

## DRAFT PROGRESSIVE DISCIPLINE POLICY

### FOR VIOLATION OF RULES AND REGULATIONS FOR ALL PERMIT HOLDERS

3/4/16

Every Permit Holder who does not comply with any provision of this Article shall be guilty of a violation and the SFMTA shall assess the penalty as shown in Article 300, Section 310 of the San Francisco Transportation Code. Each day a violation is committed shall be considered a new and separate occurrence of the violation.

The record of action of the SFMTA to suspend a permit is separate and apart from the requirement of the Permit Holder to serve the suspension. The action of the SFMTA to suspend shall be recorded in the Permit Holder's file and will be considered when applying for or renewing a permit. A Permit Holder must serve a suspension during a period of time in which the permit has been surrendered to the SFMTA.

An applicant who seeks to apply or renew a permit, and who has a record on file with the SFMTA, may be denied a permit if the applicant's file indicates any of the following:

- a. More than three (3) substantiated violations within the last twelve (12) months;
- b. More than eight (8) substantiated violations within the last three (3) years;
- c. Revocation of a permit by the SFMTA within the last three (3) years;
- d. Convictions, during the preceding three years, for commission of a crime while operating a taxicab or other vehicle for hire in the state of California, including but not limited to those specified under Section 1103(c)(2)(E).

The intent of progressive discipline is to allow for a Permit Holder to correct behavior. The SFMTA will use progressive discipline in correcting the behavior of a Permit Holder. The severity of each case will direct the appropriate progressive disciplinary action. The SFMTA has the discretion to skip any level of progressive discipline in appropriate circumstances. For the first violation of any rule for the same Progressive Penalty Schedule, a formal verbal or written admonishment may be issued prior to the issuance of a fine and suspension.

**In addition, the SFMTA reserves the right to issue additional suspension days or revoke a permit.**

### PROGRESSIVE DISCIPLINE SCHEDULES

The following progressive discipline shall be applied when a Permit Holder is guilty of the first, second or subsequent violations of any of the rules listed for the same Progressive Discipline Schedule. Staff discretion within the discipline options noted is based on case by case review. Staff must have a written justification on file for the type of discipline selected.

**SCHEDULE A (violations with a fine less than \$300)**

<b>Violation</b>	<b>Discipline</b>
First Violation	<ul style="list-style-type: none"><li>• Verbal warning; or</li><li>• Written Warning; or</li><li>• Citation</li></ul>
Second Violation	<ul style="list-style-type: none"><li>• Citation; and/or</li><li>• Up to three (3) suspension days</li></ul>
Subsequent Violations	<ul style="list-style-type: none"><li>• Citation; and</li><li>• Immediate out of service; and</li><li>• Up to six (6) suspension days; and/or</li><li>• Revocation of Permit</li></ul>

**SCHEDULE B (violations with a fine between \$301 -\$500)**

<b>Violation</b>	<b>Discipline</b>
First Violation	<ul style="list-style-type: none"><li>• Verbal warning; or</li><li>• Written Warning; or</li><li>• Citation</li></ul>
Second Violation	<ul style="list-style-type: none"><li>• Citation; and/or</li><li>• Up to 14 suspension days</li></ul>
Third Violation	<ul style="list-style-type: none"><li>• Citation; and/or</li><li>• Immediate out of service; and</li><li>• Up to 21 suspension days</li></ul>
Fourth Violation	<ul style="list-style-type: none"><li>• Citation; and</li><li>• Immediate out of service; and</li><li>• Revocation of Permit</li></ul>

**SCHEDULE C (violations with a fine over \$501)**

<b>Violation</b>	<b>Discipline</b>
First Violation	<ul style="list-style-type: none"><li>• Verbal warning; or</li><li>• Written Warning; or</li><li>• Citation</li></ul>
Second Violation	<ul style="list-style-type: none"><li>• Citation; and/or</li><li>• Up to 20 suspension days</li></ul>
Third Violation	<ul style="list-style-type: none"><li>• Citation; and/or</li><li>• Immediate out of service; and</li><li>• Up to 27 suspension days</li></ul>
Fourth Violation	<ul style="list-style-type: none"><li>• Citation; and</li><li>• Immediate out of service; and</li><li>• Revocation of Permit</li></ul>

## 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, 2015	PROGRESSIVE DISCIPLINE SCHEDULE
<b>GENERAL PERMIT CONDITIONS</b>			
Div II § 1105(a)(13)	Current address	\$29.00	SCHEDULE A
Div II § 1105(a)(9)	Continuous operation	\$57.00 per day	SCHEDULE A-C
Div II § 1114(a)	Records	\$85.00	SCHEDULE A
Div II § 1105(a)(16)	Response time goals	\$169.00	SCHEDULE A
Div II § 1105(a)(7)	Compliance with lawful orders	\$224.00	SCHEDULE A
Div II § 1105(a)(6)	Compliance with laws and regulations	\$504.00	SCHEDULE C
Div II § 1105(a)(12)	Improper shift change; Unattended vehicle	\$504.00	SCHEDULE C
Div II § 1105(a)(18)	Retaliation against permit holder	\$504.00	SCHEDULE C
Div II § 1105(a)(8)	Cooperation w/ regulatory entities; False statements	\$561.00	SCHEDULE C
Div II § 1105(a)(11)	Compliance with Paratransit Program	\$561.00	SCHEDULE C
Div II § 1105(a)(10)	Accepting/soliciting gifts from Drivers	\$672.00	SCHEDULE C
Div II § 1105(a)(1)	Operating without a permit	\$5,000.00	SCHEDULE C
Div II § 1105(a)(17)	Operating without a Driver Permit, CDL or insurance	\$1,000.00	SCHEDULE C
<b>CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS</b>			
Div II § 1106(s)	Dissolution plan	\$57.00 per day	SCHEDULE A-C
Div II § 1106(m)	Emissions reduction	\$57.00 per day	SCHEDULE A-C
Div II § 1106(n)	Required postings	\$85.00	SCHEDULE A
Div II § 1106(o)	Required notifications	\$85.00	SCHEDULE A
Div II § 1113(d)(3)	Required PIM	\$85.00	SCHEDULE A
Div II § 1114(e)(3)	Receipts	\$85.00	SCHEDULE A
Div II § 1114(e)(5)	Vehicle inventory changes	\$85.00	SCHEDULE A
Div II § 1114(e)(7)	Weekly reporting requirements	\$85.00	SCHEDULE A
Div II § 1106(e)	Transfer of business; New location	\$280.00 per day	SCHEDULE A-C
Div II § 1106(k)(1)	Facility to clean vehicles	\$280.00	SCHEDULE A
Div II § 1106(i)	Workers' Compensation	\$337.00 per day	SCHEDULE B-C
Div II § 1106(p)	Obligations related to Drivers	\$448.00	SCHEDULE B
Div II § 1106(r)	Found property	\$448.00	SCHEDULE B
Div II § 1114(e)(1)	Waybills	\$448.00	SCHEDULE B

Div II § 1114(e)(2)	Medallion Holder files	\$448.00	SCHEDULE B
Div II § 1114(e)(6)	Current business information	\$448.00	SCHEDULE B
Div II § 1124(b)(5)	Retaliation re credit card processing	\$448.00	SCHEDULE B
Div II § 1124(c)	Overcharging gate fees	\$561.00	SCHEDULE C
Div II § 1106(c)	Use of Dispatch Service	\$504.00	SCHEDULE C
Div II § 1106(d)	Business premises	\$504.00	SCHEDULE C
Div II § 1106(h)	Staffing requirements	\$504.00	SCHEDULE C
Div II § 1106(1)(1-5)(7)	Use of spare vehicles	\$504.00	SCHEDULE C
Div II § 1106(f)	Telephone directory	\$561.00	SCHEDULE C
Div II § 1106(j)	Paratransit Broker contract	\$561.00	SCHEDULE C
Div II § 1114(e)(8)	Required information	\$561.00	SCHEDULE C
Div II § 1114(e)(9)	Required information	\$561.00	SCHEDULE C
Div II § 1106(k)(2)-(4)	Nonworking equipment	\$1,120.00	SCHEDULE C
Div II § 1106(q)(4)	Driver operating under the influence	\$1,120.00	SCHEDULE C
Div II § 1106(a)	Color Scheme Permit required	\$5,000.00	SCHEDULE C
Div II § 1106(1)(6)	Leasing spare vehicles	\$5,000.00	SCHEDULE C

### CONDITIONS APPLICABLE TO DISPATCH PERMITS

Div II § 1107(c)(1-4)	Dispatch service operational requirements	\$57.00 per day	SCHEDULE A-C
Div II § 1107(e)	Dispatch equipment requirements	\$57.00 per day	SCHEDULE A-C
Div II § 1114(f)(1)-(2)	Electronic trip data; Integration with ETAS	\$57.00 per day	SCHEDULE A-C
Div II § 1114(f)(3)	Dispatch Service reports	\$85.00	SCHEDULE A
Div II § 1107(d)	Found property	\$85.00	SCHEDULE A
Div II § 1114(f)(4)			
Div II § 1107(c)(6)	Workers' Compensation	\$337.00 per day	SCHEDULE B-C
Div II § 1107(c)(5)	Improper dispatching	\$561.00	SCHEDULE C
Div II § 1107(c)(7)	Affiliate with e-hail application	\$561.00	SCHEDULE C
Div II § 1107(b)-(c)	Dispatch service standards and operational requirements	\$1,000.00	SCHEDULE C

### CONDITIONS APPLICABLE TO DRIVER PERMITS

Div II § 1108(c)	Color Scheme affiliation	\$6.00 per day	SCHEDULE A-C
Div II § 1108(a)	Driver identification	\$85.00	SCHEDULE A
Div II § 1108(d)(2)	Duties at beginning of shift	\$85.00	SCHEDULE A
Div II § 1108(d)(3)	Designated items in vehicle	\$85.00	SCHEDULE A
Div II § 1108(e)(2)	Transporting passenger property	\$85.00	SCHEDULE A
Div II § 1108(e)(5)	Loading and unloading assistance	\$85.00	SCHEDULE A
Div II § 1108(e)(8)	Additional passengers	\$85.00	SCHEDULE A
Div II § 1108(e)(10)-(12)	Mobile telephones; Other audible devices	\$85.00	SCHEDULE A
Div II § 1108(e)(18)-(20), (22)	Driver duties re fares	\$85.00	SCHEDULE A

Div II § 1108(e)(26)	Loose items	\$85.00	SCHEDULE A
Div II § 1108(e)(27)	Trunk and/or baggage area	\$85.00	SCHEDULE A
Div II § 1108(e)(31)	Clean in dress and person	\$85.00	SCHEDULE A
Div II § 1108(e)(32)	Taximeter violation	\$85.00	SCHEDULE A
Div II § 1108(e)(33)	Drinking or eating in vehicle	\$85.00	SCHEDULE A
Div II § 1108(f)(1)-(3)	Duties at end of shift	\$85.00	SCHEDULE A
Div II § 1114(b)(2)	Badge	\$85.00	SCHEDULE A
Div II § 1114(b)(3)	Medical certificate	\$85.00	SCHEDULE A
Div II § 1108(e)(4)	Service animals or contained animals	\$169.00	SCHEDULE A
Div II § 1108(d)(1)	Safety check	\$169.00	SCHEDULE A
Div II § 1108(e)(1)	Refusal to convey	\$169.00	SCHEDULE A
Div II § 1108(e)(7)	Servicing dispatch calls	\$169.00	SCHEDULE A
Div II § 1108(e)(9)	Splitting fares	\$169.00	SCHEDULE A
Div II § 1108(e)(16)	Requesting gratuities	\$169.00	SCHEDULE A
Div II § 1108(e)(17)	Audio/visual communication device	\$169.00	SCHEDULE A
Div II § 1108(e)(24)	Found property	\$169.00	SCHEDULE A
Div II § 1124(d)	Accept credit card; Passenger payment choice	\$169.00	SCHEDULE A
Div II § 1108(e)(3)	Transporting person with a disability in front seat	\$169.00	SCHEDULE A
Div II § 1108(e)(6)	Assisting and securing person with a disability	\$169.00	SCHEDULE A
Div II § 1108(e)(13)	Use of Dispatch Service; log in/out	\$169.00	SCHEDULE A
Div II § 1108(e)(39)	Failure to activate meter	\$169.00	SCHEDULE A
Div II § 1108(e)(14)	Reckless or dangerous driving	\$169.00	SCHEDULE A
Div II § 1108(e)(15)	Ramp Taxi rules	\$169.00	SCHEDULE A
Div II § 1108(e)(29)	Threats and abuse	\$169.00	SCHEDULE A
Div II § 1108(e)(35)-(37)	Paratransit Debit Card	\$169.00	SCHEDULE A
Div II § 1124(c)(5)	Luggage charges	\$169.00	SCHEDULE A
Div II § 1108(e)(25)	Unsafe taxi	\$224.00	SCHEDULE A
Div II § 1108(e)(30)	Excessive force	\$224.00	SCHEDULE A
Div II § 1108(e)(33)	Smoking in vehicle	\$258.00	SCHEDULE A
Div II § 1103(c)(3)(A)	Criminal convictions	\$561.00	SCHEDULE C
Div II § 1108(b)	Controlled substances	\$561.00	SCHEDULE C
Div II § 1108(e)(38)	Tampering with equipment	\$561.00	SCHEDULE C
<b>CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI EQUIPMENT</b>			
Div II § 1113(b)-(e), (g)-(j)	Equipment and display requirements	\$169.00	SCHEDULE A
Div II § 1113(d)(3)	Install PIM in Taxi vehicle	\$169.00 per vehicle	SCHEDULE A-C
Div II § 1113(l)	Vehicle windows	\$85.00	SCHEDULE A
Div II § 1113(o)	Sanitary condition	\$85.00	SCHEDULE A

Div II § 1113(a)	Safe operating condition	\$85.00	SCHEDULE A
Div II § 1113(k)	Standard vehicle equipment	\$85.00	SCHEDULE A
Div II § 1113(k)(13)-(15)	Vehicle tires and wheels	\$85.00	SCHEDULE A
Div II § 1113(m)	Security cameras	\$85.00	SCHEDULE A
Div II § 1113(n)	Condition of vehicle	\$85.00	SCHEDULE A
Div II § 1113(u)	Working Taxi ramp	\$85.00	SCHEDULE A
Div II § 1113(p)	Vehicle title requirements	\$280.00	SCHEDULE A
Div II § 1113(q)-(r)	Excessive vehicle mileage or age	\$280.00	SCHEDULE A
Div II § 1113(s)	Vehicle inspections	\$280.00	SCHEDULE A
Div II § 1113(s)(7)	Fraud related to inspection	\$280.00	SCHEDULE A
Div II § 1113(t)	Replacement vehicle	\$280.00	SCHEDULE A
Div II § 1113(v)	Retired vehicles	\$280.00	SCHEDULE A
Div II § 1113(f)	Taximeters	\$337.00	SCHEDULE B
<b>CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI MEDALLIONS</b>			
Div II § 1109(b)	Use of Dispatch Service	\$85.00	SCHEDULE A
Div II § 1110(a)(1)	Wheelchair priority	\$169.00	SCHEDULE A
Div II § 1110(a)(2)	Ramp Taxi Driver training	\$169.00	SCHEDULE A
Div II § 1110(b)	Ramp Taxi Medallion in spare taxi	\$169.00	SCHEDULE A
Div II § 1110(c)	Time Limits Ramp Taxi Medallion in Spare	\$169.00/per unauthorized day	SCHEDULE A-C
Div II § 1110(d)	Ramp Taxi qualifications	\$169.00	SCHEDULE A
Div II § 1110(a)(3)	Wheelchair pickups	\$448.00	SCHEDULE B
Div II § 1109(c)	Full-time driving requirement	\$24,000.00 multiplied by percentage of hours short of the full time driving requirement	SCHEDULE A-C

(Added by SFMTA Bd. Res. No. 10-056, 4/20/2010; amended by SFMTA Bd. Res. No. 10-149, 11/16/2010; SFMTA Bd. Res. No. 11-029, 3/1/2011; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012; SFMTA Bd. Res. No. 12-112, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 14-061, Ad. 4/15/2014, Eff. 5/16/2014, Oper. 7/1/2014; SFMTA Bd. Res. No. 14-080, Ad. 5/20/2014, Eff. 6/20/2014; SFMTA Bd. Res. No. 15-036, Ad. 3/3/2015, Eff. 4/2/2015