

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

1255 Imperial Avenue
San Diego, CA 92101

June 17, 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 10:04 am. A roll call sheet listing the Workshop on Regulatory Matters (WORM) member attendance is attached.

2. Approval of Meeting Minutes – January 3, 2020

January 3, 2020 Draft Minutes were not approved due to lack of quorum; minutes will be moved to next WORM for approval.

3. Non-Agenda Public Comment

There were no non-agenda public comments.

4. Mandatory COVID-19 Sanitary Measures for Taxicab, Jitney, Low Speed, Charter and Nonemergency Medical (NEM) Transport Vehicles and Associated Administrative Penalties

Mr. Fewell reviewed a PowerPoint presentation regarding the established COVID-19 sanitary measures for MTS regulated for-hire vehicles utilizing both the County of San Diego (COSD) and Centers for Disease Control and Prevention (CDC) mandates, guidelines and recommendations. A 30-day time period, beginning June 17, 2020 and ending on June 27, 2020 has been established to allow time for implementation of the measures. MTS will not begin enforcement until June 27, 2020; enforcement contact will be primarily focused on the goal of education and compliance to assure passenger and driver safety, rather than penalization. The PowerPoint presentation outlining the focused areas of required, and recommended, guidelines was provided with the original meeting packet. Mr. Fewell suggested visiting the County of San Diego website for current mandates at:

https://www.sandiegocounty.gov/content/sdc/hhsa/programs/phs/community_epidemiology/dc/2019-nCoV.html

Mr. Fewell also reviewed a sample required "COVID-19 Business Plan" outlining the basic requirements for continued operations during restrictions. This template will be made available to all permit holders/drivers for editing, or update, as requested.

Public Comment

Mr. Palmeri, Retired San Diego Travelers Association, Retired TAC member- Mr. Palmeri said that there are companies that have existing service contracts for transport of high-risk populations, such as nursing home residents; he asked if MTS would be opposed to drivers providing a liability clause form for those family members or passengers who are not using face coverings. He noted that passenger temperatures are not required and that there may be passengers who say they were exposed during transport.

Mr. Fewell responded that there is no “screening” requirement for passengers, but drivers do have the option to refuse service for anyone exhibiting COVID-19 symptoms. Additionally, drivers should direct, or assist, passengers to medical treatment if needed. Drivers should also log the refusal, and cause, on their trip sheet and immediately notify the dispatch company to ensure proper documentation of fare refusal. He also suggested that drivers may provide new, unused, masks/face coverings for passengers as a courtesy to ensure safe transport if they choose.

Committee Member Comment

Mr. Banks said he is concerned about driver fare refusal, although he does know that some drivers are scared, he said there are some passengers who are exempt from wearing masks/face coverings. He doesn't think that drivers should be held liable as someone could be infected before they are provided service. His opinion is that drivers should *not* provide masks to passengers, he thinks this could open a driver up for liability if the passenger says the mask was faulty, etc. Mr. Majid asked if the use of the recommended shields could be approved with presentation, or vote, at the TAC. He suggested that a bullet point noting “driver may refuse service” to passengers without a mask/face covering be added to the COVID-19 Business Plan. He said that the soft plastic shield has no AC vents to cool passengers in the rear so they have started testing different methods to address this, the current correction of running conduit from the front of the cab to the rear has worked but it is ugly and prevents any passenger from utilizing the front seat. Mr. Fewell said that communication is going to be key in determining if a passenger is exempt from current health orders and guidelines, or if alternatively, they may be offered a mask and provided transportation. Mr. Fewell also clarified that Agenda #4 is only informational and requires no vote, or approval, for implementation. He will continue to update the guidelines as required according to COSD and CDC mandates. Mr. Hussein mentioned that he has also been looking into different options for shields, or dividers, to possibly to be maintained in taxis after COVID-19; he wants to make sure that there will be sufficient low-cost options for drivers who opt to return to work during restrictions. Mr. Fewell said there are various products available and currently installation of barriers is optional only; the only MTS requirement is that it meets the outlined specifications detailed in the PowerPoint. Mr. Fewell offered to meet with any permit holders, or drivers, at the Vehicle Inspection Site for review of specifications. Mr. Hussein said that his office has been assisting for-hire drivers with applying for various resources. He said that many drivers are very concerned about the cost for insurance reinstatement; he would like to revisit insurance issues as soon as possible. Mr. Hueso would like a hands-on demonstration of the sanitary guidelines for permit holders/drivers to ensure compliance. Mr. Fewell said he plans on wide distribution of this information, including to the airport, dispatch services and other organizations. He also said that MTS Field Inspectors will be available for outreach for those drivers who remain in service.

Action Taken

None. Informational item only.

5. 2020 Annual Regulatory Fee Deadline Extension and Voluntary Surrender Permit Update

Mr. Fewell said in an effort to assist permit holders during the COVID-19 pandemic crisis, the 2020 Regulatory Fee deadline was extended from June 8, 2020, to September 1, 2020. In order to retain a permit two hundred dollars (\$200) per permit was required by June 8, 2020 with the balance of four hundred dollars (\$400) due on, or before, September 1, 2020. A preliminary reconciliation of fees report will be presented at the Taxicab Advisory Committee (TAC) meeting on Wednesday, July 15, 2020. Mr. Fewell reviewed the current permit statistics, including the current number of surrendered vehicles. He noted that the surrender figure has increased due to the overall business decline associated with the COVID-19 pandemic. He reported current figures for all modes of transportation as: total permits-1449, surrendered permits- 661, active permits- 788, resulting in an overall 46% loss of active permits. He noted that many permit holders have opted for credit card payment for their regulatory fees and that this may have provided some financial relief. He reminded attendees that if a permit is currently surrendered, all regulatory fees must be paid in order for the permit to remain active. Mr. Fewell also reviewed the process for returning vehicles to service as 1) proof of reinstatement of insurance 2) call the vehicle inspection site for reinspection.

Public Comment

No public comment.

Committee Member Comment

Mr. Hussein inquired as to how many permit holders have notified us that they are unable to pay even the \$200 initial payment required and what MTS plans to do for those who are unable to pay. Mr. Fewell said although there have been a small number of permits that have been "voided", they have not been due to financial difficulties but rather other business decisions. He noted that this year was the first time that the payment deadline has been extended to July and the first time that MTS has offered to accept partial payments. He feels these changes have provided a great benefit, and relief, to permit holders/drivers during this period of limited work.

Action Taken

Informational item only.

6. Committee Member Communications

Garret Cooper, San Diego Department of Agriculture, Weights and Measures (SDAWM) announced that the AWM Board of Supervisors has directed the department to defer many of the fees that are typically charged for certification, such as taximeter device registration fees. Any fees due May 5, 2020 to November 5, 2020 have been deferred to the due date of November 5, 2020. All taximeter inspections have also been temporarily halted, he suggested

that anyone who is having difficulties with processing applications due to the suspension contact his office. He said he is anticipating resuming normal duties fairly soon; he will be in contact with Taxicab Administration regarding reopening. Mr. Fewell said that there will be a temporary moratorium on removing taxicabs from service for pending meter seal certification, as well as Sheriff's License renewals, for 90 days.

7. Additional Non-Agenda Public Comment

There were no additional Non-Agenda Public Comments.

8. Next Meeting – TBD

9. Adjournment

The meeting was adjourned at 11:23 am.

Accepted:

/s/Leonardo Fewell
Leonardo Fewell
Taxicab Administration Manager

Filed by:

/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): June 17, 2020

CALL TO ORDER (TIME): 10:04 am

ADJOURN: 11:23 am

COMMITTEE MEMBER		(Alternate)		ORGANIZATION	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
George Abraham	<input type="checkbox"/>			Taxicab Owner/Eritrean Cab Co.		
Alfred Banks	<input checked="" type="checkbox"/>			Taxicab Lease Driver	10:18 am	11:23 am
Antonio Hueso	<input checked="" type="checkbox"/>			USA Cab, LTD	10:19 am	11:23 am
Mikail Hussein	<input checked="" type="checkbox"/>	Abebe Antallo	<input type="checkbox"/>	United Taxi Workers Federation San Diego	10:09 am	11:23 am
Akbar Majid	<input checked="" type="checkbox"/>			Taxicab Owner/SDYC Holdings, LLC	10:04 am	11:23 am
Guillermo Morquecho	<input type="checkbox"/>			Taxicab Lease Driver		
Houshang Nahavandian	<input type="checkbox"/>			Taxicab Owner/ESM Corporation		
Marc Nichols	<input checked="" type="checkbox"/>			San Diego County Regional Airport Authority	10:04 am	11:23 am
Margo Tanguay	<input type="checkbox"/>			Taxicab Lease Driver		
David Tasem	<input type="checkbox"/>			Taxicab Lease Driver		
Nasser Tehrani	<input type="checkbox"/>			Taxicab Owner/N.A.T. Cab Co.		
Garret Cooper non-voting	<input checked="" type="checkbox"/>			San Diego Department of Agriculture, Weights and Measures	10:00 am	11:23am
Sharon Cooney non-voting	<input type="checkbox"/>			MTS Chief of Staff		
Leonardo Fewell non-voting	<input type="checkbox"/>			MTS Taxicab Administration Manager	10:00 am	11:23 am
Samantha Leslie non-voting	<input type="checkbox"/>			MTS Staff Attorney/Regulatory Compliance	10:00 am	11:23 am

CLERK OF THE WORM: 

TAXICAB ADMINISTRATION MANAGER: 