

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE
WORKSHOP ON REGULATORY MATTERS

1501 National Avenue
San Diego, CA 92113

January 3, 2020

[Clerk's note: Except where noted, public, staff and committee member comments are paraphrased].

1. Roll Call

Leonardo Fewell, Chair of the Committee, called the Workshop on Regulatory Matters meeting to order at 10:02 am. A roll call sheet listing the Workshop on Regulatory Matters (WORM) member attendance is attached.

2. Approval of Meeting Minutes – November 18, 2019

Mr. Majid moved for approval of the minutes of the November 18, 2019 WORM meeting. Mr. Hueso seconded the motion, and the vote was 10 to 0 in favor with Mr. Morquecho and Mr. Nahavandian absent.

3. Non-Agenda Public Comment

There were no non-agenda public comments.

4. 2020 Maximum Rates of Fare

Mr. Fewell announced Board of Director approval of MTS Board Policy No. 34 Revisions. The CPI method of Maximum Rates of Fare will be the sole calculation method for both city and airport originated trips. Additionally, taxicabs equipped with Point of Sale Devices (POS) electronically connected to the taximeter and printed, or electronically conveyed, receipt capabilities may now charge 6% above the Maximum Rates of Fare for Taxicabs. The 2019 CPI will be available on January 14, 2020; the rates will be recalculated and presented at the January 15, 2020 Taxicab Advisory Committee (TAC) Meeting. All Permit Holders wishing to adopt the higher rate of fare may do so immediately after filing a Statement of Rates of Fare form with the Taxicab Administration.

Mr. Banks expressed continued concerns about customers paying different rates for the same fare. Mr. Fewell suggested that drivers should explain that there is an MTS approved 6% increase for POS equipment. He reminded all attendees that drivers can *always* charge less than the meter if they so choose. He said that he would keep Committee Members posted on any concerns from riders or the public.

Public Comment

Kamran Hamidi, Airport Dispatch - Mr. Hamidi thanked MTS for supporting the rate revisions but said he would also be in support of freezing the 2020 maximum rate to the 2019 rate if other permit holders are in favor of such.

5. Workshop on MTS For-Hire Vehicle Insurance Requirements

Mr. Fewell stated that there have been multiple requests from TAC members, permit holders and drivers to revise the current MTS for-hire vehicle insurance requirements, specifically to eliminate the company minimum standard rating. He noted that in particular the United Taxi Workers San Diego (UTWSD) have requested a review of the MTS rating requirements. Mr. Fewell stated that current MTS insurance coverage limits and requirements are on par with similar regulatory agencies in the state of California. He said that his is aware that insurance coverage is one of the largest operational costs for taxicab companies and an important factor in determining whether or not to stay in business. As requested by the United Taxi Workers San Diego (UTWSD), one of the measures to be discussed is a possible reduction on insurance ratings. He stated in order to gain information and insight from Insurance and Industry Experts, an invitation only Insurance Workshop will be held January 17, 2019 at 10:00 am at the MTS Board Room.

Committee Member Comment

Mr. Nichols shared he would be involved in the meeting and, although it would have to be approved, he would be in support of aligning their insurance requirements to whatever MTS decided. Mr. Hueso said that he is doubtful that the changes proposed would bring a reduction in rates. He has found that "pooling" drivers needing coverage has been far more successful. He did say that he feels there could be a good education opportunity in the workshop. Mr. Hussein stressed that the UTWSD is in favor of removal of the rating entirely and thinks others would be in support. He agrees with Mr. Hueso that it is possible that there will be no cost savings. Mr. Antallo would like there to be more input on how to benefit the industry as a whole. He feels there may be a conflict of interest in this issue and perhaps this should not even be a Committee, or MTS, discussion. He said insurance companies are charging so much that Permit Holders who have had accidents aren't even driving anymore. Mr. Banks shared his concerns about the limiting number of companies insuring for hire drivers and maybe this is not the time for pushing the issue. Mr. Tehrani asked that Mr. Fewell provide insurance requirements for other states. Mr. Majid said that he doesn't see MTS, or the Airport, taking on the liability of non-rated insurance companies. He said the real problem is that the carriers have "no appetite" for the industry. Mr. Tasem said that he thinks it's all bull, he hears the permit holders talking about various insurance cost matters but it all impacts the driver, as he is usually the one paying through their lease.

Action Taken

Informational item only.

6. Permits Held Prior to April 1, 2015 by Corporations and LLC's, Deadline to Meet City of San Diego Council Policy 500-02 Screening Criteria by February 12, 2020

Mr. Fewell reviewed City of San Diego Policy 500-02 guidelines; the policy states that new taxicab permit holders must have a vehicle that is 1) no older than 10 years of the model age and 2) not have a salvage title. For all existing permit holders held by corporations or limited liability companies, City Council Policy No. 500-02 required compliance within 5 years with the established date of compliance being set as February 12, 2020. He noted that the policy requirements would impact approximately 167 vehicles. He clarified that individually owned taxicab permit holders with an existing permit obtained before March 14, 2015, are not required to come into compliance with policy unless they transfer a permit or apply for a new permit. Based on established MTS Ordinance No. 11 minimum vehicle safety standards including, comprehensive annual 52-point vehicle assessments (regardless of age or salvaged title) MTS supports revisions to Council Policy 500-02 and MTS Ordinance No 11 to eliminate vehicle age limits and title status. MTS Taxicab Administration will not enforce the current policy vehicle requirements until January 1, 2021 to allow time for the City to respond. Mr. Fewell did note that if the proposed changes to Council Policy 500-02 are not approved or adopted by the City by January 1, 2021 then MTS will enforce the current City Policy.

Public Comment

Kamran Hamidi, Permit Holder/Airport Dispatch - Mr. Hamidi said in speaking with many drivers, they say they would be willing to change vehicles are required once the Airport opens. He asked if MTS inspection dates could be moved towards the end of the year to allow time for vehicle replacements. He said he doesn't think it's fair that individuals would have to replace vehicles but corporations would not.

Committee Member Comment

Ms. Tanguay said that she agrees that it is not fair that individuals have to meet the requirement but not LLC's or Corporations. She remembers when the 10-year rule did not exist; she thinks that the extensive inspection conducted by MTS ensures that vehicles on the road are safe whether they are 2 years or 10 years old. Mr. Tasem suggested that maybe older vehicles, regardless of ownership, could be inspected twice a year if needed. He said there is not enough business to create the income needed. Mr. Hussein noted that the UTWSD spearheaded this issue years ago but some things have changed; they may have been an obstacle before but not currently. He said they are in favor of anything that helps the drivers, such as not enforcing taxi's parked on streets, possible reduction of training requirement or cost and insurance. Mr. Hueso noted that this is another example of people who may not have industry specific knowledge making rules and decisions. Mr. Abraham said as an owner they invest a lot of money and they are looking for decisions that will help them survive. He said that a lot of time is spent discussing matters but nothing comes from it. He said that the industry itself needs to unite and solve their problems. Mr. Nichols confirmed that he would be in support of whatever vehicle guidelines MTS approves. He said that the airport would be supportive of as many items as possible to help alleviate additional costs to owners and drivers. He also mentioned that the plan is to open the airport to all drivers in 2021. Mr. Fewell said that he hoped that both owners and drivers would contact him to share any concerns or ideas.

Action Taken

Informational item only.

7. Review of Taxicab Administration Regulations

Mr. Fewell explained the effort to consolidate proposed revisions to taxicab regulations, particularly Ordinance and/or Policy changes, which require MTS Board of Directors approval into one yearly agenda. He noted if any of the requested revisions are fundamental public policy changes, the City of San Diego must approve the requested change first. Dr. Tasem said there need to be changes made to the Ordinance regarding dispatching, two-way radios and basic communication with customers. Mr. Fewell asked that members make a note of any fundamental policy changes for discussion and review at the TAC. Mr. Antallo said that he thinks that Radio Service is unnecessary and “apps” are needed to compete. Mr. Hueso said he has some concerns about the real needs being addressed in terms of industry survival. He said he feels that there are other agencies that are not being regulated to the degree that MTS does. He spoke of the “many layers” of regulation that are required (such as driver Sheriff Licensing) and that it can take over a week to even get a driver on the road. He said the industry is changing dramatically due to other agencies, (Lyft, Uber, etc.), and that the city has not responded in determining what our transportation looks like. He said SANDAG and MTS are focused on train and trolley expansion and that even taxis are not mentioned anymore when speaking of transportation. Mr. Fewell said that he is aware that there are many factors, like insurance, that are beyond the control of the Chair or Committee but he is keeping a close eye on other transportation agencies regulations. He encouraged owners, stakeholders and drivers to contact their City Agencies. Mr. Abraham suggested that they all get together and discuss and prioritize the issues rather than wasting time and waiting on an agency to do work for them. Mr. Hussein asked if the Sheriff Department could be removed from the vetting process, Mr. Fewell explained that it is part of the County of San Diego Ordinance. He stressed that public safety is the top priority of MTS, and said that the biggest difference between a TNC driver and a taxi driver is that the taxi driver has been fully vetted. Mr. Hueso said that there should be government support and encouragement of this. Mr. Fewell said that there is full MTS support of this requirement, which is why it is talked about so often. Mr. Fewell said he would like to see more discussion of keeping the bar raised above TNC’s rather than comparison, or lowering of the bar, to them. Mr. Hussein replied he would just like there to be the same requirement. Mr. Tehrani spoke about the current multiple TNC drivers facing criminal charges and in his 52 years working he has heard very few of taxi drivers. Mr. Fewell requested that committee members and attendees to contact him with any proposals for review.

Action Taken

Informational item only.

8. Revisions to Taxicab Advisory Committee Membership and Guidelines

Mr. Fewell reviewed the current The Taxicab Advisory Committee (TAC) vacancies. Mr. Palmeri, San Diego Traveler’s Aid Society retired and withdrew his membership effective December 2, 2019. Mr. Chasteen, Hotel Industry has relocated out of state and no other representative has been proposed. Mr. Fewell asked for committee member feedback on

potential ways to address the vacancies. Mr. Hussein said he really likes, and encourages, the idea of opening up to new organizations and contacts being on the committee.

Public Comment

Kamran Hamidi, Permit Holder/Airport Dispatch - Mr. Hamidi suggested that maybe another Dispatch Company, such as Orange, have a seat.

Mr. Hussein said that he thought that whoever had the next highest number of votes could have a seat. Mr. Antallo said that he thinks that there should be representation by single owner/operator. Mr. Fewell shared that CBX, the Border Transportation Council (San Ysidro Chamber of Commerce). Mr. Hueso asked about Downtown organization (such as San Diego Gaslamp Association) participation, he feels this would be the best opportunity for increase in business. He also feels that establishing a connection with CBX could provide a good opportunity for taxis. Mr. Hussein said he really likes the idea of opening up and encouraging new organizations and contacts to join the TAC Committee.

9. Committee Member Communications

10. Additional Non-Agenda Public Comment

There were no additional Non-Agenda Public Comments.

11. Next Meeting – TBD

12. Adjournment

The meeting was adjourned at 11:38 am.

Accepted:

Filed by:

/s/Leonardo Fewell
Leonardo Fewell
Taxicab Administration Manager

/s/Jamila L. Larkins
Jamila Larkins, Clerk of the Committee
MTS Taxicab Administration

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
WORKSHOP ON REGULATORY MATTERS (WORM) MEETING
ROLL CALL

MEETING OF (DATE): January 3, 2020

CALL TO ORDER (TIME): 10:02 am

ADJOURN: 11:38 am

COMMITTEE MEMBER (Alternate)				ORGANIZATION	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
George Abraham	<input checked="" type="checkbox"/>			Taxicab Owner/Eritrean Cab Co.	10:00 am	11:38 am
Alfred Banks	<input checked="" type="checkbox"/>			Taxicab Lease Driver	10:00 am	11:38 am
Garret Cooper	<input checked="" type="checkbox"/>			San Diego County Weights & Measures	10:00 am	11:38 am
Antonio Hueso	<input checked="" type="checkbox"/>			USA Cab, LTD	10:08 am	11:38 am
Mikail Hussein	<input checked="" type="checkbox"/>	Abebe Antallo	<input type="checkbox"/>	United Taxi Workers Federation San Diego	10:00 am	11:38 am
Akbar Majid	<input checked="" type="checkbox"/>			Taxicab Owner/SDYC Holdings, LLC	10:00 am	11:38 am
Guillermo Morquecho	<input type="checkbox"/>			Taxicab Lease Driver		
Houshang Nahavandian	<input type="checkbox"/>			Taxicab Owner/ESM Corporation		
Marc Nichols	<input checked="" type="checkbox"/>	Michael Anderson	<input type="checkbox"/>	San Diego County Regional Airport Authority	10:10 am	11:38 am
Margo Tanguay	<input checked="" type="checkbox"/>			Taxicab Lease Driver	10:02 am	10:52 am
David Tasem	<input checked="" type="checkbox"/>			Taxicab Lease Driver	11:09 am	11:38 am
Nasser Tehrani	<input checked="" type="checkbox"/>			Taxicab Owner/N.A.T. Cab Co.		
Sharon Cooney non-voting	<input type="checkbox"/>			MTS Chief of Staff		
Leonardo Fewell non-voting	<input checked="" type="checkbox"/>			MTS Taxicab Administration Manager	10:00 am	11:38 am
Samantha Leslie non-voting	<input type="checkbox"/>			MTS Staff Attorney/Regulatory Compliance		

CLERK OF THE TAC: /s/Jamila L Larkins

TAXICAB ADMINISTRATION MANAGER: /s/Leonardo Fewell