



1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
(619) 231-1466 • FAX (619) 234-3407

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE

July 7, 2021

10:00 a.m.

Meeting will be held via webinar

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**ACTION
RECOMMENDED**

- | | | |
|----------------------------|--|---------------|
| 1. | ROLL CALL | |
| 2. | APPROVAL OF MINUTES - April 28, 2021 | Approve |
| 3. | PUBLIC COMMENTS | |
| COMMITTEE DISCUSSION ITEMS | | |
| 4. | 2021 Regional Transit Plan Update (Jennifer Williamson, And Krystal Ayala of SANDAG) | Informational |
| 5. | Proposed Changes To Taxicab Advisory Committee Election (TAC) Process (Leonardo Fewell) | Informational |
| 6. | Appointment to Fill Vacancy And Proposed Revisions to the Taxicab Advisory Committee (TAC) Membership Guidelines (Leonardo Fewell) | Informational |
| 7. | Addition of Demotech Ratings to For-Hire Vehicle Administration Minimum Insurance Requirements (Leonardo Fewell) | Informational |



8.	<u>For-Hire Vehicle Administration Statistics Quarterly Report (2021 Permit Renewals and Permit Reinstatement Fee Extension) (Leonardo Fewell)</u>	Informational
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9.	<u>Assembly Bill (AB) 302 Update (Leonardo Fewell)</u>	Informational
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OTHER ITEMS

10.	<u>Topics for Next Taxicab Advisory Committee Meeting (Leonardo Fewell)</u>	Informational
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11.	<u>Committee Member Communications</u> Brief comment on any taxicab related item not included in the Agenda
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12. .	NEXT MEETING DATE: October 27, 2021
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13. .	ADJOURNMENT
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MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

MINUTES

April 28, 2021

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. Note that the meeting was conducted via webinar to comply with public health orders].

1. Roll Call

Chair Member Elo-Rivera called the Taxicab Advisory Committee meeting to order at 10:00 a.m. A roll call sheet listing Taxicab Advisory Committee member attendance is attached.

2. Approval of Minutes

Marc Nichols moved to approve the minutes of the January 27, 2021, San Diego Metropolitan Transit System (MTS) Taxicab Advisory Committee meeting. Peter Zschiesche seconded the motion, and the vote was 12 to 0 in favor with Nasser Tehrani, Antonio Hueso, Margo Tanguay, absent.

3. Public Comments

There were no Public Comments.

COMMITTEE DISCUSSION ITEMS

4. Proposed Changes to the Election Process for Taxicab Advisory Committee Representatives

Leonardo Fewell, MTS For-Hire Vehicle Administration Manager presented on proposed changes to the election process for Taxicab Advisory Committee representatives including: background on Taxicab Advisory Committee election process, proposed alternatives to current election process and next steps.

COMMITTEE COMMENT

Chair Member Elo-Rivera encouraged the committee to give MTS staff feedback in order to ensure a functional election for the industry.

David Tasem suggested that the agency move forward with option three (3). He requested that the taxicab owner's information be used only for voting purposes. David Tasem commented that an in-person voting process would be the most effective.

Peter Zschiesche was in support of the combination of option two (2) and three (3). He noted the importance for the agency to communicate with permit holders and the inclusion of lease drivers.

Marc Nichols noted a similar process at the Airport Authority with open taxi transition and explained the obstacle in obtaining information with lease driver information. He agreed the agency could go forward with an online voting platform once the agency has the ability to have permit holder and lease driver email addresses.

Akbar Majid asked for information on whether option one (1) and two (2) were a viable option if the agency were to have access to the contact information from the Sheriff's Department.

Mr. Fewell clarified the purpose of the third option would be to obtain a list of email addresses for lease drivers.

Akbar Majid asked for information on whether option one (1) and two (2) would be eliminated if the agency were to obtain all the email addresses from the Sheriff's Department.

Mr. Fewell clarified the third option would create a repository to gather lease driver emails, while continuing to allow ballots to be submitted by mail or in person.

Samantha Leslie, MTS Staff Attorney clarified the data collection portion of option three (3) was to make information about the election process more available to drivers.

Akbar Majid noted that he was in support of an online process. He noted this process was accessible and simple and would like an online submission be the goal for the agency.

Chair Member Elo-Rivera thanked the committee for their input and MTS staff for their recommendations.

Action Taken

No action taken. Informational item only.

5. For-Hire Vehicle Administration Permit and Statistics Quarterly Report

Mr. Fewell presented on for-hire vehicle administration permit and statistics quarterly report including: total number of permitted companies and permits by type, number of active and surrendered permits, first quarter 2021 field inspections statistics, customer feedback cases from January-March 2021 and San Diego airport pick up trips in 2021.

COMMITTEE COMMENT

Akbar Majid advocated on behalf of certain permit holders, which noted they would not be able to pay taxi regulatory fees next month. As a resolution, he suggested Taxicab Advisory Committee seek out funding from the City of San Diego. He asked for financial alleviation due to the impacts of the pandemic.

Chair Member Elo-Rivera asked staff for information on the eligibility of taxicab drivers for small business fee relief throughout the city, county or other levels of government.

Mr. Fewell noted the taxicab permit holders are required to have a business tax certificate from the City of San Diego to apply and maintain a permit and thus may be considered small businesses. He clarified that the agency cannot act as a representative in this capacity for the industry. He noted that as small businesses, the industry is able to seek out government relief.

Chair Member Elo-Rivera asked the Taxicab Advisory Committee their experience in accessing that funding as a small business.

Mr. Fewell stated that the United Taxicab Workers supports the industry by assisting drivers to seek relief and would be the best party to reference.

Peter Zschiesche responded, that as small businesses, taxi drivers have been able to submit applications for pool reimbursements. He noted the difficulty taxi drivers experience in the application process for this funding. He stated the industry needs outside help to understand the loan application process. He asked if the City of San Diego could provide resources so that drivers can learn what funding is available.

Akbar Majid agreed the application process is a complicated to navigate. He was concerned about a significant number of Uber, Lyft and other taxi drivers filing unemployment rather than

continueing working. He notes that there is a dependence on taxicab service for vulnerable populations and fears there will be less drivers in the upcoming month and noted the May 10th regulatory fee due date as a crucial deadline.

George Abraham was frustrated about the struggles and lack of financial relief the industry has faced during the pandemic. He stated a lack of lease drivers as one of the biggest challenges facing the taxicab industry.

Chair Member Elo-Rivera announced to the committee that the Chair's office would provide information on small business and alternative forms of relief including utility and rental assistance. He noted information accessibility and application assistance as immediate next steps. He acknowledged current funding is insufficient and highlighted cultural competence, language accessibility and technolocical barriers as current obstacles. He noted that the industry is not able to function at the capacity that it should which, further jeopardizes the industry as clients look elsewhere to support their needs.

Action Taken

No action taken. Informational item only.

6. For-Hire Vehicle Administration Operations Update

Mr. Fewell presented on for-hire vehicle administration operations update including: administrative staff and offices, business communications and payment methods, required driver safety training, development of wheelchair accessible vehicle policies.

COMMITTEE COMMENT

Akbar Majid asked why the annual statement cannot be submitted via email and the regularly fee can not be sent via mail.

Mr. Fewell clarified both documents could be submitted via email however, the vehicle inspection form is required to be submitted jointly with the invoice provided by the mechanical inspection facility. He noted permit holder's preference to submit payments in person.

David Tasem asked the administrative staff list be emailed to Taxicab Advisory Committee Members so that they can directly talk to staff about complaints.

Mr. Fewell clarified this list will be emailed to Taxicab Advisory Committee Members after the meeting. In addition, Mr. Fewell made himself available to Taxicab Advisory Committee Membersl.

Alfred Banks asked for information on whether MTS and the Airport Authority could get involved and provide insurance for the taxicab industry.

Mr. Fewell explained the insurance industry is a private market where public agencies could not intervene in facilitating cost negotiations and encouraged the industry to resolve the issues directly with the insurance provider. He was hopeful additional insurance companies would be willing to come in to the San Diego market to underwrite needed policies and provide additional options to the permit holders. He continued to explain the limitations of MTS intervention in the insurance market.

George Abraham asked for a payment extension similarly to the extension provided in 2020.

Peter Zschiesche commented, he has been in communication with Assembly Member Chris Ward to determine what limits insurance companies to enter to the San Diego taxicab market. He noted his contact with the former Taxicab Advisory Committee Chair in order for the State to facilitate insurance providers. He noted additional insurance companies offering coverage in San Diego is the best option.

Chair Member Elo-Rivera thanked the Taxicab Advisory Committee Members for their participation. He hoped to turn their comments into an action plan.

Action Taken

No action taken. Informational item only.

7. Updated COVID-19 Sanitary Measures for Taxicab, Jitney, Low-Speed, Charter and Nonemergency Medical (NEM) Vehicles

Mr. Fewell presented an update of COVID-19 Sanitary Measures for taxicab, jitney, low-speed, charter and NEM vehicles.

COMMITTEE COMMENT

Peter Zschiesche encouraged more agency interference to relieve driver confrontations with passengers over mask policies. He suggested the agency follow up with passengers to inform them of the agency's mask policy. He encouraged the agency to market the industry as a safer and better transit alternative and suggested the advertisement of this on a banner at the airport or through public service announcements.

Marc Nichols thanked the agency on the COVID-19 mitigation efforts. He noted the extensive COVID-19 requirements in place for daily operations and commended the agency's vigilance and support. He acknowledged the agency had advertising guidelines that would limit some forms of advertisement but was happy to promote the industry through social media outlets.

David Tasem noted the taxicab industry is the only ride hailing service that could provide handicap accessibility.

Alfred Banks added, some passengers have mask exemptions.

Action Taken

No action taken. Informational item only.

8. Topics for Next Taxicab Advisory Committee Meeting

Mr. Fewell presented on potential topics for next taxicab advisory committee meeting on July 7, 2021.

Chair Member Elo-Rivera remarked, the item was added to ensure priorities of the industry are being considered.

COMMITTEE COMMENT

Peter Zschiesche encouraged the participation of San Diego Association of Governments (SANDAG) to advocate for state and federal funding on behalf of the industry. He stated SANDAG is currently working on their transportation plan for the region which includes all forms

of transportation including taxis and flexible fleets. He noted the importance for the agency to be involved in the SANDAG Regional Plan.

Chair Member Elo-Rivera encouraged Taxicab Advisory Committee Members to add their input. He noted feedback regarding short- and long-term goals were encouraged.

Marc Nichols offered an update on airport operations at the next regularly scheduled meeting.

Action Taken

No action taken. Informational item only.

9. Committee Member Communications

Marc Nichols gave an update on behalf of the San Diego Airport Authority including: COVID-19 business impacts, permitting issues including taxi transition on airport trips and airport construction. He also noted the Airport Ground Transportation Association “Let’s Talk About It” zoom meeting which covered COVID-19 recovery challenges, and other airport operational issues. He offered the presentations for distribution amongst the Taxicab Advisory Committee members. He continued with the current airport taxi activity and stated that they are experiencing taxi shortages at the Airport, particularly during weekend peak hours, with a drop-off in transportation network company trips. He reminded the committees that airport permits can be obtained by emailing the airport’s ground transportation department at gtpermits@san.org.

10. Next Meeting Date

The next Taxicab Advisory Committee meeting is scheduled for July 7, 2021, at 10:00 a.m.

11. Adjournment

Chair Member Elo-Rivera adjourned the meeting at 11:37 a.m.

/S/ Sean Elo-Rivera

Chairperson

San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE (TAC) MEETING
ROLL CALL

MEETING OF (DATE): April 28, 2021 CALL TO ORDER (TIME): 10:00 am

ADJOURN: 11:36 am

COMMITTEE MEMBER	(Alternate)	ORGANIZATION	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
Voting Committee Members				
Sean Elo-Rivera (Chair)	<input checked="" type="checkbox"/> None	<input type="checkbox"/> MTS Board of Directors/ SD City Council	10:00am	11:36am
Akbar Majid	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Taxicab Owner/SDYC Holdings, LLC	10:00am	11:36am
Alfred Banks	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Taxicab Lease Driver	10:00am	11:36am
Antonio Hueso	<input type="checkbox"/> None	<input type="checkbox"/> USA Cab, LTD		
Brian Hilemon	<input checked="" type="checkbox"/> None	<input type="checkbox"/> San Diego Tourism Authority	10:00am	10:10am
Daryl Mayekawa	<input checked="" type="checkbox"/> None	<input type="checkbox"/> San Diego Convention Center	10:00am	11:36am
David Tasem	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Taxicab Lease Driver	10:00am	11:36am
George Abraham	<input checked="" type="checkbox"/> Daniel Fesshaye	<input type="checkbox"/> Taxicab Owner/Eritrean Cab Co.	10:10am	11:36am
Guillermo Morquecho	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Taxicab Lease Driver	10:02am	11:36am
VACANT	<input type="checkbox"/> None	<input type="checkbox"/>		
Marc Nichols	<input checked="" type="checkbox"/> Michael Anderson	<input type="checkbox"/> San Diego County Regional Airport Authority	10:02am	11:36am
Margo Tanguay	<input type="checkbox"/> None	<input type="checkbox"/> Taxicab Lease Driver		
Michael Trimble	<input checked="" type="checkbox"/> None	<input type="checkbox"/> San Diego Gaslamp Quarter Association	10:17am	11:36am
Mikail Hussein	<input type="checkbox"/> Peter Zschiesche	<input checked="" type="checkbox"/> United Taxi Workers Federation San Diego	10:00am	11:36am
Nancy Gudiño	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Cross Border X-Press	10:00am	11:36am
Nasser Tehrani	<input type="checkbox"/> Kamran Hamidi	<input type="checkbox"/> Taxicab Owner/N.A.T. Cab Co		
Non – Voting Committee Members				
Garret Cooper	<input type="checkbox"/> None	<input type="checkbox"/> San Diego Department of Agriculture, Weights and Measures		
Edna Rains	<input checked="" type="checkbox"/> None	<input type="checkbox"/> San Diego County Sheriff's Department Licensing Division	10:00 am	11:36am

CLERK OF THE TAC: /S/Dalia Gonzalez For-Hire Vehicle
Administration Manager: /S/Leonardo Fewell



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Agenda Item No. 4

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE

July 7, 2021

SUBJECT:

2021 REGIONAL TRANSIT PLAN UPDATE (JENNIFER WILLIAMSON, AND KRYSTAL AYALA OF SANDAG)

INFORMATIONAL ITEM:

Budget Impact

None with this item

DISCUSSION:

In February 2019, the SANDAG Board of Directors approved an action plan to create a bold new transportation vision with the goal to transform the way people and goods move throughout the region. SANDAG is applying data-driven strategies, innovative technologies, and stakeholder input to create a future system that is faster, fairer, and cleaner. Part of this data-driven approach includes the implementation of five key transportation strategies referred to as the 5 Big Moves.

This update will focus on taxicab and other for-hire vehicles integration to the regional transit plan and each of the 5 Big Moves: Next OS, Complete Corridors, Transit Leap, Mobility Hubs, and Flexible Fleets.

To review the draft 2021 SANDAG Regional Plan, visit: <https://sdforward.com/mobility-planning/2021-regional-plan>.

/S/ Leonardo Fewell

Leonardo Fewell

For-Hire Vehicle Administration Manager

Key Staff Contact: Leonardo Fewell, 619.235.2643, Leonardo.Fewell@sdmts.com

1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 • (619) 231-1466 • sdmts.com



San Diego Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego. MTS is also the For-Hire Vehicle administrator for nine cities.

IN - MEETING PUBLIC COMMENT

Enrique Arcilla provided a live public comment for agenda item #4. Arcilla's statement will be reflected in the minutes.

IN - MEETING PUBLIC COMMENT

Lili Irani provided a live public comment for agenda item #4. Irani's statement will be reflected in the minutes.



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Agenda Item No. 5

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE

July 7, 2021

SUBJECT:

PROPOSED CHANGES TO TAXICAB ADVISORY COMMITTEE ELECTION (TAC)
PROCESS (LEONARDO FEWELL)

INFORMATIONAL ITEM:

Budget Impact

None.

DISCUSSION:

At the April 28, 2021 Taxicab Advisory Committee (TAC) Meeting, staff proposed changes to the election process for TAC representatives to avoid having vacancies in the next election, and to save staff time and costs in mailing out and processing ballots.

TAC members requested that the election process remain generally the same, however, the agency should better utilize email addresses for outreach purposes and online resources. Based on these recommendations, staff proposes the following election process for permit holders and lease driver representatives.

MTS will request that the San Diego County Sheriff's Department, License and Registration Division (San Diego County Sheriff), share all available e-mail addresses of eligible lease drivers. San Diego County Sheriff may not have e-mail addresses for all lease drivers. In these cases, MTS will work with the taxicab industry to gather these lease drivers' e-mail addresses. For-Hire Vehicle Administration already maintains records of all permit holder contact information, including email addresses. MTS would notify lease drivers and permit holders of the upcoming TAC election by email, with detailed information on how to self-nominate and voter submittal instructions.

MTS will provide a physical ballot to lease drivers or permit holders whom prefer to vote



in person or by mail, if so requested. To ensure that no one has the ability to vote more than once (i.e. vote by physical ballot and vote online), a timely request to have a physical ballot is necessary to ensure access to online voting is not available.

Staff is currently exploring various online voting options to allow lease drivers and permit holders to cast their votes online. Ease of use, costs, and other factors are being considered.

If positive feedback is received regarding this proposal, additional details such as dates, online voting, outreach plan, and information on creating the voting validation sub-committee will be provided at the next October 27, 2021 TAC Meeting.

/S/ Leonardo Fewell
Leonardo Fewell
For-Hire Vehicle Administration Manager

Key Staff Contact: Leonardo Fewell, 619.235.2643, Leonardo.Fewell@sdmts.com



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Agenda Item No. 6

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE

July 7, 2021

SUBJECT:

APPOINTMENT TO FILL VACANCY AND PROPOSED REVISIONS TO THE TAXICAB
ADVISORY COMMITTEE (TAC) MEMBERSHIP GUIDELINES (LEONARDO FEWELL)

INFORMATIONAL ITEM:

Budget Impact

None with this item.

DISCUSSION:

Current TAC guidelines designate five (5) seats for representation of taxicab permit holders; three (3) seats are for representation of permit holders with four (4) or more permits and two (2) seats are for representation of permit holders of one (1) to three (3) permits.

Since 2016, there has been a gradual reduction of taxicab permits. Many of these permits were formally held by corporations, partnerships, or sole proprietors of four (4) or more permits. Due to increased operational costs and loss of market share to Transportation Network Companies (TNCs), there has been a decline in taxicab permits operated by leased drivers, as permit holders of multiple permits expressed a decline in profit margins. The majority of taxicab permit holders are now considered owner-operators.

As of June 24, 2021, out of a total of 335 taxicab companies, 324 companies (97%), are companies with three (3) or less vehicle permits. Of the total 335 taxicab companies, 11 companies (3%) have four (4) or more permits. In terms of taxicab vehicles, out of 552 permitted vehicles, 413 taxicab vehicles (75%) are owned by companies of three (3) or less permits and 139 taxicab vehicles (25%) are owned by companies of four (4) or more permits.



1. Appointment of Hamid Amini to Fill Permit Holder seat vacancy of four (4) or more permits

Mr. Houshang Nahavandian's, who held a seat for the permit holder of four (4) or more permits, no longer meets the criteria for TAC membership due to the transfer of his permits. At the previous TAC Meeting, staff announced this vacancy and requested feedback in filling the vacancy. No feedback was received as of June 24, 2021.

In accordance to TAC guidelines, Section 2.8: "The Taxicab Advisory Committee or the Chief Executive Officer or designee shall make an interim appointment if a member's seat becomes vacant within the three-year term", the MTS CEO or their designee has appointed Mr. Hamid Amini, permit holder for Jazzy Cab, to the permit holder of four (4) or more category seat for the remainder of the current TAC term.

2. Proposed Revisions to Taxicab Advisory Committee Membership Guidelines.

Based on these recent trends in permit ownership and in order to achieve equitable permit holder representation at the TAC, MTS is requesting feedback on the following proposals to revise the TAC Membership Guidelines:

1. Maintain five (5) Permit Holder Seats but Remove Permit Holder Categories: This proposal would allow every permit holder in good standing, regardless of the number of permits held at the time of self-nomination, to become eligible for membership on the TAC. Each of the five (5) permit holder seats would be filled by the five (5) permit holder candidates that receive the highest respective vote totals;
2. Reduce the Number of Seats for Permit Holders with Four (4) or More Permits: Representation: This proposal would reduce the current number of three (3) seats for permit holders of four (4) or more permits, to two (2) or one (1) seats. Depending on the number of seats to be reduced, the two (2) seats currently allowed for permit holders of three (3) or less permits would increase to three (3) or four (4) seats, respectively; and/or
3. Change Permit Holder Category for Permit Holder of Four (4) or More Permits to Permit Holder of Two (2) or More Permits: This proposal would expand the pool of eligible permit holders to file the category of permit holders with multiple permits.

Based on feedback received on these proposals, staff will present final recommendations at the October 27, 2021 TAC meeting, along with the proposed red-line version of the TAC Membership Guidelines. Board of Directors approval is required for any changes to TAC Membership Guidelines. The TAC membership current term is set to expire in July 2022.

/S/ Leonardo Fewell
Leonardo Fewell

For-Hire Vehicle Administration Manager

Key Staff Contact: Leonardo Fewell, 619.235.2643, Leonardo.Fewell@sdmts.com

Attachment: A. Taxicab Advisory Committee Guidelines



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SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE GUIDELINES

1 PURPOSE

The Taxicab Advisory Committee's purpose is to:

- 1.1 Provide feedback to the Chief Executive Officer and designated staff on taxicab matters to formulate recommended courses of action that the Chief Executive Officer or Board of Directors, whichever applicable, may review for approval;
- 1.2 Review summaries of administrative hearing officer decisions concerning taxicab owner and driver penalties;
- 1.3 Discuss taxicab owners'/drivers' written grievances;
- 1.4 Review summaries of complaints concerning taxicab service;
- 1.5 Review vehicle inspection criteria, process, results, and rankings;
- 1.6 Review the Chief Executive Officer's Annual Fee Schedule; and
- 1.7 Comment on MTS's work program concerning taxicab matters.

2 MEMBERSHIP

Sixteen voting members are appointed as follows:

- 2.1 One representative of the MTS Board of Directors appointed on an annual basis, who will be designated by the MTS Board of Directors to serve as Chair of the Taxicab Advisory Committee.
- 2.2 One member appointed by the San Diego Tourism Authority, the San Diego County Regional Airport Authority, San Diego Convention Center, Gaslamp Quarter Association, Cross Border Express, and the United Taxi Workers of San Diego (UTWSD), each serving a three-year term.



Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the taxicab administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company. MTS 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.

- a. Each organization or agency may designate one (1) alternate member by providing written notification to the MTS Clerk of the Taxicab Advisory Committee.
 - b. The UTWSD member must either be: a current member of the UTWSD; or be a current employee or other authorized representative of the UTWSD.
- 2.3 Five taxicab owners with at least three years' experience and in good standing, each serving a three-year term, elected by taxicab owners, divided as follows: two seats are designated for representation of owners of one to three taxicabs; and three seats are designated for representation of owners of four or more taxicabs.
- 2.4 Four taxicab lease drivers in possession of a San Diego Sheriff's Department-issued Taxicab Driver Identification Card valid in the MTS areas of jurisdiction, being in good standing with the Sheriff's Licensing Division, and currently serving as a driver for at least three years leading up to the election. The election shall comply with the following guidelines:
- a. Lease driver representatives shall be elected by licensed drivers operating in MTS areas of jurisdiction.
 - b. Lease driver representative elections shall take place every three years at the same time as the owner representative elections.
- 2.5 The taxicab owners, lease drivers and UTWSD representatives shall meet the eligibility requirements at all times while serving on the Taxicab Advisory Committee.
- 2.6 A taxicab owner member unable to attend a meeting may appoint an alternate from the same or similarly sized company to attend in their absence.
- 2.7 A taxicab driver unable to attend a meeting may appoint a driver with a similar experience level (within 2 years), not less than three years, to attend in their absence.
- 2.8 The Taxicab Advisory Committee or the Chief Executive Officer or designee shall make an interim appointment if a member's seat becomes vacant within the three-year term.
- 2.9 The Vice Chair will be the Taxicab Administration Manager.
- 2.10 One non-voting member will be appointed by the County of San Diego's Department of Agriculture, Weights and Measures.
- 2.11 One non-voting member will be appointed by the County of San Diego Sheriff's Department.

3 REMOVAL AND RESIGNATION

- 3.1 Any member who misses four (4) consecutive meetings may be subject to removal. For any member who has missed three (3) consecutive meetings, a documented warning shall be provided to the member.
- 3.2 A member may resign by providing written notification to the MTS Clerk of the Taxicab Advisory Committee.

4 MEETINGS

- 4.1 Taxicab Advisory Committee meetings are subject to the provisions of the Ralph M. Brown Act, California Government Code, Section 54950, et. seq.
- 4.2 Taxicab Advisory Committee meetings will be held quarterly at the offices of MTS.
- 4.3 The agenda for each meeting will be posted in the MTS lobby.
- 4.4 The agenda, backup materials, and minutes of the previous meeting will be sent to each member in advance of the meetings, upon request.
- 4.5 The Chair may call additional meetings, as necessary.
- 4.6 Fifty-one percent attendance is a quorum to hold a meeting.

5 VOTING

- 5.1 Each voting member of the Taxicab Advisory Committee has an equal vote.
- 5.2 Fifty-one percent of the votes of those in attendance will approve an item.
- 5.3 A roster of the Taxicab Advisory Committee members who voted will be provided to the MTS Board of Directors, along with the item, for MTS Board action on an agenda item.

6 SUBCOMMITTEES

- 6.1 MTS Board of Directors approval is required to establish a standing subcommittee. The Workshop of Regulatory Matters is a standing subcommittee for Taxicab Advisory Committee and is subject to the Brown Act.
- 6.2 Chief Executive Officer or designee approval is required to establish an ad hoc subcommittee.

7 APPROVAL

- 7.1 These Guidelines were revised by the MTS Board of Directors on August 13, 2020.
- 7.2 The MTS CEO shall have the authority to implement additional procedures to carry out elections and maintain regular and orderly meetings of the Taxicab Advisory Committee.



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Agenda Item No. 7

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE

July 7, 2021

SUBJECT:

ADDITION OF DEMOTECH RATINGS TO FOR-HIRE VEHICLE ADMINISTRATION
MINIMUM INSURANCE REQUIREMENTS (LEONARDO FEWELL)

INFORMATIONAL ITEM:

Budget Impact

None with this item

DISCUSSION:

I. History of MTS's Revisions to its Permit Holder Insurance Requirements:

In an attempt to provide more opportunities to Taxicab and other For-Hire Vehicle permit holders to find affordable insurance premiums, For-Hire Vehicle Administration has made several revisions to its minimum insurance requirements in recent years. These revisions were aimed at reducing premium costs while focusing on public safety and industry standards. The following is a summary of recent revisions made in consultation with the Taxicab Advisory Committee (TAC), MTS Risk Management, and insurance professionals.

In July 2015, the TAC recommended that MTS allow non-California admitted insurance companies to offer For-Hire vehicle insurance for Taxicab permit holders. The MTS Board of Directors approved this revision on September 17, 2015. Unfortunately, this change did not result in any significant decrease to insurance premiums.



In early 2018, ad-hoc committee meetings were held to discuss the potential of reducing the required minimum liability from the \$1,000,000 level. Any recommendations for lower limits needed to remain in line with industry standards, take in to account current settlement trends as well as include public safety needs. After careful analysis of input and data from the various committee members, MTS sought and received approval from the City of San Diego to reduce the minimum public liability limit for vehicles of nine (9) passengers or less from \$1,000,000 combined single limit (CSL) to the current limit of \$350,000 CSL. This reduction of liability limits did not result in a significant decrease to insurance premiums.

On January 17, 2020, MTS convened an ad-hoc committee meeting with the purpose of examining the feasibility of removing or reducing the current A.M. Best A- minus (A-) rating standard. The intent was to allow more insurance companies to come into the San Diego taxicab and for-hire vehicle market. A peer agency review was conducted, in consultation with MTS risk management and insurance industry professionals. As a result, the A.M. Best A minus (A-) rating was reduced to the current A.M. Best B minus (B-) rating. Due to insurance market conditions, as of May 2021, no insurance companies with an A.B. Best B minus (B-) rating have come into the San Diego taxicab and for-hire vehicle market.

II. Recent Addition of Demotech Rated Insurance Companies

Effective June 18, 2021, Demotech rated insurance companies with a rating of “A” or higher was added to the For-Hire Vehicle Administration Minimum Insurance Requirements. Before Demotech’s addition to the minimum insurance requirements, For-Hire Vehicle Administration only accepted insurance companies with a minimum A.B. Best rating of B minus (B-) or above. This change results in Gateway Insurance Company being added to the list of For-Hire Vehicle Administration insurance providers that meet FHVA’s insurance requirements.

III. Current Trends on Insurance Costs

Taxicab and other For-Hire Vehicle permit holders continue to report increased operational costs. The largest and most significant being the annual costs of public insurance liability, which increases on a yearly basis.

In an effort to continue to learn more about what can be done to help the industry in terms of insurance costs, For-Hire Vehicle Administration has requested the California Department of Insurance provide information on what type of state minimum insurance regulation apply to taxicabs, as well as information on insurance companies that currently insure taxicabs and other related resources.

California Department of Insurance staff provided For-Hire Vehicle Administration with instructions on how to navigate the departments website:
www.insurance.ca.gov.

The website provides information of all California admitted companies that offer commercial auto insurance, as well as business information from commercial auto insurance brokers.

IV. County of San Diego Insurance Requirements for Non-Emergency Medical Vehicles

MTS is currently providing the County of San Diego Emergency Medical Services Division (County of San Diego) a list of insurance companies providing insurance policies to permit holders. County of San Diego is reviewing whether to lower their current liability limit of \$2,000,000 for Nonemergency Medical Transportation Vehicles (NEMT). The County of San Diego will likely determine whether they will be reducing their liability limit by the end of 2021.

/S/ Leonardo Fewell _____
Leonardo Fewell
For-Hire Vehicle Administration Manager

Key Staff Contact: Leonardo Fewell, 619.235.2643, Leonardo.Fewell@sdmts.com

Attachment: A. MTS Minimum Insurance Requirements, Red line document
B. CA Department of Insurance, website instructions

INSURER'S VERIFICATION OF COMPLIANCE

Metropolitan Transit System (MTS), a California Public Agency, requires the following verification of insurance be submitted along with the Acord Certificate of Liability Insurance.

Insurer must sign below, which warrants the insurance policy provides coverage that meets or exceeds state and local laws and ordinances governing financial responsibility for ownership, use, maintenance, and operation of covered vehicles, specifically:

- **MTS Ordinance No. 11, 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, 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.

"Insurance Requirements" as listed on the other side of this form.

- **California's Financial Responsibility Law, California Vehicle Code Sections 16000 through 16560, inclusive (does not apply to non-motorized vehicles).**

Insurer further warrants that any modification to the policy will not reduce coverage such that it fails to meet the requirements of applicable state and local laws and ordinances.

Insured (MTS vehicle permit holder): _____

Vehicles: Refer to the current Acord Certificate of Liability Insurance for description of the covered automobiles.

Insurer: _____

Policy No.: _____ Policy Term: _____ to: _____

Limits: _____

Name: _____ Telephone Number: _____

Title: _____

Address: _____

Signature

Date

Note: Signature of the agent or broker will not be accepted. Signatory must be a current officer or employee of the insurance company who is duly authorized to sign on its behalf. The signature must be an original. Signature stamps are unacceptable.

MTS For-Hire Vehicle Administration

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San Diego Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego. MTS is also the For-Hire Vehicle administrator for nine cities.



MTS Taxicab and For-Hire Vehicle Insurance Requirements

Metropolitan Transit System (MTS), a California Public Agency, has the following taxicab and for-hire vehicle insurance requirements:

1. MINIMUM REQUIRED PUBLIC LIABILITY INSURANCE LIMITS

	Vehicle Seating Capacity (Including Driver)	Combined Single Limit
1.1	9 passengers or less	\$350,000
1.2	10-15 passengers	2,000,000
1.3	16 passengers or more	5,000,000

2. SPECIFIC INFORMATION REQUIRED FOR ACORD CERTIFICATE OF LIABILITY INSURANCE (OTHER THAN ASSIGNED RISK)

- 2.1 Full name of insurance company (insurer), which must be pre-approved by MTS Taxicab Administration, and must meet the minimum standards in Section 4 (see Section 3 for assigned risk requirements).
- 2.2 Name and current address of insured, who must be the permit holder, including company name (DBA) (PO boxes not acceptable).
- 2.3 Insurance policy number with effective and expiration dates.
- 2.4 Type(s) and limit(s) of liability coverage.
- 2.5 Vehicle description (make/year), vehicle identification number (VIN) and medallion number of each insured vehicle.
- 2.6 Certificate issue date and NAIC#.
- 2.7 Statement that insurer shall notify MTS Taxicab Administration, in writing by registered mail to the address on the letterhead at least 30 days prior to cancellation or termination of coverage. Statements to the effect that issuing company will "*Endeavor to Mail Notice*" or "*Intends to Notify*" are not acceptable.
- 2.8 **Original** (wet) signature of an agent who has been authorized by the insurer.
- 2.9 Certificate of insurance shall name San Diego Metropolitan Transit System (MTS) as certificate holder. Certificate must be an original with no alterations, type-overs, or white-outs.

3. SPECIFIC INFORMATION REQUIRED FOR ASSIGNED RISK INSURANCE (PRE-APPROVAL REQUIRED)

- 3.1 Complete copy of the application for insurance. Must contain the same information as is required by Items 2.2 through 2.9.
- 3.2 Proof of payment by copy of the agent's check, or copy of insured's cashier's check or money order, for a minimum of 25 percent of the annual premium.
- 3.3 Proof of policy issuance from the assigned insurer must be received by MTS Taxicab Administration within 30 days from the date on the assigned risk application. Evidence of insurance must contain all items listed in Section 2.
- 3.4 Evidence of insurance must be an original with no alterations, typeovers, or whiteouts.

4. INSURANCE COMPANY MINIMUM STANDARDS

Insurer must have a minimum *A. M. Best* rating of B-minus (B-) or above, **or Demotech rating of (A) or above**, and a financial size category of not less than VII (seven), or a similar *Standard and Poor's* rating. Companies providing Assigned Risk Insurance Policies will be evaluated on an individual basis and may be considered if they have a financial size category of not less than VI (six), or a similar *Standard and Poor's* rating. Contact MTS Taxicab Administration for additional information.

5. POLICY PROVISIONS

Policies must comply with MTS Ordinance No. 11, Section 1.9. Unacceptable policy provisions include, but are not limited to, the following:

- 5.1 Self-insured retentions (unless the insured is a state-certified self-insurer under the California Vehicle Code)
- 5.2 Nonstandard deductible endorsements
- 5.3 Territorial restrictions
- 5.4 Named driver/operator policies
- 5.5 Aggregate limits
- 5.6 "*Indemnity only*" contracts



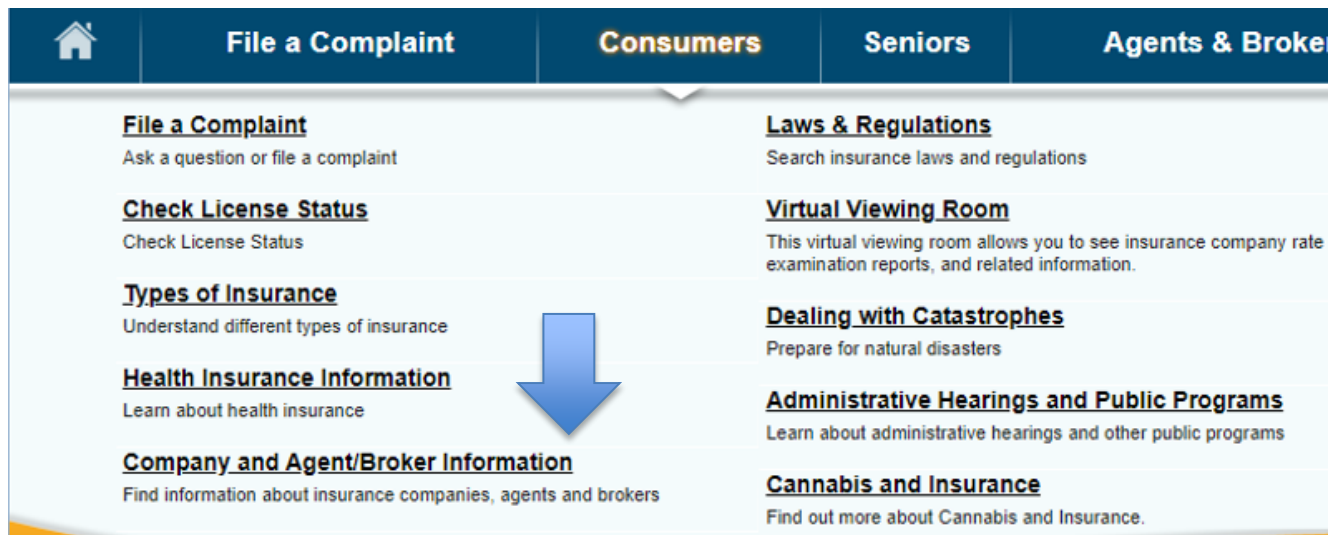
California Department of Insurance: www.insurance.ca.gov

Information on Commercial Auto Insurance Companies:

Step 1: Click on “Consumers”



Step 2: Click on “Company and Agent/Broker Information”



Step 3: Click on “Companies by line of Insurance”

Company and Agent/Broker Information

The links below are designed to provide you with information on insurance business in California. You can conduct a search on license status, studies and enforcement actions, as well as review rate filings and

- [Check Agent/Broker License Status](#)
- [Agent Language Locator](#) NEW
- [Insurance Company Information](#)
- [Companies By Line of Insurance](#)

Step 4: a) Click on drop box and select “commercial auto” b) click on drop box and select “market share” c) Click on “Get Companies”

Enter search criteria for Insurance Companies

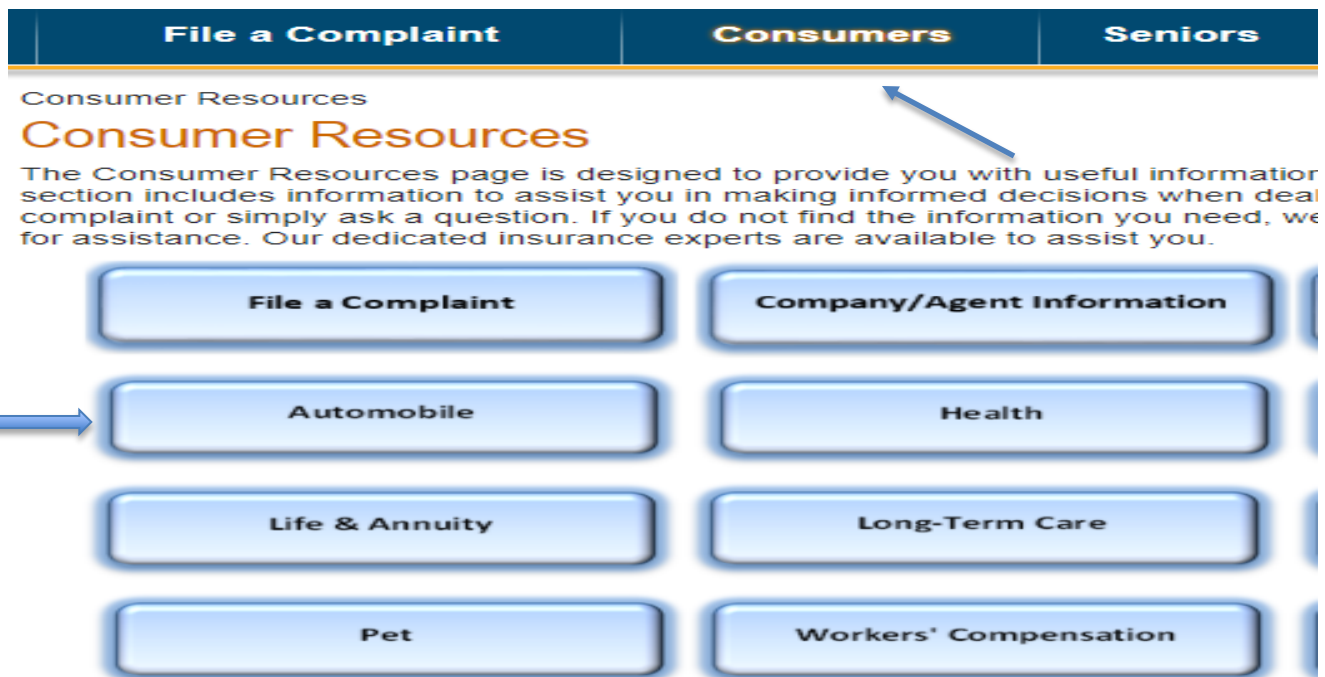
writing at least \$50,000.00 of premium volume in the last year. To see if a company is licensed, go to a company's Profile page using the link above.

Select Type of Insurance (Line/Class/Etc.)

Sort by

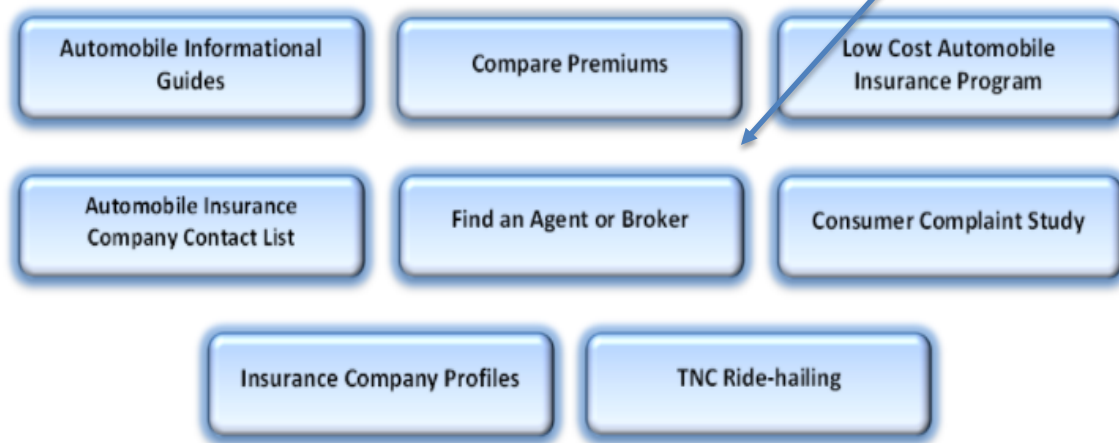


Step 5: A list of all California admitted insurance companies that offer commercial auto insurance will appear. For more information on any company, click the Company Name "Info" link.

Information on Commercial Auto Insurance Brokers:**Step 1:** Click Twice on “Consumers” then click on “Automobile”**Step 2:** Click on” Find Agent of Broker”**Automobile Insurance**

Automobile insurance is a way to protect yourself and your vehicle in case of an accident. California law also requires that owners and operators of automobiles comply with the financial responsibility laws. It is illegal in California to drive without insurance. The links below are tools to help you understand automobile insurance so that you can make the best decision for your situation when shopping for auto insurance.

If you do not find the information you need, we invite you to call our [Consumer Hotline](#) for assistance. Our dedicated insurance experts are available to assist you.



Step 3: a) Click on drop box and select “automobile” b) Select Language preference, Distance, and type zip code, click on “Locate Agent:


*** Required**

***Insurance Type**

***Languages:**

***Distance:**

***ZIP Code or City in California:**



Step 4: A list containing business information of all authorized commercial auto insurance brokers within the selected distance range from the zip code will appear.

IN - MEETING PUBLIC COMMENT

Stacie Jimenez provided a live public comment for agenda item #7. Jimenez's statement will be reflected in the minutes.



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San Diego, CA 92101-7490
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Agenda Item No. 8

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE

July 7, 2021

SUBJECT:

FOR-HIRE VEHICLE ADMINISTRATION STATISTICS QUATERLY REPORT (2021
PERMIT RENEWALS AND PERMIT REINSTATEMENT FEE EXTENSION)
(LEONARDO FEWELL)

INFORMATIONAL ITEM:

Budget Impact

None with this item

DISCUSSION:

For-Hire Vehicle Administration will provide the Taxicab Advisory Committee with a quarterly report on the following categories: 2021 permit renewals, number of permitted companies, number of active and surrendered permits by type, number of field contacts and issued citations and other For-Hire Vehicle statistics, as well as an update on a permit reinstatement fee extension.

/S/ Leonardo Fewell
Leonardo Fewell

For-Hire Vehicle Administration Manager

Key Staff Contact: Leonardo Fewell, 619.235.2643, Leonardo.Fewell@sdmts.com

Attachment: A. CEO Cover Letter, 2021 Permit Reinstatement
B: FHVA Memo, Permit Reinstatements





COVER LETTER

DATE: June 18, 2021
TO: For-Hire Vehicle Permit Holders and Authorized Dispatch Services
FROM: Sharon Cooney, Chief Executive Officer
SUBJECT: Permit Reinstatement Fee Extension

This past year has been challenging but I am encouraged by the modest increases we have been seeing in tourism and travel by our residents. I am hopeful that the economy will be bouncing back now that much of the COVID-19 restrictions are being lifted.

As an additional COVID-19 relief measure, this letter approves extending the Permit Reinstatement Fee until July 16, 2021 for any Permit that was voided for failure to pay the 2021 Regulatory Fee.

The attached memorandum from Leonardo Fewell, For-Hire Vehicle Administration Manager, describes the Permit Reinstatement Fee in more detail.

Sincerely,

A handwritten signature in black ink that reads 'Sharon Cooney'.

Sharon Cooney
Chief Executive Officer



MEMORANDUM

DATE: June 18, 2021

TO: For-Hire Vehicle Permit Holders and Authorized Dispatch Services

FROM: Leonardo Fewell, For-Hire Vehicle Administration Manager

SUBJECT: Permit Reinstatement Fee Extension

Effective June 18, 2021 through July 16, 2021, MTS is allowing Permit Holders to reinstate their voided permits. Permits voided for failure to pay the full CY 2020 Regulatory Fee by May 10, 2021, may reinstate their permits by paying the full CY 2021 Regulatory Fee, per vehicle (\$875 for Non-Emergency Medical/Charters; \$700 for Taxicabs/Jitneys/Low-Speed Vehicles). In addition, a \$100 Permit Reinstatement Fee, per Permit Holder, must be paid.

The \$100 Permit Reinstatement Fee covers staff time and labor, associated with updating MTS's files, databases, insurance verification, and other related procedures needed to reinstate an operating permit. By paying the \$100 Permit Reinstatement Fee, Permit Holders avoid having to pay the \$1,500 Permit Application Fee in order to recover a voided permit.

MTS Ordinance No. 11 does require changes to the Fee Schedule to be effective after 30 days of notice. If a Permit Holder chooses to reinstate their permit, they may do so if they waive their right to receive 30 days' notice of changes to the Fee Schedule.

MTS is not accepting credit or debit card payments at this time. Only checks or money orders will be accepted. For further details, Permit Holders are asked to contact Alexis Dizon, Regulatory Analyst, at 619-595-3081).

Should you have any further questions, I may be reached at 619-235-2643 or via e-mail at: Leonardo.Fewell@sdmts.com.



1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7490
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Agenda Item No. 9

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE

July 7, 2021

SUBJECT:

ASSEMBLY BILL (AB) 302 UPDATE (LEONARDO FEWELL)

INFORMATIONAL ONLY

Budget Impact

None with this item.

DISCUSSION:

In January 2021, Assemblymember Christopher Ward introduced AB 302: San Diego Metropolitan Transit Development Board: regulation of for-hire vehicle and passenger jitney services. AB 302 seeks changes to San Diego Metropolitan Transit System (MTS) enabling statutes that would allow MTS to enter into contracts to regulate for-hire vehicle transportation services for the County of San Diego and any City within the County of San Diego.

Existing law allows MTS to enter into contracts to regulate for-hire vehicle services, such as taxicabs, non-emergency medical, jitneys, and low-speed vehicles, for the County and any City within MTS's jurisdiction. AB 302 would expand the authority of MTS to regulate for-hire vehicles in San Diego County and any City within the County of San Diego, regardless of MTS jurisdiction.

AB 302 has passed through both the State Assembly and Senate process. The bill is now being advanced to the Governor. If the Governor signs AB 302, it will go into effect on January 1, 2022. Staff will continue to provide future updates to the Taxicab Advisory Committee regarding the status of AB 302.

/S/ Leonardo Fewell

Leonardo Fewell

For-Hire Vehicle Administration Manager

Key Staff Contact: Leonardo Fewell, 619.235.2643, Leonardo.Fewell@sdmts.com

Attachment: A. Copy of AB 302

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San Diego Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego. MTS is also the For-Hire Vehicle administrator for nine cities.

AMENDED IN SENATE JUNE 16, 2021

AMENDED IN ASSEMBLY MARCH 15, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 302

Introduced by Assembly Member Ward

January 25, 2021

An act to amend Sections 120266, 120267, and 120269 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 302, as amended, Ward. San Diego Metropolitan Transit Development Board: regulation of for-hire vehicle and passenger jitney services.

Existing law establishes the San Diego Metropolitan Transit Development Board. Under existing law, the board's jurisdiction includes specified cities in, and the unincorporated area of, the County of San Diego, except for the portion of the county under the jurisdiction of the North San Diego County Transit Development Board, as specified. Existing law authorizes the board to enter into contracts with any city in its area of jurisdiction and with the county to license or regulate transportation services, and to regulate vehicle safety and driver qualifications for passenger jitney service, as defined, operating between cities and between a city and unincorporated portions of the county within the area of its jurisdiction. Existing law requires the board to levy fees necessary to recover the full cost of regulating those services.

This bill would replace the term "transportation services" with the term "for-hire vehicle services" and would define that term to mean vehicles, other than public transportation vehicles, transporting

passengers over public streets for compensation, as specified. The bill would expand to any city within the County of San Diego the authority of the board to enter into contracts to license or regulate for-hire vehicle services and to regulate vehicle safety and driver qualifications for passenger jitney service.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 120266 of the Public Utilities Code is
2 amended to read:

3 120266. (a) The board may enter into contracts with any city
4 in the County of San Diego and with the County of San Diego to
5 license or regulate by ordinance any for-hire vehicle services
6 rendered wholly within the city's corporate limits or within the
7 unincorporated area of the county.

8 (b) The board shall levy the fees necessary to recover the full
9 cost of licensing and regulating these services.

10 (c) For purposes of this section, "for-hire vehicle services"
11 means vehicles, other than public transportation vehicles,
12 transporting passengers over public streets for compensation, which
13 includes taxicabs, passenger jitney service, low-speed vehicles,
14 ~~non-emergency nonemergency medical vehicles~~, *vehicles to the*
15 *extent that the commission does not have regulatory authority,*
16 charters, and sightseeing vehicles. The term "for-hire vehicle
17 services" does not include any public transportation services
18 operated by the North County Transit District established pursuant
19 to Division 11.5 (commencing with Section 125000).

20 SEC. 2. Section 120267 of the Public Utilities Code is amended
21 to read:

22 120267. (a) The board may, by ordinance, regulate vehicle
23 safety and driver qualifications for passenger jitney service
24 operating between cities in the County of San Diego and between
25 a city in the County of San Diego and unincorporated portions of
26 the County of San Diego.

27 (b) The board shall levy the fees necessary to recover the full
28 cost of regulating these services.

29 (c) For purposes of this section, the term "passenger jitney
30 service" includes every corporation or person engaged as a common

1 carrier, for compensation, in the ownership, control, operation, or
2 management of a passenger transportation service by motor
3 vehicles of not more than 15-passenger capacity, excluding the
4 driver, that operates between fixed termini and over a regular route
5 and generally on short nonscheduled headways.

6 SEC. 3. Section 120269 of the Public Utilities Code is amended
7 to read:

8 120269. (a) If the board licenses or regulates any for-hire
9 vehicle services, pursuant to Section 120266, or any passenger
10 jitney service, pursuant to Section 120267, and the licensed or
11 regulated service employs, or contracts with, any driver who (1)
12 is not required to be tested for controlled substances and alcohol
13 pursuant to Part 382 (commencing with Section 382.101) of Title
14 49 of the Code of Federal Regulations, paragraph (3) of subdivision
15 (b) of Section 53075.5 of the Government Code, Section 1032.1
16 of this code, or Section 34520 of the Vehicle Code, and (2) is not
17 exempted under Section 34520 of the Vehicle Code, the board
18 shall adopt, by ordinance or resolution, a mandatory controlled
19 substance and alcohol testing certification program for those
20 drivers.

21 (b) The program adopted pursuant to subdivision (a) shall meet
22 substantially the requirements set forth in paragraph (3) of
23 subdivision (b) of Section 53075.5 of the Government Code.

24 (c) Evidence derived from a positive test result collected
25 pursuant to the program adopted under subdivision (a) shall not
26 be admissible in a criminal prosecution concerning unlawful
27 possession, sale, or distribution of controlled substances.



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San Diego, CA 92101-7490
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Agenda Item No. 10

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM TAXICAB ADVISORY COMMITTEE

July 7, 2021

SUBJECT:

TOPICS FOR NEXT TAXICAB ADVISORY COMMITTEE (TAC) MEETING
(LEONARDO FEWELL)

INFORMATIONAL ITEM:

Budget Impact

None with this item

DISCUSSION:

Feedback is requested on what topics should be addressed at the next Taxicab Advisory Committee (TAC) on October 27, 2021. At this time, staff recommends the following agenda items: quarterly update on industry data; update on proposed changes to TAC election process; update on proposed revisions to TAC Membership Guidelines; update on development of the Wheelchair Accessible Vehicle (WAV) policy; update on Assembly Bill (AB) 302; and requesting feedback on what topics to include for future TAC meetings.

/S/ Leonardo Fewell _____
Leonardo Fewell

For-Hire Vehicle Administration Manager

Key Staff Contact: Leonardo Fewell, 619.235.2643, Leonardo.Fewell@sdmts.com



San Diego Metropolitan Transit System

Taxicab Advisory Committee
July 7, 2021 Meeting

2021 Regional Transit Plan Update (Antoinette Meier, Jennifer Williamson, and Krystal Ayala of SANDAG)

Agenda Item #4

An aerial photograph of San Diego, showing a mix of urban development, green hills, and a distant city skyline across a body of water. The sky is clear and blue.

San Diego
FORWARD

the draft 2021 regional plan

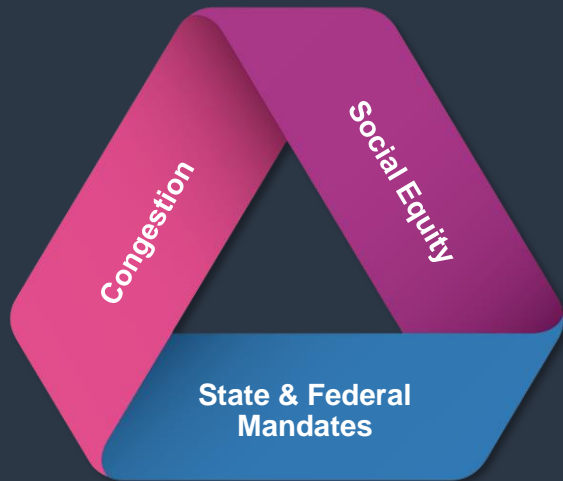
MTS Taxicab | July 7, 2021

SANDAG

Milestones: Preparing a Bold New Vision



The Challenges



41%

of GHG emissions
come from
passenger cars
and trucks

only
12%



of low-income
residents
currently live within
a half-mile of a
**commuter rail,
light rail, or
Rapid transit stop**



80%

of commuters drive alone
to and from work,
worsening congestion
during peak commute hours



almost
25,000
people were killed

while walking in the U.S.
between 2016 and 2019,
making these 4 years
the deadliest since 1990



Scientists estimate that
climate change will cause

sea levels to rise

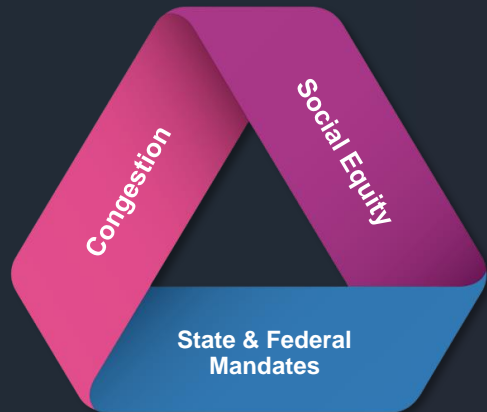
2.5 ft.

above 2018 levels by 2050.

**Wildfires, heat waves,
and droughts will
grow in frequency
and intensity.**



Legislative Mandates: State and Federal



SB 375 and Air Quality: meet regional greenhouse gas emissions reduction target and Clean Air Act requirements



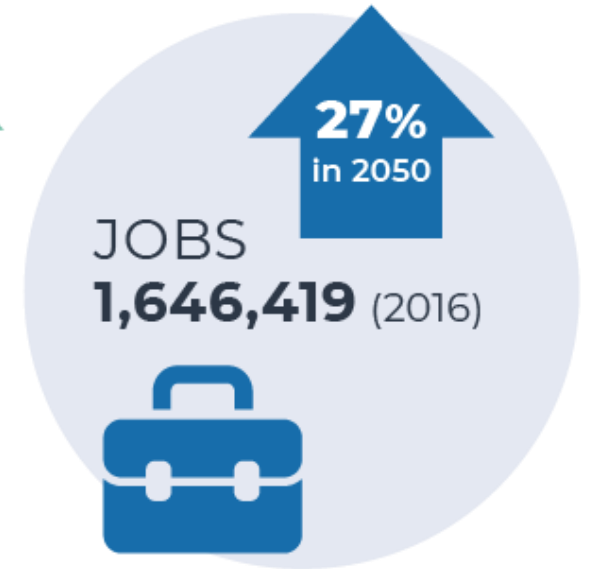
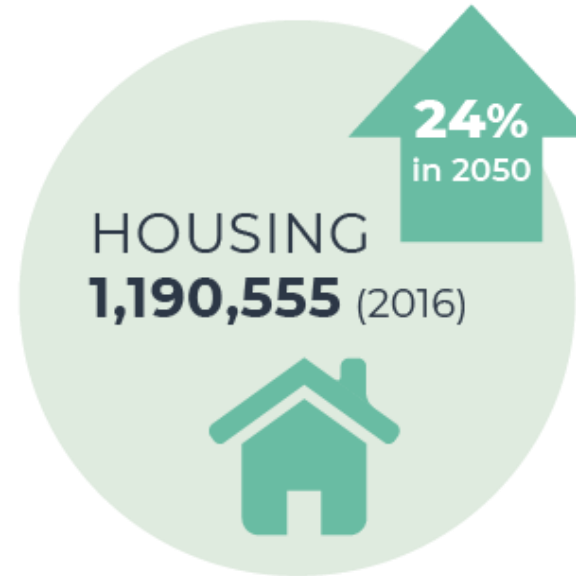
Title VI: compliance with federal civil rights requirements and environmental justice considerations



CEQA and SB 743: shift to vehicle miles traveled to evaluate impacts of transportation projects

Planning for the Region's Future

Forecasted Growth in the Region 2016 to 2050



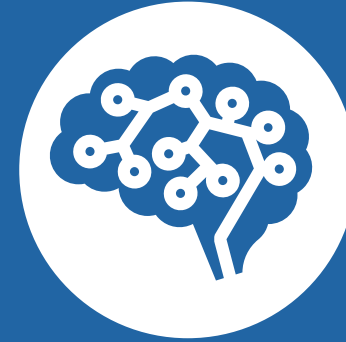
Technology Trends in Transportation



**Mobility as a
Service
(MaaS)**



**Vehicle
Technologies**



**Smart Cities
and
Transportation
Systems**

Draft 2021 Regional Plan Vision and Goals

VISION

*A fast, fair, and clean transportation system
and a resilient region*

GOALS

- The efficient movement of people and goods
- Access to affordable, reliable, and safe mobility options for everyone
- Healthier air and reduced GHG emissions regionwide



An Integrated System



Commuter Rail

Higher-speed trains: 100+ mph

In tunnels or on bridges

Trains every 5–10 minutes, 22 hours/day

- Mobility Hubs
- Local and Express Bus and Stops
- Managed Lanes Connector
- Freeway Connector
- Freeway and Managed Lanes Connector
- Direct Access Ramp
- Existing Managed Lanes
- Interregional Corridor Managed Lanes
- Urban Corridor Managed Lanes
- Rural Corridor
- Next Gen Rapid and Stops
- Light Rail and Stations
- Commuter Rail and Stations

Complete Corridors



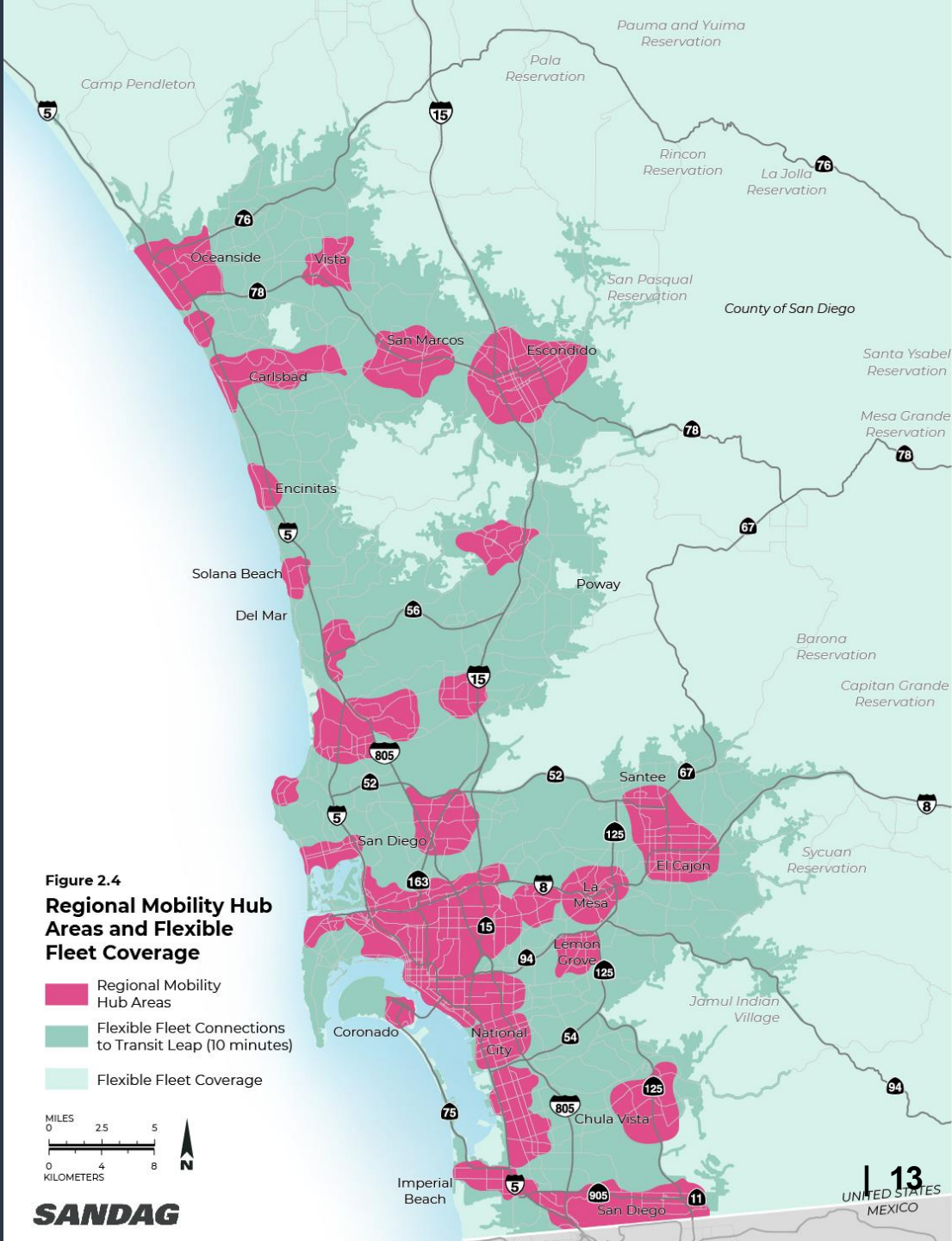
San Diego
FORWARD SANDAG



Transit Leap



Mobility Hubs & Flexible Fleets



Flexible Fleet Outreach

Flexible Fleets work
in partnership with
the private sector
and communities



What we heard...

- Supportive infrastructure
- Operating incentives
- Complement transit
- Affordable and accessible choices



Flexible Fleets Operate Everywhere

Services could thrive
in urban, suburban,
and rural settings



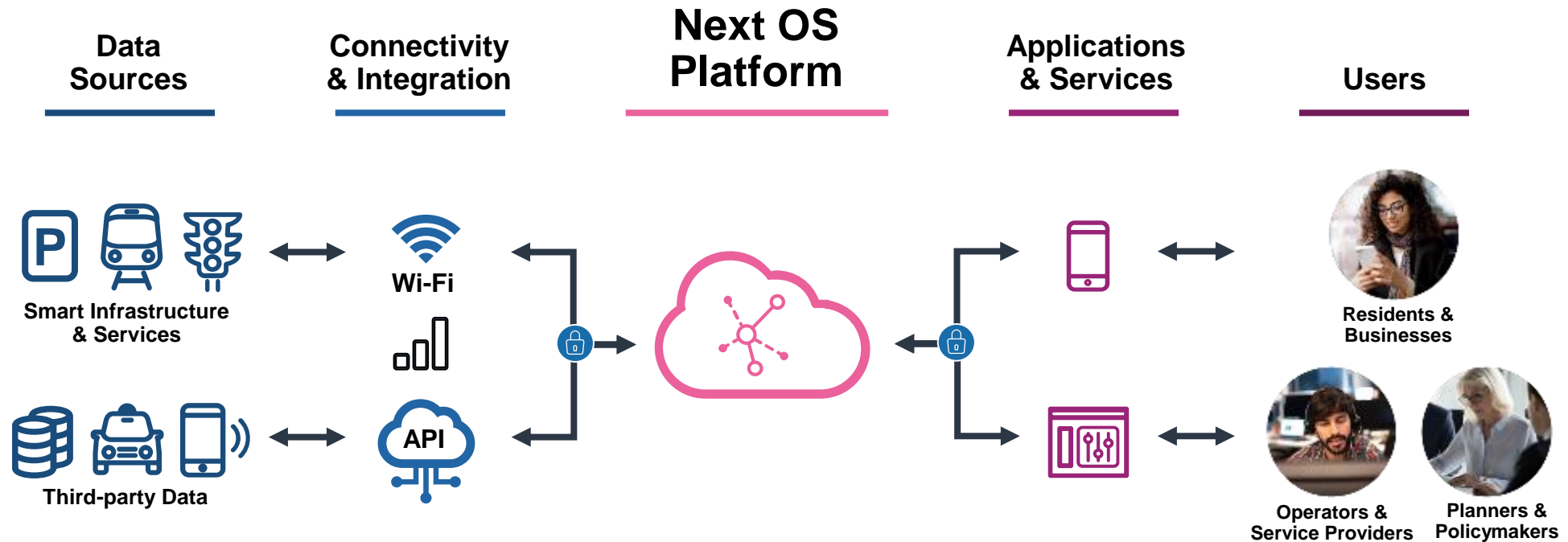
Next OS

Data Exchange between connected infrastructure, services (public & private), and people

Data Standards to exchange and understand data, we standardize the format and define it.

Metrics established to drive effective planning, operations and services

Policies deployed to align private ROI and public good using an outcome-based regulatory framework.



Following state laws for reducing emissions

CO₂

20%

reduction in per capita

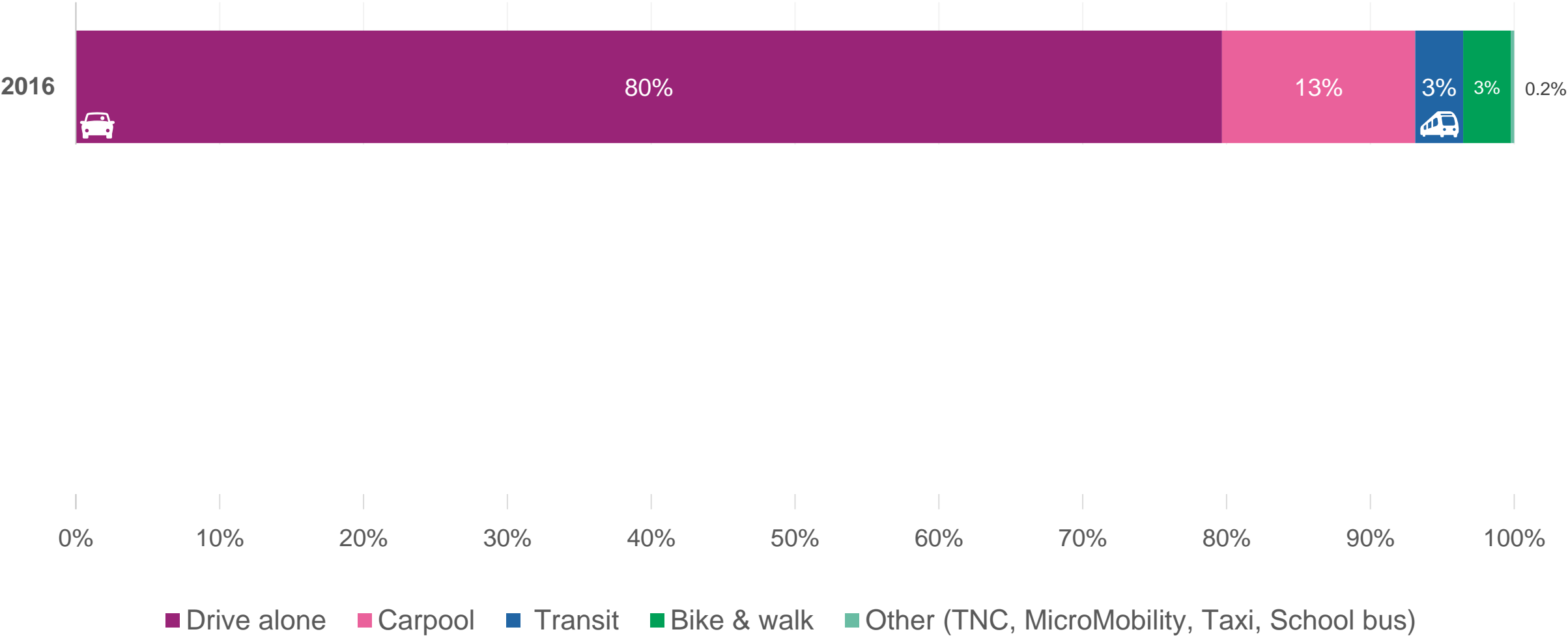
CO₂ Emissions

from 2005 levels by 2035
(exceeding 19% target)



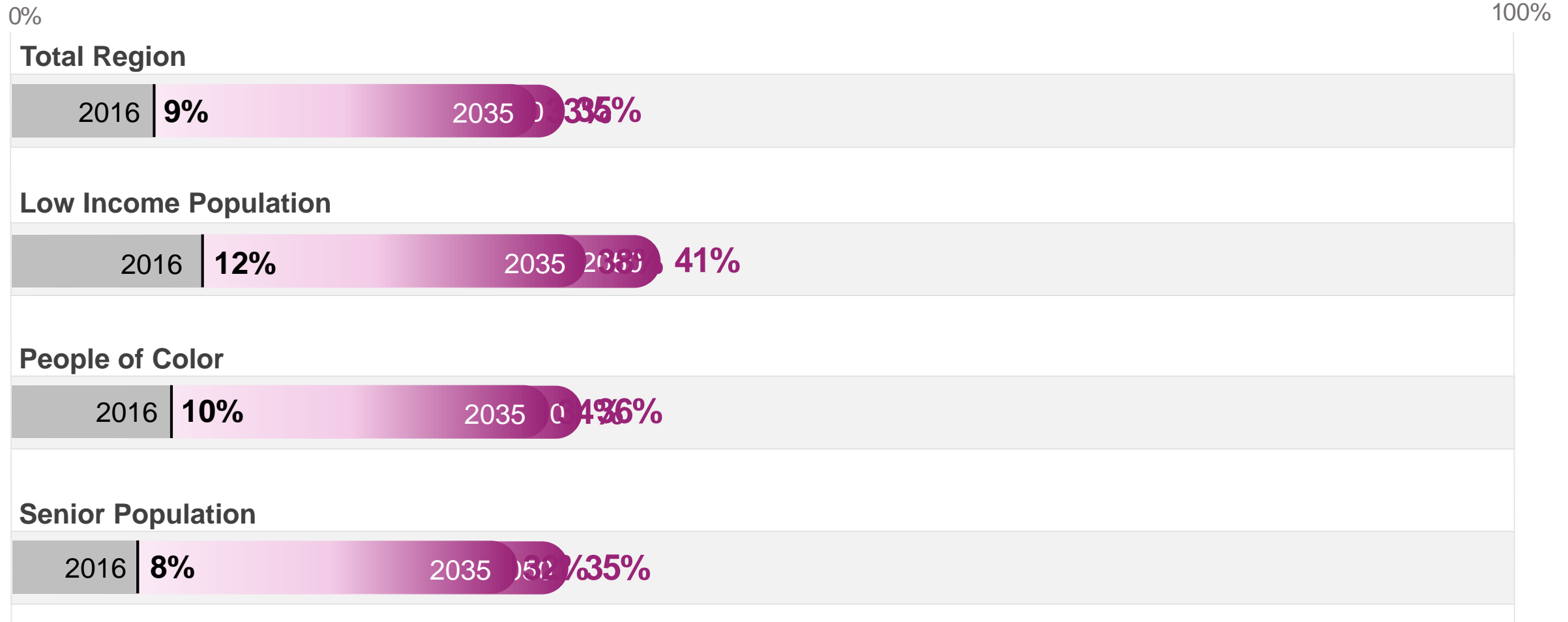
Commute Trips by Mode

PEAK PERIOD WORK TRIPS MODE SHARE



Transit Access for Social Equity

within 0.5 miles of commuter rail, light rail, or *Rapid* transit stop



*draft as of 4/22/2021

2021 Regional Plan Timeline

2021

MAY 28-AUGUST 6

**Draft Plan
Public
Comment
Period**

SUMMER

**Release
Draft EIR**

FALL

**Adopt Plan
and Certify EIR**

Thanks for joining!

Draft 2021 Regional Plan

Public comment period May 28-August 6, 2021

More resources at SDForward.com

Proposed Changes to Taxicab Advisory Committee Election (TAC) Process

Agenda Item #5

Proposed TAC election method

- Request Sheriff's Licensing to share available e-mail contact information for eligible lease drivers. (MTS has contact information for Permit Holders).
- Notify lease drivers and permit holders of the upcoming TAC election by email, with detailed information on how to self-nominate and voter submittal instructions.
- Staff is currently exploring various online voting options to allow lease drivers and permit holders to cast their votes online. Ease of use, costs, and other factors are being considered.

Proposed TAC election method

- Provide a physical ballot to lease drivers or permit holders whom prefer to vote in person or by mail, (a timely request to have a physical ballot is necessary to ensure access to online voting is not available).
- If positive feedback is received regarding this proposal, additional details such as dates, online voting, outreach plan, and information on creating the voting validation sub-committee will be provided at the next October 27, 2021 TAC Meeting.

Appointment to Fill Vacancy and Proposed revisions to the Taxicab Advisory Committee (TAC) Membership Guidelines

Agenda Item #6

Current TAC Membership

- TAC comprised of 16 members
 - One (1) appointed by MTS Board (Chair of the TAC)
 - Five (5) organizations
 - Five (5) Permit Holders (elected)
 - Five (5) Lease Drivers (four (4) elected, one (1) appointed by UTWSD)
- Five (5) Permit Holder Seats
 - Three (3) seats designated for permit holders of four (4) or more permits
 - Two (2) seats designated for permit holders of three (3) or less permits

Appointment of Hamid Amini to fill Permit Holder seat vacancy of four (4) or more permits

- Mr. Houshang Nahavandian no longer eligible.
- Hamid Amini, Permit Holder of “Jazzy Cab”, appointed to TAC for the remainder of term to expire July 2022.
- In accordance to TAC guidelines Section 2.8
 - *“The Taxicab Advisory Committee or the Chief Executive Officer or designee shall make an interim appointment if a member’s seat becomes vacant within the three-year term”*

Current Permit Holder and Permit Numbers

- Out of a total of 335 Taxicab Companies, (individual, partnerships and LLC's):
 - 324 or (97%) are companies with three or less permits
 - 11 or (3%) are companies with four or more permits
- Out of a total of 552 taxicab permits:
 - 413 (75%) of permits are held by companies of three or less permits
 - 139 (25%) of permits are held by companies of four or more permits

Proposed options for possible revisions to Taxicab Advisory Committee memberships guidelines

- **Option 1: Maintain five (5) permit holder seats but remove permit holder categories**
 - Allow every permit holder in good standing, regardless of number of permits held, to be eligible for TAC membership, or
- **Option 2: Reduce the number of seats for permit holders of four (4) or more permits**
 - Reduce the current number of three (3) seats for permit holders of four (4) or more permits, to two (2) or one (1) seats; and
 - Increase the current number of two (2) seats for permit holders of three (3) or less permits, to three (3) or four (4) seats, or
- **Option 3: Change permit holder category from four (4) or more, to two (4) or more permits**
 - Expands the pool of eligible permit holders with more than one (1) permit
 - May combine this option with Option 2 to increase the pool of eligible permit holders

Proposed options for possible revisions to Taxicab Advisory Committee memberships guidelines

- Feedback is requested on preferred option(s).
- Whichever option(s) is preferred, MTS staff will provide a more detailed proposal at the next October 27, 2021 TAC meeting.
- Final Board approval is required for any changes to the Taxicab Advisory Committee guidelines.

Addition of Demotech Ratings to For-Hire Vehicle Administration Minimum Insurance Requirements

Agenda Item #7

History of MTS's Revision to Permit Holder Insurance Requirements

- Allowance of non-California admitted insurance companies (July 2015).
- Reduction of minimum limit from \$1,000,000 to \$350,000 combined single limit (csli) for vehicles of nine (9) passengers or less (March 2019).
- Reduction of minimum A.M. Best Rating from A minus (A-) to B minus (B-) (January 2020).
- Addition of Demotech rating method (June 2021)
 - Admittance of companies rated "A" or above.

Current Trends on Insurance Costs

- Permit Holders continue to report increased operational costs.
- Largest costs is commercial auto liability insurance.
- California Department of Insurance
 - www.insurance.ca.gov
 - Information on commercial auto insurance companies and available brokers.

County of San Diego Insurance Requirements for Non-Emergency Medical Vehicles

- MTS is providing the county with information of all insurance information on file for NEMT's.
- Goal is to assist the county in the analysis to reduce their NEMT liability limits from \$2,000,000 csl to \$1,000,000 csl.
- Final determination possibly by the end of 2021.

For-Hire Vehicle Administration Statistics Quarterly Report (2021 Permit Renewals and Permit Reinstatement Fee Extension)

Agenda Item #8

Permit Renewals and Permits Voided

**Permit Renewals and Permits Voided
2021 Regulatory Fees Paid by May 10, 2021 Deadline**

Permit Type	Total Number of Permits Invoiced	Number of Permits Paid	Number of Permits Voided for Non-Payment	% of Permits Voided
Charter	105	62	43	41%
Jitney	4	2	2	50%
Low Speed Vehicle	21	21	0	0%
Nonemergency Medical	396	365	31	8%
Taxicab	696	552	144	21%
Total	1222	1002	220	18%

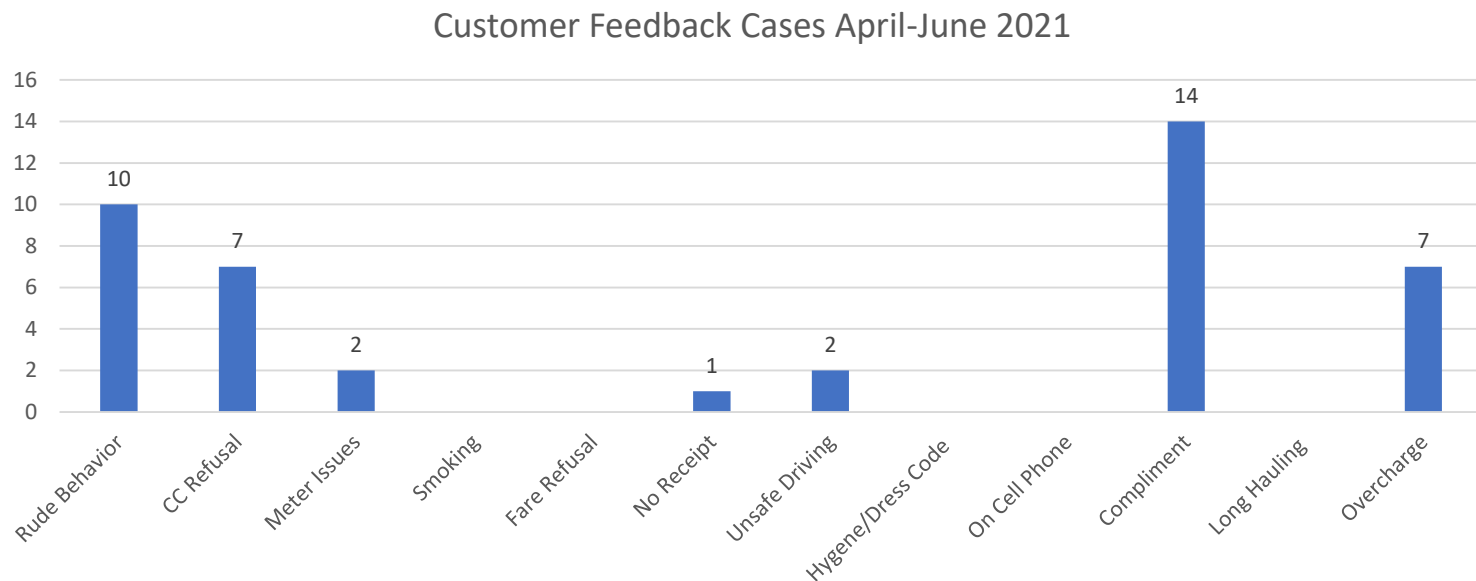
Number of Active vs Surrendered Permits

Number of Active vs Surrendered For-Hire Vehicle Permits				
Permit Type	Total Number of Permits	Number of Permits Surrendered	Currently On-the-Road (Active Permits)	% Loss in Active Permits
Charter	62	3	59	5%
Jitney	2	2	0	100%
LSV	21	0	21	0%
NEM	365	14	351	4%
Taxi	552	182	370	33%
Total	1002	201	801	20%

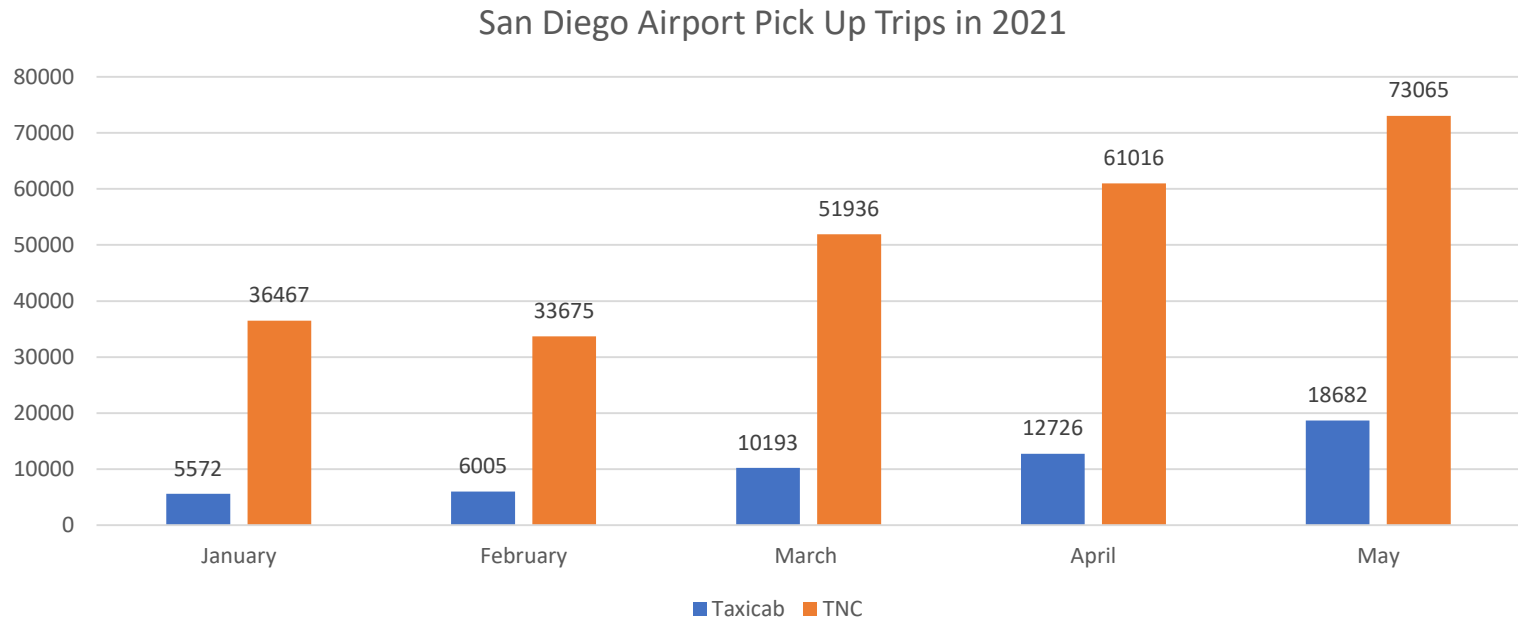
2021 Year to Date Field Inspections Statistics

2021 YEAR TO DATE (JAN-JUNE) F.H.V.A. FIELD INSPECTIONS & STATS											
	SD	NC	CV	LM	ELC	LG	SNT	POW	IB	SY/OTAY	TOTAL
Contacts	3069	526	920	242	486	91	73	65	81	1086	6639
Cites	1	0	0	0	0	0	0	0	0	0	1
Parking	12	0	0	0	0	0	0	0	0	29	41
Warnings	52	8	4	1	2	0	1	0	0	5	73
Field Rep	2	0	1	1	1	0	0	0	0	0	5
	TOTAL	PERCENT FROM TOTAL				ISSUED WARNINGS (APR-JUNE)				TOTAL	
TAXI'S	1730	26%				DO NOT HAVE SHERIFF ID				35	
NEM'S	4907	74%				SHERIFF ID WORN/VEHICLE DISPLAY				10	
JETNEY'S	0					TRIP LOGS - COMPLETE/NON-COMPLETE				0	
LSV'S	2	0.03%				MECHANICAL				4	
TOTAL	6639					NO OP PERMIT				10	
						OTHER				0	

Customer Feedback Cases April-June 2021



San Diego Airport Pick Up Trips in 2021



2021 Permit Reinstatement Fee Extension

- All permits types eligible (Taxi, Charter, NEMT, LSV and Jitney).
- Must pay full 2021 regulatory fee, and
- \$100 Permit Reinstatement Fee.
- Deadline for permit reinstatement is July 16, 2021.

Assembly Bill (AB) 302 Update

Agenda Item #9

AB 302 Update

- AB 302 would expand MTS authority to regulate For-Hire vehicles in the county and any city within the county.
- AB 302 has passed through both the State Assembly and Senate process.
- AB 302 has advanced to the Governor for signage. If signed, bill goes in to effect on January 1, 2022.
- Staff will continue to provide future updates regarding the status of AB 302

Topics for Next Taxicab Advisory Committee Meeting

Agenda Item # 10

Proposed Topics for October 27, 2021 TAC Meeting

- Quarterly update on industry data
- Update on proposed changes to TAC election process
- Update on proposed revisions to TAC Membership Guidelines
- Update on developments of Wheelchair Accessible Vehicle (WAV) policy
- Updates on AB 302

Committee Member Communications

Brief comment on any taxicab related item
not included in the Agenda

City of San Diego Rescue Plan Grant Program

- Administered by the San Diego Foundation
 - Active within the next 60 days. Will prioritize businesses:
 - In communities of concerns
 - That have not yet received government support, and
 - In industries most adversely impacted by the economic effects of the pandemic (leisure, hospitality, food, beverage and tourism, health and social assistance, retail, professional services and special events will receive priority consideration)
- City of San Diego Economic Development Department
 - Information on City's revolving loan fund eligibility
 - Application process and other available funding resources

<https://www.sandiego.gov/economic-development/resources/relief>

SD County Small Business Stimulus Grant Program

- Funded by Board of Supervisors allocated federal CARES Act funding and County General Fund. The grant funding provides economic assistance to help businesses and nonprofit entities impacted by COVID-19
- Financial assistance will be allocated to eligible, qualified small businesses and nonprofit entities with final award recommendations made by individual district offices based on the availability of funds, program guidelines, and the submission of all required information and supporting documentation.

<https://www.sandiegocounty.gov/content/sdc/stimulusgrant.html>

Questions?