

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

DRAFT

Conducted via WebEx

July 29, 2020

[Clerk's note: Except where noted, public, staff and committee member comments are paraphrased. Meeting conducted via webinar to comply with public health orders].

1. Roll Call

Leonardo Fewell, Chair of the Committee, called the Workshop on Regulatory Matters meeting to order at 10:00 am. A roll call sheet listing the Workshop on Regulatory Matters (WORM) member attendance is attached.

2. Approval of Meeting Minutes – January 3, 2020 and June 17, 2020

Mr. Majid moved for approval of the meeting minutes of the January 3, 2020 and June 17, 2020 WORM Meeting, with a second by Mr. Hussein. The vote was 9 to 0 in favor with Mr. Nichols and Mr. Tehrani absent and two member vacancies.

3. Non-Agenda Public Comment

None.

4. Proposed Revisions to City Council Policy No. 500-02

Mr. Fewell reviewed the proposed revisions to Policy No. 500-02. Fundamental proposals included: Removal of six (6) month commercial driving experience for permit applicants, removal proof of ability to meet insurance requirements, removal proof of ability to finance meeting screening criteria and regulatory requirements, addition of ADA-compliant vehicle guidelines to "be consistent with MTS Taxicab Administration regulations and policies...", remove security camera requirement and update to require that Customer Service Plans include "utilization of GPS", replacement of current vehicle age requirements from 10 years to 15 years, and removal of the salvage title restriction; as long vehicle passes MTS's 49-point inspection and complies with the California Air Resources Board (CARB). Changes to requirements regarding adequate administrative and vehicle maintenance facilities, removal of street parking restrictions, revision to 24-hour dispatch coverage requirement and revision to policy section that specifies Corporation and LLC compliance with Screening Criteria within 5 years to reflect "**all** existing permits shall comply". Policy No. 500-02, and the specific detail of each proposal, background and alternative was provided with the original meeting packet.

Public Comment

Mr. Palmeri, Retired Industry/TAC Member-Mr. Palmeri noted all the accommodations that have been made in various government agencies, ranging from the Department of Motor Vehicles

(DMV) to eviction protection for tenants. He agrees with Mr. Abraham that there should also be some monetary allowances made for the taxi industry during this COVID 19 impacted period. He suggested that the regulatory fees be stretched out until business recovers.

Committee Member Comment

Mr. Hussein thanked Mr. Fewell and team for working on some of these matters and also requests further help bring the industry back and avoid over-regulation.

Mr. Hueso said he is in favor of the changes presented but would like to add that although USA Cab has a basic training program for ADA but there isn't anything market wide that applies to taxicabs. He would like to see a program developed to address the special needs of ADA customers. In regards to vehicle age, emissions and fuel efficiency, he stated that the airport and MTS have separate guidelines.

Mr. Fewell replied that if the proposals are accepted by the city then MTS will work, in conjunction with stakeholders, community organization and others, to make sure that a training program is developed that specifically addresses the issues particular to ADA/wheelchair equipped vehicles and those passengers. Mr. Fewell clarified that the vehicle guidelines for zero or low-emission vehicles are determined by the California Air Resources Board (CARB). He did note that the airport does have the option to establish their own requirements but for the purpose of the City policy, CARB guidelines will be utilized. Mr. Hueso would like it to be mentioned somewhere in the policies that the airport has, or may have, a different emissions standard than MTS. He shared that the airport charges a different rate for less efficient vehicles and that he thinks it's important that permit applicants are aware of this.

Mr. Fewell did note that the revisions being presented are for the purpose of city permitted vehicles and that the airport may continue to have their separate guidelines or standards. He also mentioned that the airport is currently going through their own transitions with their regulations but he will make sure to share information with them. He also noted that any permit holder that may be interested in also working at the airport, they are referred directly to the airport ground to ensure they receive current and correct information.

Mr. Majid, and Mr. Hueso, wanted to know if there is another way, or technology to be used, to conduct the TAC/WORM meetings to avoid wasting so much time.

Mr. Majid asked for clarification on the requested vehicle year; it was explained that the WORM had originally asked for the vehicle age to be raised from 10 to 15 years and that information was reflected on the slide; after further discussion it was suggested to remove the age limit altogether as long as vehicles pass inspection-this was not updated to reflect on the current presentation.

Mr. Hussein asked what will happen in terms of aligning with the airport on vehicle age. Mr. Fewell explained again that the purpose of the proposal is to ease guidelines on MTS permit holders and not to address airport guidelines; the airport is a private entity with their own policies, procedures and guidelines. He said they have been made aware of the proposal and to date have not provided any feedback or commentary.

Ms. Tanguay would like to see additional training, she also said she has a background in handicap/ADA areas and would be willing to lend her services. She thinks many of the other changes will also be helpful, such as changes to administrative/business requirements and repair locations. She said she has seen cabs parked on the street but thinks that it's good to change this restriction as well.

Mr. Tasem noted that it is important that we are in line with the airport, he also suggested that inspections be conducted three times a year. Mr. Fewell said that one inspection per year is industry standard, MTS also utilizes field inspectors for further vehicle oversight.

Mr. Majid asked what the next step would be in getting this to city council vote. Ms. Leslie said she will be in communication with Chair Ward and working to get the item on the city docket without further delay.

Action Taken

Mr. Majid moved to approve the proposed revisions to City Council Policy No. 500-02, with a second by Mr. Hueso. The motion passed 8 to 1 against with Mr. Nichols and Mr. Tehrani absent and two committee seats vacant.

5. Additional Committee Member Communications

Mr. Abraham is concerned about planning for future business with COVID-19 happening. He said that it seems likely that many cars may be off the road for an entire year. He would like there to be some thought towards making some additional allowances, or adjustments, in regards to the annual regulatory fee and revocation of permits. Mr. Fewell noted that the deadline was extended and partial payments were also accepted to help during the pandemic. He said he will communicate with upper management about the issue. Mr. Hussein said additional concerns because of COVID-19 and many drivers cannot pay the regulatory fee. He said he will reach out to Chair Ward and see if there is any money that is available for the drivers. He also mentions that he has been reaching out to Cross Border Xpress (CBX) because although they are waiving fee's now, they will be charging later and he doesn't agree with that. Mr. Hussein would like there to be some way that drivers can get "credit" for the time that they were not working. He said drivers are paying at least \$200.00 to renew their Sheriff's License and he would like to see what the Sheriff's Department is willing to do to help the drivers.

Mr. Hueso asked if Weights and Measures had changed their fee's. Mr. Kinkaid, Weights and Measures said many fees were deferred but asked that all permit holders contact him, or his office, directly for information.

Mr. Hussein shared that he will be paying drivers \$100.00 per month, for 3 months, to display MTS approved Census advertising on taxicabs. He asked that attendees share the information with anyone who may be interested.

6. Next Meeting – TBD

7. Adjournment

The meeting was adjourned at 11:31 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

DRAFT

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

MEETING OF (DATE): July 29, 2020

CALL TO ORDER (TIME): 10:07 am

ADJOURN: 11:31 am

COMMITTEE MEMBER		(Alternate)		ORGANIZATION	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
George Abraham	<input checked="" type="checkbox"/>	Daniel Fesshaye	<input type="checkbox"/>	Taxicab Owner/Eritrean Cab Co.	10:00 am	11:31 am
Alfred Banks	<input checked="" type="checkbox"/>			Taxicab Lease Driver	10:00 am	11:31 am
Antonio Hueso	<input checked="" type="checkbox"/>	Alfredo Hueso	<input type="checkbox"/>	USA Cab, LTD	10:00 am	11:31 am
Mikaili Hussein	<input checked="" type="checkbox"/>	Peter Zschieche	<input type="checkbox"/>	United Taxi Workers Federation San Diego	10:00 am	11:31 am
Akbar Majid	<input checked="" type="checkbox"/>			Taxicab Owner/SDYC Holdings, LLC	10:00 am	11:31 am
Guillermo Morquecho	<input checked="" type="checkbox"/>			Taxicab Lease Driver	10:00 am	11:31 am
Houshang Nahavandian	<input type="checkbox"/>	Kidane Tesfegabriel	<input checked="" type="checkbox"/>	Taxicab Owner/ESM Corporation	10:00 am	11:31 am
Marc Nichols	<input type="checkbox"/>			San Diego County Regional Airport Authority		
VACANT						
VACANT						
Margo Tanguay	<input checked="" type="checkbox"/>			Taxicab Lease Driver	10:00 am	11:31 am
David Tasem	<input checked="" type="checkbox"/>			Taxicab Lease Driver	10:00 am	11:31 am
Nasser Tehrani	<input type="checkbox"/>	Able Seifu	<input type="checkbox"/>	Taxicab Owner/N.A.T. Cab Co.		
Garret Cooper non-voting	<input type="checkbox"/>	John Kinkaid	<input checked="" type="checkbox"/>	San Diego Department of Agriculture, Weights and Measures	10:00 am	11:31 am
Sharon Cooney non-voting	<input type="checkbox"/>			MTS Chief Executive Officer		
Leonardo Fewell non-voting	<input checked="" type="checkbox"/>			MTS Taxicab Administration Manager	10:00 am	11:31 am
Samantha Leslie non-voting	<input checked="" type="checkbox"/>			MTS Staff Attorney/Regulatory Compliance	10:00 am	11:31 am

CLERK OF THE WORM: /s/Jamila L Larkins

TAXICAB ADMINISTRATION MANAGER: /s/Leonardo Fewell