passes per month based on meeting pick-up requirements

Prior support efforts include:

- [Waived all taxi-related fees](#) for fiscal years 2020-21 and 2021-22
- Established the [Essential Trip Card \(ETC\) program](#) to provide discounted taxi trips for seniors and people with disabilities who would have otherwise taken the trip on Muni. Approximately 5,000 riders are currently signed up for this program and over 158,000 trips have been provided thus far, including over 7,100 trips to vaccination sites.
- Created a [promotional video of the ETC program](#).
- Supported the Department of Environment's [Essential Worker Ride Home program](#), which provides subsidized taxi trips for essential workers. SFMTA worked with the Transportation Authority and the Department of Environment staff to identify \$447,000 in funding that was reprogrammed to support this important program.
- [Provided personal protective equipment](#) (PPE) kits that include sanitizing fluid, paper towels, nitrile gloves, and face masks for taxi drivers, including (minimum count):
 - 14,504 gloves
 - 3,469 masks
 - 830 hand sanitizers
 - 87 gallons of disinfectant
 - 259 rolls of paper towels
 - 822 [plastic shields](#) installed between front and rear seat
- Trained taxi company representatives and posted [training video on proper cleaning procedures](#).
- Distributed [face mask stickers](#) to color schemes that inform passengers that they must wear a face mask while riding in a taxi.
- Publicized the benefits of taking taxis via [Blog Post](#).
- Honored outstanding [Every Day Heroes: Taxi Driver Corey Lamb](#).
- Increased the per vehicle rebate up to \$7,700 in the SFMTA's [Clean Air Taxi program](#) and expanded the eligibility to include used vehicles. Over 96% vehicles in the taxi fleet are low-emission and play a critical role in meeting the City's ambitious climate goal of 80% of trips taken by sustainable means of travel by 2030.
- Taxis are included in the expansion of the network of permanent transit only lanes and the temporary transit only lanes, which allow taxis to provide more efficient service to customers.
- Published an [on-line map of the transit-only \(red\) lanes](#), which shows both taxi stands and red lanes that specifically allow taxis. This useful tool shows taxi drivers and

potential riders how taxis are able to bypass normal vehicle restrictions with access to these lanes across the city.

- Launched a [taxi marketing campaign](#), which is intended to provide sustained value over time, leveraging SFMTA's in-house marketing talent, access to on-board advertising, and public service announcements.
- SFMTA now [pays the \\$600 cost](#) of the Substance Abuse Professional (SAP) evaluation, along with ongoing regular drug testing, for taxi drivers who failed the drug test as part of the driver permit renewal process.
- Provided information relevant to the taxi industry regarding Covid-19 [crisis resources](#), [CARES Act](#) benefits, and [Pandemic Unemployment Assistance](#).
- Requested SF Federal Credit Union establish a [loan deferral](#) program for taxi medallion holders.
- [Updated the rules for access to SFO](#) to only allow pick-ups in Purchased medallions and ramp taxis.
- Established a [temporary taxi stand at Moscone Center South](#) and City College, high-volume vaccination sites, and supported the establishment of a temporary taxi stand at the Golden Gate Bridge Welcome Center parking lot.
- [Updated taxi e-hail app requirements](#) help to ensure that the taxi industry's mobile applications are useful and accessible to the public. The taxi apps now must provide riders with the ability to input pick-up and drop-off locations and in return provide fare estimates and estimated trip time, and they set the stage for the San Francisco taxi fleet to integrate with third party trip planning applications, like the Transit app and Muni Mobile application.
- Worked with Supervisor Peskin, the Department of Public Health and the Treasurer Tax Collector's Office to retroactively [eliminate Weights and Measures fees](#) (approximately \$120 per meter) for taxi meters from January 2019, through March 2025, refund eliminated over \$200k in fees already paid and associated penalties.
- Support waiver of business registration fee for taxi drivers sponsored by Supervisor Peskin
- Support SFO's launch of the new TaxiVQ taxi driver app on February 8, 2022. The TaxiVQ allows taxi drivers to request a pick-up at SFO, and wait in a virtual queue for their trip to come up. This allows taxi drivers to service other taxi customers within the City of San Francisco while waiting in the virtual queue for their SFO trip to be ready to service. Hold lot wait time decreased from a median of 145.5 minutes to 16.0 minutes, daily airport trips per driver increased from 3.1 to 5.2, and the median daily unique driver count at SFO increased from 264 to 390. In short, drivers are waiting far less time at SFO, more drivers are getting the opportunity to take advantage of airport pickups, and the median driver is getting more total airport fares per day than they were in the month before the system launched.
- As part of the [Embarcadero Quick Build](#), a highly anticipated Taxi stand was installed at the San Francisco Ferry Building in March 2022. The Taxi stand was installed [just south of the Ferry Building](#), which will help Taxis serve passengers visiting the Ferry Building and passengers who may be embarking/disembarking from the adjacent ferry terminal, connecting Taxis with ferries who service a wide range of destinations around the San Francisco Bay.

- Work with Office of Contract Administration to streamline purchase order process for city agencies to engage taxi services.

In addition to all of these efforts, staff has undertaken this code reform package with the main goal of supporting taxi drivers by increasing the standard taxi fare, as well as clarifying the Gate Fee maximum and other minor code clean-up.

Proposed Transportation Code Revisions by Section

Article 1100

Section 1102. DEFINITIONS.

Staff is proposing to update the definition of Gate Fee to remove the reference to daily shift. Over the years since the Gate Fee definition was codified, the types of lease periods have expanded to include a range of longer periods, including weekly and monthly. Since the definition as written does not contemplate lease periods beyond the daily shift, staff is proposing to eliminate the reference to ‘daily shift’ to broaden the definition.

Sections 1105 and 1109-1110.

The proposed amendments in the above noted four sections are all minor, non-substantive clean-up. They are very minor grammatical fixes, including removal of a superfluous dash and cleaning up a few minor typos.

Section 1108. CONDITIONS APPLICABLE TO DRIVER PERMITS

In the August 2021 taxi medallion reform package, the SFMTA Board approved an amendment to move the prohibition on leaving a taxi vehicle unattended for more than four hours on a public street to Section 1106 to make it requirement on Color Schemes rather than individual drivers or Medallion Holders. While the requirement was added to 1106 at that time, it should have been removed from Section 1108. This clean-up proposal would delete the extraneous requirement from the section applicable to drivers.

Section 1116. TAXI MEDALLION TRANSFER PROGRAM

In the October 2018 taxi medallion reform package, the SFMTA Board approved allowing Medallion Holders to hold up to a maximum of 50 Transferable Medallions. Due to a clerical error, the amendment was not codified in the Transportation Code at that time. This proposed amendment is intended to clean-up that error and codify that Medallion Holders may hold up to a maximum of 50 Transferable Medallions.

Section 1119. ADMINISTRATIVE FINES ASSESSED AGAINST NON-PERMIT HOLDERS.

The SFMTA has discontinued its informal practice of allowing taxi permit appeals to be heard by the Board of Appeals. This process is duplicative of the due process hearing requirements established in Sections 1120 and 1121 administered by the SFMTA Hearing Section. The proposed amendment in this section clarifies that the decision by a Hearing Officer is the final

administrative decision with respect to administrative hearings conducted pursuant to Sections 1119, 1120 and 1121.

Section 1120. ADMINISTRATIVE HEARINGS.

Because the SFMTA has discontinued its informal practice of allowing taxi permit appeals to be heard by the Board of Appeals, staff is proposing to delete outdated references to the Board of Appeals and to clarify that the decision by a Hearing Officer made under Sections 1119, 1120 and 1121 is the final administrative decision.

Section 1121. SUMMARY SUSPENSION OF PERMIT FOR HEALTH OR SAFETY REASONS.

Because the SFMTA has discontinued its informal practice of allowing taxi permit appeals to be heard by the Board of Appeals, staff is proposing to delete outdated references to the Board of Appeals.

Section 1124. TAXI FARES AND FEES, GATE FEES.

Standard taxi fares have not increased since 2011. Due to 45% increase in the overall cost of living in the Bay Area since 2011 and a significant increase in fuel costs over the past few years (200% at its peak), staff is proposing an 18% increase the standard taxi fare.

Table 1. Standard Taxi Fare: Current and Proposed

Fare Component	Current Meter Rate	Proposed Meter Rate Increase
Flag Drop: First one-fifth of a mile	\$3.50	\$4.15
Distance: Each additional one-fifth mile or fraction thereof	\$0.55	\$0.65
Time: Each minute of waiting or traffic delay time	\$0.55	\$0.65

Staff conducted analysis of the standard taxi fare to develop the proposed increase. Table 2 below shows that the median taxi fare for all trips analyzed from January through May of 2022 is \$12.85. The flag drop component of the fare comprises 16% of the total fare, the distance traveled comprises 73% of the total fare and the wait time comprises 11% of the total fare. Staff analyzed the median fare, which is defined as the fare that’s in the middle of the low to high

spread. The average fare was also analyzed, but because there are some outlier fares on the very high end, staff felt that the median or middle fare provided the most helpful snapshot of a typical fare.

Table 2. SF Trip Characteristics January - May 2022

❖ Median standard taxi fare: \$12.85

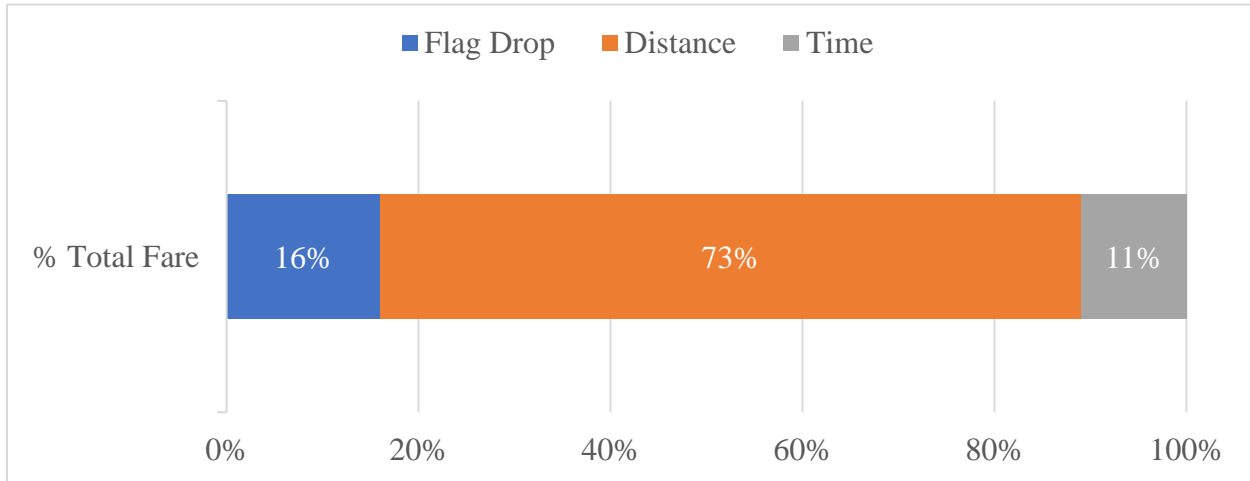
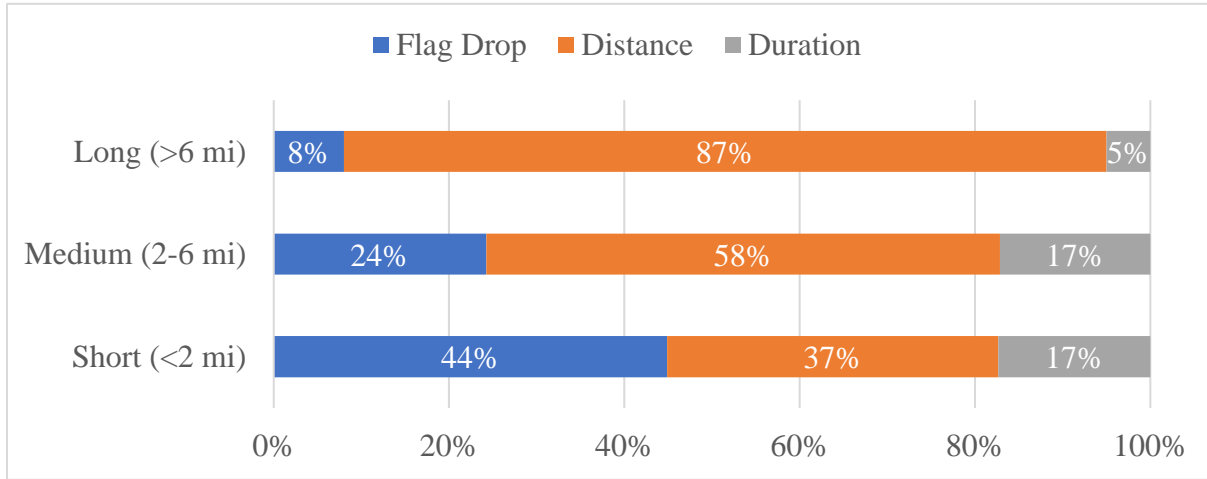


Table 3 below shows the standard taxi fare components by trip distance for taxi trips provided from January through May 2022. This analysis was conducted to break out the percentage each fare component (flag drop, distance and time) on the total fare for short trips (under two miles), medium trips (between two – six miles) and long trips (over six miles). The analysis shows that as expected, the flag drop component comprises a higher percentage of the total fare for short trips and the distance fare component comprises a higher percentage on longer trips. As part of staff’s equity consideration, it was decided not to increase just the flag drop, because that would disproportionately impact paratransit taxi customers, whose trips are typically shorter than two miles. Conversely, and increase or a surcharge on just the distance component would impact taxi customers that take longer trips. The staff proposal to increase all three fare components is intended to balance the impact across all three fare components.

Table 3. Fare Components by Trip Distance January - May 2022



As part of the fare increase proposal analysis, staff conducted outreach to peer jurisdictions nationally and in Canada. Tables 4 and 5 below information gathered regarding surcharge and fare proposals and recent adjustments.

Table 4. Recent Fare Surcharges in Other Jurisdictions

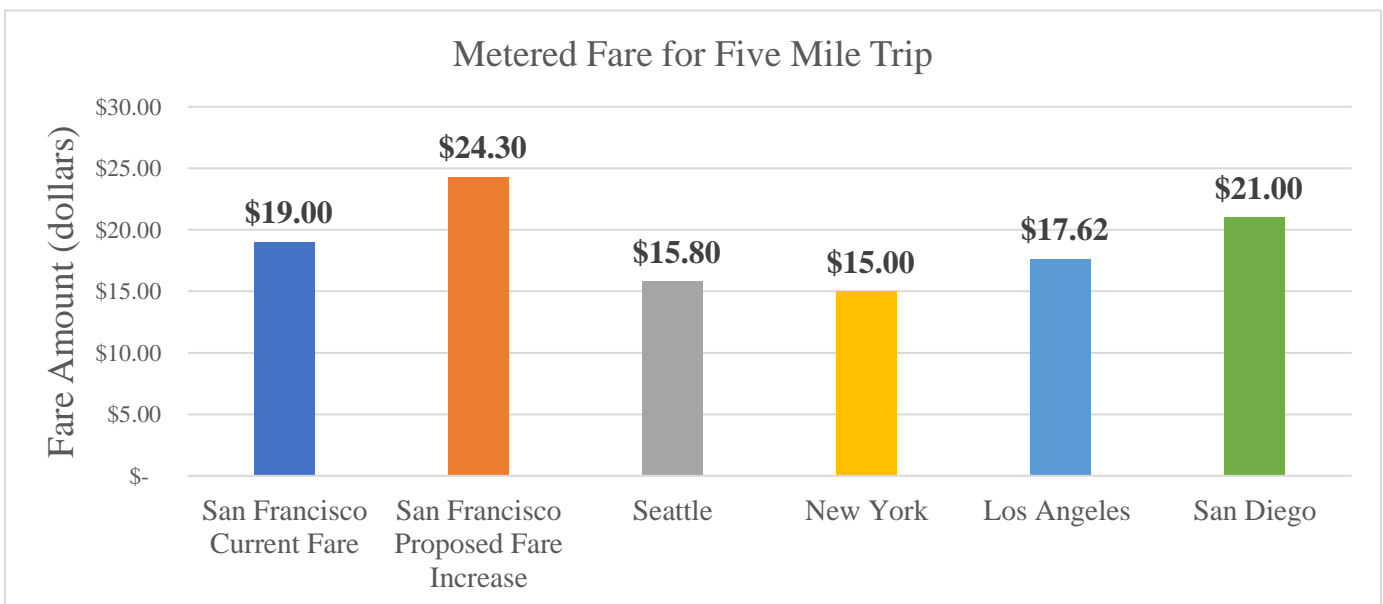
Cities Enacting Trip Surcharges	
Houston	\$0.50 per trip
Seattle	\$1 per trip
Las Vegas	\$0.39 increase / metered mile
Chicago (proposed)	\$1 for trips < \$20 \$2 for trips \$20-\$40 \$3 for trips > \$40

Table 5. Recent Fare Adjustments in Other Jurisdictions

Cities Raising Base Fare (Flag Drop)	
Toronto	\$1 per trip
New York (proposed)	\$2.50 increase from \$3.30 to \$5.80
Cities Raising Fares	
Montreal	17% increase in fares and increased rates allowed for late night rides
Los Angeles	Flag increase to \$3.10, \$0.33 per 1/9th mile and per 37 seconds of wait time

Table 6 below shows San Francisco’s current and proposed fare in comparison to peer cities for a typical five-mile trip. San Francisco meter rates are at the high end among peer cities, although it’s important to note that there is a high cost of living in San Francisco. The fare increase is a direct benefit to taxi drivers. The high cost of living in San Francisco, coupled with the fact that there hasn’t been a taxi fare increase since 2011, highlights the importance of increasing the fare rates for drivers to earn more to retain them in the industry.

Table 6. Comparison Across Jurisdictions



Additionally, staff is proposing to clarify the maximum allowable Gate Fee (the amount a Color Scheme can charge a driver for use of the taxi). During outreach with key stakeholders, drivers expressed concern that taxi companies would raise their Gate Fees in response to the proposed meter increase. The current cap on Gate Fees is based upon a complex calculation that is difficult to enforce. The proposed changes clarify the method for calculating the cap by using the existing hourly maximum but with a clear way to calculate the cap, as opposed to the current mean Gate Fee calculation. In addition, staff is proposing to add a reporting requirement. The proposed changes will clarify the Gate Fee maximum and allow for staff to more easily audit compliance.

STAKEHOLDER ENGAGEMENT

Taxi Services has engaged in a thorough stakeholder engagement process regarding the proposed Transportation Code changes. Given the scale of the proposed amendments, staff worked hard to ensure that there has been significant time for the taxi industry stakeholders to provide input. In continuing effort to remain open and transparent to the industry, staff discussed, and elicited feedback related to these legislative changes at meetings, including quarterly Color Scheme meetings, held five industry-wide online meetings from August– September 2022. Feedback was accepted via email. In general, feedback received was in support of increasing the standard taxi fare.

SFMTA Staff solicited feedback with the following groups and at these meetings:

- Paratransit Coordinating Council
- Multimodal Accessibility Advisory Committee
- San Francisco Taxi Workers' Alliance
- SFMTA Citizens' Advisory Council
- Mayor's Disability Council
- SFMTA Taxi Industry Quarterly Outreach Meeting
- Taxi Color Schemes and Dispatch Companies
- SF Paratransit / Transdev
- Board of Supervisors Offices

ALTERNATIVES CONSIDERED

Staff considered a number of alternatives to the meter fare increase, including:

- Implementing a temporary fuel surcharge
- Increasing taxicab rates at the rate of inflation
- Establishing fares based on time of day and location
- Updating out-of-town long-distance trip charges

Each of the alternatives was thoroughly considered and in the case of the out-of-town trip charges, staff conducted a survey in multiple languages to solicit driver input. Based on feedback, staff decided to not propose changes for out-of-town trips. Based on key stakeholder feedback, staff feels like the current recommendation provides a balanced approach to the standard taxi fare increase.

FUNDING IMPACT

The proposed standard taxi fare increase represents a projected increased cost to the SFMTA paratransit taxi program of approximately \$850,000. There is funding available for this additional cost in the form of savings resulting from a steep decline in demand in the SF Paratransit program during the Covid-19 pandemic.

ENVIRONMENTAL REVIEW

On September 29, 2022, the SFMTA, under authority delegated by the Planning Department, determined that the proposed amendments to Transportation Code, Division II, Article 1100 – Taxi Meter Rates, Gate Fees, and Other Updates are not a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Section 15060(s) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

OTHER APPROVALS RECEIVED OR STILL REQUIRED

Article 4, Section 10 of the SFMTA Board of Directors Rules of Order requires publication of notice in the official newspaper of the City and County before adoption or revision of any schedule of rates, charges, fares fees or fines. Accordingly, SFMTA published a notice in the San Francisco Examiner, from October 6 – October 13, 2022, that the Board would consider amending taxi-related fares and fees.

The City Attorney has reviewed this calendar item.

RECOMMENDATION

Amending Transportation Code, Division II, Article 1100, Sections 1102, 1105, 1108 - 1110, 1116, 1119- 1121, and 1124 to increase the standard taxi fare, to update the Gate Fee definition and clarify the Gate Fee cap, to remove outdated references to the Board of Appeals, to allow Medallion Holders to hold a maximum of 50 Transferable Medallions, and other non-substantive clean up, including minor grammatical fixes.

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. _____

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) desires to increase the standard taxi fare because it has not increased since 2011; and,

WHEREAS, SFMTA wants to clarify the manner in which the cap on Gate Fees, which is the fee that Color Schemes charge Drivers for the use of a taxi, is calculated; and, WHEREAS, SFMTA wants to delete references in the Transportation Code to the discontinued informal practice of allowing taxi permit appeals to be heard by the Board of Appeals, which is duplicative of the due process hearing requirements established in Sections 1120 and 1121; and,

WHEREAS, SFMTA wants to clarify that Medallion Holders are allowed to hold up to a maximum of 50 Transferable Medallions; and,

WHEREAS, On September 29, 2022, the SFMTA, under authority delegated by the Planning Department, determined that the proposed amendments to Transportation Code, Division II, Article 1100 – Taxi Meter Rates, Gate Fees, and Other Updates are not a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Section 15060(s) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference; now, therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amend Transportation Code, Division II, Article 1100, Sections 1102, 1105, 1108 - 1110, 1116, 1119- 1121, and 1124 to increase the standard taxi fare, to update the Gate Fee definition and clarify the Gate Fee cap, to remove outdated references to the Board of Appeals, to allow Medallion Holders to hold a maximum of 50 Transferable Medallions, and other non-substantive clean up, including minor grammatical fixes.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 18, 2022.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency

RESOLUTION NO.

[Transportation Code – Regulation of Motor Vehicles for Hire]

Resolution amending the Transportation Code to increase the standard rate of fare for taxis, clarify the method for calculating gate fees, and modify the administrative hearing procedures applicable to motor vehicle for hire permits issued under Article 1100.

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 revising Sections 1102, 1105, 1108 - 1110, 1116, 1119 - 1121, and 1124, to read as follows:

SEC. 1102. DEFINITIONS.

For purposes of this Article 1100, the following words and phrases shall have the meanings set forth below:

* * * *

"Gate Fee" shall mean any monetary fee or other charge or consideration, or any combination thereof, paid by a Driver who is not a Taxi or Ramp Taxi Medallion Holder for the privilege of driving a Taxi or Ramp Taxi ~~for a daily shift~~, and for receipt of all services provided in connection with such privilege, whether said fee, charge, or consideration is set orally or in writing, and regardless of the terms of payment.

* * * *

SEC. 1105. GENERAL PERMIT CONDITIONS.

RESOLUTION NO.

(a) **Conditions Applicable to All Permits.**

* * * *

(17) **Operation by Driver Permit Hold-ers.** No Permit Holder shall knowingly allow the use of a Taxi or Ramp Taxi vehicle as a motor vehicle for hire by any person who does not hold a Driver Permit and California driver's license, or by any person who is not covered by the insurance policy issued for the Taxi vehicle.

(18) **Retaliation.** No Permit Holder shall retaliate against another individual or entity for the exercise of any right provided by this Article 1100.

(b) **Electronic Taxi Access System.** Each Dispatch Service Permit Holder shall integrate its dispatch system with and implement the Elec-tronic Taxi Access System, and shall electronically transfer all of its Electronic Trip Data to the Elec-tronic Taxi Access System in real-time as required by this Section 1105(b).

* * * *

SEC. 1108. CONDITIONS APPLICABLE TO DRIVER PERMITS.

* * * *

(e) **Driver Duties During Shift.**

* * * *

(28) [Reserved.] ~~No Driver shall leave a vehicle unattended on a public street for more than 4 hours.~~

* * * *

SEC. 1109. CONDITIONS APPLICABLE TO MEDALLIONS.

RESOLUTION NO.

* * * *

(c) **Full-Time Driving Requirement.**

* * * *

(6) **Exception for Color Scheme Key Personnel.**

* * * *

(E) **Partial Completion of Requirements.** If a Medallion Holder performs at least 750 hours of work as designated Key Personnel for ~~the~~ a Color Scheme during the year but less than 1,500 hours, the Permit Holder shall be entitled to partial credit against the Full-Time Driving requirement on a pro rata basis. The credit shall correspond to the percentage of 1,500 hours that the designated Permit Holder worked for the company in such capacity. If a Permit Holder does not perform at least 750 hours of work as designated personnel for the Color Scheme during the year, the Permit Holder shall not be entitled to any credit against the Full-Time Driving requirement.

* * * *

SEC. 1110. CONDITIONS APPLICABLE TO RAMP TAXI MEDALLIONS.

In addition to the conditions specified in Section 1105, the following conditions are applicable to Ramp Taxi Medallions:

(a) **Serving Passengers Who Use Wheelchairs.**

* * * *

(3) Every Ramp Taxi Medallion Holder or Permit Holder with a Ramp Taxi Medallion Use Agreement must ensure that the Ramp Taxi meets a minimum wheelchair pick-up requirement per month, which shall be set by the Director of Transportation. If a Ramp Taxi Medallion Holder or Permit Holder with a Ramp Taxi

RESOLUTION NO.

Medallion Use Agreement fails to meet the wheelchair pick-up requirement three times within a six-month period, or fails to comply with any condition of the Ramp Taxi Medallion Use Agreement, the SFMTA may revoke the Ramp Taxi Medallion, in the case of a Ramp Taxi Medallion Holder, or terminate the Ramp Taxi Use Agreement and reassign the Ramp Taxi Medallion. The application of this ~~paragraph~~ subsection (e)(3) is in addition to any penalties that may be assessed against the Ramp Taxi Medallion Holder or Permit Holder with a Ramp Taxi Medallion Use Agreement for violations of this Article 1100 or the rules and regulations of the Paratransit Program.

* * * *

SEC. 1116. TAXI MEDALLION TRANSFER PROGRAM.

* * * *

(d) **Retransfer.**

* * * *

(f) **Medallion Transfer Allocation.**

(1) The Transferor shall distribute to the SFMTA the Medallion Transfer Allocation at the time of Retransfer. The Medallion Transfer Allocation shall be 5% of the Medallion Transfer Price.

(2) Notwithstanding ~~S~~subsection (f)(1) above, the Director of Transportation is authorized to waive the Medallion Transfer Allocation from November 17, 2018 through November 16, 2025~~3~~.

* * * *

(i) ~~Reserved.~~ **Maximum Number of Medallions.** A Medallion Holder may hold a maximum of 50 Transferable Medallions.

* * * *

SEC. 1119. ADMINISTRATIVE FINES ASSESSED AGAINST NON-PERMIT HOLDERS.

* * * *

(d) **Right to Judicial Review.** A decision of a Hearing Officer made under ~~this~~ Sections 1119, 1120, or 1121 is a final administrative decision. The person or entity cited may obtain judicial review of the administrative decision by filing a petition for review in accordance with California Code of Civil Procedure Sections 1094.5 and 1094.6.

SEC. 1120. ADMINISTRATIVE HEARINGS.

* * * *

(h) **Settlement.**

(1) After issuance of an SFMTA Complaint, Notice of Nonrenewal, Inactive Status under Section 1103(b)(4), or Summary Suspension, or a Citation issued under Section 1119(a) or for a violation listed under Section 1118(a), the SFMTA may enter into a settlement with the Respondent or person cited. The parties may reach a settlement before, during, or after the hearing, but may not enter into a settlement after the Hearing Officer issues the Notice of Decision in accordance with subsection (e)(2).

(2) A settlement need not be read into the record of the hearing, or approved by the Hearing Officer, but must be reduced to writing, and signed and dated by the SFMTA and Respondent or Respondent's legal counsel or other authorized representative.

(3) By entering into a settlement agreement, ~~Respondent waives any right to appeal to the City's Board of Appeals, and~~ Respondent waives any right to seek judicial review with respect to the subject of the settlement agreement.

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(k) **Right to Judicial Review.** A decision of a ~~h~~Hearing Officer made under Sections 1119, 1120, or 1121 is a final administrative decision. The person or entity cited may obtain judicial review of the administrative decision by filing a petition for review in accordance with California Code of Civil Procedure Sections 1094.5 and 1094.6.

SEC. 1121. SUMMARY SUSPENSION OF PERMIT FOR HEALTH OR SAFETY REASONS.

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(c) **Appeal.** If the Permittee ~~appeals a~~ seeks judicial review of the Hearing Officer's decision upholding a summary suspension ~~to the Board of Appeals~~, the summary suspension shall remain in effect until a final decision is issued by the court ~~Board of Appeals~~. Where a permit is revoked after a summary suspension, the revocation shall be effective immediately and, if the Permittee seeks judicial review ~~appeals to the Board of Appeals~~, shall remain in effect until a final decision is issued by the court ~~Board of Appeals~~.

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SEC. 1124. TAXI FARES AND FEES; GATE FEES.

(a) **Setting Rates of Fare and Gate Fees.** The SFMTA Board may hold a hearing to determine, in its sole discretion, whether the rates of fare and cap on ~~g~~Gate ~~f~~Fees then in effect should be increased, decreased, or remain unchanged.

(b) **Taxi Fares.**

(1) **Standard Fare.** The fare for Taxis and Ramp Taxis shall be as follows: ~~\$3.50~~4.15 for the first fifth of a mile or "flag"; ~~\$0.56~~5 for each additional fifth of a mile or fraction thereof; and ~~\$0.56~~5 for each one minute of waiting or traffic delay time.

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(e) **Gate Fees.** A Color Scheme Permit Holder or a Medallion Holder may not charge Drivers a ~~mean gGate fFee~~ that exceeds \$106.25 for a shift of 10 hours or longer. ~~The cap shall be prorated at \$10.62 per hour for a shifts lease period equal to or shorter than 120 hours, or \$127.44 total for any lease period that ends by the following calendar day. A Color Scheme Permit Holder may offer lease periods greater than 24 hours but shall also offer the option of an hourly lease period to Drivers. The mean gate fee shall be determined by adding together the gate fees charged by the company for all available shifts during one week and dividing that total by the number of available shifts during the week.~~ For purposes of this subsection (e), a Color Scheme Permit Holder is responsible for all gGate fFees that are assessed for use of any Gas and Gates Medallion that is affiliated with the Color Scheme. The Medallion Holder is responsible for all gGate fFees charged for the use of their Medallion if it is not operated as a Gas and Gates Medallion. Upon the request of SFMTA, a Color Scheme Permit Holder or a Medallion Holder shall provide the SFMTA with a record of all Gate Fees charged for the previous six months within 48 hours of such request.

Section 2. Effective Date. This resolution shall become effective 31 days after enactment. Enactment occurs when the San Francisco Municipal Transportation Agency Board of Directors approves this resolution.

Section 3. Scope of Resolution. In enacting this resolution, 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 resolution as additions or deletions in accordance with the "Note" that appears under the official title of the resolution.

RESOLUTION NO.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: _____
STEPHANIE STUART
Deputy City Attorney

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I certify that the foregoing resolution was adopted by the San Francisco
Municipal Transportation Agency Board of Directors at its meeting of October 18, 2022.

Secretary to the Board of Directors
San Francisco Municipal Transportation Agency