



Metropolitan Transit System

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Agenda

PUBLIC SECURITY COMMITTEE MEETING

May 8, 2015 - 2:00 p.m.

James R. Mills Building
Executive Committee Meeting Room, 10th Floor
1255 Imperial Avenue, San Diego

Action Recommended

- | | | |
|-----|--|--------------|
| 1. | Roll Call | |
| 2. | Approval of Minutes (October 16, 2014) | Approve |
| 3. | <u>Public Comments</u> – Limited to five speakers with three minutes per speaker | |
| 4. | Election of Chairman | Elect |
| 5. | New committee member (Lorie Zapf) | Introduction |
| 6. | MTS Year-End Security Report (January through December 2014) | Discussion |
| 7. | MTDB Ordinances & Other Violations | Information |
| 8. | Committee Member Comments | |
| 9. | Next meeting date – to be determined | |
| 10. | Adjournment | |

BB/rfb



Metropolitan Transit System (MTS) is comprised of the Metropolitan Transit Development Board (MTDB) a California public agency, San Diego Transit Corp., and San Diego Trolley, Inc., in cooperation with Chula Vista Transit and National City Transit. MTS is Taxicab Administrator for eight cities. MTDB is owner of the San Diego and Arizona Eastern Railway Company. MTDB Member Agencies Include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.

PUBLIC SECURITY COMMITTEE MEETING FOR THE
METROPOLITAN TRANSIT SYSTEM (MTS),
SAN DIEGO TRANSIT CORPORATION (SDTC),
AND SAN DIEGO TROLLEY, INC. (SDTI)

DRAFT MINUTES

MTS
1255 Imperial Avenue, Suite 1000, San Diego

October 16, 2014

1. ROLL CALL

Mr. Minto (in Mr. Cunningham's absence) called the meeting to order at 9:10 a.m. A roll call sheet listing Public Security Committee members' attendance is attached.

2. APPROVAL OF MINUTES

Mr. Minto moved to approve the minutes of the April 8, 2014 Public Security Committee meeting. Ms. Rios seconded the motion and the vote was 2 to 2.

3. PUBLIC COMMENTS

There were no public comments.

4. MTS MID-YEAR SECURITY REPORT

Mr. Burke proceeded with the presentation of the MTS Mid-Year Security Report from January through June 2014.

A comparison of Part I Rail statistics was presented (slide 2). Mr. Burke pointed out that there was an increase in ridership; 14,358,530 (2013) vs. 19,574,553 (2014) and he mentioned that fortunately the percentages of crimes didn't go in the same direction. He pointed out two categories which showed an increase, e.g., Robberies: 14 (2013) vs. 17 (2014) and Aggravated Assaults 4 (2013) to 13 (2014) which involved youth related cases.

The subtotal of crimes against persons also showed an increase: 18 (2013) vs. 30 (2014).

Regarding crimes against property, we had zero burglaries (0) in 2014. Thefts decreased from 65 (2013) to 50 (2014). Mr. Burke pointed out that this reduction can be attributed to an aggressive informational campaign by Transit System Security officers to inform patrons to exercise caution when using cell phones and other electronic devices and it has made a big difference. Motor Vehicle Thefts decreased from 12 (2013) to 7 (2014); these are thefts that happened in our parking lots. We had a total of 87 Part I incidents in 2014 and the percentage rate is .44 (equals less than ½ person per 100,000 riders).

Mr. Burke emphasized that 37% of SDTI thefts in 2013 (24 of 65) and 42% of SDTI thefts in 2014 (21 of 50) were non-patron related incidents as shown in slide 3 (e.g., copper wire, coke machines and fare machines). The percentages per 100,000 patrons would be .29 (2013) and .15 (2014) respectively; Mr. Burke mentioned that if he was getting on the train, that's the number he'd want to know; it is an indicator of how safe it is to ride our trains.

The committee members discussed various aspects of copper wire thefts and how they impact trolley operations as well as the damage/cost effects and how intruders cut wires in our system at different locations.

Mr. Terry mentioned that sometimes there is impact on train operations and sometimes there is none at all, as result of copper wire thefts. But depending on the location where the wire is being cut, the cost is very high because it can cause damage to various switches, joints, signals, etc., and other equipment can be affected as well. He mentioned that in some of the bigger wire thefts, it is clear that "somebody knows what they are doing".

Mr. Burke mentioned that even professionals have been found cutting wire; they place the wire on the track so the train runs over it and the wire is cut in various pieces.

Mr. Burke also mentioned that the police department (through the Metal Task Force) has identified some metal in one of the shops where metal is sold and it turned out to be MTS property.

Mr. Jablonski also mentioned that our MOW department crews are looking at ways on how to harden all those sites by covering replaced copper wire with concrete. This will prevent those sections of wire from being stolen again. Mr. Burke mentioned that the crime suppression unit continues to make regular patrols of track areas during nighttime hours in order to help deter this problem; pictures of damage were shown (slide 5).

Mr. Jablonski mentioned that during his APTA conference visit (Houston), an intrusion detection software was demonstrated and it is possible that it could be implemented in our system (e.g., if someone cuts the wire the software would send a signal to the traction power substation, then the signal would be sent to the control center and our staff could be dispatched to the affected site immediately). Mr. Minto mentioned that if this was demonstrated at the APTA conference, then this copper wire theft issue has to certainly be happening nationwide.

Mr. Burke confirmed that copper wire incidents are happening nationwide. He presented some examples of copper wire incidents (slide 6) that have taken place in other parts of the nation.

Mr. Burke presented a comparison of Part I Incident Rail statistics between Los Angeles Metro and MTS Rail (slide 7). He pointed out the numbers regarding ridership (MTS 19,574,533 vs. LA Metro 55,450,036). Crimes against people: Homicide (MTS 0 vs. LA Metro 2), Robbery (MTS 17 vs. LA Metro 113), Aggravated Assault (MTS 13 vs. LA Metro 94). Crimes against property: Burglary (MTS 0 vs. LA Metro 4). Total Part I Incidents (MTS 87 vs. LA Metro 525). The percentage per 100,000 riders for MTS (.44) is relatively low rate compared to LA Metro (.95).

Regarding Part II Arrests – MTS Rail (slide 8), Mr. Burke pointed out that the Vandalism arrests, 49 (2013) vs. 39 (2014) are arrests that we make in our system. He mentioned that the "If You See Something, Say Something" Campaign has been beneficial; riders have been notifying us if they see someone drunk or disorderly onboard the train.

Regarding Part I Incidents & Part II Arrests – SDTC Bus, Mr. Burke mentioned that the statistics show great numbers on the bus side. He mentioned that it never hurts to have a "gate keeper" (referring to bus operators). That's something that we don't have on the Rail side.

The Part I Incident Comparison – SDTC Bus was presented and Mr. Burke pointed out the ridership (MTS 14,248,456 vs. LA Metro 170,531,030); the rate of incidents per 100,000 is .02 for both agencies and they have more serious crimes. Total Part I incidents SDTC Bus (3) and LA Metro (300). Regarding Part II Arrests – SDTC Bus, there were 113 total arrests in 2013 compared to 56 in 2014. Mr. Burke mentioned this doesn't mean that we were less aggressive; bus drivers are contacted and that really makes a big difference.

Mr. Burke presented some text messages received from riders and action was taken in a timely manner (slides 12 & 13 – “If You See Something, Say Something”).

Regarding MTS K-9 bomb detection dogs, Mr. Burke mentioned that our dogs worked during the Bay Bridge Run/Walk (Coronado Bridge) in addition to their routine responses.

This is an annual Navy-hosted event that raises money for the Navy's Morale Welfare and Recreation (MWR) programs. MWR provides Quality of Life programs for our 500,000+ active duty and retired military, reservists, their family members and civilian employees who make up our San Diego Military Family. A picture of this event was presented.

Our K-9 team also worked at the Rock 'n' Roll Marathon. This is a Homeland Security Drill where various agencies get involved (North County Transit District, San Diego Police Department, Homeland Security, US Marshal Service, FBI, Los Angeles County Sheriff's Department K-9 Teams, TSA Visible Intermodal Prevention and Response (VIPR) and K-9 teams, Bureau and Alcohol Tobacco Firearms and Explosives).

Mr. Burke pointed out that these agencies really look forward to this event because this is a live operation; “they are not pretending”. Our K-9 units check different areas (UPS trucks, Tailgate lot, media trucks, vendors, stages, start/finish line, crowds, trolleys/buses, bus/rail yards and MTS parking structure).

Statistics regarding Special Enforcement Unit (SEU) were also presented. Mr. Burke explained how SWARM operations are performed.

Regarding Graffiti Tracker, Mr. Burke presented a Graffiti Tracker incident that was submitted by MTS (slide 18). A suspect by the name, Eduardo Barajas / “2Sick”, was arrested on a trolley bench and was cited for vandalism. He was responsible for 43 incidents uploaded to Graffiti Tracker. This information has been forwarded to Chula Vista Police. They have done several follow-up interviews and additional charges are pending.

Mr. Burke announced that Graffiti Tracker has launched its Smartphone application so is accessible to more officers in the field. When using the Smartphone, the GPS is already built-in which will enhance the ability to more accurately track vandalism crimes. He mentioned that this application will also save us money because we won't have to continue to buy costly GPS cameras.

Mr. Burke also pointed out the importance of the graffiti abatement board usage. The officers carry this board in their mobile units and they use it as needed. When they take pictures of the graffiti, they place this board next to the graffiti in order to give Graffiti Tracker analysts a better perspective of the size of the graffiti. It is critical for officers to follow this process because of the high volume of graffiti incidents that happen in our system. If someone gets arrested for tagging a specific crew/moniker/gang name, etc., the information gets submitted in Graffiti Tracker and the findings are stored on the Graffiti Tracker database.

Pictures of a felony vandalism arrest were also presented (slide 19) to the committee. Mr. Burke pointed out that Christopher Jensen spray painted the side of a train ("ETV") with a fire extinguisher back in July of 2012. The crime was documented, photographed and a video was presented to the committee members back then. Mr. Guaderrama pointed out letters "ETV" mean "Etiopia Television".

Mr. Jablonski mentioned that he didn't notice it come to surface in YouTube or other communication links.

Christopher Jensen was arrested by our officers two years later (June 5, 2014), despite his attempt to flee. Damages were estimated to be \$5,000. He was booked into jail for the crime of felony vandalism. Mr. Burke mentioned that we are very proud of this case. It is one of the best MTS cases and he pointed out that this case is the result of the camera installation onboard the trains and hopefully the suspect will be in jail for a while.

Mr. Burke announced the news regarding law enforcement grant funding (slide 20). MTS has received a \$1,000,000 grant from the FY 2014 Transit Security Grant Program (TSGP) to fund overtime costs for local law enforcement agencies in order to experiment and conduct enforcement operations within and along the trolley system.

The plan is that starting in December; various law enforcement agencies will work in conjunction with MTS performing these task force operations (overall crime related). A shift will run from 2:00 p.m. to 12:00 a.m. (Tuesday to Friday) for 30 days where there will be two San Diego Police sergeants, two Sheriff Deputies and one officer from one of the other communities.

In response to a question from Mr. Minto, Mr. Guaderrama emphasized that the grant is going to pay overtime but it's going to pay for the back fill for the officer that we keep, so San Diego Police and Sheriff Departments will have the long term assignments (less expensive) and the 5th officer position will be rotated in a monthly basis through the other agencies so everybody has a part in this program (e.g. we will select an officer from National City Police Dept., La Mesa Police Dept., Chula Vista Police Dept., etc.).

Mr. Burke pointed out that we don't want overtime people; the overtime in this particular program will pay for the people that the department selects to work this detail and by doing so we will have the best people working on this detail.

Our officers will have the capability of processing bookings immediately due to their presence.

Mr. Burke pointed out that San Diego Police Department and San Diego County Sheriff's Department have already signed up for this plan.

Mr. Burke and Mr. Guaderrama will be meeting with the chiefs from the other agencies in order to develop a strategic plan to best implement this multi-agency approach.

In response to a question from Mr. Minto, Mr. Burke mentioned that the money received will allow us to run this program for approximately 6 to 9 months but he is hoping to have enough results to present to the Department of Homeland Security by the next application period and, hopefully, MTS will receive additional grant funds.

Mr. Jablonski mentioned that it is kind of a pilot program; we are having officers with full law enforcement capability but if that supports rapid processing of incidents (we don't have to wait for a response), we'll have somebody there.

Mr. Guaderrama mentioned that the program will bring more credibility to the security staff too because in some cases suspects know that security officers don't have authority to enforce the law but they know that the security officer has access to a law enforcement officer who is going to respond directly to support them. He pointed out that a lot of times we catch people committing vandalism, issue a misdemeanor citation and they get right back on trolley and start committing more vandalism. Now MTS officers will have the capability of booking suspects very quickly, and we'll have an impact.

Mr. Burke responded to a question from Mr. Minto that this task force is separate from the UPS budget. This is a Homeland Security Grant and we are only using it one time.

Mr. Jablonski mentioned that it would be a small task force that is on our system already working, especially in the evenings when we have more problems, so it's rapid deployment in hot spots and things like that. Mr. Burke mentioned that hopefully the feds will see that it is a nice extra program and they'll keep funding it. That's the purpose; similar to a detail at the airport with the TSA, there are task forces but they are there because the feds pay for it. In our case we'll have only six officers.

In response to a question from Mr. Jablonski, Mr. Guaderrama mentioned that there will be no jurisdictional issues and a Memorandum of Understanding (MOU) will be used for each city/agency involved and he pointed out that the same format that Police Department and Sherriff's are using will be used for all the agencies. A police officer has enforcement power in the entire state.

The committee members discussed various aspects of law enforcement (e.g., local vs. MTS ordinances active/inactive) around the stations.

Mr. Burke mentioned that this detail is going to be a very positive because the agencies are going to send good people to implement this detail.

Regarding the officer body cameras (slide 21), Mr. Burke mentioned that our code compliance officers are now using body cameras which have reduced the number of complaints received against our personnel. They allow for much quicker investigation of allegations of officer misconduct.

He mentioned that a complaint (Andy Martinez) was received and it had been sent to the CEO of MTS. It alleged verbal and physical abuse by officers, but Mr. Burke emphasized that a review of the body camera video showed that these events did not occur. Mr. Burke presented the letter of complaint to the committee members and briefly reviewed the highlights of this letter. Mr. Burke then presented the video of this incident that happened at the Convention Center Station. The video showed true facts and it was evident that the statements on the complaint letter did not match what was displayed on the video.

After the video was displayed the committee discussed various issues concerning California Law Enforcement Penal Codes versus MTS ordinances. In response to a question from Mr. Minto, Mr. Burke mentioned that if a suspect does not provide proper identification they can be kept in jail overnight depending on the case and/or they have to go in front of the magistrate. For example, if someone refuses to sign a citation on Friday night, they we'll be held until Monday.

In turn, Mr. Minto asked if everyone agreed that a list of MTS ordinances currently in use (vs. penal codes) could be provided to the members at the next committee meeting in order to have a better understanding of these codes as it would be learning tool for

whenever these types of incidents are being presented to the members. Ms. Rios mentioned that it is a good point and that she would like to have that information as well.

Mr. Burke and Mr. Jablonski mentioned that such information would be provided at the next committee meeting. Maybe we should be looking into eventually is revising ordinances or even get State Law to amend some of the penal code ordinances to really put a bite into these.

Mr. Jablonski mentioned that the primary duties for code enforcement officers are fare enforcement, that's their primary duty but they get involved in other type of incidents such as trespassing. He pointed out that the standard number of inspections is 1,000 inspections per day (some officers are doing close to 2,000 per day but that's what we do to keep the evasion rate down to 2.5% or 3%).

Mr. Minto mentioned that is a great example of what we are supposed to be doing and the officers did a great job. They were very patient with him.

Ms. Rios mentioned that this experience can be used for training for this type of scenario (if someone is unable to show proper proof of age). Mr. Burke mentioned that he was glad Ms. Rios mentioned the issue about training and he pointed out that we pick videos of the best scenarios and use them as a training tool in order to show the officers what to do when they encounter these types of situations.

In response to a question from Mr. Minto, Mr. Guaderrama mentioned that officers will be using the new ticket writing devices and they have the ability to do thumbprints electronically and we'll be able to identify them and eventually will be able to cross reference.

Mr. Burke reiterated that once we acquire the Wi-Fi system if we refuse service to someone and we check the thumbprint then the officer in the field will know that the person has been refused service.

Mr. Jablonski mentioned that we want to be able to identify the chronic people and so ultimately we'll go towards banning them from the system.

Mr. Jablonski brought up a recent case regarding a juvenile who was skateboarding in the station in La Mesa and he pointed out that the TSS officer handled the case very well and appropriately (the parent ended up coming to the scene to pick up the juvenile and there was no other issue as a result of this contact).

Mr. Minto mentioned that this committee should be like the brainstorm of things so he asked Mr. Burke if, for example, he had any tools or anything like that in the future then to bring it to the committee and we'll talk about the legislative needs that have to be done as an ordinance then we can get all the jurisdictions to do the same ordinance.

Mr. Minto mentioned that he would like to know more about the actual MTS ordinances and violations. Mr. Burke mentioned that he will get them for the committee.

Mr. Jablonski suggested to Mr. Burke that maybe he could include a special section in the next security report of the most relevant ordinances that MTS is currently using.

Mr. Minto mentioned that such information would be very helpful for every board member especially if they don't have any law enforcement background; they would be able to differentiate MTS ordinances vs. State (or other ordinances).

The MTS security report was accepted by the committee members and it will be presented at the next Board meeting.

5. COMMITTEE MEMBER COMMENTS

Mr. Minto talked about false complaints against law enforcement officers. He mentioned that there is a California statute that says any person who brings a false complaint against a law enforcement officer is a civil code and that there could be civil liability. He mentioned that we should look into this issue of doing the same because those false complaints are time consuming and, if nothing else, for cost recovery on the time investigating because obviously we can solve them a lot faster with body cameras but there should be some kind of penalty for these false complaints.

Mr. Jablonski mentioned that he couldn't agree more about this issue because some of this has been around for a while and that there have been many complaints, and very often the complaint embellishes to prove the point, e.g., whether it's because they feel embarrassed that this happened or they try to turn it around. This happens often and Mr. Jablonski mentioned that the scenario presented was a good example but we've seen a lot worse, especially with bus driver complaints. We don't get much from the drivers or other people due to the surveillance equipment installed on buses because you think the natural thing is that "everybody is watching me". But, the opposite happens on occasion, there have been many people complaining over the phone about the operator doing things, everything from racism to the operator giving the complainant a hard time. When we review the video, the operator didn't display such behavior at all; it shows that the operator is very calm and very polite.

Mr. Burke pointed out that people would think that these complaints maybe a 50/50 involvement (bus driver versus complainant) but then we later find out that the whole complaint turns out to be bogus. Mr. Jablonski mentioned that we often see it this on claims.

Mr. Minto emphasized if MTS could look into this issue in order to provide protection to the bus operators against false complaints because those complaints can tend to have a negative effect on their job status or ability to get another job or future job promotion.

Regarding body cameras, Mr. Jablonski brought up an incident that happened in the Gaslamp area where the individual alleged that officer told him to go back to Mexico and he really wished the officer had a body camera on him. He is suing MTS.

Mr. Jablonski thinks the individual was riding with his girlfriend and he was probably embarrassed that he was caught with no fare and he, all of a sudden, tried to turn the case around.

6. NEXT MEETING DATE

Next meeting is to be determined based on the members' availability.

7. ADJOURNMENT

At 10:25 a.m. the meeting was adjourned.

FUTURE AGENDA ITEM LIST

1. Approval of Minutes

Attachment: A. Roll Call Sheet

Public Security Committee\Meeting Minutes\October 16 2014 - Minutes.doc

SECURITY COMMITTEE
METROPOLITAN TRANSIT SYSTEM
ROLL CALL

MEETING OF: October 16, 2014

CALL TO ORDER: 9:15 a.m.

ADJOURN: 10:25 a.m.

COMMITTEE MEMBER	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ALVAREZ ☐	ABSENT	ABSENT
CUNNINGHAM ☐	ABSENT	ABSENT
MATHIS ☐	ABSENT	ABSENT
MINTO ☒	9:00 a.m.	10:25 a.m.
RIOS ☒	9:10 a.m.	10:25 a.m.

SIGNED BY ROXANA F. BAEZA:

Roxana F. Baeza

CONFIRMED BY BILL BURKE:



CONFIRMED BY OFFICE OF THE GENERAL COUNSEL:

N/A



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Agenda Item No. 6

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM PUBLIC SECURITY COMMITTEE

May 8, 2015

SUBJECT:

ANNUAL SECURITY REPORT (JANUARY 1, 2014 THROUGH DECEMBER 31, 2014)
(BILL BURKE)

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

Statistics related to security incidents concerning the transit system are compiled by staff based on reports generated by security personnel and Code Compliance Inspectors. This information is augmented by reports from local police authorities and is then compiled, summarized, and submitted to the Board of Directors on a midyear and year-end basis. The year-end report covers the period from January 1, 2014, through December 31, 2014.

Federal Grants

In May 2014, MTS Security applied for a \$1,000,000 grant from the FY 2014 Transportation Security Grant Program (TSGP) to fund the costs for local law enforcement agencies to conduct enforcement operations within and along the trolley system. The agencies would work in conjunction with MTS personnel. MTS Security applied for the grant in Fiscal Years 2012 and 2013, but we did not receive the award. This year, Chief Burke sought support from San Diego County Sheriff Bill Gore, and San Diego Police Chief Shelley Zimmerman. Both the Chief and the Sheriff wrote letters of support and, for the first time, MTS was awarded the \$1,000,000. The grant reimburses law enforcement agencies the actual costs for their respective employees involved in MTS enforcement operations.

Utilizing the grant funding, a joint agency task force was formed and a Memorandum of Agreement was developed, and agreed upon, between the following agencies: MTS



Transit Enforcement, San Diego Police Department, San Diego County Sheriff's Department, El Cajon Police Department, Chula Vista Police Department and the La Mesa Police Department. The task force, known as the Joint Agency Task Force (JATF), became operational on February 17, 2015.

Transportation Security Administration (TSA)

MTS is a member of the "Regional Transportation Security Working Group," which focuses on ground transportation terrorism threats and homeland security issues. The group is comprised of both private-sector transportation security organizations and local, federal, and state law enforcement agencies. Meetings are conducted quarterly and consist of regional intelligence briefings and presentations containing information relating to area activity in technology advances and other terrorism prevention and mitigation strategies. MTS Security made a presentation at the May quarterly meeting to share information regarding copper wire thefts along the rail right-of-way and the potential hazards it may create during train operations.

MTS also worked with the TSA in conducting Visual Intermodal Prevention and Response (VIPR) operations. The mission of a VIPR is to observe high-density public transit centers that may be attractive targets for terrorist activity. Their role is to observe and report any suspicious activity to MTS's enforcement personnel. The VIPR team relocated to Los Angeles in October 2014 and as a result, places an even greater value in the role of the JATF.

Canine Teams and Counter Terrorism Activities

MTS continued the Transportation Security Administration (TSA) funded canine program, which has been in place since 2006. Primary duties include ongoing training in explosive detection, patrol of trains, buses and facilities, fare enforcement, and responding to check suspicious packages. The Canine Unit responded to 16 reports of suspicious packages and four bomb threat calls during the past year.

In May 2014, MTS canine teams joined forces with the Military, Harbor Police Department, San Diego Police Department, Coronado Police Department, Federal Police and other government agencies in securing the course for the Bay Bridge Run, which was attended by approximately 10,000 participants. MTS was also the lead explosive detection canine agency in securing the Rock 'n' Roll Marathon for the second consecutive year. During all home Chargers games in 2014, MTS canine teams conducted pre-game sweeps of all platforms and mezzanine areas at Qualcomm Stadium.

From January 2014 through December 2014, the canine teams participated in 237 training scenarios as part of their regular training. In April 2014, Canine Handler Armando Izzarelli attended an explosive training course in New Mexico. In January 2014, Canine Handler Izzarelli and Sergeant Parham participated in a multi-agency explosive detection training course at the Del Mar Race Track. In March 2014, Canine Sergeant Parham and Canine Handler Parker also participated in a multi-agency training day at Qualcomm Stadium.

On July 5, 2014, Canine Handler Parker retired after 17 years of service, the last seven years as an Explosive Detection Canine Handler. In August 2014, Auxiliary Sergeant Hector Herrera was selected to be a Canine Handler and graduated from the 10 week TSA Explosive Detection Canine Handler Course in December 2014. Also in December

2014, Code Compliance Inspector Armando Izzarelli received a new canine after his former canine partner retired at the age of nine.

Regional Training – Rock ‘n Roll Marathon

On June 1st, 2014, the annual San Diego Rock ‘n’ Roll Marathon took place in the City of San Diego, drawing an estimated 100,000 spectators and participants to the downtown area. Many of the spectators and participants used public transportation to and from the event. Due to the Boston bombing incident in 2013, we continue to operate at a heightened level of security.

Previously noted as Rock-n-Roll

In order to enhance public safety at this high profile event, the R&R marathon was designated as a Live Training Exercise to perfect our skills and procedures while working in conjunction with other agencies. The exercise was funded by the TSGP Homeland Security Training Grant. MTS was the lead agency for the explosive detection portion of the exercise as well as the lead transportation agency and canine agency. We partnered with the North County Transit District, the Orange County Sheriff's Department, the Los Angeles County Sheriff's Department, the San Diego Police Department, San Diego Fire and Rescue, the Department of Homeland Security, the Federal Air Marshals (VIPR), the Amtrak Police Department, and the Department of Alcohol, Tobacco, Firearms and Explosives. We put together a comprehensive plan, over a three-month period, to ensure the safe transportation for our trolley and bus patrons, as well as for those attending the event. Twenty-two canine teams, from various agencies, conducted bomb sweeps at Petco Park, the Petco Parking Lot, 12th and Imperial Avenues, the Imperial Avenue Depot (IAD) Bus Yard, vendor stalls, the MTS parking structure and 20 United Postal Service (UPS trucks).

In June, staff attended the Federal Emergency Management Agency (FEMA) American's with Disabilities Act (ADA) Training at the Orange County Transportation Authority in Santa Ana, California. Numerous law enforcement professionals were in attendance including police, sheriffs, and district attorneys.

“If You See Something, Say Something” Text Messages

The See Something Say Something program continues to be an invaluable communication tool for MTS and its customers. Since the launch of the See Something Say Something program, security dispatch has received text messages from passengers regarding disturbances, medical aid, criminal or suspicious activity and unattended packages/items. Upon receiving a message, a security officer is dispatched to evaluate the report and to take appropriate action. The dispatch center receives approximately six to eight See Something Say Something messages per week.

Closed-Circuit Television (CCTV)

We have completed the full installation of onboard CCTV systems on all of the 2000, 3000, and 4000 Series LRV's as well as the two Historic LRV's. The CCTV enhances our ability to document incidents and provide evidentiary matter to law enforcement. Our Operations Control Center (OCC) workstations are now equipped with state of the art hardware upgrades as well as the latest Computer Aided Dispatch (CAD) software, to further improve and simplify field communications.

With the newly integrated CAD, management as well as supervisors can remotely log into the CAD system and access real time information, including incidents currently in progress. The CAD software has become a very important tool which has expanded our

department's access to critical up to date information, and the ability to access prior events at the click of a button.

The OCC has been timely in providing requested video footage to both internal and outside entities. Local law enforcement agencies have praised our OCC staff for providing them with important video evidence in a timely manner, along with their professionalism and elevated commitment to duty. This has strengthened our bond and working relationship with agencies throughout the county.

Because of the addition of higher resolution cameras in several Orange Line stations, the increased video file size caused storage concerns on several of our current Network Video Recorders (NVR's). This was problematic because we were unable to meet our 15 day video retention requirement. As of November 2014, the video retention upgrades for the Orange Line have been successfully completed. A total of six stations that did not meet or exceed our Departmental video retention guidelines are now in compliance and equipped with the latest NVR equipment and software. The NVR upgrades give us the ability to supply video footage to our security department, legal counsel, and requesting agencies, up to 15 days after the event.

We have installed high-definition Avigilon cameras to two of our recently opened transit stations. The cameras provide coverage to all key station areas, and serve as a visible crime deterrent. In June of 2014, the Miramar College Transit Station had 12 Cameras in operation, and by November the Sabre Springs Transit/Penasquitos Transit Station Center had 46 new cameras.

Technology Projects

During the reporting period, the Code Compliance Department tested both the Taser Axon and the Wolfcom 3rd Eye body cameras. Body cameras are designed to be worn on the outside of an officers' uniform, and to record daily contacts in the field. Subsequently, we purchased 50 (BCR's) Wolfcom 3rd Body cameras, as well as a 10 terabyte server to meet a required 60 day video storage period.

The major deciding factor for choosing the Wolfcom 3rd Eye body cameras was the integrated LCD video display. The built in display allows immediate playback of all recorded content. This added function gives us an on-the-spot ability to provide video evidence as well as suspect identification to the responding partner law enforcement agencies.

We began an intermediate field testing period at the beginning of July which included using the body cameras, configuring a storage server, and implementing related software. In September of 2014, all Code Compliance Inspectors were mandated to wear a body camera while on duty, and to activate the device during all enforcement contacts. Since the implementation of the body cameras, we have seen a significant decrease in both use of force incidents and sustained complaints. On a number of occasions the body cameras have been instrumental in providing critical video evidence, and allowing us to prove or disprove allegations expeditiously.

Since the deployment of the body cameras by the Code Compliance Department, the Transit Systems Security Contractor has adopted the idea and has been field testing cameras since August 2014. Because of the positive results rendered during their continued testing period, TSS is currently negotiating the purchase and implementation of 100 body cameras. Their goal will be to have every security officer wearing a body camera by the latter part of 2015.

As of March 2014 we have integrated a new automated method of passenger counts. The new method gives us a true and accurate count, as opposed to the former self-reporting method, which was determined to be less reliable. From January to March 2014, our inspection rate average was only 8.1%. Since the implementation of the automated method, our inspection rates have shown a significant increase. From January to June 2014 our inspection rate average increased to 11.8%. From July to January 2014 the inspection average rose to 19.8%. The average of inspection rates for the 2014 calendar year was 15.7%. The department has recently acquired 25 more Compass card inspection devices. The additional devices have enabled us to significantly increase the number of patron inspections, by utilizing our security personnel for fare checks.

Emergency Operations Center

During the first half of the year, plans were finalized for the design and implementation of an Emergency Operations Center (EOC). The EOC will provide a centralized location for MTS management and key personnel from outside agencies to assemble for the purpose of gathering information, providing logistical support and interoperable communications during emergency operations.

During the second half of the year, development of the EOC began and is in the final stages of completion. Currently, there is a specially designed planning desk consisting of 8 workstations with individual computer terminals. These computers have the capability of pushing video signals to a large monitor. There is also a two-way radio with all Trolley frequencies that has been installed as a base station, with an external rooftop antenna to ensure clear and consistent communications with our repeaters. The EOC (as well as the entire Transit Enforcement building) has been connected to an external emergency backup generator so that in the event of a power failure, the EOC will continue to be operational during an emergency or critical incident.

Eagle Team

The Eagle Team is a specialized unit that was put in service on December 10, 2012. This unit was developed as a result of numerous complaints from late night riders on the Blue and Orange Line trains. The complaints ranged from thefts, assaults and robberies to quality of life issues such as the drinking of alcoholic beverages, fighting, unruly conduct and fare evasion. Eight TSS officers and two CCIs are currently assigned to the Eagle Team details. Four TSS officers and one CCI are assigned to the Blue Line and four TSS officers and one CCI are assigned to the Orange Line. The Eagle Team's operations have been highly successful in deterring criminal activity and improving the quality of life on board the late night Blue and Orange Line trains. Their presence on board has also reduced the number of vandalism incidents on board the late night Blue and Orange Line trains.

Currently, the officers assigned to the Eagle Team are scheduled from 7:00 pm. to 5:00 am. After the last Blue and Orange Line train goes out of service (which is approximately 1:30 am), the Eagle Team officers are paired up as two man units and are assigned to patrol sections of the right-of-ways on the Blue, Orange and Green line to deter the theft of copper wire. The number of copper wire thefts and the amount of wire stolen have been significantly lowered since this additional task has been added to the Eagle Team's patrol responsibility.

Special Enforcement Unit (SEU)

From January 1, 2014 to December 31, 2014, 26 SEU's were conducted at various trolley stations on the three respective trolley lines. The purpose of an SEU is to check all patrons (those already on board, boarding or de-boarding the trains), for proper fare. Local law enforcement agencies (San Diego Sheriff's Office, San Diego Police Department, San Diego County Probation Department and the La Mesa Police Department) took part in nine of the SEU details. The following are the results of those details:

- Patrons inspected 86,979
- Citations Issued 2927
- Written Warnings 37
- Fare evasion Rate 3.3%

Transient Encampment and Homeless Outreach Details

From January 1, 2014 to December 31, 2014, thirty (30) transient camp details took place on MTS properties. During this reporting period, there was a significant increase in transient activity in the downtown area, particularly at the Santa Fe Depot, America Plaza, County Center/Little Italy and the bus stops along Broadway. During the details, we noticed that a number of the individuals that were camping in the stations at night were from out of town and moved to San Diego to get away from the harsh winter conditions in the rest of the country. We also noticed an increase in persons that were mentally disabled. All persons contacted during these details were given a San Diego Directory of Social Services Guide to assist them in finding the appropriate help for food, medical services and shelter.

The MTS properties in the San Diego River and the Green Line continue to be very active. The majority of persons contacted for camping in these areas are methamphetamine and heroin users. These individuals are involved in thefts, robberies, and prostitution in order to support their drug habits. During this reporting period we worked a number of details in the San Diego River and on the Green Line with the San Diego Police Department, San Diego County Sheriff's Department and the San Diego County Probation Department. This assisted us in getting the chronic offenders out of the area.

In the South Bay, Sweetwater Flats and Gunpowder Point have shown a significant reduction in transient camp activity. This is mainly due to the Eagle Team patrolling Sweetwater Flats every night and the increased patrols from the U.S. Fish and Wildlife at Gunpowder Point. The Eagle team's late night patrols have also helped to lower the incidents of copper wire theft.

During the transient camp details, 682 citations were issued for the following violations:

Trespassing – 272
Loitering – 124
Fare Violations – 189
Quality of Life – 95*

*Includes: Smoking, Alcoholic Beverages and Disorderly Conduct.

Copper Wire Theft Detail

During 2014, copper wire thefts continued to be a challenge for MTS. The thefts occurred in the early morning hours when the trains were not in operation. The thefts were generally discovered when trains begin morning operations when signals were discovered to be malfunctioning. In addition to the financial loss, the thefts created significant hazards and, in several cases, the cut wires created electric arcing, which caused damage to several tracks.

In response to the copper wire thefts during the first half of the year, our security teams conducted overnight undercover details for a one month period, and we increased uniformed patrols in the targeted areas. As a permanent response to the thefts, the Eagle Team now patrols the last trains and then checks the right-of-ways for copper wire theft as part of their regular patrols. This has resulted in a significant reduction of copper wire thefts. In addition, MTS is now a part of the countywide Metal Theft Task Force, a group of Law Enforcement personnel from agencies throughout the county that focuses/shares information regarding metal thefts.

Downtown Partnership

The Downtown Partnership consists of more than 325 members representing a variety of businesses and residents in the downtown area. Along with downtown business and resident representatives, participating agencies in the Downtown Partnership include the San Diego Police Department, San Diego Code Enforcement, San Diego County Sheriff's Department, San Diego County Probation, MTS Transit Enforcement, San Diego Parks and Recreation, Clean and Safe, Neighborhood Partnership and San Diego Padres Baseball. MTS has a representative attend the Partnership's bi-monthly meetings.

The meeting agendas include topics affecting the quality of life in the downtown area such as illegal lodging, drug sales, prostitution, illegal cigarette sales, loitering, thefts and robberies. Cleanup of areas that are affected by illegal lodging and chronic loitering are also discussed in these meetings. After each meeting, participating agencies can individually address these problems or combine their resources and work as a team to resolve ongoing issues. Bus and Trolley issues are addressed after each session with a follow-up after action report presented at the next meeting.

From January 1, 2014 to December 31, 2014, MTS Transit Enforcement performed 25 special details in the downtown area, including eight Special Enforcement Unit Details. Several of the details were joint operations with the San Diego Police Department.

Border Transportation Council

The (BTC) Border Transportation Council consist of members from the MTS Transit Enforcement Department, along with other MTS officials, Caltrans, Department of Homeland Security, San Diego Police Department, SANDAG, Customs/Border Protection, California Highway Patrol, U.S. Border Patrol, San Ysidro Chamber of Commerce, Public Utilities Commission and several privately owned transportation companies. From January 1, 2014 to December 31, 2014, this group attended monthly meetings regarding the United States & Mexican border transportation services.

During this reporting period, the meeting topics included border related construction projects, wildcatting (unlicensed/unauthorized transportation operators), illegal vending, and other quality of life issues.

The illegal activity in the MTS parking lot behind McDonald's on Rail Court (San Ysidro) continues to be on the decline particularly cigarette/food sales and wildcatting. This is mainly due to a Transit Systems Security officer being permanently assigned to that location and the policy changes made by BriceHouse Management.

Construction at the San Ysidro Parking Solution terminal (behind McDonald's on Rail Court) continues to progress. The ADA ramp is now open for use and the service behind the McDonald's building has returned to normal for the buses, vans and ridership. The doors behind the McDonald's building have recently been removed and are a cause of concern when it comes to safety and criminal activity.

Bus Rapid Transit (BRT)

(Delete up one line)On June 8, 2014, the Bus Rapid Transit (BRT) began service along the Interstate 15 corridor from downtown to North County. Twenty hours of security coverage was added per day to the City College Station to cover the BRT bus stop. During the construction of Saber Springs/Penasquitos Transit Center, Transit Systems Security (TSS) was called upon to provide periodic security at the facility. This included a four day period from March 3, 2014 to March 7, 2014 when there was 24 hour coverage and a period from March 10, 2014 to April 4, 2014 when there was 20 hour a day (excluding weekends). This coverage was reduced once the facility gates became operational.

In October 2014, the Miramar College BRT location went in service. This location has 12 CCTV cameras and is randomly patrolled by security and code compliance officers.

Buses and Bus Stops

During this reporting period, MTS Code Compliance Inspectors and Transit System Security Officers patrolled and conducted enforcement at bus stops and at bus facilities throughout the system. This included periodic bike and foot patrols along the downtown Broadway and C Street corridors. Over 73900 patrons were contacted and 177 citations were issued during the one year period. In addition, 22 special details were conducted to address crime problems such as homeless related issues and nuisance type crimes. Many of those details were conducted by our plain clothes teams and were generally focused on customer concerns. Some of the concerns included homeless people sleeping at bus stops, juveniles throwing objects from buses, smoking and drinking at bus stops, and tour buses parking at bus stops during special events.

Improvements to the outer perimeter of the Imperial Avenue Division were completed with anti-graffiti paint and new signs posted to deter loitering and drinking violations. The communications room was remodeled with new equipment and software.

Veolia has changed its name to Transdev. The new Transdev Administrative offices were completed at the South Bay Division in August with 15 new maintenance bays and 66 perimeter CCTV cameras and ten-foot perimeter fences.

Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Sharon Cooney, 619.557.4513, Sharon.Cooney@sdmts.com

2014 Year-End Security Report

Presented by
William Burke, Chief of Police
Transit System Security

(DRAFT)

May 8, 2015



1



Introduction

Code Compliance and Contract Security

Serve under the direction of the MTS Chief of Police



Code Compliance Inspector (Non-sworn and Unarmed)

- 35 Personnel
- Public Officers with Powers of Arrest – 836.5 P.C.



Contract Security (Armed and Unarmed)

- 170 Personnel
- Private person arrests authorized – 837 P.C.

Contract Security

- Ambassadors – Part Time – Seasonal/as needed
 - Crowd control and general passenger information



2



Training

Code Compliance Inspectors

- 832 P.C. Peace Officer Standards and Training (all officers)
- Right-of-Way Safety Protection Plan
- CLETS (California Law Enforcement Telecommunication System)
- Fire and Life Safety Drills
- Anti-Terrorist Intelligence Awareness
- Security Awareness
- TLO (Terrorism Liaison Officer)



3



Part I Incidents – Rail

	2011	2012	2013	2014
Ridership	32,748,836	31,207,081	34,449,069	39,673,654
Homicide	0	0	0	0
Rape	0	2	0	0
Robbery	45	18	28	21
Agg. Assault	22	15	18	24
Burglary	0	1	1	2
Theft	79	92	114	95
MV Theft	13	21	23	12
Arson	0	0	0	0
Part I Incidents	159	149	184	154
Per 100,000	.48	.48	.53	.39

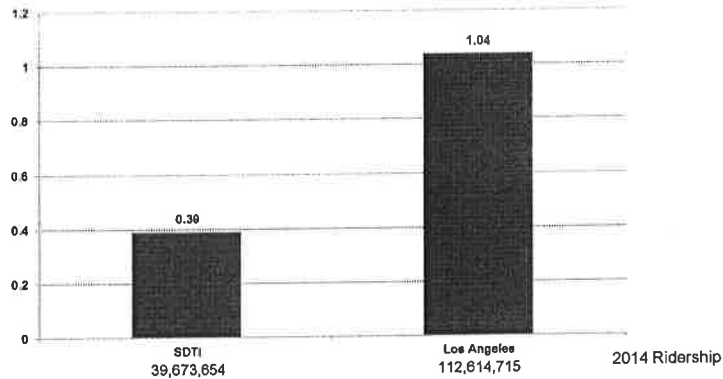


4



Part I Incidents – Rail

Comparison Per 100,000 Passengers
2014



5



Part II Arrests – Rail

Ridership	2011 32,748,836	2012 31,207,081	2013 34,449,069	2014 39,673,654
Other Assaults	70	58	83	94
Vandalism	169	116	114	80
Sex Offenses	9	1	3	4
Drug Abuse	198	187	284	250
DUI	3	11	11	17
Drunkenness	238	132	72	92
Disorderly Conduct	1022	908	979	792
Trespassing	355	308	421	497
Curfew/Litering	197	196	91	143
Total*	2,261	1,917	2,058	1,959
Arrests per 100,000 passengers	6.90	6.14	5.97	4.94

* Does not include citations for fare evasion.



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Part I Incidents – SDTC Bus

	2011 28,306,452	2012 29,095,808	2013 28,556,582	2014 28,017,141
Ridership				
Homicide	1	0	0	0
Rape	0	0	0	0
Robbery	7	6	1	3
Agg. Assault	1	6	6	3
Burglary	0	0	0	0
Theft	15	19	10	5
MV Theft	0	1	0	1
Arson	0	0	0	0
Total	24	32	17	12
Per 100,000	.08	.11	.06	.04



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Part II Arrests – SDTC Bus

	2011 28,306,452	2012 29,095,808	2013 28,556,552	2014 28,017,141
Ridership				
Other Assaults	4	8	10	7
Vandalism	25	17	6	11
Sex Offenses	0	0	0	1
Drug Abuse	15	7	11	7
DUI	2	2	1	2
Drunkness	49	22	6	6
Disorderly Conduct	94	56	47	38
Trespassing	2	2	3	0
Curfew/Loitering	78	59	131	53
Total*	269	173	215	125

* Does not include citations for fare evasion.



8

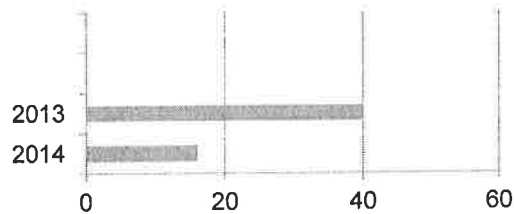


Cell Phone & Electronics Thefts

January through December 2014

Cell Phone and Electronics Thefts and Robberies (includes attempts)

- 16 Cell phones and electronic devices
- Down from 40 during 2013, representing a better than 50% reduction in these crimes



TAKE ONE

Safety and Security Tips

The safety and security of our passengers are the priority of the Metropolitan Transit System, and we are proud of our record of providing a safe and secure environment for passengers.

To make your trip even safer, please consider these important safety tips while riding public transportation:

- **Cell phones and iPads** are extremely popular and many of these devices are on the rise nationally and in our region. While using these devices, be mindful and aware of other people who may be interested in them.
- Be aware of your surroundings and always be alert for suspicious activity that causes concern for your safety.
- **Keep your valuables secure** at all times. Hold your bag, briefcase, or other possessions in front of you at all times. Do not leave items unattended, especially when using restrooms.
- **Compass security:** If you are a victim of a crime, or lose a transit pass, call 911 or MTS Security at 618-595-4360, or text 618-595-1234. You can also report the loss online at the MTS website or via the MTS app.

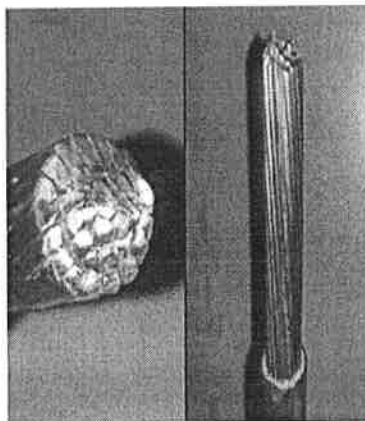
For more tips on how to stay safe and secure, visit our website at www.mts.com.



9



Metal Thefts



- 34 instances in which copper wire was cut
- 13 of those were in a two-week period
- Thefts occurred in the early morning hours when the trains were not in operation.
- The thefts were discovered when trains began morning operations and discovered signals were malfunctioning.

Late night patrols have continued in an effort to deter more thefts.



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Part I Incident Comparison - Rail

MTS and Los Angeles
January through December 2014

	MTS	LA Metro
Ridership	39,673,654	112,614,715
Incidents per 100,000	.39	1.04
<u>Against Persons</u>		
Homicide	0	2
Rape	0	5
Robbery	21	253
Agg. Assault	24	185
Subtotal	45	445
<u>Against Property</u>		
Burglary	2	7
Theft	95	630
MV Theft	12	86
Arson	0	0
Subtotal	109	723
Total Part I Incidents	154	1,168



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Part I Incident Comparison - Bus

MTS and Los Angeles
January through December 2014

	MTS	LA Metro
Ridership	28,017,141	335,935,326
Incidents per 100,000	.04	.19
<u>Against Persons</u>		
Homicide	0	0
Rape	0	2
Robbery	3	108
Agg. Assault	3	178
Subtotal	6	288
<u>Against Property</u>		
Burglary	0	5
Theft	5	322
MV Theft	1	12
Arson	0	0
Subtotal	6	339
Total Part I Incidents	12	627



12



Electronic Citations



Zebra RW 420 Printer

- In November 2014, MTS Enforcement went live with the eForce software program
- Electronic fingerprint capability
- Photography capability



13



Officer Body Cameras



Body Cam Video of Enforcement Contact

- Code Compliance Inspectors are mandated to wear a camera and record most citizen interactions.
- Significant reduction in Use of Force incidents
- Significant decrease in complaint investigation time as shown in video

Example

- Mother alleged officer teased her son
- She said she would file an ADA lawsuit
- Requested that officer be terminated
- Mother was informed of contents of video
- Son admitted he lied about the entire incident



14



If You See Something Say Something

- Launched in 2013, security dispatch receives text messages regarding a variety of issues; disturbances, medical aid, crimes, suspicious activity and unattended packages/items.
- See Something Say Something is also used to report things that are medical situations in nature, such as the following:
 - Report of an intoxicated person sleeping onboard a train
 - Contacted the patron
 - Medical attention was required
 - Paramedics were notified and transported the patron to a medical facility for treatment



15



K9 Activities



Inspector Hector Herrera and his K9 partner Iras

K9 Activity Highlights:

- Fourteen responses for suspicious devices
- Three bomb threat responses
- Used for pre-event sweeps at Petco Park and the Bay Bridge Road Run
- K9 program participates in Community Relations events like the Bike give-away program Graduation of New K9 Inspector



16



Comic-Con 2014



Comic-Con 2014 was covered by MTS Transit Enforcement, and the event was a complete success. There were no security issues reported.



17



Rock 'n Roll Marathon 2014

Utilized as a real-time multi-agency drill, Participation with other agencies contributes to the success of this high profile event.



MTS Officers performing crowd control



18



Special Enforcement Unit (SEU)

Zero Tolerance Fare Inspection - Rail
January – December 2014

- 26 SEUs conducted at Random Stations
- 86,979 Patrons Inspected
- 2,927 Citations Issued
- 37 Written Warnings Issued
- 3.3% Evasion Rate



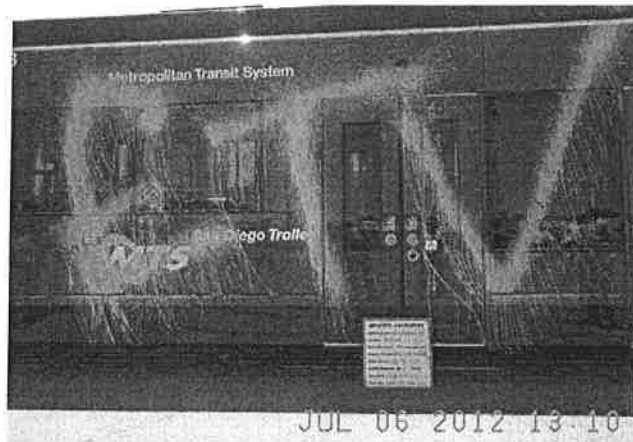
19



Felony Vandalism



location



Felony vandalism incident, July 2012



20



Felony Vandalism Arrest



During the reporting period, officers saw a man tagging the side of a train. They arrested the suspect for felony vandalism. Two years earlier, he had committed the same act. He was identified as the same suspect using train video footage.



21



Transient Camps

Joint Details

- A number of details were conducted with the San Diego Police Department, San Diego County Sheriff's Department and the San Diego County Probation Department.
- Multi agency operations have helped to clear the area
- Targeted areas were:
San Diego River – Mission Valley
Sweetwater Flats – South Bay
Gunpowder Point – South Bay



22



Transient Camps

- Thirty transient camp details
- Significant increase in transient activity in the downtown area.
- San Diego Directory of Social Services guides to provide assistance to those contacted



23



End



24



SAN DIEGO METROPOLITAN TRANSIT SYSTEM

ORDINANCES

“Prepared for the Public Security Committee”

May 8, 2015

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

ORDINANCE NO. 2

(as adopted 6/8/81, and as amended through 1/19/12)

An Ordinance Requiring Proof of Fare Payment by Passengers Using the San Diego Trolley

The Board of Directors of the San Diego Metropolitan Transit System (MTS) do ordain as follows:

SECTION 1

Section 2.1: Findings

In 1979 by Resolution No. 79-2, MTS adopted a self-service, barrier-free fare collection system for use with respect to the Light Rail Transit System, after finding that such a fare collection system would maximize overall productivity. Those findings are hereby reaffirmed for the San Diego Trolley System. In order to make the self-service, barrier-free fare collection system as productive and efficient as possible, it is necessary to adopt this Ordinance pursuant to Sections 120105 and 120450 of the Public Utilities Code requiring proof of fare payment by passengers using the San Diego Trolley system.

Section 2.2: Definitions

The following terms as used in this Ordinance shall have the following meaning:

A. Inspector - An officer(s) or employee(s) of MTS or authorized by Ordinance by MTS or a peace officer(s) designated by MTS, to check passengers for valid proof of fare payment with the authority to arrest and issue a Citation of Fare Evasion to passengers not possessing or exhibiting valid proof of fare payment and to otherwise enforce the provisions of this Ordinance.

B. Proof of Fare Payment - Proof of fare payment means any of the following:

1. A Monthly or 30-Day Pass (Adult, Youth, or Senior/Disabled/Medicare), Day Pass or other time-delimited pass valid for use on the Trolley, purchased by or for the passenger, and valid for the time of use.

2. A single-ride ticket purchased by or for the passenger from a Trolley fare vending/validating machine. This single-ride ticket is valid provided the passenger in possession is qualified for the fare category printed on the ticket, the passenger is on a trolley traveling in a direction away from the boarding station printed on the ticket, the passenger is on a trolley within the distance from the boarding station for which the fare specified on the ticket is valid, and the passenger is using the ticket within two hours of the date and time printed on the ticket. The single-ride ticket must be valid for the entire length of time that the passenger in possession is onboard the Trolley.

3. A multi-ride ticket valid for use on the Trolley that has been validated using a Trolley fare vending/validating machine. This ticket is valid provided the passenger possessing the ticket is on a trolley traveling in a direction away from the boarding station most recently printed on the ticket, the passenger possessing the ticket is on a trolley within the distance from the station of validation of which the cash fare specified on the ticket is valid, and the passenger possessing the ticket is using the ticket within two hours of the date and time most recently printed on the ticket. The

multi-ride ticket must be valid for the entire length of time that the passenger in possession is onboard the Trolley.

C. Citation for Nonpayment of a Fare - Means the written notice to appear issued by an Inspector to a passenger arrested for violating this Ordinance whereby the passenger is released on his promise to appear in court at the date, time, and place specified in the written notice.

D. Passenger - any person occupying, riding or using any trolley vehicle, boarding or deboarding such a vehicle or waiting within a designated paid zone waiting area at a Trolley station.

(Section 2.2 adopted & amended 1/19/12)

Section 2.3: Proof of Payment

No unauthorized person shall board, occupy, ride in, use or deboard any trolley vehicle or stand within a designated paid zone waiting area at a Trolley station without possessing and exhibiting, upon demand of an Inspector, valid proof of fare payment.

(Section 2.3 amended January 14, 1993)

Section 2.4: Agreement

The use of any trolley vehicle shall constitute an agreement by the user to pay the applicable fare in accordance with the effective fare Ordinance established by MTS and to have in his/her immediate possession proof of fare payment.

Section 2.5: Proof of Fare Payment Procedures

A. Upon demand of an Inspector, every passenger occupying, riding or using any trolley vehicle, boarding or deboarding such a vehicle or waiting within a designated paid zone waiting area at a Trolley station shall exhibit proof of fare payment to the Inspector as required by this Ordinance.

B. If a passenger does not possess or exhibit valid proof of fare payment, the Inspector shall arrest such passenger and, if the passenger does not demand to be taken before a magistrate, the Inspector shall deliver to that passenger a Citation for Nonpayment of a Fare. The Citation for Nonpayment of a Fare shall contain the name and address of the passenger, the date the citation was issued, a description of the violation, the date, time, and place when and where such passenger shall appear in court, the name of the Inspector, and the signature of the passenger to whom this citation is delivered, which signature shall indicate the passenger's promise to appear in court at the date, time, and place specified in the citation. The Citation for Nonpayment of a Fare shall also state a warning that the passenger's willful failure to appear in court as promised is a separate violation for which the passenger may be arrested and punished pursuant to the California Penal Code.

C. The failure or refusal of any passenger to exhibit proof of fare payment, provide positive identification as to his/her full name and residence, or sign the citation for Nonpayment of a Fare shall subject the passenger to all other provisions and remedies provided by law.

D. Failure of or refusal by the passenger to sign the Citation for Nonpayment of a Fare shall not affect the enforceability of this Ordinance.

(Section 2.5 amended January 14, 1993)

Section 2.6: Penalties

Any violation of Section 2.3 of this Ordinance shall be an infraction punishable by a fine not exceeding seventy-five dollars (\$75), except that such a violation by a person, after the second conviction under the Ordinance, shall be a misdemeanor punishable by a fine not exceeding five hundred dollars (\$500) or by imprisonment not exceeding six months, or by both such fine and imprisonment. For purposes of this section, a bail forfeiture shall be deemed to be a conviction of the offense charged.

(Section 2.6 adopted & amended 1/19/12)

SECTION 2: Public Notice

Before the expiration of fifteen (15) days after its passage, this Ordinance shall be published once with the names of the members voting for and against the same in a newspaper of general circulation published in the County of San Diego.

SECTION 3: Operative Date

This Ordinance shall be operative on October 1, 2000.

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Adopted & Amended: 1/19/12

Amended: 7/13/00

Amended: 9/26/96

Amended: 1/14/93

Repealed & Readopted: 2/27/84

Adopted: 6/8/81

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD
ORDINANCE NO. 3

(As adopted June 8, 1981, and as amended through 1/11/96)

An Ordinance Regulating Parking in
San Diego Trolley Parking Lots

The Board of Directors of the San Diego Metropolitan Transit Development Board (MTDB) do ordain as follows:

Section 3.1: Findings

MTDB adopts this Ordinance establishing conditions and regulations applicable to vehicle parking and traffic in San Diego Trolley (hereafter "Trolley") parking lots and other transit facilities including bus transit centers and transit facility construction sites.

(Section 3.1 amended 1/11/96)

Section 3.2: General

No person shall drive, stop, park, or leave standing any vehicle, as defined in Section 670 of the California Vehicle Code, on any Trolley parking lot or other transit facility except in full compliance with the traffic laws of the State of California and conditions and regulations adopted herein. As used herein the term "Trolley parking lot or other Transit Facility" includes entrances and exits to and from any such facility.

(Section 3.2 amended 1/11/96)

Section 3.3: Patron Parking

Parking in San Diego Trolley lots and other transit facilities is for transit patrons only. Any vehicle belonging to other than transit patrons may be removed at the risk and expense of its owner. For purposes of this Ordinance, a patron is defined as a person who parks a vehicle on a Trolley parking lot facility adjacent to a Trolley station or other transit facility and who thereafter directly proceeds to board a Trolley vehicle or public transit bus at the lot or facility.

(Section 3.3 amended 1/11/96)

(Section 3.3 amended July 11, 1983)

Section 3.4: Time Limit

Maximum limit of time for parking in San Diego Trolley lots and transit facilities is twenty-four (24) consecutive hours unless otherwise posted. Any vehicle exceeding this limit may be removed to a suitable place for storage at the risk and expense of its owner.

(Section 3.4 amended 1/11/96)

Section 3.5: Designated Spaces

Motor vehicles shall be parked only in areas posted and dedicated for parking, and shall be parked in an orderly manner within the lines indicating a single space. Motor vehicles shall not be parked within any driveway, in any unlined area, in any yellow painted area, in any pedestrian walkway, in any bus loading zones, or in any areas so prohibited by control signs.

Section 3.6: Maximum Speed Limit

No person shall at any time drive any vehicle in any Trolley parking lot or transit facility at a speed in excess of 15 miles per hour, unless otherwise posted.
(Section 3.6 amended 1/11/96)

Section 3.7: Maximum Vehicle Dimensions

No person shall drive, park, or leave standing in any Trolley parking lot or transit facility any vehicle or combination of vehicles which exceeds three tons in total aggregate weight or exceeds six and one-half feet in width or 19 feet in length.
(Section 3.7 amended 1/11/96)

Section 3.8: Motorcycles

No person shall park or leave standing any motorcycle or motor-powered bicycle except in areas specifically designated for such purpose in Trolley parking lots or transit facilities.
(Section 3.8 amended 1/11/96)

Section 3.8.1

Any violation of Sections 3.2 through 3.8 inclusive of this Ordinance shall be an infraction punished upon a first conviction by a fine not exceeding fifty dollars (\$50) and for a second conviction within a period of one year by a fine of not exceeding one hundred dollars (\$100) and for a third or any subsequent conviction within a period of one year by a fine of not exceeding two hundred fifty dollars (\$250). For purposes of this section, a bail forfeiture shall be deemed to be a conviction of the offense charged.

Section 3.9: Additional Usage by Special Permit

Notwithstanding Section 3.3 or Section 3.4, the MTDB General Manager may issue permits for private use of parking lots and transit facilities and for parking in excess of 24 hours in accordance with such rules and regulations as may be prescribed by the MTD Board.
(Section 3.9 amended 1/11/96)
(Section 3.9 added 7/11/83)

Section 3.10 Public Notice

Before the expiration of fifteen (15) days after its passage, this Ordinance shall be published once with the names of the members voting for and against the same in a newspaper of general circulation published in the County of San Diego.

TFL:lst
CD-ORD03.JPL
1/19/96

Amended: 1/11/96
Amended: 7/11/83
Repealed & Readopted: 1/25/82
Adopted: 6/8/81

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

CODIFIED ORDINANCE NO. 4 (as amended through 10/30/14)

An Ordinance Establishing a Metropolitan Transit System Fare-Pricing Schedule

Section 4.1: Findings

This Ordinance is adopted to implement a Metropolitan Transit System (MTS) Fare-Pricing Schedule approved by the Metropolitan Transit System Board of Directors and to authorize future modifications or amendments to the schedule to be made by the MTS Board of Directors.

Section 4.2: Definitions

A. Senior - Any person 60 years of age or older. Acceptable proof of senior fare eligibility shall be a Medicare Card, a valid driver's license, a State of California Senior identification card, or an MTS identification card in the MTS area, or a North County Transit District (NCTD) identification card in the NCTD area. This definition applies to persons who seek to purchase and/or use a Senior/Disabled/Medicare Monthly Pass or Senior/Disabled/Medicare cash fare on fixed-route transit or general public demand-responsive services.

B. Disabled/Medicare - Any person with a permanent or temporary mental or physical disability. Acceptable proof of disabled fare eligibility shall be an MTS identification card, Medicare Card, NCTD disabled identification card, State of California Department of Motor Vehicles (DMV) disabled identification card, or DMV placard identification card. This definition applies to persons who seek to purchase and/or use a Senior/Disabled/Medicare Monthly Pass or Senior/Disabled/Medicare cash fare for fixed-route transit or general public demand-responsive services.

C. Youth - Any person 6-18 years of age (inclusive). Acceptable proof of youth fare eligibility in the MTS area shall be an MTS Youth identification card, a valid driver's license, or current school photo identification card (through high school only).

D. College Student - Any person enrolled as a student with a current enrollment for seven units or more in a participating accredited San Diego area post-secondary school.

E. Child - Any person five years of age or under.

F. Compass Card - The Compass Card is an electronic fare medium based on contactless smart card technology. The Compass Card can hold either transit products or cash for use on regional transit services. Transit products include, but are not limited to, multiday passes, college semester passes, and special event period passes. The Compass Card utilizes wireless technology to interface with Compass validator devices on regional buses, rail platforms, and regional ticket vending machines. Patrons using their Compass Card must touch or tap their card to a validator device before each ride as a condition precedent to using MTS services.

G. Bus - Rubber-tired transit vehicles operated by MTS San Diego Transit Corporation, Chula Vista Transit, MTS Contract Services, and NCTD.

H. Trolley - Light rail transit vehicles operated by San Diego Trolley, Incorporated.

I. Local Service - Bus service on local roads serving neighborhood destinations and feeding transit centers in the immediate area.

J. Urban Service - Moderate-speed bus service primarily on arterial streets with frequent stops.

K. Express/Corridor Service - Bus service with stops only at major transit centers, residential centers and activity centers; has more than six stops outside Centre City or at collector end of route; generally traveling less than 50 percent of the one-way trip miles on freeways and averaging at least 15 miles per hour, with an average passenger trip length of approximately 10.0 miles or under, and uses standard transit buses.

L. Rapid Express - Bus service with stops only at major transit centers, residential centers and activity centers; generally traveling 50 percent or more of the one-way trip miles on freeways; averaging at least 20 miles per hour, with an average passenger trip length of over 10.0 miles, and using commuter coaches.

M. Rural Service - Bus service providing limited daily or weekly service linking Rural Northeastern and Southeastern San Diego County to a multimodal transit center or major shopping center generally provided on a two-lane highway or roadway with one-way vehicle trip lengths ranging from 15 to 80 miles.

N. Station - That fixed site at which the San Diego Trolley stops to load and unload passengers.

O. Supplement - A charge paid on a one-time basis to permit the use of a fare product for a transit ride that requires a more expensive fare.

P. Zone(s) - For ADA complementary paratransit service, a zone is the geographical area defined by fixed boundaries within which particular fares are established. The boundaries for the zones are determined by each of the contracting agencies for the local operator of the paratransit service. The zones are as follows:

Zone 1 Central San Diego

Zone 2 Mid-County: Poway, Rancho Bernardo, Rancho Penasquitos, Carmel Mountain Ranch, and Sabre Springs

Zone 3 East County: La Mesa, El Cajon, Santee, Lakeside, Lemon Grove, Spring Valley, and parts of Alpine

Zone 4 South Bay: Chula Vista, Coronado, National City, Imperial Beach, Palm City, Nestor, Otay Mesa, and San Ysidro

Q. Transfer - The action by passengers in which they leave one bus or rail vehicle and board a subsequent bus or rail vehicle to complete their trips.

R. Upgrade - An additional fare required to enhance the value of a transit pass to travel on a higher-fare service. Upon payment of an upgrade, the original pass is converted to

the new, more expensive product.

S. ADA Complementary Paratransit Service - Specialized origin-to-destination transportation services provided to persons who qualify as eligible for such services under the guidelines of the ADA Except for commuter bus, commuter rail, or intercity rail systems, each public entity operating a fixed-route system shall provide complementary paratransit or other special service to individuals with disabilities (who cannot access or use fixed-route transit due to a qualifying disability) that is comparable to the level of service provided to individuals without disabilities who use the fixed-route system.

T. Personal Care Attendant - In relation to the ADA complementary paratransit service, a personal care attendant is a person who is designated by the ADA eligible passenger to aid in their mobility. The person may be a friend, family member, or paid employee. A personal care attendant is not charged a fare on the ADA complementary paratransit service vehicle on which she/he accompanies the ADA-eligible passenger. The need for and use of a personal care attendant must be indicated at the time of eligibility certification.

U. Dedicated Transportation Service - In relation to social services agencies or other organizations, a dedicated transportation service is defined as paratransit vehicle usage that is set apart for and guaranteed to an agency for the transportation of its eligible clients. The vehicle, for a particular time frame, is for the definite use of these persons and a ride is unavailable to other eligible persons within the community.

V. Rapid - MTS brand name for a premium rapid transit service operated wholly or partly on exclusive bus lanes, guideways, managed lanes, or use of other transit priority measures. Depending on specific route characteristics, individual Rapid routes may be classified as MTS Rapid or MTS Rapid Express for purposes of Section 4.5.

W. Universal Pass (UPass) - Provides unlimited rides on select transit services for an agreed upon period of time to individuals associated with a sponsoring entity, where the sponsoring entity guarantees universal participation/purchase by its employees, students, or other membership.

(Section 4.2 amended 10/30/14)

Section 4.3: Regional Fare-Pricing Schedule

Section 4.3.1: Regional Passes and Tickets

Section 4.3.1a: Regional Monthly or 30-Day Passes

1) Except as provided in Section 4.3.1b, 4.3.1c, and 4.3.1d of this Ordinance, the price of a monthly or 30-day pass shall be based on service type.

Regional Passes. The price of a Regional Monthly or 30-Day Pass for Local, Urban, and Express bus and Trolley service shall be \$72.00. The Regional Monthly or 30-Day Pass shall entitle the person to whom the pass is issued to unlimited rides during the period for which the pass is designated on any equal or lower priced regularly scheduled bus and rail service provided by MTS and NCTD, except for COASTER, for which the pass entitles the holder a \$0.50 discount per boarding. The Regional Monthly Pass is accepted on Premium Express with the payment of a \$2.00 Supplement. Refer to Section 4.7.3 for use on Rural services.

Premium Passes. The price of a Premium Monthly or 30-Day Pass shall be \$100.00 and entitle the person to whom the pass is issued unlimited rides on the services covered by the Regional Monthly or 30-Day Pass and Premium Express except for COASTER, for which the pass entitles the holder to a \$0.50 discount per boarding. The Premium Monthly or 30-Day Pass is accepted on 1-Zone Rural service without payment of a Supplement and is accepted on 2-Zone Rural service with the payment of a \$4.00 Supplement.

2) Employer-Based Group Sales Pass Program

Employers may purchase in bulk, discounted monthly or 30-day passes for their employees subject to the following conditions:

The discount is available for the advance purchase of 25 or more passes a month for up to three months for a "trial program." Price would be set according to what the price would be for an annual program using the same number of passes per month. Only one "trial program" is allowed per employer. The trial program agreement must be for a specific fiscal year. Advance payment for the total number of Trial Program passes is required. The discount is available for an employer purchasing 300 or more passes for an annual (12 months) program. The program can be pro-rated to accommodate the time left in the fiscal year. The annual program agreement and payment must be for a specific fiscal year. Advance payment for the total number of annual monthly passes is required.

The price of the Employer-Based Group Sales Pass Program will be tiered according to the number of annual regular adult passes purchased. The discount offered shall be as follows:

Employer-Based Group Sales Pass Program
Tiered-Discount Table

Employees Using Transit Per Month	Passes Per Year	Discount
25 to 100	300 to 1,200	10%
101 to 400	1,212 to 4,800	20%
401 or more	4,812 or more	25%

(Section 4.3.1a adopted and amended 1/19/12)

Section 4.3.1b: Senior/Disabled/Medicare Monthly or 30-Day Passes

Regional Pass. The price of a Regional Senior/Disabled/Medicare Monthly or 30-Day Pass is \$18.00 and shall entitle the Senior, Disabled, or Medicare passenger to unlimited trips during the month or 30-day period for which the pass is designated on all regularly scheduled MTS and NCTD services except (i) Premium, unless a \$1.00 Supplement is paid; (ii) COASTER, for which the pass entitles the holder to a \$0.50 discount per trip; and (iii) Rural (as defined by Section 4.2L), unless a \$2.00 Supplement per zone is paid.

Premium Passes. The price of a Premium Senior/Disabled/Medicare Monthly or 30-Day Premium Pass is \$25.00 and entitles the person to whom the pass is issued unlimited rides on the services covered by the Premium Monthly or 30-Day Pass and to a \$0.50 discount per boarding on COASTER. The Premium Senior/Disabled/Medicare Monthly or 30-Day Pass is accepted on 1-Zone

Rural service without the payment of a Supplement and is accepted on 2-Zone Rural service with the payment of a \$2.00 Supplement.

(Section 4.3.1.b adopted and amended 11/19/12)

Section 4.3.1c: Youth Monthly or 30-Day Passes

Regional Passes. The price of a Regional Youth Monthly or 30-day Pass is \$36.00 and shall entitle the youth passenger to unlimited trips during the month or 30-day period for which the pass is designated on all regularly scheduled MTS and NCTD services except (i) Premium, unless a \$2.00 Supplement is paid; (ii) COASTER, for which the pass entitles the holder to a \$0.50 discount; and (iii) Rural (as defined by Section 4.2L), unless a \$4.00 Supplement per zone is paid.

Premium Passes. The price of a Premium Youth Monthly or 30-Day Premium Pass is \$50.00 and entitles the person to whom the pass is issued unlimited rides on the services covered by the Premium Monthly or 30-Day Pass except for COASTER, for which the pass entitles the holder to a \$0.50 discount per boarding. The Youth Monthly or 30-Day Premium Pass is accepted on 1-Zone Rural service without the payment of a Supplement and is accepted on 2-Zone Rural service with the payment of a \$4.00 Supplement.

(Section 4.3.1c adopted and amended 1/19/12)

Section 4.3.1d: Regional Day Passes- General Public

The price of a one-day Regional Day Pass is \$5.00 and shall entitle the person to whom the pass is issued unlimited rides during the day for which the pass is valid on all regularly scheduled MTS and NCTD services except (i) Premium Express, unless a \$2.00 Supplement is paid; (ii) COASTER, for which the pass entitles the holder to \$0.50 discount per trip, (iii) ADA Complementary Paratransit service; and (iv) Rural, unless a \$4.00 Supplement per zone is paid.

The price of a two-day Regional Day Pass is \$9.00 and shall entitle the person to whom the pass is issued unlimited rides during the days for which the pass is valid on all regularly scheduled MTS and NCTD services except (i) Premium Express, unless a \$2.00 Supplement is paid; (ii) COASTER, for which the pass entitles the holder to \$0.50 discount per trip, (iii) ADA Complementary Paratransit service, and (iv) Rural, unless a \$4.00 Supplement per zone is paid.

The price of a three-day Regional Day Pass is \$12.00 and shall entitle the person to whom the pass is issued unlimited rides during the days for which the pass is valid on all regularly scheduled MTS and NCTD services except (i) Premium Express, unless a \$2.00 Supplement is paid; (ii) COASTER, for which the pass entitles the holder to \$0.50 discount per trip, (iii) ADA Complementary Paratransit service, and (iv) Rural, unless a \$4.00 Supplement per zone is paid.

The price of a four-day Regional Day Pass is \$15.00 and shall entitle the person to whom the pass is issued unlimited rides during the days for which the pass is valid on all regularly scheduled MTS and NCTD services except (i) Premium Express, unless a \$2.00 Supplement is paid; (ii) COASTER, for which the pass entitles the holder to \$0.50 discount per trip, (iii) ADA Complementary Paratransit service, and (iv) Rural, unless a \$4.00 Supplement per zone is paid.

The price of a 14-day Regional Pass is \$43.00 and shall entitle the person to whom the pass is issued unlimited rides during the days for which the pass is valid on all regularly scheduled MTS and NCTD services except (i) Premium Express, unless a \$2.00 Supplement is paid; (ii) COASTER,

for which the pass entitles the holder to \$0.50 discount per trip, (iii) ADA Complementary Paratransit service; and (iv) Rural, unless a \$4.00 Supplement per zone is paid.

(Section 4.3.1d adopted and amended 1/19/12)

Section 4.3.1.e: Region Plus Day Passes

The Region Plus Day Pass is priced at \$12.00 and entitles the person to whom the pass is issued unlimited rides during the day for which the pass is valid on all services covered by the Premium Monthly or 30-Day Pass, COASTER, and for travel on 1-Zone Rural service. The Region Plus Day Pass is accepted for 2-Zone Rural service with the payment of a \$4.00 Supplement.

The price of a Premium 14-Day Pass is \$60.00 and entitles the person to whom the pass is issued unlimited rides on the services covered by the Premium Monthly or 30-Day Pass.

Section 4.3.1f: Group Advance Pass Sales

Group event day passes, valid for one to seven days, may be issued to groups (minimum quantity= 100) only on a 21-day or longer advance sales basis. The discounted rates for group event advance sales passes shall be as follows:

One-Day Pass	= \$4.50
Two-Day Pass	= \$8.00
Three-Day Pass	= \$11.00
Four-Day Pass	= \$14.00
Five-Day Pass	= \$16.00
Six-Day Pass	= \$18.00
Seven-Day Pass	= \$20.00

The group event day pass shall entitle the person to whom the pass is issued unlimited rides during the corresponding number of consecutive days for which the pass is valid on all regularly scheduled MTS and NCTD services except (i) Premium Express, unless a \$2.00 Supplement is paid; (ii) COASTER, for which the pass entitles the holder to a \$0.50 discount per trip; (iii) Rural (as defined by Section 4.2L), unless a \$4.00 Supplement per zone is paid; and (iv) ADA Complementary Paratransit service.

Group event day passes for special events may be purchased in bulk in advance at discounted rates as follows or as otherwise agreed to by the Board:

1,000-1,999 passes	= 5 percent discount per pass
2,000 or more passes	= 10 percent discount per pass

Section 4.3.1g: Classroom Day Pass

Classroom Day Passes, valid for one day during nonpeak hours, may be issued to school and youth groups (up to 18 years of age) on an advance sales basis only. Group size is limited at the discretion of the operator. The price of Classroom Day Passes is \$1.50 per person.

Section 4.3.1h: Post-Secondary Monthly & Quarter/Semester Passes

MTS shall offer a pass for a college or university school term of 63 or more days that is priced

at \$1.51 a day, payable in advance, sold only during the term's registration and/or a monthly pass good for a calendar month, priced at \$57.60 a month, payable in advance. Post-Secondary Monthly and Quarter/Semester Passes are valid for travel on all regularly scheduled bus and rail services provided by MTS and NCTD except for (i) Premium Express, unless a \$2.00 Supplement is paid; (ii) COASTER, for which the passes entitle the passenger to a \$0.50 discount per trip; (iii) ADA Complementary Paratransit services, and (iv) Rural (as defined by Section 4.2M) unless a \$4.00 Supplement per zone is paid. Post-Secondary Monthly and Quarter/Semester Passes are to be sold only at schools, colleges, and universities that meet the following requirements: accredited by recognized accrediting institution; provide an on-site sales location; track sales to individual qualified students; limit sales to one pass per student currently enrolled with a minimum of seven credit hours; only issue to students with a current school year photo identification card; provide a benefit to each student purchasing the term and/or monthly pass to encourage public transit use; and promote the pass through school information materials.

Section 4.3.1i: Scratch One-Day Pass

The Scratch One-Day Pass is a one-day day pass that is priced at the standard one-day price but with scratch-off instead of punched month, day, and year boxes. The Scratch One-Day Pass has a unique serial number code, and customers may not return or exchange Scratch One-Day Passes.

Section 4.3.1j: San Diego County Juror Day Pass

Upon entering an agreement with MTS that meets MTS requirements, courts located in San Diego County may purchase the following special fare media to be distributed to jurors summoned to jury duty in courts in San Diego County:

The Juror Regional Day Pass is valid for travel on all regular MTS and NCTD services except (i) Premium, unless a \$2.00 Supplement is paid; (ii) COASTER, for which the pass entitles the holder to a \$0.50 discount per trip; and (iv) Rural services, unless a \$4.00 Supplement per zone is paid.

The Juror Regional Premium Day Pass is valid for travel on all MTS and NCTD regular and premium services and on 1-Zone Rural service. Travel on 2-Zone Rural service requires the payment of a \$4.00 Supplement.

Juror Passes are not valid for travel on any special services or ADA Complementary - Paratransit services.

Section 4.3.1k: Universal Pass (UPass)

Upon entering into an agreement with MTS that meets MTS requirements, sponsoring entities may purchase a UPass at the negotiated rate to provide to the designated, guaranteed participation group. The negotiated fare/payment shall be sufficient to compensate MTS for the estimated actual ridership from the guaranteed participation group.

Section 4.3.2: Regional Monthly or 30-Day Pass Supplements

Passengers holding a valid monthly or 30-day pass as described in Section 4.3.1a must pay a \$4.00 Supplement per zone to ride Rural services. The Supplement for Senior/Disabled/ Medicare Pass holders is \$2.00 per zone.

Premium Regional Monthly or 30-Day Passes shall be valid for 1-Zone Rural travel without the payment of a Supplement. Travel on 2-Zone Rural service requires the payment of a \$4.00 Supplement (\$2.00 for Senior/Disabled/Medicare Premium Pass holders).

Section 4.3.3: Regional Fares for Children

Up to two children, as defined in Section 4.2.E, shall ride for free when accompanied by a fare-paying passenger. This shall be applicable to all fixed-route bus service, Trolley service, and Rural service.

(Section 4.3 amended 10/30/14)

Section 4.4: Trolley Fare-Pricing Schedule

Section 4.4.1a: One-Way Cash Fares

The cash fare for a single, one-way trip involving any number of stations shall be \$2.50 for an adult and free transfers shall be permitted between Trolley lines. A one-way ticket shall entitle the person to a one-way trip in a direction away from the station of issue. The one-way ticket is valid for two hours and must be valid during the entire Trolley trip.

(Section 4.4.1a adopted and amended 1/19/12)

Section 4.4.1b: Round-Trip Cash Fares

In lieu of an adult round-trip cash fare, the Day Pass is offered and free transfers between Trolley lines shall be permitted.

Section 4.4.2: Senior/Disabled/Medicare Cash Fares

The Senior/Disabled/Medicare cash fare shall be \$1.25 per one-way trip on the Trolley.

(Section 4.4.2 adopted and amended 1/19/12)

Section 4.4.3: Tokens

Effective March 1, 2012, universal tokens shall be available for \$2.50 each, and shall entitle the person holding the universal token to up to a \$2.50 cash fare value trip on any MTS bus or Trolley service except ADA paratransit services. Some services may require payment of a Supplement in conjunction with the universal token.

(Section 4.4 adopted and amended 11/19/12)

Section 4.4.4: Compass Card

Use of a Compass Card with a "stored value" is defined as use of any Compass Card for a debit transaction for transit service when transit cash has been placed on the card.

Compass Card users who have a transit product stored on their card must validate their card on each transit service that they ride each time they use the service as a condition precedent to

using MTS services. Compass Card users must validate their cards via onboard validators on Buses, or station platform validators for Trolleys, and in accordance with Ordinance No. 13.

Patrons who fail to validate their Compass Card in the manner described above and as set forth in Ordinance No. 13 will be deemed to not be in possession of a valid fare and subject to applicable fines and penalties.

Users of the Compass Card must produce the Compass Card for inspection by authorized MTS, employees, security, contractors, or law enforcement staff upon demand.

The Compass Card is intended as a fare payment device on MTS services and NCTD services, and any unauthorized use of the card is strictly forbidden. Persons found to be using the Compass Card in a fraudulent manner may have their Compass Card confiscated and their account suspended.

Refunds of transit products on Compass Cards will not be provided.

Refunds of cash value remaining on voluntarily surrendered cards and confiscated cards will be considered on an individual basis for holders of registered Compass Cards only and may be obtained by request to SANDAG. Registered Compass Card holders seeking a refund must complete an application form (available from The Transit Store or NCTD Customer Service) and follow the submission instructions on the application. SANDAG reserves the right to refuse any request for refund or to make a partial refund. SANDAG also reserves the right to deduct a processing fee of not more than 10 percent on any refund.

Refunds will be issued as credit on the same card as the original purchase if made by credit card. Original payments made by cash, check, or debit card will be refunded by check.

(Section 4.4.4 added 11/13/08)

Section 4.5: MTS Bus Fare-Pricing Schedule

Section 4.5.1: Cash Fares

Section 4.5.1a: Local Services

The price of a trip on MTS Local service, as described in Section 4.21 of this Ordinance, shall be \$2.25.

Section 4.5.1b: Urban Services

The price of a trip on MTS Urban service, as described in Section 4.2J of this Ordinance, shall be \$2.25.

Section 4.5.1c: Express/ Rapid and Rapid Express Services

The price of a trip on Express and Premium Express service, as described in Sections 4.2K and 4.2L of this Ordinance, shall be:

Express/Rapid	=	\$2.50
Rapid Express	=	\$5.00

Section 4.5.1d: Senior/Disabled/Medicare Cash Fares

The Senior/Disabled/Medicare Bus cash fare shall be \$1.10 except as otherwise provided in Section 4.7 concerning Rural service.

The Senior/Disabled/Medicare Bus cash fare shall be \$1.25 on Express service and \$2.50 on Premium Express service.

Section 4.5.2: Special Fares

Section 4.5.2a: Shuttle Fare

The price of a trip on shuttle services shall be \$2.25. The Senior/Disabled/Medicare shuttle service fare shall be \$1.10.

Section 4.5.2b: Stadium/Ballpark Bus Fares

The price of a trip on special buses with the primary purpose of traveling to and from events at Qualcomm Stadium or PETCO Park may be equal to twice the one-way fare of Premium Express service and entitle the holder to one-way or round-trip travel.

(Section 4.5 amended 10/30/14)

Section 4.6.5: Demand-Responsive Fares

MTS does not offer demand-responsive service at this time.

(Section 4.6.5 amended 11/13/08)

Section 4.6.5a: ADA Complementary Paratransit Services Cash Fares

The ADA Complementary Paratransit services, provided in accordance with the ADA, are only available to persons with qualifying disabilities that prevent them from using fixed-route transit services. These services shall have a cash fare of no more than double the predominant adult cash fare in the area of service. Section 4.2.0 establishes the ADA paratransit zones. The urban zone (Zone 1) shall use the Urban Service fare defined in Section 4.2.1 to calculate the MTS Access cash fare. The three suburban zones (Zones 2, 3, and 4) shall use the Local Service fare defined in Section 4.2.H to calculate the ADA Suburban paratransit cash fare. Passes are not accepted on ADA paratransit services. Paying ADA paratransit passengers will be issued (upon request) a Premium Regional Day Pass for use on connecting fixed-route and Trolley services. Passengers transferring from ADA paratransit service in Zones 2, 3, or 4 to ADA paratransit service in Zone 1 may be required to pay a Supplement on the Zone 1 vehicle if the price of the MTS Urban Service Fare is greater than the price of the MTS Local Service Fare. Full-price (no discount) tickets for ADA paratransit services may be sold to passengers in advance. No passes, tokens, or discounts and no other tickets are accepted on ADA paratransit services. Personal Care Attendants (PCA) required by disabled passengers are not required to pay a fare.

(Section 4.6 amended 7/17/08)

Section 4.7: Rural Service

Rural service, as defined in Section 4.2L, shall have applied to it a two-zone based fare structure. Zone boundaries shall generally be located on a north-south axis and have zone boundaries at Ramona (Ramona Station), Alpine (Tavern Road and Alpine Boulevard), and the Tecate border crossing (Tecate Road and Thing Road). Passenger trips remaining within one zone shall have applied to them the 1-Zone fare.

Section 4.7.1: 1-Zone and 2-Zone One-Way Cash Fares

The price of a 1-Zone cash fare shall be \$5.00 for each one-way trip. The price of a 2-Zone cash fare shall be \$10.00 for each one-way trip.

Section 4.7.2: One-Way Senior/Disabled/Medicare Cash Fare

The price of Senior/Disabled/Medicare cash fares shall be equal to 50 percent of the regular cash fare: the price of a 1-Zone Senior/Disabled/Medicare cash fare shall be \$2.50 for each one-way trip and the price of a 2-Zone cash fare shall be \$5.00 for each one-way trip.

Section 4.7.3: Prepaid Monthly or Daily Pass Supplement or Upgrade Required

Passengers exhibiting a valid MTS Monthly or 30-Day Adult or Youth Pass, Post-Secondary Monthly or Quarter/Semester Pass, or Day Pass shall be provided a \$1 discount per Zone for Rural service: the 1-Zone Supplement shall be \$4.00 for each one-way trip. The 2-Zone cash Supplement shall be \$8.00 for each one-way trip. Senior/Disabled/Medicare passengers exhibiting a valid Senior/Disabled/Medicare Monthly Pass shall be given a \$0.50 cent discount per zone: the 1-Zone cash Supplement shall be \$2.00 for each one-way trip. The 2-Zone cash Supplement shall be \$4.00 for each one-way trip.

Section 4.7.4: Other Fare Media

- Effective March 1, 2012, tokens shall be accepted at the value of \$2.50; change will not be provided in instances where token value exceeds required fare.
- A San Diego County Juror Premium pass is valid for travel for 1-Zone Rural bus service. Use of this pass for a 2-Zone Rural trip requires payment of a \$4.00 Supplement in each direction.
- Transfers from ADA complementary service shall not require the payment of a Supplement or an upgrade.

(Section 4 adopted and amended 1/19/12)

Section 4.8: Sorrento Valley Coaster Connection

The one-way cash fare on Sorrento Valley Coaster Connection (SVCC) services shall be \$1.00 for adults and \$0.50 for Senior/Disabled/Medicare.

The price for a Monthly or 30-Day Pass for the SVCC shall be \$40.00 for adults, \$20.00 for Youth, and \$10.00 for Senior/Disabled/Medicare.

All Regional and Premium Day Passes and Regional and Premium Monthly or 30-Day Passes and 14-Day Passes will be accepted on SVCC services.

MTS may enter into an agreement with third parties to cover the cost of fares for patrons on the SVCC in lieu of charging passengers.

(Section 4.8 adopted and amended 1/19/12)

Section 4.9: Special Fares

MTS shall be allowed to adjust fares for special events with the approval of the Chief Executive Officer.

(Section 4.9 amended 7/17/08)

Section 4.10: Other Metropolitan Transit System Operators and Special Cash Fares

Section 4.10.1: Cash Fares

Any special fares of any operator in the region not listed within this Ordinance shall be included in the Uniform Fare Structure Agreement.

(Section 4.10 amended 7/17/08)

Section 4.11: Public Notice

Before the expiration of fifteen (15) days after its passage, a summary of this Ordinance shall be published once with the names and members voting for and against the same in a newspaper of general circulation published in the County of San Diego.

(Section 4.11 amended 7/17/08)

Section 4.12: Effective Date of Ordinance

This Ordinance shall become effective on November 30, 2014.

(Section 4.12 amended 10/30/14)

Amended: 10/30/14
Amended: 1/19/12
Amended: 5/28/09
Amended: 11/13/08
Amended: 7/17/08
Amended: 11/8/07
Amended: 12/8/05
Amended: 1/15/04
Amended: 11/13/03
Amended: 05/22/03
Amended: 04/10/03

Amended: 10/17/02
Amended: 06/14/01
Amended: 05/10/01
Amended: 08/10/00
Amended: 07/13/00
Amended: 05/13/99
Amended: 02/26/98
Repeal & Readopted: 07/17/97
(operative – 11/23/97)
Amended: 04/28/94
Amended: 01/13/94

Amended: 07/08/93
Amended: 02/11/93
Repealed & Readopted: 05/28/92
Amended: 01/09/92
Repealed & Readopted: 03/14/91
Amended: 09/27/90
Amended: 05/10/90
Repealed & Readopted: 02/23/89
Amended: 11/10/88
Repealed & Readopted: 02/25/88
Amended: 12/10/87
Amended: 10/09/86
Amended: 04/24/86
Amended: 03/01/86
Repealed & Readopted: 12/05/85
Amended: 07/11/85
Amended: 05/23/85
Amended: 10/04/84
Amended: 07/19/84
Repealed & Readopted: 02/27/84
Amended: 07/25/83
Amended: 07/11/83
Repealed & Readopted: 05/24/82
Amended: 10/05/81
Amended: 07/08/81
Amended: 06/30/81
Adopted: 06/08/81

PASSED, APPROVED AND ADOPTED THIS 30th day of October 2014.



Chairman
San Diego Metropolitan Transit System

This Ordinance amendment was adopted by the following vote:

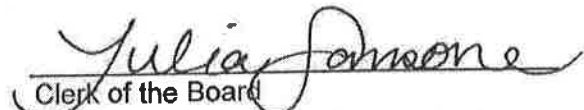
AYES: Alvarez, Bragg, Cole, Emerald, Ewin, Gastil, Gloria, Mathis, McClellan,
Minto, Ovrom, Sotelo-Solis, Roberts, Ramirez

NAYES:

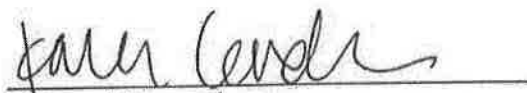
ABSENT: Cunningham

ABSTAINING:

ATTEST my hand and the seal of the San Diego Metropolitan Transit System this 30th day of
October 2014.


Clerk of the Board
San Diego Metropolitan Transit System

Approved as to form:


General Counsel
San Diego Metropolitan Transit System

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD
(also known as San Diego Metropolitan Transit System)

CODIFIED ORDINANCE NO. 5
(as amended 11/15/12)

An Ordinance Relating to the Enforcement
Authorities of Code Compliance Inspectors,
Assistant Code Compliance Supervisors,
the Code Compliance Inspection Supervisor,
and Taxicab Inspectors I & II

The Board of Directors of the San Diego Metropolitan Transit System (MTS) do ordain as follows:

Section 5.1 Statutory Authorities

A. The Metropolitan Transit System has been created by State law (Public Utilities Code Section 120000 through 12054) as a public agency with the authority and duty to plan and construct exclusive public mass transit guideways (Section 120260) and to acquire, construct, maintain, and operate or let a contract to operate public transit systems and related transportation facilities and services (Section 120264).

B. Additionally, the Board is vested with the duty to adopt all ordinances and make all rules and regulations proper and necessary to regulate the use, operation, and maintenance of its property and facilities, including its public transit systems and related transportation facilities and services (Section 120105). The violation of any ordinance, rule, or regulation enacted by the Board relating to evasion of fares in any transit facility owned or controlled by the Board is an infraction and upon a violation after the second conviction is a misdemeanor (Section 120450).

C. The provision of information known to be false to a Code Compliance Inspector, Assistant Code Compliance Supervisor, the Code Compliance Inspection Supervisor, or the Transit Security Administrator (hereinafter cumulatively referred to as Inspectors) is similarly an infraction or misdemeanor (Section 120450.5).

D. The violation of any ordinance, rule, or regulation prohibiting unauthorized operation or manipulation of transit facilities or prohibiting unauthorized tampering or interference with transit facilities is similarly an infraction or misdemeanor (Section 120451).

E. The violation of any ordinance, rule, or regulation prohibiting the unauthorized entering into, climbing upon, holding onto, or in any manner attaching oneself to vehicles operated upon exclusive public mass transit guideways is an infraction or misdemeanor (Section 120452).

F. In implementation of those provisions of State law, the Board has adopted Ordinance No. 13, prohibiting specified conduct onboard transit vehicles and prohibiting specified actions on or about the transit facilities. The Board has further adopted Ordinance No. 2 requiring proof of fare payment by passengers using the San Diego Trolley and Ordinance No. 3, regulating parking in the San Diego Trolley parking lots and other transit facilities.

G. The Board is authorized to contract with cities and the County to license or regulate by ordinance any transportation services within such cities or the unincorporated area (Section 120266) and has done so by adoption of Ordinance No. 11, the enforcement of which will be done by Taxicab Inspectors I & II, and other Taxicab Administration staff designated in Section 5.3.

H. Pursuant to Penal Code Section 836.5, the Board may authorize public officers and employees to arrest a person without warrant, including officers and employees of a nonprofit transit corporation wholly owned by a local agency and formed to carry out the purposes of the local agency and San Diego Trolley, Inc., is such a corporation.

(Section 5.1 amended 11/15/12)

(Section 5.1 amended 7/12/01)

(Section 5.1 amended 9/26/96)

(Section 5.1 amended 1/11/96)

(Section 5.1 amended 11/10/94)

(Section 5.1 amended 8/12/93)

Section 5.2 Purposes

In view of the multitude of regulations applicable to the facilities and vehicles of the San Diego Metropolitan Transit Development Board, it is desirable to clarify and specify the authority of the Inspectors, relative to various acts committed on or about the property.

Section 5.3 Duties and Authorizations

A. Inspectors employed by the San Diego Metropolitan Transit System (MTS) and Inspectors employed by San Diego Trolley, Inc., are hereby vested with the duty to enforce MTS Ordinances No. 2, No. 3, No. 4, No. 11, and No. 13 and the following code sections; Business and Professions Code Sections 4140 and 25662, Health and Safety Code Sections 11364 and 11357(b), and 11532, Public Utilities Code Sections 5411.5, 120450, 120450.5, 120451, and 120452, Penal Code Sections 148, 219.2, 308(b), 369(g), 417.25(a), 470(a), 481.1, 555.1, 555.2, 587(a), 594, 594.1, 594.2, 594.4, 602(f), 602(o), 602(q), 640, 640(a), 640.5, 647(a), 647(c), 647(j), and 653(k), Vehicle Code Sections 5204(a), 21456, 21461(a), 21955, 22500, 22507, 22521, and 22526, San Diego City Municipal Code Sections 56.54 (at transit facilities owned, controlled, or used by the Board, including but not limited to transit centers, rail stations, bus shelters, and bus stops on public and private property), 58.05(b)(1), and 58.05(b)(2), and San Diego County Code of Regulatory Ordinances Section 32.1303. In accordance with Penal Code Section 836.5, Inspectors employed by MTS are authorized to arrest a person without a warrant whenever an Inspector has reasonable cause to believe that the person to be arrested has committed an infraction or misdemeanor in the Inspector's presence which is a violation of the statutes and ordinances which he or she has the duty to enforce.

B. Taxicab Inspectors I & II, Regulatory Specialists and the Taxicab Administrator, employed by MTS, are hereby vested with the duty to enforce MTS Ordinance No. 11 and the following code sections: Public Utilities Code sections 5360.5, 5371.4, 5379, 5386.5, and California Public Utilities Commission General Order 157-D, Sections 3.01 and 3.03. In accordance with Penal Code Section 836.5, Taxicab Inspectors I & II, Regulatory Specialists and the Taxicab Administrator, employed by MTS are authorized to arrest a person without a warrant whenever a Taxicab Inspector has reasonable cause to believe that the person to be arrested has committed an infraction or misdemeanor in the Inspector's presence which is a violation of the statutes and ordinances which he or she has the duty to enforce.

C. Right-of-Way Agents, designated by the General Manager and employed by MTS are hereby vested with the duty to enforce MTS Ordinance No. 3 and, in accordance with Penal Code Section 836.5, are authorized to arrest a person without a warrant whenever an agent has reasonable cause to believe that the person to be arrested has committed an infraction or misdemeanor in the Agent's presence which is a violation of the statutes and ordinances which he or she has the duty to enforce.

(Section 5.3 amended 11/15/12)

(Section 5.3 amended 10/28/04)

(Section 5.3 amended 10/3/02)

(Section 5.3 amended 7/12/01)

(Section 5.3 amended 3/23/00)

(Section 5.3 amended 9/26/96)

(Section 5.3 amended 1/11/96)

(Section 5.3 amended 11/10/94)

(Section 5.3 amended 8/12/93)

Section 5.4 Severability

The provisions of this Ordinance are severable, and if any of the provisions, clauses, sentences, subsections, sections, words, or parts thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, sections, words or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, section, word, or part had not been included therein or such person or circumstance to which the Ordinance or part thereof is held inapplicable has been specifically exempted therefrom.

Amended: 11/15/12

Amended: 6/28/07

Amended: 10/28/04

Amended: 10/3/02

Amended: 8/9/01

Amended: 3/23/00

Amended: 9/26/96

Amended: 1/11/96

Amended: 11/10/94

Amended: 8/12/93

Repealed & Readopted: 12/12/91

Amended: 2/8/90

Amended: 10/13/88

Amended: 10/4/84

Amended: 2/27/84

Adopted: 7/25/83

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD

ORDINANCE NO. 6

(as adopted 2/7/85, and as repealed on 11/14/02)

An Ordinance Amending and Restating MTDB Policies and
Procedures No. 16, Establishing a Light Rail Capital
Depreciation Account and a Method of Governing the
the Management, Investment, Accounting, Collection
and Disbursement of Such an Account

The Board of Directors of the San Diego Metropolitan Transit Development Board (MTDB) do ordain as follows:

SECTION 1:

Ordinance No. 6 repealed effective November 14, 2002.

SECTION 2: PUBLIC NOTICE

Before the expiration of fifteen (15) days after its passage, a summary of this Ordinance shall be published once with the names of the members voting for and against the same in a newspaper of general circulation published in the county of San Diego.

SECTION 3: EFFECTIVE DATE OF ORDINANCE

This Ordinance shall become effective 30 days from and after the date of its final passage.

Repealed: 11/14/02
Amended: 9/14/95
Amended: 7/27/95
Amended: 6/23/94
Amended: 2/13/92
Amended: 1/9/92
Amended: 3/24/88
Adopted: 2/7/85

DDarro
CD-ORD06-NOV14.JLIMBE
11/13/02

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD

ORDINANCE NO. 7

An Ordinance Establishing a Reserve for LRT Capital Projects
and a Method of Governing the Management, Investment,
Accounting, Collection, and Disbursement of Such an Account

The Board of Directors of the San Diego Metropolitan Transit Development Board (MTDB) do ordain as follows:

Section 7.1: Findings.

MTDB is charged with the development of fixed guideway mass transportation systems within its area. Such systems require considerable local funds to match state and federal grants. As the riding public is the ultimate beneficiary of system expansion, it is deemed appropriate to set aside a portion of fare revenue for this purpose.

Section 7.2: Establishment of Account.

MTDB will establish an LRT Capital Projects Account, the funding of which will be a contractual condition agreed to by MTDB and the designated light rail transit (LRT) operator.

The LRT Capital Projects Account shall be funded through an annual payment to MTDB by the LRT operator. The LRT operator will make such payment from monies derived from fare revenue (excluding federal, state, and local subsidies or other income).

Section 7.3: Funding Formula.

The funding formula is based on revenue increases due to the Fiscal Year 1985 Trolley fare structure change exclusive of the increase in fare revenues due to additional system riders. The actual increase for Fiscal Year 1985 was \$327,109. The base year (originally Fiscal Year 1984) may be changed by the Board when making fare changes. Such an action will take the form of a change to this Ordinance.

The calculation of the actual amount to be paid is to be performed as follows:

- A. $(\text{Current FY ridership} - \text{FY 84 ridership}) \times \text{Average fare/rider} =$
Fare revenue attributable to increased ridership (rather than fare structure change)
- B. $\text{Current FY total fare revenue} - \text{FY 84 total fare revenue} =$
Fare revenue attributable to both increased ridership and fare structure change
- C. $\text{Total fare revenue increase (B)} - \text{Fare revenue increase due to increased ridership (A)} = \text{Fare revenue increase due to fare structure change}$

Example: Assume 10.96% increase in ridership from FY 84 to FY 85

- (A) $(5,974,090 - 5,383,869) \times (.79) = \$466,274.59$
- (B) $\$4,747,034 - \$3,953,650 = \$793,384$
- (C) $\$793,384 - \$466,275 = \$327,109$

Section 7.4: Timing of Payment to MTDB by LRT Operator.

Full payment by LRT operator will occur within one month of the issuance of the LRT operator's audited financial report for the fiscal year, but in no event more than six months after the close of the fiscal year.

Section 7.5: Fund Investment.

Monies extant in the LRT Capital Projects Account shall be invested in accordance with Article 9, Chapter 4, Division 11 of the Public Utilities Code commencing with Section 120470.

Section 7.6: Fund Administration.

The MTDB Director of Administration/Controller, as Treasurer of the Board, will be the fund custodian, under the direction of the General Manager. The LRT Capital Projects Account will be administered in accordance with generally accepted accounting principles. The LRT Capital Projects Account will be audited annually and reported as a part of MTDB's annual audit.

Section 7.7: Interest.

Interest earned on invested monies of the LRT Capital Projects Account shall become a part of the LRT Capital Projects Account.

Section 7.8: Disbursement of Monies.

Funds of the LRT Capital Projects Account will be disbursed by the Treasurer of the Board at the direction of the Board. All authorized expenditures shall require majority concurrence of the full Board and shall be limited to capital additions to the San Diego Light Rail Transit System.

Section 7.9: Ordinance Amendment.

The provisions of this Ordinance may be amended only by ordinance with the concurrence of a majority of all Board members at the first Board meeting at least 60 days following formal introduction of the amendments at a Board meeting.

Section 7.10: Emergency Use.

Monies from the LRT Capital Projects Account may be used for purposes other than capital additions to the San Diego Light Rail Transit System only in the event of a fiscal emergency, as determined by the MTDB General Manager and forwarded to the Board for consideration, deemed to be a sudden or unforeseen event which creates or could result in a dangerous situation necessitating

immediate expenditure of public funds to protect life, health, property, or fiscal solvency. Two-thirds affirmative vote of the full Board shall be obtained to declare such a use. Monies used from the LRT Capital Projects Account in a fiscal emergency shall be reimbursed in full, and a repayment plan shall be adopted within 60 days of the Board's emergency declaration.

Section 7.11: Public Notice.

This Ordinance shall be effective 30 days after the second reading and before the expiration of 15 days after its passage, this Ordinance shall be published once with the names of the members voting for and against the same in a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 19th day of December 1985.



Chairman
San Diego Metropolitan
Transit Development Board

This Ordinance was adopted by the following vote:

AYES: Bartell, Burns, Cooper, Emery, Ewen, Jones, McCandliss, Mills, Nagel, Reber, Russell, Struiksma, Williams, and McCarty, alternate for McColl.

NAYES: None

ABSENT: Martinez

ABSTAINING: None

ATTEST my hand and the seal of the Metropolitan Transit Development Board
this 19th day of December 1985.



Clerk of the Board
San Diego Metropolitan
Transit Development Board

Approved as to form:



General Counsel
San Diego Metropolitan
Transit Development Board

BFD:ss
ORDINANCE
11/18/85

Adopted: December 19, 1985

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD

ORDINANCE NO. 8

An Ordinance of the San Diego Metropolitan Transit
Development Board Approving the Form and
Authorizing the Execution of a Sublease Agreement
Between the Board and the County of San Diego,
and a Ground Lease, Easement and Deed
Between the Board and the
San Diego Regional Building Authority

WHEREAS, the San Diego Metropolitan Transit Development Board (the "Board") wishes to institute proceedings to finance the acquisition and construction of an office building and parking structure (the "Facilities") on that certain land (the "Site") (together, the "Project") located in the City of San Diego and more particularly described in Exhibit A to the form of Lease Agreement, by and between the San Diego Regional Building Authority (the "Authority") as lessor and the County of San Diego (the "County") as lessee (the "Lease Agreement");

WHEREAS, the Board proposes to sublease a portion of the Project from the County pursuant to a sublease agreement, by and between the County and the Board (the "Sublease Agreement") and to pay certain sublease payments thereunder in the amounts and at the times sufficient, together with payments made by the County under the Lease Agreement, to provide for the retirement of lease revenue bonds (the "Bonds") issued by the Authority to finance the acquisition, construction and improvement thereof;

WHEREAS, the Board proposed to sell to the Authority that portion of the Site on which the parking structure portion of the Facilities is to be located (the value of the Site being \$837,000), such sale to be made pursuant to that certain grant deed on file with the Clerk of the Board (the "Grant Deed");

WHEREAS, the Board proposes to grant to the Authority an easement for purposes of ingress and egress for a certain portion of the Site as more particularly described in Exhibit "A" to that certain easement on file with the Clerk of the Board (the "Easement");

WHEREAS, the Board is required by Article 9 of Chapter 5 of Part 1 of Division 2 of the California Government Code (commencing with Section 54240 of said Code) to approve the Lease Agreement by ordinance which is subject to referendum;

WHEREAS, approval of the items specified in this ordinance are discretionary acts which are part of the Project, the Board is lead agency under the California Environmental Quality Act ("CEQA") for the overall Project, including this discretionary action, and has prepared and approved a negative declaration for the Project finding that there will be no significant adverse environmental effects resulting from the Project;

NOW, THEREFORE, BE IT ORDAINED BY THE SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD AS FOLLOWS:

SECTION 1: FINDINGS AND DETERMINATIONS

The San Diego Metropolitan Transit Development Board hereby finds and determines that it is necessary and proper for municipal purposes that the Board enter into the Sublease Agreement with the County.

SECTION 2: APPROVAL OF SUBLEASE AGREEMENT

The Board hereby approves, and authorizes and directs the Chairman of the Board to execute and the Clerk of the Board to attest and affix the seal of the Board to, the Sublease Agreement in substantially the form thereof on file with the Clerk of the Board, together with any changes as may be approved by the General Manager or Director of Administration and Controller and which do not materially affect the substance or materially increase the obligations of the Board; provided that such Sublease Agreement shall not be executed until the Facilities have been built. For purposes of this Ordinance, the Facilities will be considered built upon the Completion Date (as that term is defined in the Sublease Agreement). The total principal components of the Sublease payments to be paid by the Board under the Sublease Agreement shall not exceed the amount of \$11,344,720. The amount of the lease payments to be made by the Board to the County under the Sublease Agreement shall conform to the Board's proportionate share of principal and interest payments of the lease revenue bonds to be issued by the Authority to finance the acquisition and construction of the Facilities plus its proportionate share of ground rent to be made under the Ground Lease. The Board shall also be required under the Sublease Agreement to pay additional payments (as defined in the Sublease Agreement).

SECTION 3: APPROVAL OF GROUND LEASE; GRANT DEED; EASEMENT

The Board hereby approves, and authorizes and directs the Chairman of the Board to execute and the Clerk of the Board to attest and fix the seal of the Board to the Ground Lease, Grant Deed and Easement, in substantially the forms thereof on file with the Clerk of the Board, together with any changes as may be approved by the General Manager and which do not materially affect the substance of the terms of the Ground Lease, the Grant Deed or the Easement, as the case may be. The Board acknowledges that the Board is receiving only nominal consideration under the Grant Deed for the Site because the true value of the Site is being treated as an equitable contribution from the Board, and the true value of such equitable contribution has been taken into consideration in determining the Board's payment obligation under the Sublease Agreement.

SECTION 4: NOTICE OF DETERMINATION

The Clerk of the Board is directed to file a Notice of Determination for the Board's approval of this ordinance, acting as agency for the Project, pursuant to Title 14, California Administrative Code, Section 15075.

SECTION 5: OFFICIAL ACTIONS

The Chairman of the Board, the General Manager, the Director of Administration and Controller, the Clerk of the Board, the General Counsel to the Board and any and all other officers of the Board are each authorized and directed in the name and on behalf of the Board to make any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they or any of them might deem necessary or appropriate in order to consummate the execution and delivery of the Lease Agreement by the Board upon completion of the Facilities.

SECTION 6: EFFECTIVE DATE OF ORDINANCE

This Ordinance shall become effective thirty (30) days from and after the date of its final passage. This Ordinance shall be subject to referendum pursuant to and as provided in Section 54241 of the Government Code of the State of California and the laws of the State of California.

PASSED, APPROVED, AND ADOPTED this 27th day of August, 1987.


Chairman
San Diego Metropolitan
Transit Development Board

This Ordinance was adopted by the following vote:

AYES: Bartell, Burns, Cleator, Cooper, Emery, Ewen, Harbin,
McCarty (for McColl), Mills, Senechal (for Nagel), Reber,
Struiksma and Williams

NAYES: None.

ABSENT: McCandliss, McColl, Nagel, O'Connor

ABSTAINING: None.

ATTEST my hand and the seal of the Metropolitan Transit Development Board
this 27th day of August, 1987.



Clerk of the Board
San Diego Metropolitan
Transit Development Board

Approved as to form:



General Counsel
San Diego Metropolitan
Transit Development Board

Adopted: August 27th, 1987

TFL:JPL:1st
A/6, 8/27/87

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD

ORDINANCE NO. 9

An Ordinance of the San Diego Metropolitan Transit
Development Board Approving the Form and
Authorizing the Execution of a Sublease
Agreement between the Board and the City of
San Diego an Agency Agreement and Property Lease,
Between the Board and the City of San Diego/MTDB Authority
and the Authorization for the City of San Diego/MTDB
Authority to Issue its Revenue Bonds in an Amount
Not to Exceed \$50,000,000

WHEREAS, the City of San Diego (the "City") and the San Diego Metropolitan Transit Development Board ("MTDB") formed the City of San Diego/MTDB Authority (the "Authority") to finance the construction of public transit systems and related transportation facilities and services; and

WHEREAS, the City and MTDB desire that the Authority finance the acquisition and construction of the Bayside LRT (Light Rail Transit) Extension (the "Project"), which Project is more fully described in the Lease Agreement hereinafter referred to as the "Lease Agreement"; and

WHEREAS, the Project will be constructed by MTDB on behalf of the Authority and upon completion will be leased to the City; and

WHEREAS, the City will sublease the Project to MTDB for the purpose of maintenance and operation; and

WHEREAS, MTDB, the City and the Authority have the power to enter into leases for real and personal property; and

WHEREAS, the Authority will cause the Project to be acquired and constructed from the proceeds of revenue bonds to be issued pursuant to Article 4, Chapter 5, Division 7 of Title 1 (commencing at Section 6584) of the Government Code of the State of California, which will be secured by the lease payments to be received from the City pursuant to the Lease Agreement; and

WHEREAS, MTDB desires to authorize the Authority to issue revenue bonds in an amount not to exceed \$50,000,000;

NOW, THEREFORE, BE IT ORDAINED BY THE SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD AS FOLLOWS:

SECTION 1:

The proposed form of Sublease Agreement dated as of November 1, 1987, by and between the City and MTDB, which is on file with the office of the Clerk of the Board as Document No. 903-88-503, is hereby approved. The General Manager is authorized to execute the Sublease Agreement on behalf of MTDB.

SECTION 2:

The proposed form of the Agency Agreement dated as of November 1, 1987, by and between the City of San Diego/MTDB Authority and MTDB, which is on file with the office of the Clerk of the Board as Document No. 903-88-502/SD/MTDB 001, is hereby approved. The General Manager is authorized to execute the Agency Agreement on behalf of the MTDB.

SECTION 3:

The proposed form of the Property Lease dated as of November 1, 1987, by and between the City of San Diego/MTDB Authority and MTDB, which is on file with the office of the Clerk of the Board as Document No. 903-88-504/SD/MTDB 002, is hereby approved. The General Manager is authorized to execute the Agency Agreement on behalf of the MTDB.

SECTION 4:

The Authority is authorized and directed to cause a digest or copy of this Ordinance to be published at least once in a newspaper of general circulation within fifteen (15) days after the adoption of this Ordinance.

SECTION 6:

The Chairman of the Board, the General Manager, the Director of Administration and Controller, the Clerk of the Board, the General Counsel to the Board and any and all other officers of the Board are hereby authorized to make any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they or any of them might deem necessary or appropriate in order to consummate the execution and delivery of the documents approved herein by the Board.

SECTION 7:

This Ordinance shall become effective thirty (30) days from and after the date of its final passage. This Ordinance shall be subject to referendum pursuant to and as provided in Section 54241 of the Government Code of the State of California and the laws of the State of California.

Adopted: 10/8/87

JPL:1st
ORIG-ORD.#09
11/23/90

SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD

CODIFIED ORDINANCE NO. 10

(as adopted November 19, 1987, and as amended through May 8, 2003)

An Ordinance Establishing Compensation for
Board Members and Alternates of the
San Diego Metropolitan Transit Development Board

NOW THEREFORE, BE IT ORDAINED BY THE SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD AS FOLLOWS:

SECTION 1.0

Each member of the Board, including alternate members appointed pursuant to Public Utilities Code Section 120051.6 when serving in the absence of a regular member, shall be paid one hundred fifty dollars (\$150) for each day the member attends meetings of the Board and committees of the Board, not to exceed eight committee meetings (eight of the same committee) in any one quarter, and his or her necessary and reasonable expenses in performing his or her duties as a Board member. Board members may be compensated for two meetings occurring on the same day when they are more than one hour apart or held in two different buildings.

(Section 1.0 amended 5/8/03)

(Section 1.0 amended 6/27/02)

SECTION 2.0

Members and alternates may be paid one hundred fifty dollars (\$150) for each day the member or alternate represents the Board by attendance at specified meetings of other governmental entities and public agencies.

Attendance at meetings not on the specified list requires advance approval by the Chairperson in order for the Board member to be compensated. No compensation shall be provided for attendance at retreats or conferences, unless directed by the Chairperson.

(Section 2.0 amended 5/8/03)

(Section 2.0 amended 6/27/02)

Section 2.5

Pursuant to Public Utilities Code Section 120107.5 and in accordance with the terms and conditions set forth therein, the Board hereby approves and authorizes monthly compensation in the amount of \$1,500 for the Chairperson. This compensation shall be in lieu of any compensation pursuant to Section 1.0 or Section 2.0 of this Ordinance.

(Section 2.5 amended 5/8/03)

(Section 2.5 amended 6/27/02)

(Section 2.5 amended 3/26/98)

(Section 2.5 amended 11/8/90)

(Section 2.5 added 1/28/88)

SECTION 3.0

This Ordinance shall become effective 30 days from and after the date of its final passage and Sections 1.0 and 2.0 shall be operative July 1, 2003.

SECTION 4.0

The Clerk of the Board is authorized and directed to cause a copy of this Ordinance to be published at least once in a newspaper of general circulation within 15 days after the adoption of this Ordinance.

DDarro
CD-ORD10.JLIMBE
6/6/03

Amended: May 8, 2003
Amended: June 27, 2002
Amended: March 26, 1998
Amended: November 8, 1990
Amended: January 28, 1988
Adopted: November 19, 1987

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

CODIFIED ORDINANCE NO. 11
(as amended through February 12, 2015)

An Ordinance Providing for the Licensing and the Regulating
of Transportation Services Within the City by the Adoption
of a Uniform Paratransit Ordinance

MTS CODIFIED ORDINANCE NO. 11

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SAN DIEGO METROPOLITAN TRANSIT SYSTEM

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SECTION 1.0 - GENERAL REGULATIONS

Section 1.1 - Definitions

The following words and phrases, wherever used in this section, shall be construed as defined in this section, unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases.

(a) "Association" shall mean an incorporated or unincorporated group of persons united for some purpose related to the operation of for-hire vehicles.

(b) "Board" shall mean the Board of Directors of the San Diego Metropolitan Transit System.

(c) A "low-speed vehicle" is a motor vehicle, other than a motor truck, having four wheels on the ground and an unladen weight of 1,800 pounds or less, that is capable of propelling itself at a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour, on a paved level surface. For the purposes of this section, a "low-speed vehicle" is not a golf cart, except when operated pursuant to California Vehicle Code Section 21115 or 21115.1.

(d) "Charter vehicle" shall mean every vehicle which:

- (1) Transports passengers or parcels or both over the public streets of the City;
- (2) Is routed at the direction of the hiring passenger;
- (3) Is prearranged in writing for hire;
- (4) Is not made available through "cruising"; and
- (5) Is hired by and at the service of a person for the benefit of himself or herself or a specified group.

(e) "City" and "Cities" shall mean the incorporated areas of the Cities of El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, and Santee; and the unincorporated area of the county of San Diego within MTS's area of jurisdiction.

(f) "Compensation" shall mean any money, thing of value, payment, consideration, reward, tip, donation, gratuity or profit paid to, accepted, or received by the driver or owner of any vehicle in exchange for transportation of a person, or persons; whether paid upon solicitation, demand or contract, or voluntarily, or intended as a gratuity or donation.

(g) "Cruising" shall mean the movement over the public streets of a taxicab or low-speed vehicle (LSV) in search of prospective passengers; except the term does not include either the travel of a taxicab or LSV proceeding to answer a call for service received by telephone or radio from an intended passenger or the travel of such a vehicle, having discharged a passenger or passengers, returning to the owner's place of business or to its established point of departure.

(h) "Days" shall mean working days, exclusive of weekends and holidays for which MTS offices are closed.

(i) "Doing business" shall mean accepting or soliciting passengers for hire in a City.

(j) "Driver" shall mean every person operating any for-hire vehicle.

(k) "Driver's identification card" shall mean license, issued pursuant to this Ordinance, which permits a person to drive a for-hire vehicle within the City.

(l) "Employ" as used in this Ordinance includes any form of agreement or contract under which the driver may operate the permit holder's for-hire vehicle.

(m) "Exclusive ride" shall mean exclusive use of a for-hire vehicle by one or more related passengers at a time.

(n) "For-hire vehicle" shall mean every vehicle, other than public transit vehicles or vehicles involved in an organized carpool not available to the general public, which is operated for any fare for compensation and used for the transportation of passengers over city public streets, irrespective of whether such operations extend beyond the boundary limits of said City. Such for-hire vehicles shall include taxicabs, vehicles for charter, jitneys, nonemergency medical vehicles, sightseeing vehicles, and LSVs.

(o) "Chief Executive Officer" shall mean the Chief Executive Officer of MTS or his or her designated representative.

(p) "Group ride" shall mean shared use of a taxicab or LSV where a group of related passengers enter at the same point of origin and disembark at the same destination and pay a single fare for the trip.

(q) "Hearing officer" shall mean any person or entity that meets the requirements of this ordinance and that has been retained to conduct administrative hearings.

(r) "Jitney" shall mean every vehicle which:

(1) Transports passengers or parcels or both over the public streets of the City;

(2) Follows a fixed route of travel between specified points with the fare based on a per capita charge established in its permit; and

(3) Is made available to boarding passengers at specified locations along its route on a variable schedule.

(s) "Medallion" shall mean the numbered plate, sticker, or decal issued by MTS to the permit holder which is displayed on a for-hire vehicle to indicate the authorized use or uses of that vehicle.

(t) "MTS" shall mean the San Diego Metropolitan Transit System Board, a public agency created pursuant to Public Utilities Code Section 120050 et seq.

(u) "MTS inspector" shall mean those individuals, regardless of job title, who are authorized by the Board, by ordinance, to enforce the provisions of this Ordinance.

(v) "Nonemergency medical vehicle" shall mean every vehicle which;

(1) Transports physically and/or mentally disabled persons who require supervision and/or specialized transportation equipment or assistance related to the disability, and such persons' attendants, over the public streets of the city.

(w) "Operate" or "Operating" shall refer to the solicitation or acceptance of a fare within City limits for compensation. It shall also include, as the context may require, the act of driving, managing or directing the utilization of one or more for-hire vehicles.

(x) "Owner" shall mean the person, partnership, association, firm or corporation that is the registered owner of any for-hire vehicle and that holds the right to use the vehicle for its advantage.

(y) "Passenger" shall mean every occupant other than the driver of the for-hire vehicle.

(z) "Permit" shall mean the authority under which a person, firm, partnership, association, or corporation may operate a for-hire vehicle as a business.

(aa) "Permit holder" shall mean any person or approved entity operating a business under a for-hire vehicle permit.

(bb) "Shared ride" shall mean nonexclusive use of a for-hire vehicle by two or more unrelated passengers traveling between different points of origins and/or destination, and traveling in the same general direction.

(cc) "Shifts" shall mean the minimum number of hours a permit holder or driver operates a for-hire vehicle.

(dd) "Sightseeing vehicle" shall mean every vehicle which:

(1) Transports passengers for sightseeing purposes of showing points of interest over the public streets of the City; and

(2) Charges a fee or compensation therefor; regardless of whether any fee or compensation is paid to the driver of such sightseeing vehicle, either by the passenger or by the owner or by the person who employs the driver or contracts with the driver or hires such sightseeing vehicle with a driver to transport or convey any passenger; and irrespective of whether or not such driver receives any fee or compensation for his or her services as driver.

(ee) "Stands" shall mean public areas designated for specific use of for-hire vehicles.

(ff) "Street" shall mean any place commonly used for the purpose of public travel.

(gg) "Taxicab" shall mean every vehicle other than a vehicle-for-charter, a jitney, a nonemergency medical vehicle, a sightseeing vehicle, or LSV which:

(1) Transports passengers or parcels or both over city public streets.

(2) Is made available for hire on call or demand through "cruising," at taxi stands or by telephone to destination(s) specified by the hiring passenger.

(hh) "Taximeter" shall mean any instrument, appliance, device, or machine by which the charge for hire of a passenger-carrying vehicle is calculated, either for distance traveled or time consumed, or a combination of both, and upon which such charge is indicated by figures.

(ii) "Vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a street, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

(Section 1.1 amended 8/7/03)

(Section 1.1 amended 11/14/02)

(Section 1.1 amended 6/24/99)

(Sections 1.1(d), 1.1(R)(1) amended 6/22/95)

(Section 1.1 amended 1/12/95)

(Section 1.1 amended 6/27/91; effective 7/27/91)

(Section 1.1 amended 5/23/91; effective 6/23/91)

Section 1.2 - Operating Permits

(a) No person shall engage in the business of operating any for-hire vehicle or in the business of providing any vehicle for the operation of vehicle for-hire services within the cities without first having obtained an operating permit from the Chief Executive Officer or his designated representative, which permit has not been revoked, suspended or otherwise canceled or terminated by operation of law or otherwise. A separate permit is required for each for-hire vehicle operated or provided for operation.

(b) An operating permit represents the granting of a privilege to operate a for-hire vehicle within the cities or zones specified by the permit for the purpose of the public convenience and necessity. This privilege may be rescinded at any time by operation of law or otherwise.

(c) A person who obtains an operating permit shall be responsible for the provision of vehicle-for-hire services in accordance with the provisions of this ordinance and shall exercise due diligence to assure that drivers of the permitted vehicles adhere to all pertinent requirements of this ordinance.

(Section 1.2 amended 8/7/03)

(Section 1.2 amended 11/14/02)

(Section 1.2 amended 6/24/99)

Section 1.3 - Application for Permit

(a) All persons applying to the Chief Executive Officer for new permit(s) for the operation of one or more for-hire vehicles shall file with the Chief Executive Officer a proposal to meet San Diego City Council Policy 500-02 requirements, and a sworn application therefore on forms provided by the Chief Executive Officer, stating as follows:

(1) The applicant name, company name (doing business as, mailing and business address (a business address is not a Post Office [PO] Box), and telephone number of the permit applicant;

(2) The number of permitted vehicles actually owned and operated by such owner on the date of application, if any;

(3) The name and address of all legal and registered owner(s) of the vehicle(s);

(4) The name and address of each person with a financial interest in the business which operates the vehicle;

(5) Data sufficient to establish the applicant's financial responsibility;

(6) The number of vehicle(s) for which a permit(s) is desired;

(7) Proof that vehicle(s) meet California Air Resources Board criteria for zero emissions/low emissions, are ADA-compliant, are no older than 10 years of the model age and do not have a "salvage" title, and are equipped with a Global Positioning System (GPS).

(8) The rates of fare which the applicant proposes to charge for vehicle-for-hire services;

(9) A description of the proposed color scheme, insignia, trade style, or any other distinguishing characteristics of the proposed vehicle design;

(10) Where the application is for a limited permit or LSV, a detailed description of the geographic area in which said permit shall be in existence; and

(11) Such other information as the Chief Executive Officer may in his or her discretion require.

(12) Provide evidence of at least six-months' experience driving a taxicab, transportation network vehicle, charter party carrier services, or similar service oriented transportation or managing a demand responsive transportation service, or similar service oriented business.

(13) Provide a customer service and a customer complaint plan.

(14) Provide a plan for administrative functions, vehicle maintenance, and off-street storage for vehicle when not in use.

(15) Provide a radio service plan incorporating 24 hour staffing and computerized dispatch utilizing GPS technology.

(b) The applicant shall also submit, with the application, a nonrefundable application fee prior to the permit approval. Upon issuance of the permit, the applicant shall also pay an initial nonrefundable permit vehicle regulatory fee to be determined by the Chief Executive Officer in order to recover the cost of processing such applications.

(Section 1.3 amended 2/12/15)

(Section 1.3 amended 11/15/12)

(Section 1.3 amended 8/7/03)

(Section 1.3 amended 11/14/02)

Section 1.4 - Issuance of Permit

(a) Based on San Diego City Council Policy 500-02 requirements, the Chief Executive Officer shall determine the number of permits to be granted any applicant(s) and approve permits for any applicant(s) subject to such conditions as the Board and San Diego City Council Policy 500-02 may deem advisable or necessary in the public interest. Before a permit may be approved, the applicant shall pay an initial regulatory fee in an amount to be determined by the Chief Executive Officer.

(b) The Chief Executive Officer shall deny the approval of a permit upon making a finding:

(1) That the applicant is under twenty-one (21) years of age; or

(2) That within the five (5) years immediately preceding the processing of the application, the applicant has been convicted of, or held by any final administrative determination to have been in violation of any statute, ordinance, or regulation reasonably and rationally pertaining to the same or similar business operation which would have resulted in suspension or revocation of the permit in accordance with Section 1.13 of this Ordinance. For purposes of this section, a plea or verdict of guilty, a finding of guilty by a court, a plea of nolo contendere or a forfeiture of bail shall be deemed a conviction; or

(3) That the applicant provided false information of a material fact in an application within the past five (5) years.

(c) All permits issued after April 1, 2015 shall be renewable annually upon evidence San Diego City Council Policy 500-02 requirements are being met, and payment of a regulatory fee in an amount and on a date to be determined by the Chief Executive Officer.

(d) No permit issued after April 1, 2015 shall be approved or renewed for any person who has not fully complied with all of the requirements of this Ordinance, San Diego City Council Policy 500-02, and all other applicable laws and/or regulations necessary to be complied with before commencement of the operation of the proposed service.

(e) Permits held prior to April 1, 2015 by corporations and LLCs shall meet all of the screening criteria included in San Diego City Council Policy 500-02 by February 12, 2020. However, upon issuance of any new permits to said corporation or LLC, or upon the transfer of a permit to said corporation or LLC, the corporation or LLC shall need to be in compliance with requirements of this Ordinance and San Diego City Council Policy 500-02 for the new permit(s).

(f) When the permit has been approved and upon determination by the Chief Executive Officer that the color scheme and the company name (doing business as) are sufficiently distinctive so as not to cause confusion with other for-hire vehicles already operating, and that the for-hire vehicle, after appropriate inspection, meets the requirements of this Ordinance, the Chief Executive Officer will issue a numbered medallion(s) to be affixed to the for-hire vehicle.

(Section 1.4 amended 2/12/15)

(Section 1.4 amended 11/15/12)

(Section 1.4 amended 11/14/02)

Section 1.5 - Transfer and Administration of Permits

(a) Each permit issued pursuant to the provisions of this section is separate and distinct and shall be transferable from the permit holder to another person or entity only with the approval of the Chief Executive Officer, and upon meeting the requirements of this Ordinance and San Diego City Council Policy 500-02 including, but not limited to:

(1) Provide evidence of at least six-months' experience driving a taxicab, transportation network vehicle, charter party carrier services, or similar service oriented transportation or managing a demand responsive transportation service, or similar service oriented business.

(2) Vehicle(s) must meet California Air Resources Board criteria for zero emissions/low emissions, be ADA-compliant, be equipped with a Global Positioning System (GPS), be no older than 10 years of the model age and not have a "salvage" title.

(3) Provide a customer service plan that demonstrates, a requirement for drivers to accept credit cards, detailed record keeping of all calls for service, trips provided, and a customer service complaint resolution plan.

(4) Provide a plan for administrative functions, vehicle maintenance, and off-street storage for vehicle when not in use.

(5) Provide a radio service plan incorporating 24 hour staffing and computerized dispatch utilizing GPS technology.

(b) Permits held prior to April 1, 2015 shall be in compliance with San Diego City Council Policy 500-02 Screening Criteria by February 12, 2020. Whenever a corporation or LLC is issued any new permits, then it shall be in compliance with requirements of this Ordinance and San Diego City Council Policy 500-02.

(c) The proposed transferee shall file with the Chief Executive Officer a sworn application for the transfer and shall comply with the requirements of Section 1.3. The permit holder shall certify in writing that the permit holder has notified the proposed transferee of the requirements of this section pertaining to the transfer of a permit. Whenever an application for a transfer of permit is filed, the Chief Executive Officer shall process the application for transfer in accordance with Section 1.4 of this Ordinance.

(d) The Chief Executive Officer shall charge regulatory fees to affect the full cost recovery of activities associated with the administration, regulation, issuance, or transfer of for-hire vehicle permits and associated records.

(1) Changes in fee schedules affecting permits shall be mailed to all permit holders. Changes shall be effective thirty (30) calendar days thereafter.

(2) Any person objecting to a particular fee or charge may file, within ten (10) days of the mailing of such changes, an appeal for review with the Chief Executive Officer who shall thereafter process it in accordance with Section 1.17; provided, however, that the sole issue to be determined on review is whether the fee or charge exceeds the reasonable costs for personnel salaries and administrative overhead associated with the particular administrative service or function.

(Section 1.5 amended 2/12/15)

(Section 1.5 amended 8/7/03)

(Section 1.5 amended 11/14/02)

Section 1.6 - Blank

The text of Section 1.6 is deleted in its entirety effective February 12, 2015.

(Section 1.6 deleted 2/12/15)

(Section 1.6 amended 11/14/02)

Section 1.7 - Blank

The text of Section 1.7 is deleted in its entirety effective October 24, 1998.

(Section 1.7 was deleted 9/24/98)

Section 1.8 - Equipment and Operating Regulations

(a) No medallion shall be issued for a vehicle unless the vehicle conforms to all the applicable provisions of this Ordinance.

(b) The privilege of engaging in the business of operating a for-hire vehicle in a City granted in the permit is personal to the permit holder, who must be the owner of the for-hire vehicle. The rights, requirements, and responsibilities which attach to the permit remain with the holder at all times the for-hire vehicle is operated under the authority of the permit. These rights, requirements and responsibilities, which include, but are not limited to, the requirements of this Ordinance, will remain unaffected by any agreement or contractual arrangement between the permit holder and those persons who operate for-hire vehicles, irrespective of the form or characterization of the agreement under which the driver operates the for-hire vehicle.

(c) The permit holder shall maintain a business address, a mailing address where he or she can accept mail directed to his or her company, and a business telephone in working order which must be answered during normal business hours, Monday through Friday, and during all hours of operation. The permit holder shall, in the case of any change in his or her business address, mailing address, or business telephone, notify the Chief Executive Officer in writing of such change within forty-eight (48) hours of the effective date of this change.

(d) Before a for-hire vehicle is placed in service and at least annually thereafter, the for-hire vehicle shall be delivered to a place designated by the Chief Executive Officer for inspection. All new permit holders are required to observe at least one full vehicle inspection as part of the initial permit issuance. MTS inspectors shall inspect the for-hire vehicle and its equipment to ascertain whether the vehicle complies with the provisions of this Ordinance. Failure to produce the vehicle for inspection shall be cause for suspension or revocation of the permit for such vehicle.

(e) Any MTS inspector or peace officer, after displaying proper identification, may make reasonable and periodic inspections of any for-hire vehicle operating under an MTS permit for the purpose of determining whether the vehicle is in compliance with the provisions of this Ordinance.

(f) Any for-hire vehicle which fails to meet the requirements of the California Vehicle Code or this section after inspection shall be immediately ordered out-of-service by an MTS inspector or Peace Officer if it is unsafe for service. Ordering a vehicle out-of-service does not constitute a suspension or revocation of the permit. A vehicle is deemed unsafe for service when any of the following conditions exists:

- (1) Tires fail to meet the requirements of the California Vehicle Code;

- (2) Headlights, taillights or signal lights are inoperable during hours of darkness (sunset to sunrise);
- (3) Windshield wipers are inoperable during rain conditions;
- (4) Meter is not working or the seal is broken;
- (5) Brakes, brake lights or brake system are inoperable or otherwise fail to meet the requirements of the California Vehicle Code;
- (6) Excessive play in steering wheel exceeding three (3) inches;
- (7) Windshield glass contains cracks or chips that interfere with driver's vision;
- (8) Any door latch is inoperable from either the interior or exterior of the vehicle;
- (9) Any seat is not securely fastened to the floor;
- (10) Seat belts, when required, fail to meet requirements of the California Vehicle Code;
- (11) Either side or rearview mirrors are missing or defective; and
- (12) Any other condition which reasonably and rationally pertains to the operating safety of the vehicle or to passenger or pedestrian safety.

(g) If the vehicle is not unsafe but is unsuitable or otherwise in violation of this Ordinance, the operator or permit holder, as appropriate, shall be issued a notice to correct said violation within seventy-two (72) hours.

(1) Failure to correct such violation within the seventy-two (72) hours shall then be cause to order the vehicle out-of-service. When a vehicle is ordered out-of-service, the medallion shall be immediately removed.

(2) Before the vehicle may again be placed in service, the violation shall be corrected and the vehicle shall be inspected by an MTS inspector.

(3) The medallion shall be reaffixed when the MTS inspector finds that the vehicle meets prescribed standards.

(h) The interior and exterior of the for-hire vehicle shall be maintained in a safe and efficient operating condition, and meet California Vehicle Code requirements and the requirements of this Ordinance at all times when in operation. The following minimum vehicle standards must be maintained to comply with this section:

(1) Wheels. Hubcaps or wheel covers shall be on all wheels for which hubcaps or wheel covers are standard equipment.

(2) Body Condition. There shall be no tears or rust holes in the vehicle body and no loose pieces hanging from the vehicle body. Fenders, bumpers, and light trim shall be securely fixed to the vehicle. No extensive unrepaired body damage shall be allowed. The vehicle shall be equipped

with front and rear bumpers. The exterior of the vehicle shall be maintained in a reasonably clean condition so as not to obscure the approved color scheme and/or vehicle markings.

(3) Paint. The vehicle shall be painted and marked in accordance with the color scheme approved under Section 1.4 (f) of this Ordinance. Paint and markings may not be faded or deteriorated in such a manner as to preclude immediate recognition of the approved color scheme.

(4) Lights. Headlights shall be operable on both high and low beam. Taillights, parking lights, signal lights, and interior lights shall all be operable.

(5) Wipers. Each vehicle shall be equipped with adequate windshield wipers maintained in good operating condition.

(6) Brakes. Both the parking and hydraulic or other brake system must be operable.

(7) Steering. Excessive play in the steering mechanism shall not exceed three (3) inches free play in turning the steering wheel from side to side.

(8) Engine. The engine compartment shall be reasonably clean and free of uncontained combustible materials.

(9) Mufflers. Mufflers shall be in good operating condition.

(10) Windows. The windshield shall be without cracks or chips that could interfere with the driver's vision. All other windows shall be intact and able to be opened and closed as intended by the manufacturer. The windows and windshield shall be maintained in a reasonably clean condition so as not to obstruct visibility.

(11) Door Latches. All door latches shall be operable from both the interior and exterior of the vehicle.

(12) Suspension. The vehicle's suspension system shall be maintained so that there are no sags because of weak or broken springs or excessive motion when the vehicle is in operation because of weak or defective shock absorbers.

(13) Seats. All seats shall be securely fastened. Seat belts, when required by the California Vehicle Code, shall be installed. The upholstery shall be free of grease, holes, rips, torn seams, and burns.

(14) Interior. The interior of each vehicle and the trunk or luggage area shall be maintained in a reasonably clean condition, free of foreign matter, offensive odors, and litter. The seats shall be kept reasonably clean and without large wear spots. The door handles and doors shall be intact and clean. The trunk or luggage area shall be kept empty except for spare tire and personal container for the driver not exceeding one (1) cubic foot in volume and emergency equipment, to allow maximum space for passenger luggage and belongings.

(i) Each for-hire vehicle except taxicabs shall contain:

(1) A fire extinguisher of the dry chemical or carbon dioxide type with an aggregate rating of at least 5 B/C units and a current inspection card affixed to it.

(2) A minimum of three (3) red emergency reflectors.

(3) A first-aid kit containing medical items to adequately attend to minor medical problems.

(j) In the event that a for-hire vehicle for which a permit has been approved is taken out of service, the permit holder may utilize a spare for-hire vehicle which has been duly inspected by an MTS inspector and approved prior to use. The permit holder must immediately inform an MTS inspector when a spare for-hire vehicle is in use and the location of the disabled vehicle. The spare vehicle will be issued a "spare vehicle" sticker which must be affixed to the left rear portion of the for-hire vehicle for which it is approved, in plain view from the rear of the for-hire vehicle. The permit holder may utilize one (1) spare for-hire vehicle for a period not to exceed sixty (60) days. This subsection shall not be construed, nor deemed to replace, those provisions in this Ordinance which apply to permanent replacement of a for-hire vehicle.

(k) The medallion issued to the permit holder must be affixed by an MTS inspector on the for-hire vehicle for which the permit is approved in plain view from the rear of the for-hire vehicle. The permit holder must immediately report the loss, destruction, or defacing of a medallion to the Chief Executive Officer. Except as provided in Subsection (j), it shall be unlawful to operate a for-hire vehicle without the medallion affixed and visible.

(l) There shall be displayed in the passenger compartment of each for-hire vehicle between the sun visors, in full view of the passengers in the front and rear seats, a card not less than ten (10) inches wide by six (6) inches high in size. Posted on this card, utilizing "Universe" font in black ink on white background, shall be:

1) The first line of the card, 3/4 inch in height, shall say one of the following according to permit type: TAXICAB, SIGHTSEEING, CHARTER, NONEMERGENCY, LOW-SPEED VEHICLE, OR JITNEY LOST AND FOUND.

2) Below this, the card shall include the vehicle medallion number in three-inch numerals.

3) Below the medallion number, the name, address, and phone number of the MTS Taxicab Administration and the permit holder and/or permit holder trade name shall be printed, 1/4-inch in height.

4) No other signs, markings, lettering, decals, or any type of information shall be displayed within 18 inches around the above sign.

5) No other signs, markings, lettering, decals or any type of information except the rates of fare and the tire size specifications required by San Diego County Weights and Measures shall be posted within the area 18 inches around the taxicab meter.

(m) There shall be carried either on the person of the driver or in each for-hire vehicle, a map of the City, published within the past two (2) years, which shall be displayed to any passenger upon request.

(n) The rates of fare charged for for-hire vehicle services shall be clearly displayed in the passenger compartment.

(o) Each for-hire vehicle licensed to operate in the City shall have located in a convenient place in the driver's compartment, in full view of the passengers, a container of type and design

approved by the Chief Executive Officer. The container shall contain a card provided by the Sheriff of the County of San Diego or by the Chief Executive Officer. The card shall be visible to passengers and shall bear the following information:

- (1) The number of the license of the driver;
- (2) The name and business address of the driver;
- (3) The name of the owner of the vehicle; and
- (4) A small photograph of the driver.

(p) Each for-hire vehicle shall be equipped with a rearview mirror affixed to the right side of the vehicle, as an addition to those rearview mirrors otherwise required by the California Vehicle Code.

(q) The driver shall offer each passenger a printed receipt upon payment of the fare. The receipt shall accurately show the date, the amount of the fare, the driver's name and ID number, the taxicab number, the company (DBA) name, and the radio service name with phone number.

(r) All disputes to fare shall be determined by the peace officer or MTS inspector most readily available where the dispute is had. It shall be unlawful for any person to fail or refuse to comply with such determination by the peace officer or MTS inspector.

(s) It is unlawful for any person to refuse to pay the lawful fare of a for-hire vehicle after employing or hiring the same.

(t) The driver of any for-hire vehicle shall promptly obey all lawful orders or instructions of any peace officer, fire fighter, or MTS inspector.

(u) No driver of any for-hire vehicle shall transport any greater number of persons, including the driver, than the manufacturer's rated seating capacity for the vehicle.

(v) It shall be unlawful for any person to solicit business for a for-hire vehicle by making a contract or agreement with any owner of any hotel, apartment house, motel, inn, rental units, restaurant, or bar, or with the agent or employees of such owner, by which the owner, agent or employee receives any type of payment or commission for recommending or directing any passenger to a specific for-hire vehicle or company. It shall be unlawful for any permit holder, association, or driver to have or make a contract or agreement with any owner of any hotel, apartment house, motel, inn, rental units, restaurant, or bar, or with the agents or employees of such owner, by which the permit holder, association or driver receives any type of payment or commission for recommending or directing any passenger to an establishment operated by a specific owner.

(w) The driver of a for-hire vehicle shall wear, in a manner clearly visible on their person, an identification card approved by the Chief Executive Officer.

(x) The Board specifically finds that the dress, grooming, and conduct of for-hire vehicle drivers affect the public health and safety, particularly as it relates to visitors and the tourist industry. Therefore, while driving or operating a for-hire vehicle, drivers shall be hygienically clean, well groomed and neat, and suitably dressed. Violations of this subsection are administrative in nature and shall not be the subject of criminal prosecution.

(1) The term "hygienically clean" shall refer to that state of personal hygiene, body cleanliness, and absence of offensive body odor normally associated with bathing or showering on a regular basis.

(2) The term "well-groomed" shall mean that male drivers shall be clean-shaven, except for those parts of the face where a beard or mustache is worn and their hair shall be neatly trimmed; beards or mustaches shall be groomed and neatly trimmed at all times in order not to present a ragged appearance. For all drivers, it shall mean that scalp or facial hair shall be combed or brushed and that all clothing is clean, free from soil, grease and dirt, and without unrepaired rips or tears.

(3) The term "neat and suitably dressed" shall be interpreted to require that a driver shall be fully covered by clothing at a minimum from a point not to exceed four (4) inches above the center of the kneecap to the base of the neck, excluding the arms. Drivers shall wear shoes. It shall not be permissible for any driver to wear as an outer garment any of the following: undershirt or underwear, tank tops, body shirts (see-through mesh), swim wear, jogging or warm-up suits or sweatshirts or similar attire, jogging or bathing shorts or trunks, or sandals. Trouser-type shorts that are no shorter than four inches above the center of the kneecap are permissible.

(y) The color scheme of a for-hire vehicle may not be changed without the prior written permission of the Chief Executive Officer.

(z) For-hire vehicles shall comply with the California Vehicle Code, e.g., not impede traffic, and, where applicable, not operate on streets where posted speed limits are above 35 miles per hour. For-hire vehicle drivers, including taxicab, shall not load or unload passengers in traffic lanes.

(Section 1.8 amended 2/12/15)

(Section 1.8 amended 8/7/03)

(Section 1.8 amended 11/14/02)

(Section 1.8 amended 9/24/98)

(Section 1.8 amended 2/13/97)

(Section 1.8 amended 6/24/93)

Section 1.9 - Public Liability

(a) It shall be unlawful to operate a for-hire vehicle unless the permit holder establishes and maintains in effect one of the forms of financial responsibility specified in this section.

(1) This requirement may be met by maintaining a valid policy of insurance executed and delivered by a company authorized to carry on an insurance business in the State of California, the financial responsibility of which company has been approved by the Chief Executive Officer. The terms of the policy shall provide that the insurance company assumes financial responsibility for injuries to persons or property caused by the operation of the for-hire vehicle in an amount determined by the Chief Executive Officer.

(2) The permit holder may also meet this requirement by obtaining a certificate of self-insurance for a specified amount approved by the Board and pursuant to the applicable provisions of the California Vehicle Code.

(b) A valid proof of insurance issued by the company providing the insurance policy required under Subsection (a) (1) of this section shall be filed with and approved by the Chief Executive Officer. This certificate shall provide that MTS is a named certificate holder and shall be placed in each vehicle, per California Vehicle Code Section 16020. It shall also provide that the insurer will notify MTS of any cancellation and that the cancellation notice shall be in writing and shall be sent by registered mail at least thirty (30) days prior to cancellation of the policy. The certificate shall also state:

- (1) The full name of the insurer;
- (2) The name and address of the insured;
- (3) The insurance policy number;
- (4) The type and limits of coverage;
- (5) The specific vehicle(s) insured;
- (6) The effective dates of the certificate; and
- (7) The certificate issue date.

(Section 1.9 amended 11/14/02)

Section 1.10 - Financial Ownership and Operating Records: Reporting Requirements

(a) Every person engaged in the business of operating a for-hire vehicle within the City under a permit granted by the Chief Executive Officer shall maintain:

(1) Financial records, including but not limited to the current executed taxicab driver lease agreement that includes all aspects of the business relationship between the permit holder and the lessee, and written receipts of all payments from lessee in accordance with good accounting practices;

(2) Ownership records; and

(3) Operating records in a form, and at intervals, which shall be determined from time to time by the Chief Executive Officer.

(b) Ownership and operating records shall be made available to the Chief Executive Officer upon demand at any reasonable time. The permit holder shall retain operating records for a minimum of six (6) months from the date the records are created.

(c) For purposes of this section, ownership records shall include, but are not limited to, the following:

(1) Copies of the Articles of Incorporation as filed with the Secretary of State of California;

(2) Records identifying all corporate officers and members of the corporation's Board of Directors. A corporation shall report any change in corporate officers or members of its Board of Directors to MTS within ten (10) days of the effective date.

(3) A stock register recording the issuance or transfer of any shares of the corporate stock; and

(4) The registration cards issued by the State of California Department of Motor Vehicles to the vehicle owner for all for-hire vehicles operated under the authority of an MTS for-hire vehicle permit.

(d) For purposes of this section, operating records shall include, but are not limited to, the following:

(1) Typed or written dispatch records for taxicab or LSV companies which operate their own radio dispatch service;

(2) Any logs which a for-hire vehicle driver keeps describing the trips carried by a for-hire vehicle other than a taxicab;

(3) Copies of the daily trip log required by taxicab or LSV drivers under Section 2.4 (p); and

(4) Any other similar records.

(e) Between January 1 and December 31 of each calendar year, every permit holder shall file with the Chief Executive Officer a signed statement which shall report and attest to the accuracy of the following information:

(1) The individual name(s), business name, business address, and telephone number of the permit holder(s);

(2) The name and address of all legal and registered owner(s) of the for-hire vehicle(s);

(3) The name and address of each person with a financial interest in the business which operates the vehicle(s); and

(4) The year, manufacturer, model, vehicle identification number, license plate, and medallion number affixed to the permitted vehicle(s).

(f) If the permit holder is an individual, the permit holder must appear in person in the offices of MTS to file the statement; if the permit holder is a partnership, one of the partners must appear in person in the offices of MTS to file the statement; if the permit holder is a corporation or LLC, an officer of the corporation, or a member of the LLC, authorized to represent the company, must appear in person in the offices of MTS to file the statement and provide evidence San Diego City Council Policy 500-02 requirements are being met.

(Section 1.10 amended 2/12/15)

(Section 1.10 amended 8/7/03)

(Section 1.10 amended 11/14/02)

(Section 1.10 amended 6/24/93)

Section 1.11 - Destruction, Permanent Replacement or Retirement of For-Hire Vehicles

(a) Whenever a for-hire vehicle is destroyed, rendered permanently inoperative, is sold, or the permit holder is no longer the owner of the for-hire vehicle, the permit holder shall notify the Chief Executive Officer in writing within forty-eight (48) hours.

(b) A replacement vehicle must be placed in service within sixty (60) days of the date the original vehicle is removed from service unless prior written permission has been obtained from the Chief Executive Officer. It is the intent of this section that the Chief Executive Officer, in granting such permission, gives due consideration to the operating situation of the permit holder on a case-by-case basis.

The following guidelines are to be used in granting permission for a permit holder to take longer than sixty (60) days in placing a replacement vehicle in service.

(1) The permit holder must submit a written request for an extension of time, stating the specific reason(s) additional time is required and identifying a plan and timetable for placing the

replacement vehicle in service. Written documents sufficient to substantiate the factual information contained in the request should also be submitted.

(2) The plan and timetable submitted must reflect a reasonable approach for placing the vehicle in service within the shortest possible time frame.

(3) An additional period of time, not to exceed sixty (60) calendar days, may be granted to a permit holder in case of severe personal illness or other similar hardship.

(4) An additional period of time, not to exceed thirty (30) calendar days, may be granted to a permit holder in case of extensive vehicle repairs or other similar reasons.

(5) No extensions will be granted to any permit holder who is unable to meet the basic operational costs, including liability insurance, regulatory fees, and normal maintenance and repairs of operating a for-hire vehicle.

(6) No more than one (1) extension will be granted for each vehicle in a single twelve (12) month period.

(c) The Chief Executive Officer shall, as a matter of owner right, allow the replacement of a vehicle which is destroyed, rendered inoperative, sold or transferred, provided that the permit holder has complied with, and the for-hire vehicle is in conformance with, all applicable provisions of this Ordinance. An owner must remove the markings from the vehicle that indicate it is a taxicab or LSV before the owner disposes of it.

(d) When a permit holder retires any for-hire vehicle or vehicles from service and does not replace them within sixty (60) days, the permit for each such retired for-hire vehicle shall be considered abandoned and will be void. The permit holder shall immediately surrender each related medallion to the Chief Executive Officer. Such abandoned permits may not be restored by any means other than through application for new permits in the manner provided in this Ordinance.

(Section 1.11 amended 8/7/03)

(Section 1.11 amended 11/14/02)

(Section 1.11 amended 2/13/97)

Section 1.12 - Driver's Identification Cards

(a) No person shall drive or operate any for-hire vehicle under the authority of a permit granted under this Ordinance unless such person has and displays a valid driver's identification card obtained annually through the Sheriff of the County of San Diego.

(b) No permit holder shall employ as a for-hire vehicle driver or operator any person who has not obtained a for-hire vehicle driver's identification card through the Sheriff of the County of San Diego.

(c) No permit holder shall employ as a driver or operator any person whose privilege to operate a for-hire vehicle within the City has expired, or has been revoked, denied or suspended or prohibited.

(d) A driver may drive for more than one permit holder. The driver must, however, have on file with and accepted by the Sheriff of the County of San Diego, a separate application on forms provided by the Sheriff, for each permit holder with whom he has a current driving agreement. A driver may have on file with the Sheriff a maximum of four (4) such applications at any one time. It shall be

unlawful for a driver to accept or solicit passengers for hire in the City while operating the taxicab or LSV of any permit holder for whom the driver does not have such an application on file with the Sheriff.

(e) No person shall drive or operate any for-hire vehicle, except nonemergency medical, under the authority of a permit granted under this Ordinance unless such person has successfully completed an MTS-approved driver training course concerning driver safety, rules, and regulations. Map reading, crime prevention, courtesy and professionalism and a corresponding qualification examination.

(f) No person who has received a notice of prohibition pursuant to Section 1.14, or whose privilege to operate a for-hire vehicle within the City has expired, or has been suspended, revoked or denied by the Sheriff or the Chief Executive Officer shall drive or operate a for-hire vehicle within the City.

(g) No for-hire vehicle driver's identification card shall be issued or renewed to any of the following persons:

(1) Any person under the age of twenty-one (21) years.

(2) Any person who has been convicted of a felony involving a crime of force or violence against any person, or the theft of property, unless five (5) years have elapsed since his or her discharge from a penal institution or satisfactory completion of probation for such conviction during which period of time his or her record is good.

(3) Any person who has been convicted of assault, battery, resisting arrest, any infraction, misdemeanor, or felony involving force and violence, or any crime reasonably and rationally related to the paratransit industry or any similar business operation which bears upon the integrity or ability of the driver to operate a for-hire vehicle business and transport passengers, unless five (5) years shall have elapsed from the date of discharge from a penal institution or the satisfactory completion of probation for such conviction.

(4) Any person who, within the five (5) years immediately preceding the processing of the application, has been convicted of or held by any final administrative determination to have been in violation of any statute, ordinance, or regulation reasonably and rationally related to the for-hire vehicle industry or any similar business operation which would have authorized the suspension or revocation of the driver's identification card in accordance with Section 1.14 of this Ordinance.

(5) Any person who is required to register as a sex offender pursuant to the California Penal Code.

(6) Any person who has provided false information of a material fact in their application within the past five (5) years.

(7) No person shall obtain or renew a driver's identification card unless such person has successfully completed a personal safety training course approved by the Chief Executive Officer.

(8) When a driver permanently no longer drives for an MTS Taxicab Administration permit holder, the permit holder shall report this to the Sheriff's Department within 10 calendar days.

(h) The Sheriff is authorized to issue temporary for-hire vehicle driver identification cards pending the approval or denial of an application for a regular for-hire vehicle driver identification card. No temporary for-hire vehicle driver identification card shall be issued without the satisfactory completion of a local law enforcement agency record check of the applicant. Any temporary

identification card so issued shall be valid for a period not to exceed ninety (90) days or until the date of approval or denial of the application for a regular for-hire vehicle driver identification card, whichever shall occur first. The issuance of a temporary identification card hereunder shall not authorize the operation of a for-hire vehicle following the denial of the application while pending the resolution of any appeal otherwise provided for in Section 1.16 of this Ordinance.

(1) The Sheriff or the Chief Executive Officer shall establish nonrefundable filing fees to defray the costs of processing regular and temporary driver identification cards.

(Section 1.12 amended 11/15/12)

(Section 1.12 amended 8/7/03)

(Section 1.12 amended 11/14/02)

(Section 1.12 amended 9/24/98)

(Section 1.12 amended 10/30/97)

(Section 1.12 amended 11/9/95)

Section 1.13 - Suspension and Revocation of Permit

(a) Permits may be suspended or revoked by the Chief Executive Officer at any time in case:

(1) The Chief Executive Officer finds the permit holder's past record to be unsatisfactory with respect to satisfying the provisions of this Ordinance.

(2) The permit holder fails to comply with the applicable provisions of this Ordinance.

(3) The drivers of the for-hire vehicle or vehicles fail to act in accordance with those provisions of this Ordinance which govern driver actions. The permit holder shall have strict liability in this regard; however, this provision shall not restrict the Chief Executive Officer's ability to penalize a driver for violations of those provisions of this Ordinance which govern driver actions.

(4) The owner shall cease to operate any for-hire vehicle for a period of sixty (60) consecutive days without having obtained written permission for cessation of such operation from the Chief Executive Officer. It is the intent of this section that the Chief Executive Officer, in granting such permission, gives due consideration to the operating situation of the permit holder on a case-by-case basis.

The following guidelines are to be used in granting permission for a permit holder to cease operating a for-hire vehicle for a period longer than sixty (60) days.

(a) The permit holder must submit a written request for an extension of time, stating the specific reason(s) additional time is required and identifying a plan and timetable for placing the vehicle back in service. Written documents sufficient to substantiate the factual information contained in the request should also be submitted.

(b) The plan and timetable submitted must reflect a reasonable approach for placing the vehicle back in service within the shortest possible time frame.

(c) An additional period of time, not to exceed sixty (60) calendar days, may be granted to a permit holder in case of severe personal illness or other similar hardship.

(d) An additional period of time, not to exceed thirty (30) calendar days, may be granted to a permit holder in case of extensive vehicle repairs or other similar reasons.

(e) No extension will be granted to any permit holder who is unable to meet the basic operational costs including liability insurance, regulatory fees, and normal maintenance and repairs of operating a for-hire vehicle.

(f) No more than one (1) extension in time will be granted for each vehicle permit in a single twelve (12) month period.

(5) The for-hire vehicle or vehicles, if operated as other than a taxicab, are operated at a rate of fare other than those fares on file with the Chief Executive Officer.

(6) The for-hire vehicle or vehicles, if operated as a taxicab or LSV, are operated at a rate of fare greater than those fares on file with the Chief Executive Officer or posted on the taxicab or LSV pursuant to Section 2.2 (b) of this Ordinance.

(7) The for-hire vehicle or vehicles, if operated as a taxicab or LSV, are operated at a rate of fare greater than current maximum rate established by the Board pursuant to Section 2.2(a) of this Ordinance.

(8) The permit holder fails to begin operating the for-hire vehicle for which the permit is first approved within ninety (90) days after the approval date.

(9) The permit holder has been convicted of assault, battery, resisting arrest, any infraction, misdemeanor, or felony involving force and violence, or any crime reasonably and rationally related to the paratransit industry or any similar business operation which bears upon the integrity or ability of the applicant or permit holder to operate a for-hire vehicle business and transport passengers, unless five (5) years shall have elapsed from the date of discharge from a penal institution or the satisfactory completion of probation for such conviction.

(10) The permit holder has been convicted of a crime that would require a person to register as a sex offender under the California Penal Code. For purposes of this section, a plea or verdict of guilty, a finding of guilt by a court, a plea of nolo contendere or a forfeiture of bail shall be considered a conviction.

(a) A permit holder shall be notified in writing within 10 working days when a credible complaint has been filed with the Chief Executive Officer by a member of the public where such complaint involves the permit holder, the driver of the permitted for-hire vehicle, or the radio service to which the permit holder is subscribed. It shall be the responsibility of the permit holder to investigate the complaint and report in writing to the Chief Executive Officer within 30 days the result of the investigation and any corrective action taken or proposed. Where the complainant has agreed to the sharing of their identity, the results of the investigation, findings, and actions shall be communicated to the complainant.

(b) In the event the Chief Executive Officer finds a permit holder has failed to responsibly respond to notification of complaints or to initiate corrective action, the Chief Executive Officer shall issue a notice of proposed adverse action to the permit holder. If the circumstances of the complaint or subsequent investigation so warrant, the Chief Executive Officer may issue a notice of adverse action to a driver independently of or in conjunction with any adverse action proposed to the permit holder. The Chief Executive Officer shall refer to the Administrative Penalty Guidelines in determining a proposed adverse action.

(c) The permit holder or driver in receipt of a notice of proposed adverse action shall be given the opportunity to appear for an informal hearing before the Chief Executive Officer or his designated representative. Failure to appear will constitute waiver of the hearing. Following the hearing or waiver thereof, the Chief Executive Officer shall issue the notice of adverse action if justified by the facts. If the Chief Executive Officer determines that the performance of the permit holder or driver involves criminal activity or constitutes a serious degradation of the public safety, convenience, or necessity, a notice of adverse action may be issued and the action effected without hearing.

(d) Upon a finding by the Chief Executive Officer that a permit holder falls within the provisions of this section, the permit holder or driver shall be notified that his or her permit has been subjected to an adverse action and that the matter is such that the action may be appealed. In lieu of an action provided for in the Administrative Penalty Guidelines, the Chief Executive Officer may impose a fine or a fine and a period of suspension for any violation(s) of this Ordinance.

(Section 1.13 amended 8/7/03)

(Section 1.13 amended 11/14/02)

(Section 1.13 amended 6/24/99)

Section 1.14 - Suspension and Revocation of Driver's Identification Cards

(a) Driver's identification cards may be suspended or revoked by the Chief Executive Officer at any time in case:

(1) The Chief Executive Officer finds the driver's past record to be unsatisfactory with respect to satisfying the provisions of this Ordinance; or

(2) The driver fails to comply with the applicable provisions of this Ordinance; or

(3) Circumstances furnish grounds for the denial, suspension, revocation or refusal to renew the driver's identification card by the Sheriff under the terms of the applicable Ordinance of the County of San Diego; or

(4) His/her California Driver's License is revoked or suspended; or

(5) The driver is convicted of reckless driving or driving while under the influence of intoxicating liquors and/or narcotics; or

(6) The driver has been convicted of assault, battery, resisting arrest, any crime involving force and violence, or reasonably and rationally is related to the ability or integrity of the driver to operate a for-hire vehicle or transport passengers; or

(7) The driver has ever been convicted of a crime that requires registration under the California Penal Code as a sex offender.

(b) For purposes of Subsections (a) (1) through (a) (6) of this section, a plea of nolo contendere, or a forfeiture of bail shall be considered a conviction if it occurred within the five (5) years immediately preceding the date of application for a permit or identification card.

(c) Notwithstanding a driver's possession of a valid taxicab or LSV driver identification card, the Chief Executive Officer may deny, suspend, revoke, or refuse to renew the driver's privilege to operate a for-hire vehicle in the City if the driver falls within the provisions of this section. The Chief Executive Officer shall send a notice of prohibition the date postmarked to operate a taxicab or LSV to any holder of a Sheriff's driver identification card who is ineligible under Subsection (a) to operate a for-

hire vehicle within the City limits. The notice of prohibition shall be appealable in accordance with Section 1.16.

(Section 1.14 amended 8/7/03)

(Section 1.14 amended 11/14/02)

(Section 1.14 amended 6/24/99)

Section 1.15 - Surrender of Medallion

(a) When a permit has been suspended or revoked, the operation of any for-hire vehicle authorized by such permit shall cease, and its medallion surrendered immediately to the Chief Executive Officer.

(Section 1.15 amended 11/14/02)

Section 1.16 - Right of Administrative Appeal from Denial, Suspension or Revocation of Permit or Driver's Identification Card or Related Adverse Action

(a) The permit holder or driver shall be notified that he or she may file with the Chief Executive Officer a written administrative appeal ten (10) days after delivery of the notice of revocation or suspension, or the denial of a license, permit, or driver's identification card, the notice of prohibition to operate or the imposition of a fine. The permit holder or driver shall set forth in the appeal the reasons why such action is not proper.

(b) If no administrative appeal is filed within the proper time, the permit or driver's identification card shall be considered revoked, suspended or denied, and shall be surrendered, the fine be imposed, as applicable, or the notice of prohibition to operate take effect.

(c) Except as provided in Subsection (d), once an administrative appeal is filed, the revocation or suspension of the permit or driver's identification card, the effect of the notice of prohibition to operate, or the imposition of the fine shall be stayed pending the final determination of the administrative appeal.

(d) If, in the Chief Executive Officer's opinion, the continued operation of a for-hire vehicle or possession of a driver's identification card represents an unsafe condition for any passenger or pedestrian, the revocation or suspension of the related permit, driver's identification card, or the effect of any notice of prohibition to operate shall not be stayed. A revocation or suspension of a permit imposed for failure to comply with Section 1.8 (f) or Section 1.9 is rebuttably presumed to represent an unsafe condition pending the determination of the appeal or the correction of the violation, whichever shall occur first. Notwithstanding, no medallion shall be reaffixed to a vehicle until the violation under Sections 1.8 (f) or 1.9 has been corrected.

(Section 1.16 amended 8/7/03)

(Section 1.16 amended 11/14/02)

Section 1.17 - Procedure Upon Administrative Appeal

(a) When an appeal is filed, the Chief Executive Officer shall review the appeal, and based on additional information provided therein, may revise his findings and penalty; in accordance with the additional information provided; or cause the appeal to be assigned to a Hearing Officer, who shall expeditiously schedule the hearing before him/her.

(1) The Chief Executive Officer shall maintain a list of qualified Hearing Officers and shall regularly rotate assignments based on availability of the proposed Hearing Officers.

(2) The Hearing Officer shall be appointed by the Chief Executive Officer, shall be a member of the California State Bar, and shall not be an MTS employee.

(b) The appellant and the Chief Executive Officer or designate shall each have the right to appear in person and be represented by legal counsel, to receive notice, to present evidence, to call and cross-examine witnesses under oath, and to present argument.

(c) An appellant may select an individual to interpret for them. MTS will not pay any costs or be held responsible for any aspect of the interpreter's ability to accurately interpret the hearing.

(1) The Hearing Officer shall have the power to compel attendance of witnesses and documents by subpoena, in accordance with state law.

(2) The formal rules of evidence need not apply, and any relevant evidence that is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs shall be admissible. Hearsay evidence may be considered by the Hearing Officer, but no findings may be based solely on hearsay evidence unless supported or corroborated by other relevant and competent evidence. The formal exceptions to the hearsay rule shall apply.

(c) The Chief Executive Officer shall promulgate supplementary rules and procedures for the conduct of the hearing, the forms of notice and proceedings, and the preparation and submission of the record.

(d) The decision of the Hearing Officer shall be the final administrative remedy and shall be binding upon the parties to the appeal.

(e) If the Hearing Officer decides to suspend or revoke a permit or driver's identification card, the appellant shall immediately surrender the medallion or driver's identification card to the Chief Executive Officer.

(Section 1.17 amended 11/15/12)

Section 1.18 - Exceptions to Provisions

(a) The provisions of this Ordinance do not apply to a vehicle properly licensed under the jurisdiction of the Public Utilities Commission of the State of California (CPUC), or to public transit vehicles owned, operated, or contracted for by the Metropolitan Transit System Board or to a vehicle properly licensed by the State or County as an ambulance.

(c) For compliance purposes, MTS Inspectors may inspect all CPUC licensed vehicles, ensure they are not exceeding the authority granted by their license or operating as unlicensed private-hire transportation provider.

(Section 1.18 amended 11/15/12)

(Section renumbered to 1.18 9/24/98)

(Section 1.17 amended 1/12/95)

(Section 1.17 amended 6/24/93)

Section 1.19 - Chief Executive Officer's Authority to Adopt Rules and Promulgate a Schedule of Fines

(a) Except where Board action is specifically required in this Ordinance, the Chief Executive Officer may adopt any rules and regulations reasonable and necessary to implement the provisions of this Ordinance. The Chief Executive Officer shall promulgate a schedule of administrative fines and penalties for violations of this Ordinance in lieu of the revocation or suspension of a permit or

identification card, a copy of which schedule shall be filed with the Clerk of the Board.
(Section renumbered to 1.19 9/24/98)

Section 1.20 - Americans with Disabilities Act

(a) Permit holders, vehicles, and drivers are required to comply with the requirements of the federal Americans with Disabilities Act (ADA), and ADA regulations are hereby incorporated into MTS Ordinance No. 11 by reference. A violation of ADA requirements is a violation of this Ordinance and subject to a fine or suspension or revocation or a combination.

(Section renumbered to 1.20 9/24/98)

(Section 1.19(a) was added 4/10/97)

SECTION 2.0 - TAXICABS AND/OR LSVs

Section 2.1 - Types of Service

(a) A taxicab or LSV is authorized to provide exclusive ride and group ride service.
(Section 2.0 and 2.1 amended 8/7/03)

Section 2.2 - Rates of Fare

(a) After a notice and open public hearing of the Taxicab Advisory Committee, MTS shall establish a maximum rate of fare for exclusive ride and group ride hire of taxicabs and/or LSVs except for trips from San Diego International Airport. A permit holder may petition the Board for any desired change in the maximum taxicab or LSV rates for exclusive ride and/or zone rates and group ride hire.

(b) Taxicab trips from San Diego International Airport shall be at a uniform rate of fare. Rates for trips originating at the airport may include an extra charge equal to the Airport Trip Fee assessed against the individual taxicab operator by the San Diego County Regional Airport Authority. The extra may not be charged on any trip that does not originate at the airport or on any trip where the taxicab operator does not pay the fee to the San Diego County Regional Airport Authority. The extra charge may only be charged to the customer by utilizing the extra button on the taxicab meter. A driver may not verbally request payment. All taxicabs utilizing the Airport Trip Fee extra button must have a decal, approved by the Chief Executive Officer and the County of San Diego Office of Weights and Measures. The decal shall identify and accurately describe the extra charge consistent with regulatory requirements.

(c) Each permit holder shall file with the Chief Executive Officer the rates of fare that he/she will charge, which shall not exceed the maximum rate set by the Board pursuant to Section 2.2(a).

(1) Each taxicab permit holder shall have the taximeter set by properly licensed personnel for the rate that he/she will charge and have the taximeter sealed and inspected.

(2) All taxicabs shall accept major credit cards including, but not limited to, VISA, MasterCard, American Express, and Discover. Fees shall not be passed onto passengers.

(3) Each taxicab permit holder shall prominently post rates in dollars-per-mile centered on the upper third part of both rear doors one (1) inch in height utilizing "Univers" or other MTS pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability.

(4) No other information shall be posted on rear doors.

(d) If a taxicab permit holder desires to change his/her rates of fare, he/she shall file with the Chief Executive Officer the new rates, reset the taximeter, have the taximeter sealed and inspected, and post the revised rates on each side of the taxicab as provided in Subsection (c) of this section.

(e) It shall be unlawful for a permit holder or driver to operate any taxicab in the City, unless the vehicle is equipped with a taximeter that meets the requirements of the State of California.

(1) The taximeter shall be of a style and design approved by the Chief Executive Officer.

(2) The taximeter shall calculate fares upon the basis of a combination of mileage traveled and time elapsed. When operative with respect to fare indication, the fare-indicating mechanism shall be actuated by the mileage mechanism whenever the vehicle is in motion at such a speed that the rate of mileage revenue equals or exceeds the time rate, and may be actuated by the time mechanism whenever the vehicle speed is less than this, and when the vehicle is not in motion.

(3) Waiting time shall include all time when a taxicab occupied or engaged by a passenger is not in motion or is traveling at a speed which is slow enough for the time rate to exceed the mileage rate. Waiting time will also include the time consumed while standing at the direction of the passenger or person who has engaged the taxicab.

(4) It shall be the duty of every permit holder operating a taxicab to keep the taximeter in proper condition so that the taximeter will, at all times, correctly and accurately indicate the charge for the distance traveled and waiting time. The taximeter shall be at all times subject to the charge for the distance traveled and waiting time.

(5) The taximeter shall be at all times subject to inspection by an MTS inspector or any peace officer. The MTS inspector or peace officer is hereby authorized at his or her instance or upon complaint of any person to investigate or cause to be investigated the taximeter, and upon discovery of any inaccuracy in the taximeter, or if the taximeter is unsealed, to remove or cause to be removed the vehicle equipped with this taximeter from the streets of the City until the taximeter has been correctly adjusted and sealed. Before being returned to service, the vehicle and taximeter must be inspected and approved by the Chief Executive Officer.

(6) Any device repairperson who places into service, repairs, or recalibrates a taximeter shall record the tire size and pressure of the drive wheels of that vehicle, as tested, on the repair person's sticker.

(7) It shall be the duty of the permit holder to ensure the proper device repair person's sticker is affixed to the taximeter and to ensure the tires are the proper size.

(f) It shall be unlawful for any driver of a taxicab, while carrying exclusive or group ride passengers, to display the flag or device attached to the taximeter in such a position as to denote that the vehicle is for hire, or is not employed, or to have the flag or other attached device in such a position as to prevent the taximeter from operating. It shall be unlawful for any driver to throw the flag into a position which causes the taximeter to record when the vehicle is not actually employed, or to fail to throw the flag or other device into nonrecording position at the termination of each and every service.

(g) The taximeter shall be so placed in the taxicab that the reading dial showing the amount of fare to be charged shall be well-lighted and easily readable by the passenger riding in such taxicab.

(h) It shall be unlawful for any permit holder and/or driver of a taxicab or LSV to demand of a passenger a charge for hire which is greater than the current maximum rate approved by the Board pursuant to Section 2.2 (a) or (b) of this Ordinance.

(i) Except as provided in this section, it shall be unlawful for any permit holder and/or driver to demand of a passenger a charge for hire which is greater than the permit holder's meter rate filed with the Chief Executive Officer pursuant to Sections 2.1 (a), 2.2 (b), or 2.2 (c) of this Ordinance.

(j) Nothing in this Ordinance shall preclude a permit holder or driver from agreeing with prospective passenger(s) to a rate of fare which is less than the permit holder's filed and posted rates of fare if the agreement is entered into in advance of the passenger(s), hiring the taxicab for the trip, except for trips commencing at the Lindbergh Field International Airport.

(Section 2.2(c)(2) amended 11/15/12)

(Section 2.2(b) amended 4/19/12)

(Section 2.2 amended 8/7/03)

(Section 2.2 amended 5/8/03)

(Section 2.2 amended 11/14/02)

(Section 2.2 amended 6/24/99)

(Section 2.2 amended 9/24/98; Section 2.2c operative May 1, 1999)

(Section 2.2 amended 10/30/97)

(Section 2.2 amended 4/10/97)

Section 2.3 - Equipment and Specifications

(a) No taxicab shall be operated until the taximeter thereon has been inspected, tested, approved and sealed by an authorized representative of the State of California, and thereafter so maintained in a manner satisfactory to the Chief Executive Officer.

(b) Each taxicab shall be equipped with a device which shall plainly indicate to a person outside the taxicab whether the taximeter is in operation or is not in operation.

(c) Exterior Markings

(1) The permit holder's trade name shall be painted or permanently affixed in letters and numerals four (4) inches high all on one line on the upper third part of both front doors utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability. In the event the trade name does not fit on one line utilizing four (4) inch lettering, the trade name lettering must be as large as possible, up to four (4) inches in height, to enable the trade name to fit on one line.

(2) The medallion number shall be painted or permanently affixed, on both front doors, one (1) inch below the permit holder's trade name, six (6) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability.

(3) The permit holder's trade name and medallion number shall be painted or permanently affixed on the rear of the taxicab, four (4) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability. In the event the rear of the vehicle does not have four inches of vertical space for the trade name and medallion number, the rear lettering may be less than four inches, provided that it is easily readable from a distance of 50 feet.

(4) No other information shall be permitted to be posted on front doors.

(5) Optional Exterior Vehicle Markings. The permit holder has the option of choosing to post any combination of the below-listed five options on his or her taxicab which must be posted only at the specific location and in the size noted and are subject to the Chief Executive Officer's approval.

a) Trade Name Logo. If the permit holder chooses to display his or her trade name logo, the trade name logo shall be posted only on the rear portion of both side rear quarter panels.

b) Radio Service Provider. If the permit holder chooses to display the radio service provider name or logo, the radio service provider name or logo cannot utilize the words "cab" or "taxi." The radio service provider name or logo must be displayed only on the rear portion of both side rear quarter panels.

c) Telephone Number. If permit holder chooses to display a telephone number, the telephone number must be no more than three (3) inches in height and posted only on the top front portion of both front side quarter panels.

d) "Driver Carries Only \$ _____ Change." If the permit holder chooses to post "Driver Carries only \$ _____ Change," postings must be located only on rear quarter panels near the rear door but clear of the rates of fare.

e) "Leased to Driver." If permit holder chooses to post "Leased to Driver," it must be posted only on both side rear quarter panels near the rear door but clear of the rate of fares in lettering no larger than 1 inch.

(6) Body Numbers. If the permit holder chooses to post an internally assigned body number, different from the medallion number, the body number shall be posted in one (1) inch numerals on the front and rear bumpers.

(7) All other exterior vehicle markings are prohibited unless they are directly related to the permit holder's business and pre-approved by the Chief Executive Officer.

(d) All taxicabs shall be equipped and operated so that they may be dispatched by two-way radio communication in response to a telephone or other request for service by a prospective passenger. This requirement may not be met by use of a mobile radio telephone service.

(1) Radio must be turned on, and audible to driver, at all times the taxicab is in service.

(e) The radio dispatch capability described in paragraph (d) of this section must be provided so as to conform to the regulations of the Federal Communications Commission pertaining to Land Transportation Radio Services. Failure to conform to those regulations will additionally constitute a failure to meet the requirements of this section.

(1) The current valid FCC license shall be on file with MTS.

(2) Taxicab permit holder shall provide current proof the radio has passed inspection by an MTS-approved inspector.

(3) Taxicab radios shall have the capability to receive or transmit only on frequencies specified in the FCC license of the radio service subscribed to by the permit holder.

(f) Radio scanners are not allowed in taxicabs.

(g) Each permit holder shall equip each permitted taxicab with a device capable of electronically processing credit card transactions. The device must be visible to all passengers and must allow the passenger to operate the payment device independently of the driver, without having to hand the credit card to the driver. The device must be electronically linked to the taxicab fare meter.

(Section 2.3 amended 2/12/15)

(Section 2.3 amended 11/15/12)

(Section 2.3 amended 6/27/02)

(Section 2.3 amended 9/24/98; Section 2.3c operative May 1, 1999)

(Section 2.3 amended 6/27/91; effective 7/27/91)

(Section 2.3 amended 4/10/97)

Section 2.4 - Operating Regulations

(a) Operating regulations shall be promulgated and adopted from time to time by resolution of the Board. These resolutions will have the force of law and will be published and processed as though set forth in this Ordinance.

(1) Smoking is not permitted at any time inside a MTS-permitted vehicle.

(b) Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to his destination safely and expeditiously.

(c) It shall be unlawful for the driver or operator of any taxicab or LSV to refuse a prospective or actual fare or to take any action to actively discourage a prospective or actual fare on the basis of race, creed, color, age, sex, national origin, disability, or for any other reason, unless it shall be readily apparent that the prospective or actual fare is a hazard to the driver or operator. Rude or abusive language directed to a passenger(s) or any physical action that a reasonable person would construe as threatening or intimidating shall be specifically defined as a violation of this section.

(1) A driver, however, is not obligated to transport any person who is verbally or otherwise abusive to the driver. Such incidents shall also be noted on the trip log and notification shall be immediately sent to the radio service organization, which shall record the incident and keep the record for the minimum of 6 months.

(2) A failure of the driver of any taxicab or LSV to assist a passenger with the loading or unloading of a reasonable size, number, and kind of passenger luggage or other items, when requested to do so, shall be specifically defined as a violation of this section. A driver is not required to lift any single piece of passenger luggage or other item that exceeds 25 pounds in weight. The requirement for loading or unloading assistance shall be limited to retrieval from or deposit onto the nearest curbside adjacent to the legally parked taxicab or LSV. A sign in the form of a transparent decal may be affixed to the rear-door, side window stating that, "DRIVER IS NOT REQUIRED TO LOAD LUGGAGE IN EXCESS OF 25 POUNDS PER ITEM OR OF A SIZE OR KIND THAT WILL NOT SAFELY FIT IN THE DESIGNATED LUGGAGE AREA OF THIS VEHICLE."

(3) A driver with a lawful disability that prevents him/her from handling items as defined in subsection (2) above is, upon submission of proof of such disability, relieved of responsibility for the requirements of subsection (2). A driver so situated may affix a small sign either in the passenger section of the vehicle to be clearly visible to a rear seat passenger or on the inside of the trunk cover lid stating that, "DRIVER HAS DISABILITY THAT PREVENTS HANDLING OF LUGGAGE."

(d) It shall be unlawful for taxicab operators to refuse or discourage a prospective or actual fare based upon trip length within the cities.

(1) A vehicle designated as an LSV may refuse a prospective or actual fare if the trip distance is outside allowed areas of operations.

(2) All LSV operators will carry a current list of MTS-approved radio services and refer the prospective or actual fare to that list of radio service organizations. All referrals shall be noted on the driver daily trip sheet.

(3) A failure to promptly dispatch (within the standards required by Sections 2.6(a)(1), (2), and (3) of this Ordinance), or any action by a driver of any taxicab or LSV to refuse or discourage a prospective or actual passenger who must transport foodstuffs or who must meet a medical appointment, irrespective of trip length, shall be specifically defined as a violation of this section so long as that prospective passenger has notified the dispatch service of this circumstance at the time a request for taxi service was made.

(e) No driver of any taxicab or LSV shall stop, park, or otherwise leave standing a taxicab or LSV on the same side of the street in any block in which taxicabs or LSVs are already stopped, parked, or otherwise standing except the taxicab or LSV may actively unload in a passenger loading zone or be parked in a marked taxi/LSV stand.

(f) No driver shall stop, park or otherwise leave standing a taxicab or LSV within one-hundred (100) feet of any other taxicab or LSV except in a marked taxi/LSV stand or while actively loading or unloading passengers.

(g) No driver shall stop, park, or otherwise leave standing a taxicab or LSV within fifteen (15) feet of any fire plug except as modified in Section 2.5 of this Ordinance.

(h) An out-of-service sign must be displayed when the taxicab or LSV is not available for hire and is being operated or is lawfully parked for purposes of maintenance, inspection, or personal use. The sign must be placed in a location in the vehicle that is clearly visible from the exterior of the vehicle. The sign must be of durable material and written in block letters in black ink and easily readable from a distance of not less than 10 feet.

(i) A taxicab driver may seek passengers by driving through any public street or place without stops, other than those due to obstruction of traffic, and at such speed as not to interfere with or impede traffic.

(j) It shall be unlawful, however, for the driver to seek passengers by stopping at or driving slowly in the vicinity of an entertainment center or transportation center or any other location of public gathering, in such a manner as to interfere with public access to or departure from that center or location, or so as to interfere with or impede traffic.

(k) It shall also be unlawful for a taxicab or LSV driver, having parked and left his or her taxicab or LSV, to solicit patronage among pedestrians on the sidewalk, or at any entertainment center, transportation center, or other location of public gathering.

(l) No person shall solicit passengers for a taxicab or LSV other than the driver thereof; however, the Chief Executive Officer may authorize a dispatcher to solicit passengers and assist in

loading passengers at such times and places as, in his or her discretion, public service and traffic conditions require.

(m) It shall be unlawful for the driver or operator of any taxicab or LSV to remain standing in any established taxicab or LSV stand or passenger loading zone, unless the driver or operator remains within twelve (12) feet of his or her taxicab or LSV, except when the driver or operator is actually engaged in assisting passengers to load or unload.

(n) Only paying passengers and persons specifically authorized by the Chief Executive Officer may occupy a taxicab or LSV that is already occupied by a paying passenger. No driver, once a paying passenger has occupied his taxicab or LSV, shall permit any other nonpaying passenger to occupy or ride in the taxicab or LSV.

(o) It shall be unlawful to respond to a call for service dispatched to another operator except when an LSV refers service to another operator because the trip distance is outside of the approved area of jurisdiction.

(p) The taxicab or LSV driver shall maintain a daily trip log which shall be available for inspection upon request by any peace officer or MTS inspector. The trip log will accurately show the driver's name, taxicab or LSV number, date, time, beginning odometer reading, starting and ending locations, type of service provided, and fare paid for each trip provided.

(1) The daily trip log shall consist, at a minimum, of a five- by seven-inch paper form retained on a stiff-board writing surface with ruled lines and columns sufficient to contain the required information. All entries will be in black or dark blue ink, block letters, and be clearly legible. Colored paper that is lightly shaded is allowed provided there is sufficient contrast for entries to be easily read. Onboard electronically generated reports that meet the legibility requirements are acceptable.

(2) The driver shall deliver trip logs to the permit holder upon request or at a weekly interval, whichever is less.

(q) All operating regulations set forth in Section 1.8 apply.

(r) The permit holder for any taxicab or LSV with a permit issued after July 1, 1991, shall comply with the following:

(1) The color scheme of the vehicle will conform to that of the radio dispatch service organization.

(2) Establish a business office in a location available to the public, and have staff on duty during regular business hours.

(3) File with MTS, and charge a rate of fare common to the radio service organization providing service required by this Ordinance.

(4) Maintain a current executed taxicab driver lease agreement for each current driver that includes all aspects of the business relationship between the permit holder and the lessee, and written receipts of all payments from lessee.

(Section 2.4 amended 2/12/15)

(Section 2.4 amended 11/15/12)

(Section 2.4 amended 8/7/03)

(Section 2.4 amended 11/14/02)

(Section 2.4 amended 6/24/99)

(Section 2.4 amended 2/13/97)

(Section 2.4 amended 6/27/91; effective 7/27/91)

Section 2.5 - Stands

(a) The Chief Executive Officer may establish, locate and designate shared use taxicab/LSV stands for one or more taxicabs/LSVs, which stands when so established shall be appropriately designated "Taxis/LSVs Only." The operating regulations of this Ordinance shall apply to such stands and to taxicab/LSV stands established by the San Diego Unified Port District in areas under its jurisdiction within the City.

(b) Each taxicab or LSV stand established hereunder may be in operation twenty-four (24) hours of every day, unless otherwise specified by the Chief Executive Officer.

(c) Any individual, partnership, association, or other organization may petition MTS requesting that a new taxicab/LSV stand be established, or that the location of an existing taxicab/LSV stand be changed to another location. A nonrefundable filing fee to be determined by the Chief Executive Officer must be paid at the time the petition is submitted.

(d) It shall be unlawful for a vehicle other than a taxicab or LSV with a proper MTS taxicab or LSV permit to occupy a taxi/LSV stand.

(e) LSVs may only occupy taxicab stands that are specially signed, designated their approved use.

(Section 2.5 amended 11/15/12)

(Section 2.5 amended 8/7/03)

Section 2.6 - Radio Services

(a) In order to provide taxicab or LSV radio dispatch service required by Section 2.3(d, e), the dispatch service organization adding or changing subscribers after July 1, 1991 shall establish and conform to written policies and procedures concerning the following:

- (1) Standard time elapse for answering the telephone service-request line(s).
- (2) Standard time elapse for the taxicab's or LSV's arrival at requested pick-up location.
- (3) Passenger's request for a specific driver ("personals").

(4) Additional two-way communication devices (mobile or cellular phones) in taxicabs or LSVs.

(5) 10-code.

(6) Lost and found for passengers' items.

(7) Assignment of vehicle body numbers.

(8) Immediately notify the permit holder of all lost items and inquiries.

Current written policies and procedures shall be available to subscribers from the radio dispatch organization, and on file with MTS.

(b) Taxicab and/or LSV service organizations shall, 24 hours a day, have dispatch staff on duty at the business location, which must be a preapproved physical address, answer telephone-request line(s), properly dispatch those requests to all members, provide radio response to all licensed radio frequencies/channels, and respond to direct requests from drivers, permit holders, and MTS as well as law enforcement and local regulatory agencies.

(c) Taxicab and or LSV radio dispatch services shall keep written records of all requests for taxi and/or LSV service, calls dispatched, and the time(s) each taxicab and/or LSV goes in and out of service. These records shall be kept on file for a minimum of six months, and made available to MTS, upon request.

(d) Taxicab and/or LSV radio dispatch services shall maintain a listing in the major business telephone directory.

(e) No person, partnership, corporation, association, other organization providing radio or other dispatch service shall dispatch a request for service to a driver, owner, or vehicle unless the driver, owner, and vehicle are properly licensed to provide the service requested.

(f) The Chief Executive Officer may, at any time, revoke or suspend the taxicab or LSV privileges of or fine any person, partnership, corporation, association, other organization providing radio or other dispatch service that violates a provision of this ordinance.

(Section 2.6 amended 11/15/12)

(Section 2.6 amended 8/7/03)

(Section 2.6 amended 9/24/98)

(Section 2.6 added 6/27/91; effective 7/27/91)

Section 2.7 - Driver Safety Requirements

(a) No taxicab vehicle or LSV shall be operated unless such vehicle is equipped with an emergency signaling device approved by the Chief Executive Officer.

(b) No taxicab vehicle may be operated with window tinting, shades, or markings that could interfere with a clear view of the cab interior from the outside.

(c) Taxicab/LSV radio services required by Section 2.3 shall at all times have a dispatch staff person on duty who has successfully completed a driver safety training course approved by the Chief Executive Officer.

(d) Cellular phone use by drivers is prohibited at all times when a passenger is in the vehicle and the vehicle begins moving. Otherwise, California Vehicle Code rules apply.

(Section 2.7 amended 11/15/12)

(Section 2.7 amended 8/7/03)

(Section 2.7 added 9/24/98)

SECTION 3.0 - CHARTER VEHICLES

Section 3.1 - Rates of Fare

(a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for charter services.

(b) If a permit holder desires to change the rates of fare being charged for charter services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for charter services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.

(d) The rates of fare shall be established by a prearranged written contract on a per-mile or per-hour basis.

(Section 3.1 amended 4/10/97)

Section 3.2 - Operating Regulations

(a) It shall be unlawful for any charter vehicle to remain standing on any public street in the City, except such reasonable time necessary when enabling passengers to load or unload.

(b) It shall be unlawful for any person, either as owner, driver, or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or light rail transit station.

(c) The charter for-hire vehicle driver shall maintain a daily trip log which shall be available for inspection upon request by any peace officer or MTS inspector. The trip log will accurately show the driver's name and the medallion number on the vehicle. In addition, the trip log shall identify the scheduling parties by name, date, and time of the prearranged hire.

(d) All other operating regulations defined in Section 1.8 apply.

(Section 3.2 amended 11/14/02)

SECTION 4.0 - SIGHTSEEING VEHICLES

Section 4.1 - Rates of Fare

(a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder of sightseeing vehicle services.

(b) If a permit holder desires to change the rates of fare being charged for sightseeing services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said changes.

(c) No permit holder shall charge any rate of fare for sightseeing services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.

(d) The rate of fare shall be established on a per capita or per event basis.
(Section 4.1 amended 4/10/97)

Section 4.2 - Operating Regulations

(a) It shall be unlawful for any sightseeing vehicle to remain standing on any public street in the City, except such reasonable time necessary when enabling passengers to load or unload.

(b) It shall be unlawful for any person, either as owner, driver, or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or light rail transit station.

(c) All other operating regulations defined in Section 1.8 apply, except Section 1.8 (v).

SECTION 5.0 - NONEMERGENCY MEDICAL VEHICLES

Section 5.1 - Rates of Fare

(a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for nonemergency medical vehicle services.

(b) If a permit holder desires to change the rates of fare being charged for nonemergency medical vehicle services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for nonemergency medical vehicle services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.

(d) The rate of fare for exclusive ride service shall be established on a per capita plus per mile basis.

(e) The rates of fare for shared ride service shall be established on a per capita plus per mile basis, or on a per capita plus per zone basis.

(Section 5.1 amended 4/10/97)

Section 5.2 - Operating and Equipment Regulations

(a) It shall be unlawful for any nonemergency medical vehicle to remain standing on any public street in the City, except when enabling passengers to load or unload.

(b) All other operating regulations defined in Section 1.8 apply.

(c) Special equipment on a nonemergency medical vehicle shall, at all times the vehicle is in operation, be in proper working order. Such vehicles equipped with wheelchair ramps or lifts shall have proper device(s) to secure each wheelchair on board.

(d) The permit holder is responsible for ensuring that the driver of a nonemergency medical vehicle is properly trained:

(1) in the use of any of the vehicle's special equipment;

(2) concerning supervision of or assistance to the disabled passengers whom the driver is to transport.

(Section 5.2 amended 6/22/95)

(Section 5.2 amended 6/24/93)

Section 5.3 - Driver Identification Cards

In addition to the requirements set forth in Section 1.12, nonemergency medical vehicle drivers shall acquire and maintain valid proof of proper first-aid and CPR training.

(Section 5.3 added 6/24/93)

SECTION 6.0 - JITNEY VEHICLES

Section 6.1 - Rates of Fare

(a) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for jitney services.

(b) If a permit holder desires to change the rates of fare being charged for jitney services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for jitney services unless said rates are on file with the General Manager as aforesaid, and duly displayed.

(d) The rates of fare shall be established on a per capita basis.
(Section 6.1 amended 4/10/97)

Section 6.2 - Jitney Routes

(a) A permit holder who wishes to provide a fixed route service shall apply to the Chief Executive Officer for authorization to serve a defined route with a specific vehicle. No for-hire vehicle may be operated as a jitney until it has met all other requirements of this Ordinance and has been approved for service on a specific fixed route. A jitney may be authorized to serve more than one route; however, a jitney may provide fixed route service on only those routes which the Chief Executive Officer has approved in writing for that vehicle.

(b) The application for a fixed route shall be in writing and shall contain the following information:

- (1) A description of the vehicle(s) which will be utilizing the route;
- (2) A detailed written description of the route, to include starting location, ending location, and the street name and direction of travel for all streets to be used in the route;
- (3) A map in sufficient detail to clearly indicate the proposed route;
- (4) The fare to be charged; and
- (5) Such other information as the Chief Executive Officer may, in his or her discretion, require.

(c) Upon approval of a fixed route by the Chief Executive Officer, the permit holder shall display a representation of the route, the fare, and the permit holder's trade name on each side of the vehicle in letters large enough to be easily read by potential customers in accordance with the standards established by the Chief Executive Officer under Section 6.5 of this Ordinance. Only one (1) route may be displayed on a vehicle at any time.

(d) If a permit holder wishes to alter his or her approved fixed route(s), he or she must apply in writing to the Chief Executive Officer, submitting the information required in Section 6.2 (b).

(e) The Chief Executive Officer may, in his or her discretion, place conditions on the approval of fixed routes.

(f) The Chief Executive Officer may change a route that has been approved previously when the Chief Executive Officer finds it necessary to do so. A change of route may be necessary when a street has been closed temporarily or permanently because of construction, or the direction of a street has been changed, or a street has been vacated, or for similar reasons as determined by the Chief Executive Officer. The Chief Executive Officer shall notify in writing any permit holder whose route has been changed. The Chief Executive Officer's change of a route is subject to appeal under Section 1.16 of this Ordinance.

(g) Except as provided for within this subsection, an approved fixed route may not be transferred to another vehicle or permit holder. A permit holder may receive approval for a vehicle that is replacing a jitney already in service to use the approved fixed routes of the replaced vehicle.
(Section 6.2 amended 11/14/02)

Section 6.3 – Operating Regulations

(a) It is unlawful for any jitney to remain standing on any public street in the City, except when enabling passengers to load or unload, or except when standing in a jitney holding zone for the time period established by MTS.

(b) It is unlawful for any person including, but not limited to, a jitney owner, driver, or agent thereof, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway, airport, or light rail transit station.

(c) A peace officer or MTS inspector may authorize a dispatcher to solicit passengers and assist with loading passengers at such times and places as, in his/her discretion, public service and traffic conditions require.

(d) Except when a driver or operator is actually engaged in assisting passengers to load or unload, a jitney driver or operator must remain within twelve (12) feet of his/her jitney while the jitney is in service.

(e) It is unlawful for a jitney vehicle to operate a fixed route service on other than that route designated by the Chief Executive Officer.

(f) It shall be unlawful for a jitney driver to load or unload passengers in any place other than an authorized jitney stop, bus stop, or passenger loading zone.

(g) All other operating regulations defined in Section 1.8 apply.
(Section 6.3 amended 11/14/02)

Section 6.4 - Jitney Holding Zones

(a) The Chief Executive Officer may, by resolution, locate and designate holding zones for one (1) or more jitneys, which holding zones when so established, shall be designated by appropriate signs. The operating regulations of Section 6.3 shall apply to any holding zones so established, and to holding zones established by the San Diego Unified Port District in areas under its jurisdiction. The Chief Executive Officer may, by his or her discretion, establish the maximum number of jitneys permitted to remain standing at one time in a holding zone.

(b) Each holding zone established hereunder shall be in operation twenty-four (24) hours of every day, unless otherwise specified by the Chief Executive Officer. The Chief Executive Officer shall adopt written standards to determine whether to allow holding zones to be in operation fewer than twenty-four (24) hours every day. If a holding zone is to be in operation fewer than twenty-four (24) hours every day, the Chief Executive Officer shall cause signs to be posted at or near the holding zone indicating the hours and days of operation.

(c) The Chief Executive Officer may, on his or her own motion, establish holding zones.

(d) Any individual, partnership, corporation, association or other organization may petition MTS requesting that a new holding zone be established. The petition must be filed in writing with the Chief Executive Officer or his/her designee. The petition must state the reason for the request and the proposed location(s). The Board may approve, deny, or modify the request.

(e) Whether initiated by the Chief Executive Officer under Subsection (c) of this section or by persons described in Subsection (d) of this section, before any holding zone is established, the proposed location of any holding zone must be reviewed by the Traffic Engineer of the City. The Traffic Engineer shall report his/her recommendations to approve, deny, or modify the proposed location in writing to the Chief Executive Officer. The Traffic Engineer's report shall include a statement of reasons supporting the recommendation to the Chief Executive Officer.

(f) The Chief Executive Officer shall, by resolution, establish a maximum time limit for individual jitneys to remain standing in any holding zone. The time limit shall apply uniformly to all holding zones.

(g) It shall be unlawful for a vehicle other than a jitney with a proper MTS jitney permit to occupy a jitney holding zone.

(Section 6.4 amended 11/15/12)

Section 6.5 - Equipment and Specifications

(a) Each jitney shall bear on the outside, signs clearly designating the route which it serves. The specifications of the sign are subject to the approval of the Chief Executive Officer. The Chief Executive Officer shall adopt written standards for approval or denial of the size of the signs, the location of the signs on the vehicle, the size of the lettering or graphics on the signs, and other specifications that the Chief Executive Officer finds necessary.

(b) All jitney vehicles must bear a trade name and shall be assigned a body number by the permit holder. The trade name and body number so assigned shall be placed on the vehicle in accordance with written standards adopted by the Chief Executive Officer.

Any violation of this Ordinance shall constitute an infraction unless otherwise specified.

SECTION 7.0 – LOW-SPEED VEHICLES

Section 7.1 – Low-Speed Vehicle (LSV) Definition

Low-Speed Vehicles (LSV) shall mean every vehicle that is designated per the requirements of Ordinance No. 11, Section 1.1(c). LSVs may operate by zones and/or a prearranged basis as set forth in Section 1.1 (d) (1)-(5).

(Section 7.0 and 7.1 added 8/7/03)

Section 7.2 – Establishment of Zones

The Chief Executive Officer shall establish and authorize the use of zones of operation.

(Section 7.2 added 8/7/03)

Section 7.3 – Zone Rates of Fare

(a) All vehicles permitted as LSV may use two methods of seeking compensation, either by zone rates or on a prearranged basis. Either method may be used when working inside of an approved zone. However, when operating on a prearranged charter basis, within an approved zone, no operator may exceed the maximum number of vehicles that are medallioned.

(b) Within thirty (30) calendar days following the issuance of a permit by the Chief Executive Officer, each permit holder shall file a document with the Chief Executive Officer reflecting the rates of fare being charged by said permit holder for LSV services.

(c) When a permit holder desires to change the rates of fare being charged for LSV services during any calendar year, he shall first file a document with the Chief Executive Officer indicating said changes, and no change shall be effective until fourteen (14) days following the filing of said change.

(d) No permit holder shall charge any rate of fare for LSV services unless said rates are on file with the Chief Executive Officer as aforesaid, and duly displayed.

(e) The rates of fare shall be established by a zone and/or prearranged written contract on a per-mile or per-hour basis.

(f) The maximum rates of fare shall be established pursuant to Section 2.2.

(Section 7.3 added 8/7/03)

Section 7.4 – Spare Vehicle Policy

(a) The following sets out procedures for LSV permit holders to place a spare vehicle into service as either a temporary replacement for a permitted vehicle that is out of service for recharging or mechanical problems.

(1) Spare LSVs must be marked with the approved company markings.

(2) In place of the medallion number, the spare LSV must be marked "Spare LSV." Where more than one spare LSV is being requested, under the provisions of paragraph 9, the LSVs will be marked "Spare LSV 1," "Spare LSV 2," and so on. The "Spare LSV" marking should be sized to fit in approximately the same space as the medallion number would otherwise be placed with legibility and visibility being the primary criteria.

- (3) Spare LSVs must be inspected upon initial issuance and annually thereafter.
- (4) All spare LSVs must meet all MTS insurance requirements.
- (5) To use a spare LSV that meets the requirements of 1 through 4 above, the permit holder must communicate in writing (facsimile is acceptable), a request to place a spare LSV into service.

The request must state:

- (a) the medallion number of the LSV being taken out of service, the reason for being out of service, and the location of the out-of-service LSV; and
 - (b) the estimated time the spare LSV will be in use.
- (6) When the out-of-service LSV is ready to re-enter service, the permit holder must immediately notify MTS in writing (facsimile is acceptable).
 - (7) The out-of-service LSV may not be required to be reinspected to be placed back into service.
 - (8) The spare LSV must be removed from service at the time the LSV it has been replacing is placed back into service.
 - (9) Under normal circumstances, a permit holder may utilize spare LSVs. Permit holders may utilize spare LSVs in a ratio of 3:1 permits held.
 - (10) Spare LSVs that are placed in service may only operate inside of the MTS-approved zone or zones. A permit holder shall not operate more spare vehicles than he/she has regular medallioned vehicles.
 - (11) A permit holder found to have operated a spare LSV in deliberate violation of these procedures will be subject to immediate suspension/revocation of the permit and the loss of the spare LSV utilization privilege.
(Section 7.4 amended 10/16/03)
(Section 7.4 added 8/7/03)

Section 7.5 – LSV Driver Identification Cards

- (a) Refer to Section 1.12 of this Ordinance to reference driver and permit holder ID requirements.
(Section 7.5 added 8/7/03)

Section 7.6 - Equipment and Specifications

- (a) Each LSV shall be equipped with a device which shall plainly indicate to a person outside the LSV whether the LSV is in operation or is not.

(b) Exterior Markings

(1) The permit holder's trade name shall be painted or permanently affixed in letters and numerals 2-1/2 inches high all on one line on the upper third part of both the front and rear of the vehicle utilizing "Univers" or other Chief Executive Officer preapproved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability. In the event the trade name does not fit on one line utilizing 2-1/2 inch lettering, the trade name lettering must be as large as possible, up to 2-1/2 inches in height, to enable the trade name to fit on one line.

(2) The medallion number shall be painted or permanently affixed, on both the front and rear of the vehicle, one (1) inch below the permit holder's trade name, two (2) inches high, utilizing "Univers" or other Chief Executive Officer pre-approved font in black or white lettering to produce maximum contrast adequately spaced for maximum readability.

(3) Optional Exterior Vehicle Markings. The permit holder has the option of choosing to post any combination of the below-listed five options on his or her LSV which must be posted only at the specific location and in the size noted and are subject to the Chief Executive Officer's approval.

a) Trade Name Logo. If the permit holder chooses to display his or her trade name logo, the trade name logo shall be posted only on the rear portion of both side rear quarter panels.

b) Radio Service Provider. If the permit holder chooses to display the radio service provider name or logo, the radio service provider name or logo cannot utilize the words "cab" or taxi." The radio service provider name or logo must be displayed only on the rear portion of both side rear quarter panels.

c) Telephone Number. If permit holder chooses to display a telephone number, the telephone number must be no more than two (2) inches in height and posted only on the top front portion of both front side quarter panels.

d) "Driver Carries Only \$ _____ Change." If the permit holder chooses to post "Driver Carries only \$ _____ Change," postings must be located only on panels near the rear door but clear of the rates of fare.

e) "Leased to Driver." If permit holder chooses to post "Leased to Driver," it must be posted only on both rear quarter panels near the rear door area but clear of the rate of fares in lettering no larger than 1 inch.

(4) All other exterior vehicle markings are prohibited unless they are directly related to the permit holder's business and pre-approved by the Chief Executive Officer.

(c) All LSVs shall be equipped and operated so that they may be dispatched by two-way radio communication in response to a telephone or other request for service by a prospective passenger. This requirement may not be met by use of a mobile radio telephone service.

(1) Radio must be turned on, and audible to driver, at all times the LSV is in service.

(d) The radio dispatch capability described in paragraph (d) of this section must be provided so as to conform to the regulations of the Federal Communications Commission pertaining to Land Transportation Radio Services. Failure to conform to those regulations will additionally constitute a failure to meet the requirements of this section.

- (1) The current valid FCC license shall be on file with MTS.
- (2) LSV permit holder shall provide current proof the radio has passed inspection by an MTS-approved inspector.
- (3) LSV radios shall have the capability to receive or transmit only on frequencies specified in the FCC license of the radio service subscribed to by the permit holder.
- (e) Radio scanners are not allowed in LSVs.
(Section 7.6 added 8/7/03)

SECTION 8 - EFFECTIVE DATE OF ORDINANCE

This Ordinance shall be effective 30 days after adoption, and before the expiration of 15 days after its passage, this Ordinance shall be published once with the names of the members voting for and against the same in a newspaper of general circulation published in the County of San Diego.

Amended: 2/12/15
Amended: 11/15/12
Amended: 4/19/12
Amended: 10/16/03
Amended: 8/7/03
Amended: 5/8/03
Amended: 11/14/02
Amended: 6/27/02
Amended: 5/23/02
Amended: 6/24/99
Amended: 9/24/98
Amended: 10/30/97
Amended: 4/10/97
Amended: 2/13/97
Amended: 11/9/95
Amended: 6/22/95
Amended: 1/12/95
Amended: 6/24/93
Amended: 6/27/91
Amended: 5/23/91
Amended: 10/11/90
Repealed & Readopted: 8/9/90
Amended: 4/12/90
Amended: 4/27/89
Adopted: 8/11/88

PASSED, APPROVED AND ADOPTED THIS 12th day of February 2015.



Chairman
San Diego Metropolitan Transit System

This Ordinance amendment was adopted by the following vote:

AYES: Bragg, Cole, Cunningham, Emerald, Gastil, Gloria, Mathis, McClellan,
McWhirter, Rios, Salas, Wolwode

NAYES: Minto, Roberts, Zapf

ABSENT:

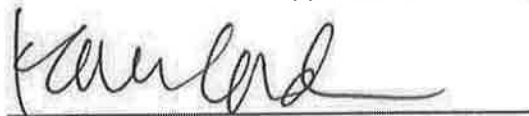
ABSTAINING:

ATTEST my hand and the seal of the San Diego Metropolitan Transit System this 12th day of February 2015.



Clerk of the Board
San Diego Metropolitan Transit System

Approved as to form:



General Counsel
San Diego Metropolitan Transit System



SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD

ORDINANCE NO. 12

Ordinance of the San Diego Metropolitan Transit
Development Board approving the form and authorizing
the execution of a Sublease Agreement, as Amended,
Between the Board and the County of San Diego

WHEREAS, the San Diego Metropolitan Transit Development Board (the "Board") has instituted proceedings to finance the acquisition and construction of an office building and parking structure (the "Facilities") on that certain land (the "Site") (together, the "Project") located in the City of San Diego and more particularly described in Exhibit A to the form of Lease Agreement, As Amended, by and between the San Diego Regional Building Authority (the "Authority") as lessor and the County of San Diego (the "County") as lessee (the Lease Agreement"); and

WHEREAS, the Board proposes to sublease a portion of the Project from the County pursuant to a sublease agreement, as amended, by and between the County and the Board (the "Sublease Agreement, As Amended") and to pay certain sublease payments thereunder in the amounts and at the times sufficient, together with payments made by the County under the Lease Agreement, to provide for the retirement of lease revenue bonds (the "Bonds") issued by the Authority to finance the acquisition, construction and improvement thereof: and

WHEREAS, the Board is required by Article 9 of Chapter 5 of Part 1 of Division 2 of the California Government Code (commencing with Section 54240 of said Code) to approve the Lease Agreement by ordinance which is subject to referendum; and

WHEREAS, the 1987 Bonds bear interest at a variable rate of interest; and

WHEREAS, the Board, the County and the Authority have determined to refund the 1987 Bonds with an issue of Bonds of the Authority (hereinafter defined as the "1989 Bonds") which will bear interest at fixed rates of interest; and

WHEREAS, in order to accurately reflect the Board's obligation to pay the Board's proportionate share of principal of and interest on the 1989 Bonds, it is necessary to approve the Sublease Agreement, As Amended, a copy of which is on file with the Clerk of the Board; and

NOW, THEREFORE, BE IT ORDAINED BY THE SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD AS FOLLOWS:

SECTION 1: Findings and Determinations

The San Diego Metropolitan Transit Development Board hereby finds and determines that it is necessary and proper for Board purposes that the Board enter into the Sublease Agreement, As Amended, with the County.

SECTION 2: Approval of Sublease Agreement, As Amended

The Board hereby approves, and authorizes and directs the Chairman of the Board to execute and the Clerk of the Board to attest and affix the seal of the Board to, the Sublease Agreement, As Amended, in substantially the form thereof on file with the Clerk of the Board, together with any changes as may be approved by the General Manager or Director of Administration and Controller and which do not materially affect the substance or materially increase the obligations of the Board; provided that such Sublease Agreement, As Amended, shall not be executed until the Facilities have been built. For purposes of this Ordinance, the Facilities will be considered built upon the Completion Date (as that term is defined in the Sublease Agreement, As Amended). The total principal components of the Sublease payments to be paid by the Board under the Sublease Agreement, As Amended, shall not exceed the amount of \$11,344,720. The amount of the lease payments to be made by the Board to the County under the Sublease Agreement, As Amended, shall conform to the Board's proportionate share of principal and interest payments of the lease revenue bonds to be issued by the Authority pursuant to that First Supplemental Trust Indenture, dated as of May 1, 1989, to finance the acquisition and construction of the Facilities; plus its proportionate share of ground rent to be made under the Ground Lease. the Board shall also be required under the Sublease Agreement, As Amended, to pay additional payments (as defined in the Sublease Agreement, As Amended).

SECTION 3: Official Actions

The Chairman of the Board, the General Manager, the Director of Administration and Controller, the Clerk of the Board, the General Counsel to the Board and any and all other officers of the Board are each authorized and directed in the name and on behalf of the Board to make any and all assignments, certificates, requisitions, agreements, notices, consents, instruments of conveyance, warrants and other documents, which they or any of them might deem necessary or appropriate in order to consummate the execution and delivery of the Lease Agreement by the Board upon completion of the Facilities.

SECTION 4: Effective Date of Ordinance

This Ordinance shall become effective thirty (30) days from and after the date of its final passage. This Ordinance shall be subject to referendum pursuant to and as provided in Section 54241 of the Government Code of the State of California and the laws of the State of California.

Adopted: 4/13/89

JPL:1st
ORIG-ORD.#12
11/23/90

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

CODIFIED ORDINANCE NO. 13
(as Adopted 8/9/01 and amended through 1/19/12)

An Ordinance Regarding Prohibited Conduct Onboard Transit Vehicles
and Prohibited Actions on or About a Transit Facility, Trolley Station, or Bus Stop

The Board of Directors of the San Diego Metropolitan Transit System (MTS) do ordain as follows:

Section 13.1: General

The use of the San Diego Metropolitan Transit System (MTS) facilities shall be conditioned upon the observance of this ordinance or any rules and regulations hereafter promulgated by MTS or pursuant to its authority; all rights, privileges, licenses and permits, express or implied, for the use of MTS facilities are revocable; and each such right, privilege, license or permit shall at the option of MTS or its duly authorized representative be revoked and canceled by and upon the breach of this ordinance or of the violation while in or upon MTS facilities or any applicable laws or ordinances.

Nothing herein contained or omitted from this ordinance shall be construed to relieve any person whatsoever from exercising all reasonable care to avoid or prevent injury or damage to persons or property.

Any requirement or provision of these rules relating to any prohibited act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act; or the permitting or the allowing of any minor in the custody of any person, doing any act prohibited by a provision hereof.

Any act otherwise prohibited by these rules shall be lawful if performed under, by virtue of, and strictly in compliance with the provisions of an agreement, permit, or license issued or approved by MTS and/or San Diego Trolley, Inc. (SDTI), and/or San Diego Transit Corporation (SDTC), and to the extent authorized thereby.

These rules are in addition to and supplement all applicable laws or ordinances.

Section 13.2: Definitions

The following terms, as used in this ordinance shall, unless otherwise expressly stated or unless the context clearly requires a different interpretation, have the following meaning.

A. Bicycle - A "bicycle" is a device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having two wheels.

B. Bus - A "bus" is any motor vehicle, other than a motortruck or truck tractor, designed for carrying more than 10 persons including the driver, and used or maintained for the transportation of passengers, except that any motor vehicle, other than a motortruck or truck tractor, designed for carrying not more than 12 persons, including the driver, which is maintained and used in the nonprofit transportation of adults to and from a work location as part of a carpool program or when transporting only members of the household of the owner thereof, shall not be considered to be a bus for the purposes of this section.

C. Bus Stop - A "bus stop" is a designated area marked by a sign depicting a specific route number or numbers for the loading and unloading of passengers from or onto a bus, which may or may not include a bench or shelter.

D. Facility or Transit Facility – A "facility" or "transit facility" includes, but is not limited to, transit centers, rail stations, bus shelters, and bus stops on public or private property.

E. Pedestrian – A "pedestrian" is any person who is afoot or who is using a means of conveyance propelled by human power other than a bicycle.

F. Tailgate – Any person standing, sitting, or remaining in the area of a vehicle, chair, table, ice-chest, barbeque, or similar device for the purpose of consuming any food or beverage, or for the purpose of socializing before during or at the conclusion of an event.

G. Trolley – A "trolley" is a vehicle which is propelled by electric power obtained from overhead trolley wires and is operated upon rails.

H. Trolley Station – A "trolley station" is a designated area marked by a sign depicting a specific line; i.e., Orange, Blue, Red, Green, etc., for the loading and unloading of passengers from or onto a trolley, which may or may not include a bench or shelter.

I. Transit Vehicle – A "transit vehicle" shall mean buses and trolleys or any other form of public conveyance utilized, owned, or controlled by MTS, SDTI, or SDTC.

J. Validator – A "Validator" is a machine used to deduct the proper fare from a Compass Card prior to a passenger boarding a bus or trolley and prior to and after a passenger boards and alights a Centre City San Diego Trolley if the passenger wishes to receive the Centre City San Diego fare (as defined in MTS Ordinance No. 4).

Section 13.3: Fares

Passengers shall be permitted on a transit vehicle or in a transit station owned, controlled, or used by MTS or its subsidiaries or contractors only upon payment of such fares and under such circumstances as may from time to time be ordained by MTS. It is unlawful for any person to refuse to pay, or to evade or attempt to evade the payment of such fares.

It is unlawful for any person to resell, or attempt to resell, any ticket, pass, token, or other form of fare media that has already been used by another passenger, or to collect, or attempt to collect any ticket, pass, token, or other form of fare media from a passenger, trash can, or other location with the intent to resell the ticket, pass, token, or other form of fare media. MTS reserves the right to confiscate any previously used or resold ticket, pass, token, or other form of fare media.

It is unlawful to purchase any used or unused ticket from any person or entity or purchase any fare media from any person or entity other than an authorized MTS ticket, pass, token, or other fare media sales agent or ticket vending machine.

If passengers are utilizing a Compass Card (as defined in MTS Ordinance No. 4), they must present their card to a fare Validator when entering a bus, prior to waiting in any fare paid zone, and prior to boarding a trolley. This procedure is known as "Tap or Tapping." Tapping is a condition precedent to utilizing MTS bus and trolley service and the Compass Card. It shall be unlawful for passengers to refuse to Tap, or to evade Tapping, or to attempt to evade Tapping when utilizing a Compass Card. MTS reserves the right to confiscate the Compass Card for noncompliance with this provision or the provisions of MTS Ordinance No. 4.

(Section 13.3 adopted and amended 1/19/12)

Section 13.4: Prohibited Conduct Onboard Transit Vehicles

It shall be unlawful for passengers or occupants while aboard a bus or trolley while the vehicle is transporting passengers in regular route service, contract, special, or community-type service within the MTS jurisdictional area to:

A. Consume any food or beverage, except that passengers may consume beverages while onboard a trolley if the beverages are contained in a spill-proof or screw-top container or bottle. Examples of such spill-proof or screw-top containers or bottles include, but are not limited to, water bottles and soda bottles with screw tops, personal beverage containers with snap-on or screw-on lids, and coffee cups or mugs with snap-on or screw-on lids.

B. Smoke or carry a lighted or smoldering pipe, cigar, cigarette, or tobacco in any form.

C. Operate any radio, phonograph, tape player, or other such instrument that is audible to any other person on a transit vehicle.

D. Expectorate.

E. Discard litter.

F. Extend his/her head, hand, arm, foot, leg, or other portion of the body through any window.

G. Interfere in any manner whatsoever with the operator or operation of any bus or trolley.

H. Possess an open alcoholic beverage container, irrespective of whether the container is spill-proof or screw-top.

I. Ride any bike, skateboard, or scooter.

J. No person shall put his foot on any seat provided for any passengers on a bus or trolley, or place any article on such seat which would leave grease, oil, paint, dirt, or any other substance on such seat.

K. No person shall activate without justification, mutilate, deface or misuse in any manner, any safety device or intercom located onboard a bus or trolley.

L. No person shall ride upon the outside or roof of any bus or trolley.

(Section 13.4 amended 01/18/07)

Section 13.5: Prohibited Actions on or About a Transit Facility

A. No person (except MTS/SDTI/SDTC employees, agents, or authorized visitors) shall enter upon the roadbed, tracks, structures, right-of-way, or other parts of a transit facility, which are not open to passengers or to the public.

B. No person shall drink any alcoholic beverage or possess an open alcoholic beverage container on or in a transit facility except on premises licensed therefor.

C. No person shall sit, lie, or stand with any portion of his/her body extending within 8 feet 6 inches of the centerline of the outside rail on straight track or within 9 feet 6 inches of the centerline of the outside rail on curved track except while entering or alighting from a trolley stopped at that station.

D. No person shall injure, deface, destroy, loosen, remove, or tamper with the transit facility.

E. No person shall injure, mutilate, deface, alter, change, displace, remove, or destroy any sign, notice, signal, or advertisement on the transit facility.

F. No person shall interfere with any lamp, electric light, electric fixture, or density on the transit facility.

G. No person shall write, paint, or draw any inscription or figure on or deface any transit facility.

H. No person shall disobey or disregard the notices, prohibitions, instructions, or directions on any sign posted on the transit facility.

I. No person shall interfere with, encumber, obstruct, or render dangerous any transit facility.

J. No person shall throw or project a stone or other missile at any trolley, bus or at any person or thing on or in the transit facility.

K. No person shall throw or project a stone or other missile from any transit facility or transit vehicle.

L. No person shall fail or refuse to comply with any lawful order or direction of any MTS inspector, security officer, whether an employee or designated agent of MTS, or any peace officer.

M. No person shall do, aid, abet, or assist in doing any act which may be dangerous, harmful, or injurious to any person or property within the transit facility, said act being not specifically prohibited herein.

N. No person shall put his foot on any seat provided for any passengers of the transit facility or place any article on such seat which would leave grease, oil, paint, dirt, or any other substance on such seat.

O. No person shall urinate or defecate in or upon unauthorized locations on the transit facility.

P. No person shall post, distribute, or display commercial signs, advertisements, circulars, handbills, or written material of a commercial nature on or within the transit facility, nor shall any person engage in any verbal solicitations of a commercial nature on or within said transit facility.

Q. No person shall climb upon or jump the trolley couplers.

R. No person shall discard litter in any transit facility or transit vehicle.

S. No person shall loiter in the immediate vicinity of any posted property.

T. No person shall tailgate.

(Section 13.5 amended 06/28/07)

Section 13.6: Animals

No person shall bring, carry unto, or convey upon the transit facility, a dog, or other animal, unless it is completely enclosed in a carrying case, which can be accommodated in the lap of a passenger with no danger or annoyance to other passengers. This rule shall not apply to a "service" or "assistance" animal. A "service" or "assistance" animal is trained to assist persons with disabilities. Such animals shall be properly harnessed when possible. Service or assistance animals must be under the control of the person at all times. MTS reserves the right to inquire about the status of such animals.

(Section 13.6 amended 6/28/07)

Section 13.7: Meetings

No person shall hold any meeting, perform any ceremony, make any speech, address or oration, exhibit, or distribute any sign, placard, notice, declaration, or appeal of any kind or description within any transit facility or upon any transit vehicle or platform without written permit from an MTS official.

Section 13.8: Selling, Peddling, Leasing, Etc.

No person shall exhibit, sell, or offer for sale, hire, lease, or let out in or about the transit facility or a transit vehicle any object or merchandise, whether corporeal or incorporeal, except concessions under contract to MTS.

No person shall solicit previously purchased or used tickets, passes, tokens, or other fare media from another passenger or collect any previously purchased or used tickets, passes, tokens, or other fare media from a trash receptacle, platform, transit facility, or passenger.

(Section 13.8 amended 05/28/09)

Section 13.9: Bicycles

Bicycles are permitted on transit vehicles under the following conditions:

- A. Bicyclists must be at least 16 years of age and have a valid proof of payment of fare.
- B. Only one bicycle is allowed onboard a trolley during the hours of 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. weekdays. At any other time, no more than two bicycles per trolley will be allowed. No bicycles will be permitted in the aiseways at any time.
- C. Bicycles will be permitted to board trolleys at the rear doors only and must be placed against the rear driver's cab.
- D. Bicyclists must remain with their bicycles at all times.
- E. When part of a group charter, more than two bicycles per car may be permitted at the sole discretion of MTS.

(Section 13.9 amended 01/18/07)

Section 13.10: No Smoking at any Transit Facility or Bus Stop

No person shall smoke any materials, whether tobacco or any other product using any device, cigarette, cigar, pipe, or any other apparatus, or utilize any smoking device, cigarette, cigar, pipe, or other apparatus at the following locations owned, operated, or controlled by MTS, SDTI and/or SDTC:

- A. Within 25 feet from any bus stop;
- B. Within 25 feet of any trolley station; and
- C. Within 25 feet of any transit facility.

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Adopted & Amended: 01/19/12
Amended: 05/28/09
Amended: 11/13/08
Amended: 06/28/07
Amended: 01/18/07
Amended: 06/09/05
Amended: 05/26/05
Amended: 10/28/04
Adopted: 08/09/01