



Taxicab Advisory Committee Agenda

November 15, 2023

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| | | |
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| | ▶ | Use the raise hand feature every time you wish to make a public comment. |
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1. If you are joining the meeting audio by phone and viewing the meeting on a device, dial the number provided in the 'join audio' phone call tab of the initial pop-up, and enter the Meeting ID (found in the link).
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Live Verbal Public Comments:

Use the 'Raise Hand' icon every time you wish to make a public comment on an item. Raise your hand once the agenda item you wish to comment on has been called. In person public comments will be taken first, virtual attendees will be taken in the order in which they raise their hand. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion. General Public Comment, at the beginning of the Board of Directors meeting only, will be limited to five speakers. Additional speakers with general public comments will be heard at the end of the meeting. Two-minutes of time is allotted per speaker, unless otherwise directed by the Chair.

Public Comments Made Via Zoom

1. Click the link found at the top of this instruction page
2. Click the raise hand icon located in the bottom center of the platform
3. The Clerk will announce your name when it is your turn to speak
4. Unmute yourself to speak

Public Comments Made by Phone Only

1. Dial **+1-669-900-9128**
2. Type in the zoom meeting ID found in the link and press #
3. Dial *9 to raise your hand via phone
4. The Clerk will call out the last 4 digits of your phone number to announce you are next to speak
5. Dial *6 to unmute yourself



Written Public Comments (before the meeting): Written public comments will be recorded in the public record and will be provided to MTS Board Members in advance of the meeting. Comments must be emailed or mailed to the Clerk of the Committee* by 4:00pm the day prior to the meeting.



Translation Services: Requests for translation services can be made by contacting the Clerk of the Committee* at least four working days in advance of the meeting.



In-Person Participation: In-person public comments will be heard first. Following in-person public comments, virtual attendees will be heard in the order in which they raise their hand via the Zoom platform. Speaking time will be limited to two minutes per person, unless specified by the Chairperson. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion.

Instructions for providing in-person public comments:

1. Fill out a speaker slip located at the entrance of the Board Room;
2. Submit speaker slip to MTS staff seated at the entrance of the Board Room;
3. When your name is announced, please approach the podium located on the right side of the dais to make your public comments.

Members of the public are permitted to make general public comment at the beginning of the agenda or specific comments referencing items on the agenda during the public comment period. General Public Comment, at the beginning of the Board of Directors meeting only, will be limited to five speakers. Additional speakers with general public comments will be heard at the end of the meeting.



Assistive Listening Devices (ALDs): ALDs are available from the Clerk of the Committee* prior to the meeting and are to be returned at the end of the meeting.



Reasonable Accommodations: As required by the Americans with Disabilities Act (ADA), requests for agenda information in an alternative format or to request reasonable accommodations to facilitate meeting participation, please contact the Clerk of the Committee* at least two working days prior to the meeting.



***Contact Information:** Contact the Clerk of the Committee via email at Corina.Kenney@sdmts.com, phone at (619) 595-3086 or by mail at 1255 Imperial Ave. Suite 1000, San Diego CA 92101.



Agenda del Comité Consejero de Taxis

15 Noviembre 2023

Haga clic en el enlace para acceder a la reunión:

<https://us02web.zoom.us/j/96643923312>






ID de la reunión
en Zoom

Formas de Participar



Computadora: Haga clic en el enlace más arriba. Recibirá instrucciones para operar el navegador de Zoom o la aplicación de Zoom. Una vez que haya iniciado sesión en la reunión, tendrá la opción de participar usando el sistema de audio de su computadora o teléfono.

Funciones del Seminario En Línea:

| | | |
|---|---|---|
|  Levantar la mano | ▶ | Use la herramienta de levantar la mano cada vez que desee hacer un comentario público. |
|  | ▶ | Los participantes pueden habilitar el subtitulado haciendo clic en el ícono CC. También puede ver la transcripción completa y cambiar el tamaño de letra haciendo clic en “configuración de subtítulos”. Estas herramientas no están disponibles por teléfono. |
|  | ▶ | Este símbolo indica que usted se encuentra en silencio , haga clic en este ícono para quitar el silenciador de su micrófono. |
|  | ▶ | Este símbolo indica que su micrófono se encuentra encendido . Haga clic en este símbolo para silenciar su micrófono. |
|  | ▶ | La herramienta de chat deben usarla los panelistas y asistentes únicamente para asuntos “pertinentes a la reunión”, ya que comentarios realizados a través de esta herramienta no se conservarán como parte del registro de la reunión. Consulte el Comentario público verbal en vivo para obtener instrucciones sobre cómo hacer un comentario público. |



Teléfono Inteligente o Tableta: Descargue la aplicación de Zoom y participe en la reunión haciendo clic en el enlace o usando el ID del seminario web (que se encuentra en el enlace).



Teléfono:

1. Si está participando en la reunión mediante audio de su teléfono y viendo la reunión en un dispositivo, marque el número indicado en la pestaña de llamada telefónica “unirse por audio” en la ventana emergente inicial e ingrese el ID de la reunión (que se encuentra en el enlace).
2. Si está participando solo por teléfono, marque: **+1-669-900-9128** o **+1-253-215-8782** e ingrese el ID de la reunión que se encuentra en el enlace, pulse #. Tendrá acceso al audio de la reunión, **pero NO podrá ver las presentaciones en PowerPoint.**



Comentarios Públicos Verbales en Vivo: Use la herramienta “levantar la mano” cada vez que desee hacer un comentario público sobre alguno de los artículos. Levante la mano una vez que el artículo de la agenda sobre el que desea comentar haya sido convocado. Los comentarios públicos en persona se escucharán primero, se escuchará a los asistentes virtuales en el orden en el que levanten la mano. No se aceptarán solicitudes para hablar después de que termine el periodo para hacer comentarios públicos, a menos de que el presidente determine de otra forma a su discreción. Comentarios públicos generales, únicamente al inicio de la reunión de la Junta de Directores, se limitarán a cinco personas que deseen hablar. Las personas adicionales que deseen aportar comentarios públicos generales podrán hacerlo al final de la reunión. Se otorga dos minutos de tiempo por persona que desee hablar, a menos de que el presidente instruya de otra forma. (Consulte la *página 2* para obtener instrucciones sobre cómo hacer un comentario público.)

Comentarios Públicos a Través de Zoom

1. Haga clic en el enlace que se encuentra en la parte superior de esta página de instrucciones
2. Haga clic en el ícono de levantar la mano en el centro inferior de la plataforma
3. El secretario anunciará su nombre cuando sea su turno de hablar
4. Desactive el silenciador para que pueda hablar

Comentarios Públicos Realizados Únicamente por Teléfono

1. Marque el **+1-669-900-9128**
2. Ingrese el ID de la reunión en Zoom que se encuentra en el enlace y pulse #
3. Marque *9 para levantar la mano por teléfono
4. El secretario indicará los últimos 4 dígitos de su número de teléfono para anunciar que usted será el siguiente en hablar
5. Marque *6 para desactivar el silenciador



Comentarios Públicos por Escrito (Antes de la Reunión): Los comentarios públicos por escrito se registrarán en el registro público y se entregarán a los miembros de la Junta de MTS antes de la reunión. Los comentarios deben enviarse por correo electrónico o postal al secretario del Comité* antes de las 4:00 p.m. el día anterior a la reunión.



Servicios de Traducción: Pueden solicitarse servicios de traducción comunicándose con el secretario del Comité* por lo menos cuatro días hábiles antes de la reunión.



Participación en Persona: Los comentarios públicos en persona se escucharán primero. Después de los comentarios públicos en persona, se escuchará a los asistentes virtuales en el orden en el que levanten la mano a través de la plataforma de Zoom. El tiempo para hablar se limitará a dos minutos por persona, a menos de que el presidente especifique de otra forma. No se recibirán solicitudes para hablar después de que termine el periodo para hacer comentarios públicos, a menos de que el presidente determine de otra forma a su discreción.

Instrucciones para brindar comentarios públicos en persona:

1. Llene la boleta para personas que desean hablar que se encuentran en la entrada de la Sala de la Junta.
2. Entregue la boleta para personas que desean hablar al personal de MTS que se encuentra sentado en la entrada de la Sala de la Junta.
3. Cuando anuncien su nombre, por favor, acérquese al podio ubicado en el lado derecho de la tarima para hacer sus comentarios públicos.

Los miembros del público pueden hacer comentarios públicos generales al inicio de la agenda o comentarios específicos que hagan referencia a los puntos de la agenda durante el periodo de comentarios públicos. Los comentarios públicos generales únicamente al inicio de la reunión de la Junta de Directores, se limitarán a cinco personas que deseen hablar. Las personas adicionales que deseen aportar comentarios públicos generales podrán hacerlo al final de la reunión.



Dispositivos de Asistencia Auditiva (ALD, por sus siglas en inglés): Los ALD están disponibles con el secretario del Comité* antes de la reunión y estos deberán ser devueltos al final de la reunión.



Facilidades Razonables: Según lo requerido por la Ley de Estadounidenses con Discapacidades (ADA, por sus siglas en inglés), para presentar solicitudes de información de la agenda en un formato alternativo o solicitar facilidades razonables para facilitar su participación en la reunión, por favor, comuníquese con el secretario del Comité* por lo menos dos días hábiles antes de la reunión.



***Información de Contacto:** Comuníquese con el secretario del Comité por correo electrónico en Corina.Kenney@sdmts.com, por teléfono al **(619) 595-3086** o por correo postal en **1255 Imperial Ave. Suite 1000, San Diego CA 92101.**



**Metropolitan
Transit
System**

**Taxicab Advisory Committee Meeting
Agenda**

November 15, 2023 at 1:00 p.m.

In-Person Participation: James R. Mills Building, 1255 Imperial Avenue, 10th Floor Board Room, San Diego CA 92101

Teleconference Participation: (669) 444-9171; Webinar ID: https://us02web.zoom.us/j/96643923312

| NO. | ITEM SUBJECT AND DESCRIPTION | ACTION |
|-----------------------------|--|---------------|
| 1. | Roll Call | |
| 2. | Public Comments | |
| 3. | Approval of Minutes Action would approve the July 12, 2023 Taxicab Advisory Committee Meeting Minutes. | Approve |
| DISCUSSION AND REPORT ITEMS | | |
| 4. | 2024 Fee Schedule (Leonardo Fewell) | Informational |
| 5. | Proposed Ordinance No. 11 Revisions (Leonardo Fewell) | Informational |
| 6. | For-Hire Vehicle Administration Operations Update (Leonardo Fewell) | Informational |
| OTHER ITEMS | | |
| 7. | Topics for Next Taxicab Advisory Committee Meeting (Leonardo Fewell) | Informational |
| 8. | Committee Member Communications and Other Business | |
| 9. | Next Meeting Date: TBD | |
| 10. | Adjournment | |

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.



DRAFT MINUTES

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM

TAXICAB ADVISORY COMMITTEE (TAC)

July 12, 2023

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. The full comment can be heard by reviewing the recording at the [MTS website.](#)]

1. Roll Call

Chair Elo-Rivera called the Taxicab Advisory Committee meeting to order at 1:02 p.m. A roll call sheet listing Taxicab Advisory Committee member attendance is attached.

2. Approval of Minutes

Chair Elo-Rivera moved to approve the minutes of the May 24, 2023, MTS Taxicab Advisory Committee meeting. Peter Zschiesche seconded the motion, and the vote was 10 to 0 in favor, with David Tasem, George Abraham, Karen Higareda, Michael Trimble, Michaelene Sullivan absent.

3. Public Comments

There were no Public Comments.

DISCUSSION ITEMS

4. For-Hire Advertisement Opportunities for Taxicabs at the San Diego Airport

Leonardo Fewell, For Hire Vehicle Administration Manager, and Ron Corbin of Clear Channel gave a joint presentation on advertisement opportunities for taxicabs at the San Diego International Airport. The presentation was made at the request of Chair Sean Elo-Rivera in an effort to find opportunities to highlight taxicabs as an available transportation provider.

The FHVA researched various advertisement media outlets at the airport, including Clear Channel, airport televisions, brochure racks, and the terminal taxicab stands.

Mr. Corbin presented on how Clear Channel works with local companies to bring their business to airports, their strategy to tailor advertisements for the taxi industry, and how customers have responded to their advertisements. Mr. Corbin also showed examples of advertisements they have built for Uber, Lyft, and other transportation services.

Mr. Fewell thanked Mr. Corbin for his presentation and asked him to stay for any questions from the committee. Mr. Fewell then continued the presentation by providing details on the other available methods of advertisement at the airport. He outlined the cost structure of \$100 per month for a brochure space and \$230 per month for magazines, across seven locations between the two terminals; there would be a minimum of 10,000 units and any materials would need to be provided to the Certified Folder Display Services. Mr. Fewell went on to demonstrate the location of current informational signage for taxicabs and how A-Frames could be deployed as a method of advertisement there.

Chair Elo-Rivera thanked Mr. Fewell for the presentation and commented that taxis have a unique advantage in being instantaneously available to customers at the airport, but that is not common knowledge to visitors to the airport.

PUBLIC COMMENTS

No public comments.

MEMBER COMMENTS

Peter Zschiesche asked if they could get a copy of the Clear Channel presentation. Mr. Corbin confirmed that it could be forwarded to anyone who wanted a copy and Samantha Leslie added on that the presentation would be included in the final meeting packet posted online.

Alfred Banks asked who would be paying for the advertisements. Mr. Fewell answered that MTS conducted this study to present the committee with advertisement opportunities, but that it was not the role of a regulatory agency to advertise on behalf of the industry. He continued to say that it was the responsibility of industry stakeholders to use the information presented, but that MTS would not provide funding. Mr. Banks asked if this was the responsibility of individual permit holders. Mr. Fewell answered that it could be individual permit holders or dispatch services. Chair Elo-Rivera also clarified that individual drivers could advertise on their own or they could collectively pool resources to advertise on behalf of the industry.

David Tasem asked Mr. Corbin what the cost was for signage above the luggage carousel, and whether that fee was for each individual carousel. Mr. Corbin replied that the fee was per “network” and per “period”; the price would be dependent on how many networks you selected and for how long. Mr. Tasem asked Mr. Fewell if the \$110 brochure space fee was per stand or for all the stands at the airport. Mr. Fewell answered that it was for all the stands. Mr. Tasem also asked if there was an initial set up fee, and Mr. Fewell answered that there was not.

Mr. Tasem also commented to Mike Anderson that the signage at the Terminal 1 taxi stand had incorrect contact information for many of the listed radio dispatch services, and that he had brought this to the attention of Marc Nichols more than a year ago. Mr. Anderson replied that he would look into the issue.

Mr. Anderson commented that the wayfinding signage at the airport was provided at no cost by the San Diego International Airport. Mr. Anderson also asked if Mr. Corbin could clarify what restrictions there were on advertisements. Mr. Corbin answered that mainly cannabis and tobacco advertisements were not allowed, but that he was unsure how that related to taxicabs. Mr. Anderson went on to say that the airport currently does not allow any form of advertising on taxicabs or TNC’s at all, but that they do have rules regarding advertisements that are on the airport’s property even if they are not actually in the terminal. Mr. Fewell interjected that the next agenda item would provide more clarity on the topic.

Zewdu Girma asked why it was necessary to advertise inside the airport, if they could advertise on the rooftop of their taxicabs. Mr. Girma also asked Mr. Anderson if permit holders could have advertisements on the top of their taxis at the airport, as long as the advertisement did not contain marijuana or alcohol. Mrs. Leslie reiterated that any questions regarding advertising on taxicabs should be held until the next agenda item.

Mr. Girma also mentioned that the governing rules of the taxicab stand meant that customers could not choose individual taxicabs, they were required to take the taxicab that was at the front of the queue – so he could not understand how advertising in the airport would be beneficial. Mr. Corbin said that many people, especially younger people, do not even know that taxicabs are an option available at the airport, and that capturing their attention before they leave the terminal may steer them away from other forms of transportation. Chair Elo-Rivera shared that many of the people he travels with do not know that there are taxicabs available and waiting at

the airport, and that the point of this exercise was to explore ways to make that more common knowledge.

Akbar Majid commented that advertising at an airport could be financially strenuous and that effective advertisements need to have an incentive component. Mr. Majid went on to say that advertisements are not enough to drive business to the taxicab industry unless a decision is made to lower fares in order to compete with TNC's.

Mr. Zschiesche said that he would like to see MTS put out a Public Service Announcement on behalf of the taxicab industry promoting them as part of the regulated transit system. Mr. Zschiesche also said that he would like to see the airport explore a generic form of promoting the taxicab industry, rather than having individual permit holders or drivers pay an outside company to create advertisements.

Mr. Banks agreed that advertisements are not necessary at the airport, and that it would not make sense for individuals to advertise at the airport. Chair Elo-Rivera reiterated that in his experience many people who fly do not even think about taxicabs as an option for transportation at the airport.

Mr. Girma commented that if individual drivers or permit holders began advertising at the airport, the sheer number of advertisements would confuse customers and create tension with larger taxicab companies. Mr. Girma also registered complaints about high wait times for drivers working at the airport and the decision to raise the maximum rates of fare.

Action Taken

Informational item only. No action taken.

5. MTS Board Policy No. 21 Updates to Taxicab Vehicle Advertisement Content

Mr. Fewell presented on how FHVA vehicles may post advertisements, in the form of top signs (solid and digital) or wraps, with approval as long as they comply with MTS Policy 21 and Ordinance No. 11; however, no FHVA vehicles besides LSV's display advertisements. He went on to detail how MTS Policy 21 changed on June 15, 2023 to authorize a two-year pilot program which allows for alcohol advertisements as long as they include a safe drinking message. Mr. Fewell concluded the presentation by suggesting that MTS Board Policy No. 21 may not be the most appropriate way to regulate For-Hire Vehicle advertisement content, and requested feedback from the TAC on the possibility of removing all restrictions.

PUBLIC COMMENTS

No public comments.

MEMBER COMMENTS

Chair Elo-Rivera noted that the point of this agenda item was to discuss potential revenue streams for the taxicab industry.

Mr. Girma asked Mr. Anderson if the San Diego Airport would allow rooftop advertisements on taxicabs. Mr. Anderson responded that currently the airport does not allow any kind of advertisements on any ground transportation vehicles. Mr. Elo-Rivera interjected to say that electronic top signs which could be turned off while at the airport may solve this issue.

Mr. Girma followed up to ask Mr. Fewell and Mr. Anderson to consider removing the restriction on taxicabs with top sign advertisements. Mr. Anderson responded that he did not oversee the regulation of the advertisements at the airport, but that he had concerns because each advertisement would have to be individually screened. Mr. Anderson also pointed out that allowing taxicabs to advertise might create issues with Uber and Lyft, who had previously also requested that the airport allow advertisements on their vehicles and had been turned down. Chair Elo-Rivera asked if that had been a board decision and Mr. Anderson confirmed that it was.

Mr. Majid recalled that taxicabs had previously used electronic top signs, and that in his experience the revenue generated was not worth the issues that came with the installation and maintenance of the signs.

Mr. Banks noted that advertisements may cause issues with the airport.

Margo Tanguay expressed concerns over cannabis advertisements, as many of the taxicab customers were military who might take issue with the content. She also agreed with Mr. Majid that top signs or advertisements that obscure windows might drive customers away.

Mr. Girma explained that electronic top signs can be controlled with a cell phone or tablet, and could be turned off upon arrival at the airport. He also asked Mr. Majid if he was discouraging permit holders and drivers from using advertisements. Mr. Girma went on to ask Mr. Majid why he was upset with the high rates of fare, when his radio service was charging exorbitant fees.

Mr. Majid responded that he was not trying to discourage anyone from advertising, but rather just offering advice based on his experience.

Chair Elo-Rivera directed the TAC members to Mr. Fewell's request for feedback on whether MTS should step in and regulate the content of advertisements on taxicabs or if the decision should be left up to permit holders.

Able Seifu expressed concerns over how best to represent the wishes and opinions of the drivers regarding this topic.

Mr. Zschesche noted that it was the responsibility of the TAC to make decisions on topics such as these. He proposed that as a committee they could set up meetings to gather opinions from permit holders, but that ultimately the organization and direction of any research was the responsibility of TAC members as industry representatives.

Chair Elo-Rivera reiterated that the question being asked was whether or not MTS should put in place rules regulating the content of advertisements on individual taxicabs; and though had never seen this particular situation, the ensuing conversation regarding why regulations might be necessary is important.

Mr. Zschesche stated that MTS created this issue by attempting to overregulate private operators, and that it speaks to larger conflicts of how much oversight is allowed to a regulator who will not acknowledge or advertise on the behalf of the taxicab industry. He acknowledged Mr. Seifu's earlier comment by saying that any true representation of the industry would have to consult the drivers on what rules or regulations they would prefer.

Mr. Fewell stated that MTS has been proactive about finding additional streams of revenue for the taxicab industry. He said that this topic has come up because media companies have reached out to the FHVA, particularly regarding cannabis. He continued on that any pricing or

specific revenue would be between the permit holders and media companies. He said that this was meant to be an update regarding MTS policy regarding alcohol advertising, but that it brings up underlying questions of whether taxicabs should be beholden to those policies. Mr. Fewell did note that any decisions made by MTS would only be applicable the nine cities under MTS jurisdiction, not the airport which is governed by the Regional Airport Authority.

Antonio Hueso commented that he felt the committee was moving away from the topic presented, which was that there are options available for advertisement.

Chair Elo-Rivera agreed with Mr. Hueso that the presentation simply meant to show options that are already available for advertisement and what rules MTS should consider changing in order to regulate or not regulate the content of the advertisements.

Mr. Fewell agreed that the only changes would be content-wise. Mr. Zschiesche asked if Policy No. 21 is applicable to taxicabs. Mr. Fewell confirmed that all advertisement content on taxicabs was subject to Policy No. 21, and that MTS was requesting feedback on whether the industry would like it to remain that way in the future.

Chair Elo-Rivera elaborated that if the committee decided that taxicabs should not be subject to Policy No. 21, then he would present this to the board for their review. Mr. Hueso said that this presentation was listed as an informational item only, and this conflicted with that. Mr. Elo-Rivera responded that an action item would have to be approved at a later date by the TAC before being presented to the board.

Mr. Majid noted that there is historical precedent for the rules and regulations governing the content that can be advertised on taxicabs, going back to when there were advertisements for gentlemen's clubs. Mr. Hueso agreed and Mr. Fewell said that he would be interested in hearing about this background information.

Mr. Seifu expressed that he felt the regulations should stay the same.

Mr. Girma stated that this topic was irrelevant if the airport would not allow advertisement. Mr. Hueso responded that Marc Nichols had always been open to following changes made by MTS.

Ms. Tanguay asked that the committee should consider if CBX has any restrictions on the content advertised on taxicabs.

Action Taken

Informational item only. No action taken.

6. Review of Dispatch Service Technology and Requirements

Mr. Fewell continued a previous presentation regarding dispatch service technology which began at the May 24, 2023 TAC meeting and led to an ad hoc working group on June 29, 2023. Based on research done, Mr. Fewell explained that the FHVA found disparities in the way dispatch services operate: not all dispatch services have 24-hour phone lines, many rely on third party messaging apps to communicate with drivers, and most do not have GPS capabilities beyond the driver's cell phones. These findings do not currently meet industry standards.

Feedback from dispatch services at the ad hoc working group included: many drivers do not wish to receive dispatched rides and would rather work at the airport, that few calls are received after hours, that dispatch services are integral to coordinating the return of lost and found items, most dispatch services do not use soft-meter technology, most dispatch services are not the

merchant of record for credit card transactions, and that they offer a wide variety of subscription prices.

Feedback from drivers at the ad hoc meeting included: drivers receive few calls from dispatch services and trips outside the airport are minimal, subscription costs are high and unnecessary for no substantial benefit, that dispatch services should be optional, that they should be able to subscribe to remote dispatch service, and that they welcome soft meter technology.

Going forward, using this feedback, the FHVA will conduct additional ad hoc working groups on this topic and work with the dispatch services to ensure compliance with City of San Diego Policy 500-2 and MTS Ordinance No. 11.

PUBLIC COMMENTS

Izzy Aala, from Flywheel Technologies, explained how Flywheel provides the technology for end-to-end full-service dispatch; which includes soft meter, cameras, and printers, as well as back office technology. He also explained that Flywheel has capabilities for self-service ride requests through Interactive Voice Response (IVR) or the Flywheel e-hail app. He concluded his comment by expressing his interest in learning the requirements to operate in San Diego.

William Alozie commented that the presentation highlighted the issues with radio dispatch services. He went on to say that many of the services provided by dispatch services are obsolete; lost and found services are provided by the airport and cell phones have made it possible for drivers to call 911 on their own. He suggested that subscription to a radio dispatch service be made optional.

MEMBER COMMENTS

Chair Elo-Rivera reminded the TAC members that there were still several other agenda items to present and requested that speakers keep their comments concise.

Mr. Banks asked Mr. Aala if he was a full radio dispatch service or if he only provided the equipment that goes in the vehicles. Mr. Aala responded that they are a software provider with partners who can supply hardware. Mr. Banks followed up by asking who would provide the hardware. Mr. Aala responded that the responsibility belonged to the owner who could purchase the hardware elsewhere if it met their operating requirements or from Flywheel's partners. Mr. Banks commented on how this might be a financial burden, to which Mr. Aala responded that the benefits to soft meter technology like flat rates more than make up for the cost. Mr. Banks asked if the customer will be able to see the flat rate on the meter and Mr. Aala confirmed that they would be. Mr. Banks continued on by saying that this would be another cost that new owners will have to take on. Mr. Aala commiserated that he understood that this was an additional cost, but that based on his research into the San Diego taxi industry he saw that there was an opportunity for drivers to see a return on their investment.

Mr. Banks also clarified that although the airport has a lost and found, that many customers and drivers still rely upon the dispatch services to route lost items.

Mr. Majid wanted to refute some of the negative feedback from the presentation and stated that it did not apply to all radio services. Mr. Majid also wanted to make it clear that IVR was a good thing, but that it was not an adequate replacement for a full call center with staff.

Mr. Seifu commented that it was not true that drivers were unwilling to take dispatch calls, especially when they were frustrated by 5-6 hour waits at the airport. Mr. Seifu also asked that

MTS be flexible with companies such as Uber and Flywheel, as he felt that they were the solution to the industries problems. Mr. Seifu shared that another driver in San Francisco was choosing to work with Flywheel because they had better rates. He finished by expressing his concern for the survival of the taxicab industry when frustrated drivers are providing poor customer service.

Agustin Hodoyan commented that he was not sure why this was such a big issue, when drivers can choose to accept or decline rides at the airport.

Mr. Hueso commented that he does not believe call centers can continue to exist while adhering to the requirements outlined in the presentation, and that they have already had to cut certain services to adjust with the demands of the industry. He finished by saying that this conversation needed to be continued long-term, as the transportation industry as it exists now has become oversaturated and in order to survive changes must be made.

Action Taken

Informational item only. No action taken.

7. For-Hire Vehicle Industry Emerging Topic: Partnerships Between Taxicabs and Transportation Network Companies

Mr. Fewell continued his presentation on the future of partnerships between taxicabs and Transportation Network Companies, focusing on the upcoming partnership between Yellow Cab and Uber. He mentioned potential benefits for both drivers and passengers, which included: increased rides, increased flexibility for booking rides, and increased access to transportation. Mr. Fewell said that all trips would be considered taxi trips, but that third party trips would be based off TNC pricing. He presented several MTS Ordinance No. 11 revisions to enable taxicab/TNC partnerships including a provision which removes requirements for maximum rates of fare and refusal penalties for TNC trips, as well as a provision defining a "Third-Party Trip Provider". Mr. Fewell requested feedback on these proposed revisions in order to finalize changes before the next TAC meeting.

PUBLIC COMMENTS

Mr. Aala commented that Flywheel has created a way for customers to request a taxi via the UberX option, which has dramatically increased e-hail rides for taxis.

Mr. Alozie commented that this was a large partnership and necessitated a lot of consideration, and that it could be detrimental to independent taxi drivers who value the freedom in the profession.

MEMBER COMMENTS

Chair Elo-Rivera and Mr. Fewell asked that TAC members who wished to comment to send an email to the FHVA with their feedback.

Mr. Zschiesche asked if there could be a working group for this topic. Chair Elo-Rivera responded that it would be a great idea, and just asked that they adhere to the Brown Act by not having a quorum.

Mr. Girma attempted to ask Mr. Anderson a question, but Chair Elo-Rivera asked him to limit comments to the current topic.

Mr. Majid commented that this is a business decision that needed to be considered individually, not something that will be forced on everyone. He confirmed that they were in the final stages with plans to launch in Los Angeles, Orange County, and San Diego simultaneously.

Chair Elo-Rivera asked Mr. Fewell to follow up with the TAC members who wished to participate in the working committee in order to have a robust conversation on this topic during the next committee meeting.

8. For-Hire Vehicle Administration Operations Update

This agenda item was tabled and members were directed to the materials which were posted online.

PUBLIC COMMENTS

No public comments.

MEMBER COMMENTS

No member comments.

9. Topics for Next Taxicab Advisory Committee Meeting

This agenda item was tabled and members were directed to the materials which were posted online.

PUBLIC COMMENTS

No public comments.

MEMBER COMMENTS

Mr. Hueso recommended that if we have a robust agenda during the next meeting, to perhaps limit the number of items.

Action Taken

Informational item only. No action taken.

10. Committee Member Communications and Other Business

There were no committee member communications or other business.

Action Taken

Informational item only. No action taken.

11. Next Meeting Date

The next Taxicab Advisory Committee meeting is scheduled for November 15, 2023 at 2:00 p.m.

12. Adjournment

The meeting was adjourned at 2:59 p.m.



Chairperson
San Diego Metropolitan Transit System



Committee Clerk
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

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

ROLL CALL

MEETING OF (DATE): July 12, 2023

CALL TO ORDER (TIME): 1:02 pm

ADJOURN: 2:59 pm

| 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 | 1:02 pm | 2:59 pm |
| Able Seifu | <input checked="" type="checkbox"/> None <input type="checkbox"/> | Permit Holder / Odyssey Cab | 1:02 pm | 2:59 pm |
| Agustin Hodoyan | <input checked="" type="checkbox"/> None <input type="checkbox"/> | Permit Holder / Soul Cab | 1:02 pm | 2:59 pm |
| Alfred Banks | <input checked="" type="checkbox"/> None <input type="checkbox"/> | Taxicab Lease Driver | 1:02 pm | 2:59 pm |
| Akbar Majid | <input checked="" type="checkbox"/> None <input type="checkbox"/> | Permit Holder / SDYC Holdings | 1:02 pm | 2:59 pm |
| Antonio Hueso | <input checked="" type="checkbox"/> None <input type="checkbox"/> | Permit Holder / USA Cab, LTD | 1:02 pm | 2:59 pm |
| David Tasem | <input checked="" type="checkbox"/> None <input type="checkbox"/> | Taxicab Lease Driver | 1:10 pm | 2:31 pm |
| George Abraham | <input type="checkbox"/> Daniel Fesshaye <input type="checkbox"/> | Permit Holder / Eritrean Cab | | |
| Karen Higareda | <input type="checkbox"/> None <input type="checkbox"/> | Cross Border X-Press | | |
| Louis Vasquez | <input checked="" type="checkbox"/> Claudia Rubio <input type="checkbox"/> | SD Convention Center | 1:02 pm | 2:59 pm |
| Marc Nichols | <input type="checkbox"/> Michael Anderson <input checked="" type="checkbox"/> | SD Regional Airport Authority | 1:02 pm | 2:59 pm |
| Margo Tanguay | <input checked="" type="checkbox"/> None <input type="checkbox"/> | Taxicab Lease Driver | 1:02 pm | 2:59 pm |
| Michael Trimble | <input type="checkbox"/> None <input type="checkbox"/> | SD Gaslamp Quarter Association | | |
| Michaelene Sullivan | <input type="checkbox"/> None <input type="checkbox"/> | SD Tourism Authority | | |
| Mikail Hussein | <input type="checkbox"/> Peter Zschiesche <input checked="" type="checkbox"/> | United Taxi Workers SD | 1:02 pm | 2:59 pm |
| Zewdu Girma | <input checked="" type="checkbox"/> None <input type="checkbox"/> | Permit Holder / Beezee Taxi | 1:13 pm | 2:59 pm |
| Non – Voting Committee Members | | | | |
| Austin Shepherd | <input type="checkbox"/> John Kinkaid <input type="checkbox"/> | SD Department of Agriculture, Weights and Measures | | |
| Edna Rains | <input type="checkbox"/> Jessica Marty <input type="checkbox"/> | SD County Sheriff's Department Licensing Division | | |

FOR COMMITTEE CLERK: 



**Metropolitan
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Agenda Item No. 4

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE (TAC)

November 15, 2023

SUBJECT:

2024 FEE SCHEDULE (LEONARDO FEWELL)

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

For-Hire Vehicle Administration (FHVA) annually adopts a Fee Schedule to recover FHVA’s expenses for the administration and enforcement of for-hire vehicle permit requirements and processing permit applications and transfers. Enclosed is the 2024 Fee Schedule. The following is the 2024 Annual Regulatory Fee, which is due on March 4, 2024, by the close of business.

| Permit Type | 2024 Regulatory Fee |
|--------------------------------------|---------------------|
| Non-Emergency Medical / Charter | \$ 440 |
| Taxicab / Jitney / LSV / Sightseeing | \$ 350 |

Other Updates to the Fee Schedule

The annual regulatory fee described in Section 1.2 and other certain fees described in Sections 2.1, 2.2 and 2.3 may be waived for Taxicab WAV permit(s) upon approval and in accordance with FHVA’s Taxicab WAV Policy-Fee Waiver Guidelines, which will be completed in the next weeks and posted on FHVA’s website.

Due to an increase in product costs, the price of each “MTS Regulated Vehicle” reflective decal increased to \$10 each (previously the fee was \$10 for two (2) decals).

A \$35 “Returned Payment Fee” is added to cover time and labor costs associated with the reversal of a payment done with a personal check with insufficient funds to cover the payment for which it was submitted.



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

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

Attachments: A. 2024 Fee Schedule



SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS)
FOR-HIRE VEHICLE ADMINISTRATION
2024 FEE SCHEDULE

1. Annual Regulatory Fee per Vehicle (If not paid or post-marked by close of business, Monday, March 4, 2024, the permit(s) is not renewed).

- 1.1 Non-Emergency Medical / Charter \$ 440
1.2 Taxicab / Jitney / Low-Speed Vehicle / Sightseeing \$ 350
1.2.1 Annual Regulatory Fee may be waived for Taxicab Wheelchair Accessible Vehicle (WAV) permit(s) upon approval and in accordance with Taxicab WAV Policy – Fee Waiver Guidelines
1.3 Permit Renewal Late Fee (if missed the Deadline, the Annual Regulatory Fee and Permit Renewal Late Fee will be accepted, so long as received by close of business on March 31, 2024) \$ 100

2. Permit Application

- 2.1 Permit application (New Company) \$ 1,500
2.1.1 Plus each permit in excess of one (1) \$ 200
2.1.2 Plus additional charge if applicant is a corporation \$ 200
2.1.3 Prorated Regulatory Fee (Section 1.0; based on application approval date)
2.1.4 Fees described in Section 2.1 may be waived for Taxicab WAV permit(s) upon approval and in accordance with Taxicab WAV Policy – Fee Waiver Guidelines
2.2 Permit application (Transfer to a New or Existing Company) \$ 875
2.2.1 Plus each permit in excess of one \$ 200
2.2.2 Plus additional charge if applicant is a corporation \$ 200



| | | |
|-----------|---|--------|
| 2.2.3 | Annual Regulatory Fee (Section 1.0; paid in full upon filing of transfer application) | |
| 2.2.4 | Fees described in Section 2.2 may be waived for Taxicab WAV permit(s) upon approval and in accordance with Taxicab WAV Policy – Fee Waiver Guidelines | |
| 2.3 | <u>Permit application (Existing Company / Not Transferring)</u> | |
| 2.3.1 | Adding new permitted vehicle to existing company | \$ 200 |
| 2.3.2 | Prorated Regulatory Fee (Section 1.0; based on application approval date) | |
| 2.3.3 | Fees described in Section 2.3 may be waived for Taxicab WAV permit(s) upon approval and in accordance with Taxicab WAV Policy – Fee Waiver Guidelines | |
| 3. | Driver Training Class | |
| 3.1 | Class Fee | \$ 30 |
| 4. | Operational Requests | |
| 4.1 | Jitney route change or additional route request | \$ 250 |
| 4.2 | Taxicab stand request or jitney zone, if installed | \$ 250 |
| 4.3 | <u>Fictitious name change, Corp./LLC name change (same officers)</u> | \$ 100 |
| 4.3.1 | Plus per-vehicle fee | \$ 50 |
| 4.4 | <u>Dispatch Service Change</u> | \$ 50 |
| 4.4.1 | Plus per-vehicle fee | \$ 10 |
| 4.5 | <u>Rate of fare filing per company (other than taxicabs)</u> | \$ 50 |
| 4.5.1 | Plus per-vehicle fee | \$ 10 |
| 4.6 | Replacement vehicle (more than one (1) per permit per year) | \$ 50 |
| 4.7 | Add corporation officer (each) | \$ 100 |

| | | |
|-----------|---|--------|
| 4.8 | Addition, deletion, or change of stockholder (each) | \$ 100 |
| 5. | Vehicle Inspection (Non-Mechanical Items) | |
| 5.1 | As a result of failing scheduled inspection | \$ 50 |
| 5.2 | Reschedule inspection with less than 24-hour notice | \$ 50 |
| 5.3 | Failure to appear for inspection appointment | \$ 50 |
| 5.4 | Supplemental scheduled inspection (Out of Service) | \$ 50 |
| 5.5 | Re-inspection pursuant to a 72-hour notice | \$ 25 |
| 5.6 | Failure to produce mechanical inspection by due date | \$ 100 |
| 5.7 | MTS Regulated Vehicle reflective decals each | \$ 10 |
| 6. | Dispatch Services | |
| 6.1 | Initial review of new dispatch service organization | \$ 150 |
| 6.2 | Name change | \$ 50 |
| 7. | Medallion and Permit Reassignment (same permit holder) | |
| 7.1 | <u>Permit Type Reassignment under same Permit Holder (per vehicle)</u> | \$ 250 |
| 7.1.1 | Annual Regulatory Fee (See Section 1.0; paid upon filing of permit reassignment application) *See Section 4.6 for replacing vehicles* | |

PAYMENT

- The 2024 regulatory fee is due for each permit held as of January 1, 2024, irrespective of whether permit is later transferred, surrendered, abandoned, or revoked. The permit is considered not renewed if fee is not paid or post-marked by close of business on March 4, 2024, or by March 31, 2024 if no Permit Renewal Late Fee is received.
- For new permits issued after January 1, 2024, prorated regulatory fee is due when permit is issued.
- Other fees (i.e. non-regulatory fee) are due when the request is made.

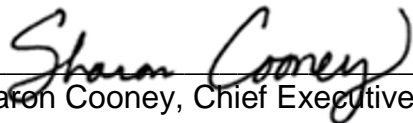
- A \$35 “Returned Payment Fee” applies when a payment is submitted with a personal check but there is insufficient funds to cover the payment amount
- No refunds will be issued.

BASIS FOR FEES

- Fees have been calculated to recover MTS's expenses for the administration and enforcement of for-hire vehicle requirements and processing of permit applications.

REFERENCES

- California Public Utilities Code Section 120266; MTS Ordinance No. 11, Sections 1.3(b), 1.4(a) and 1.5(c); MTS Board Policy No. 34, Section 4; and Taxicab WAV Policy – Fee Waiver Guidelines.



Sharon Cooney, Chief Executive Officer

11/08/23
Date



**Metropolitan
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Agenda Item No. 5

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE (TAC)

November 15, 2023

SUBJECT:

PROPOSED ORDINANCE NO. 11 REVISIONS (LEONARDO FEWELL)

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

MTS Ordinance No. 11 provides for the licensing and regulation of taxicab and other for-hire transportation services. MTS continually aims to identify ways to reduce or remove its regulatory requirements so long as its main policy goals of ensuring public safety and consumer protection are being met. Staff recommends revisions in the following three (3) areas: taxicab/ Transportation Network Company (TNC) partnerships; dispatch service organization requirements; and low-speed vehicles.

I. Taxicab / TNC Partnerships

Recently, UBER Technologies, a Transportation Network Company (TNC), and Yellow Cab announced a partnership in which taxicabs provide prearranged trips to UBER customers booked through its app. The UBER customer agrees to an up-front fare based on TNC dynamic pricing. The trip request is then connected to the Yellow Cab app, dispatching the trip to an available taxicab.

Over the past year, FHVA has provided information to TAC on this partnership. On October 5, 2023, an ad-hoc meeting was conducted, to receive feedback from permit holders, lease drivers, dispatch services, and other industry stakeholders regarding potential MTS Ordinance No. 11 revisions that would allow taxicabs to provide trips booked through third parties, such as TNCs, without conflict with current regulations. For instance, regulations such as taxicabs not charging more than the maximum rates of fare, and a driver's ability to refuse a trip.

As an initial start of how to facilitate this partnership, FHVA drafted the following:



Allow taxicab trips to be booked by a Third-Party Trip Provider, which would be defined as a TNC that books and provides up-front pricing to a prospective passenger, and then transfers the trip to an MTS authorized dispatch service organization's Taxi E-hail app. A Third-Party Trip Provider may not also be an MTS authorized dispatch service for purposes of this definition.

At the October 5, 2023, Ad-hoc meeting, FHVA received feedback of concerns that the above-proposed revisions were tailored exclusively for UBER and Yellow Cab and thus would limit permit holders and drivers to participate in these TNC/taxicab partnerships based on their dispatch service subscription. FHVA stated that these revisions enable any permitted TNC to partner with any MTS-authorized dispatch service at their sole discretion and drivers to subscribe to a dispatch service that offered Third-Party Trip Provider business.

Instead of only excepting the use of maximum rates of fare for TNCs, FHVA has identified an alternative approach that would allow an exception to maximum rates of fare for any prearranged trips that offer upfront pricing through mobile application or internet website. Any dispatch service organization that maintains a mobile application or internet website could determine upfront prices for prearranged trips, and not being limited to business partnership with a TNC or being limited to the maximum rates of fare. In this alternative approach, the maximum rates of fare shall only apply to trips generated at the taxicab stands, street hails, and telephone requests to a dispatch service.

It is possible passengers booking a taxicab trip through a mobile application or internet website may be paying more or less than the maximum rate of fare for their trip. However, such passengers would have the ability and option to compare multiple transportation options (e.g. TNC app, taxicab dispatch app) to choose which for-hire transportation mode may provide them the best rate and/or quickest trip. Further, a passenger will continue to have the option to call a dispatch service organization, or go straight to a taxicab stand or street hail, if they want their taxicab trip regulated under the maximum rate structure.

As taxicabs continue to face challenges due to competition with TNCs and other forms of micro-mobility, FHVA recommends further discussions on these alternative approaches to enable taxicabs to leverage technology and compensation methods.

FHVA requests feedback on the following proposed revisions to MTS Ordinance No. 11 to allow this alternative approach:

MTS Ordinance No. 11, 2.4(g) – Posting of Maximum Rates of Fare Inside Taxicabs

Per MTS Ordinance No. 11, Section 1.8 (p), the maximum rates of fare charged for for-hire vehicle services shall be clearly and conspicuously displayed in the passenger compartment, unless if a taxicab which shall comply with Section 2.2(d) of this Ordinance Section 2.2(d) requires a taxicab permit holder or driver to disclose fares, fees or rates to the passenger, and disclose this information by website, mobile phone app or telephone order.

Although the it is not required by FHVA that taxicabs have the maximum rates of fare posted, the California Department of Agriculture, Division of Weights and Measures requires all taxicabs to display the fare rates within the interior of the vehicle. Therefore, every MTS permitted taxicab currently displays the maximum flag, per mile, and waiting time rates.

To mitigate possible confusion from passengers that agreed to the upfront price through a mobile app or internet website, and seeing in the taxicab the maximum rates of fare posted which may be different than what the agreed upon price would be, it is recommended that posted notice in the interior of the vehicle would say “maximum rates of fare would not apply to trips booked through a mobile app or internet website”.

MTS Ordinance No. 11, Section 1.8(ee), 2.4(d) – Drivers Ability to Refuse Fares

Currently, Section 1.8(ee) states that a driver may refuse a fare if the prospective or actual fare is a hazard to the driver, and that the driver is not obligated to transport any person who is verbally or abuse to the driver. Section 2.4(d) states it is unlawful for taxicab operators to refuse or discourage a prospective or actual fare based upon trip length or method of payment.

Since trips booked through a mobile application or internet website may be based on flexible up-front pricing, fares may be higher or lower compared to the maximum rates of fare. The proposed revisions would add language to allow drivers to refuse a fare that is booked through mobile phone or internet website without penalties from MTS.

MTS Ordinance No. 11, Section 1.13(a)(6), 2.2(a), 2.2(b), 2.2(h), 2.2(i), 2.2(j) – Maximum Rates of Fare

Currently, there are several sections that require that maximum rates of fare apply to all taxicab trips. These include:

Section 1.13(a)(6) states permits may be suspended or revoked by the Chief Executive Officer (CEO) at any time a taxicab is operated at a rate of fare greater than the maximum rates of fare authorized by the CEO or posted on the taxicab.

Sections 2.2(a) and (b) establish the MTS of maximum rates of fare and require that taxicab trips from the Airport not be charged more than the authorized maximum rates of fare.

Sections 2.2(h) and (i) prohibit permit holders and/or drivers of taxicabs to demand of a passenger a charge which is greater than the current maximum rates of fare.

Section 2.2(j) allows dispatch services, permit holders and drivers to agree to a fare which is equal to or less than the maximum rates of fare if the agreement is entered into in advance. To ensure the fare agreement is equal or less than the maximum rates of fare, it requires that the taximeter remains in the recording position (activated) until the termination of the trip.

It is proposed the above sections be revised to add language clarifying that maximum rates of fare or requirement that the taximeter be activated, do not apply to trips booked through a mobile phone or internet website for which an up-front price has been agreed to by the passenger.

II. Dispatch Service Technology Requirements

City of San Diego Council Policy 500-02 (Council Policy 500-02) requires that dispatch services are able to receive and respond to service requirements or other operational questions 24 hours

a day, be computerized, and be able to locate vehicles in service using a GPS or similar technology.

FHVA reached out to all current authorized dispatch services to determine compliance with the requirements mentioned above. To better understand concerns from dispatch services and their taxicab subscribers, FHVA held ad hoc meetings on June 29, 2023 and September 21, 2023.

Some dispatch services representatives stated that the provisions of Council Policy 500-02 have become onerous and cost-prohibitive, and compliance would result in an increase in subscription costs for drivers. FHVA advised the ad-hoc group that advances in taxicab dispatch technologies, such as soft meters and advanced dispatch software, provide cost-effective and compliance solutions for the industry.

Currently, MTS Ordinance No. 11, Section 2.6(b) requires dispatch service organizations to receive and respond to service requests or other operational questions 24 hours a day. Due to the decline in trip requests via dispatch, particularly after hours, some dispatch services are unable to staff their dispatch service after business hours. 24-hour dispatch is standard in the taxicab industry as it assists taxicabs in meeting equivalent service standards regarding hours of service and availability for passengers who require after-hour WAV trips. It also provides taxicab drivers who prefer to work various shifts to obtain trips from patrons and businesses that operate late hours, such as bars, restaurants, and hotels. A proposed revision to this section would allow a dispatch center to utilize a remote call center of join with other dispatch services to provide 24-hour service.

Currently, MTS Ordinance No. 11 does not define what a computerized dispatch system should be. This has caused some dispatch services to utilize WhatsApp or other phone messaging apps as their primary method to dispatch trip requests to their subscriber. Current transportation dispatch technologies provide cost-effective solutions that include trip information recording, soft meters, GPS tracking, and instant mass messaging capabilities to communicate important event information to their subscribers. To ensure driver safety, consumer protections, and prompt complaint resolutions, proposed revisions would define computerized dispatch as a transportation specialized computer system that is designed to automate the flow of information between a dispatch service and driver and at a minimum, electronically record trip information start/end locations, route taken, up-front or final fare, and any additional information related to a trip.

Currently, MTS Ordinance No. 11 does not explicitly explain the method dispatch services should use to locate vehicles in service using a GPS or similar technology. This has caused some dispatch services to require subscribers to activate their smartphone GPS location feature instead of keeping track of the taxicab through GPS equipment installed on the taxicab. GPS tracking is an important public safety measure for both drivers and passengers that allows law enforcement and first responders to respond to crimes in progress or other emergencies. It also allows FHVA to investigate and resolve service complaints. To ensure the taxicab is the object being tracked and not the driver, proposed revisions would require a GPS tracking method installed directly on the vehicle.

III. LSVs

Currently, MTS Ordinance No. 11, Section 1.1(r) defines a LSV as 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.

FHVA has received a permit application for a three-wheeled vehicle that meets all other definitions for an LSV and meets California Department of Motor Vehicles safety criteria. The proposed revision would remove the four wheels on the ground requirement to enable this new type of vehicle to be permitted as an LSV.

After receiving feedback from TAC on the above proposed revisions, MTS will provide a red-line track change to MTS Ordinance No. 11 at the next TAC Meeting (to be scheduled around February 2024) for approval and subsequent MTS Board of Directors approval. MTS will also review whether any changes to MTS Board Policy No. 34 "For-Hire Vehicle Services", which discusses maximum rates of fare, may be required.

/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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MTS STAFF USE ONLY
Public Comment
AI #: 5 Date: 11/15/2013
No. in queue: 1

IN – PERSON PUBLIC COMMENT

SPEAKER INFORMATION (please print)

Agenda Item No.: 5
Name: JOHN L. FINLEY Telephone: _____
Email: jfinley@uber.com
City of Residence: SAN DIEGO
Remark Subject: UBER/TAXI LAUNCH
Affiliated Organization: UBER

PLEASE SUBMIT THIS COMPLETED FORM BACK TO THE CLERK

INSTRUCTIONS

This meeting is offered both in an in-person and virtual format. In-person speaker requests will be taken first. Speaking time will be limited to two minutes per person, unless specified by the Chairperson. Please make your comment at the podium located on the right side of the dais. Members of the public are permitted to make general public comments at the beginning of the agenda or make specific comments on any item in the agenda at the time the Board/Committee is considering the item during the meeting. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion.

BOARD OF DIRECTORS MEETING

General Public Comment at the beginning of the agenda will be limited to five speakers with the standard two-minute limit, unless otherwise directed by the Chair. Additional speakers with general public comments will be heard at the end of the meeting.

MEETING RECORD

A paraphrased version of this comment will be included in the minutes. The full comment can be heard by reviewing the recording posted on the respective meeting website: <https://www.sdmts.com/about/meetings-and-agendas>. This form will be included in the Meeting Materials posted on the respective MTS meeting site.

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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.





**Metropolitan
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Agenda Item No. 6

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE (TAC)

November 15, 2023

SUBJECT:

FOR-HIRE VEHICLE ADMINISTRATION OPERATIONS UPDATE (LEONARDO FEWELL)

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

For-Hire Vehicle Administration will provide a report on the following topics and categories: Addition of Oceanside to the list of cities FHVA regulates For-Hire Vehicles, taxicab wheelchair accessible vehicle (WAV) policy, upcoming permit renewal period, number of permitted companies, number of active and surrendered permits by vehicle type, number of field contacts, issued citations, taxicab airport originated trips, and other For-hire vehicle statistics, as well as an update on administrative operations.

/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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**Metropolitan
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Agenda Item No. 7

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
TAXICAB ADVISORY COMMITTEE (TAC)

November 15, 2023

SUBJECT:

TOPICS FOR NEXT TAXICAB ADVISORY COMMITTEE MEETING (LEONARDO FEWELL)

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

Feedback is requested on what topics should be addressed at the next Taxicab Advisory Committee meeting on a date to be determined. At this time, staff recommends the following agenda items:

- 2024 Maximum Rates of Fare
- Revisions to MTS Ordinance No. 11 relating to Taxi/TNC Partnerships, upfront pricing for prearranged trips and dispatch technology requirements
- Flat-Rate Fare for Airport Originated Trips
- For-Hire Vehicle Administration Update

/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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Transit
System



Taxicab Advisory Committee Meeting

November 15, 2023

2024 Fee Schedule

Agenda Item #4

2024 Fee Schedule

- For-Hire Vehicle Administration must be full cost recovery per Public Utilities Code Section 120266
- Fees calculated to recover MTS's expenses for the administration and enforcement of for-hire vehicle requirements and processing of permit applications
- This involves an annual review of the expenses and revenue of the previous fiscal year associated with MTS for-hire vehicle activities
 - Examples of expenses include salaries, vehicle leases and maintenance, radios, administrative overhead etc

2024 Fee Schedule

- FY 2023 ended with favorable revenues over expenses
 - In 2024, the MTS Finance Department will be providing TAC an overview of FY 2023 budget results and an updated forecast on the FY 2024 budget
- It is MTS's aim to keep Regulatory Fees relatively consistent without large swings to assist the for-hire vehicle industry in planning operational costs

2024 Fee Schedule

| Permit Type | 2024 Regulatory Fee |
|--------------------------------------|---------------------|
| Taxicab / Jitney / Low Speed Vehicle | \$350 |
| Non-Emergency Medical / Charter | \$440 |

- Invoices to be e-mailed around January 4, 2024
- Deadline for Regulatory Fee payment is March 4, 2024
 - Late Renewals Due by March 31, 2024 along with a \$100 late renewal fee or else permit will be voided
- Other Changes:
 - Fee Waivers for Taxicab Wheelchair Accessible Vehicles (WAVs) (in accordance with Taxicab WAV Policy-Fee Waiver Guidelines (pending))
 - MTS Regulated Vehicles reflective decals each (\$10) and addition of \$35 “Returned Payment Fee”

Proposed Ordinance No. 11 Revisions

Agenda Item #5

Proposed Ordinance No. 11 Revisions

Taxicab / TNC Partnerships

- UBER Technologies, a Transportation Network Company (TNC), and Yellow Cab announced a partnership in which taxicabs provide prearranged trips to UBER customers booked through its app. The UBER customer agrees to an up-front fare based on TNC dynamic pricing. The trip request is then connected to the Yellow Cab app, dispatching the trip to an available taxicab.
- Over the past year, FHVA has provided information to TAC on this partnership.
- On October 5, 2023, an ad-hoc meeting was conducted, to receive feedback from permit holders, lease drivers, dispatch services, and other industry stakeholders regarding potential MTS Ordinance No. 11 revisions

Proposed Ordinance No. 11 Revisions

Taxicab / TNC Partnerships

- As an initial start of how to facilitate this partnership, FHVA drafted the following:
 - Allow taxicab trips to be booked by a Third-Party Trip Provider, which would be defined as a TNC that books and provides up-front pricing to a prospective passenger, and then transfers the trip to an MTS authorized dispatch service organization's Taxi E-hail app. A Third-Party Trip Provider may not also be an MTS authorized dispatch service for purposes of this definition.

Proposed Ordinance No. 11 Revisions

Taxicab / TNC Partnerships

- At the October 5, 2023, Ad-hoc meeting, FHVA received feedback of concerns that the revisions were tailored exclusively for UBER and Yellow Cab.
- This would limit permit holders and drivers to participate in these TNC/taxicab partnerships to currently one dispatch service based on their dispatch service subscription.
- Instead of only excepting the use of maximum rates of fare for TNC booked trips, FHVA has identified an alternative approach that would allow an exception to maximum rates of fare for any prearranged trips that offer upfront pricing through mobile application or internet website.

Proposed Ordinance No. 11 Revisions

Taxicab / TNC Partnerships

- Any dispatch service organization that maintains a mobile application or internet website could determine upfront prices for prearranged trips, and not being limited to business partnership with a TNC or being limited to the maximum rates of fare.
- In this alternative approach, the maximum rates of fare would only apply to trips generated at the taxicab stands, street hails, and telephone requests to a dispatch service.

Proposed Ordinance No. 11 Revisions

Taxicab / TNC Partnerships

- It is possible passengers booking a taxicab trip through a mobile application or internet website may be paying more or less than the maximum rate of fare for their trip
 - This could incentivize the taxicab industry (i.e. dispatch services, permit holders and lease drivers) to provide their own trip rates and better compete with TNCs)
- Such passengers would have the ability and option to compare multiple transportation options (e.g. TNC app, taxicab dispatch app) to choose which for-hire transportation mode may provide them the best rate and/or quickest trip.
- Passengers will continue to have the option to call a dispatch service organization, or go straight to a taxicab stand or street hail, if they want their taxicab trip regulated under the maximum rate structure.

Proposed Ordinance No. 11 Revisions

Taxicab / TNC Partnerships

- FHVA recommends feedback on this alternative approach to enable taxicabs to leverage technology and compensation methods

Proposed Ordinance No. 11 Revisions

Taxicab / TNC Partnerships

- Proposed Revisions

- MTS Ordinance No. 11, 2.4(q) – Posting of Maximum Rates of Fare Inside Taxicabs
- MTS Ordinance No. 11, Section 1.8(ee), 2.4(d) – Drivers Ability to Refuse Fares
- MTS Ordinance No. 11, Section 1.13(a)(6), 2.2(a), 2.2(b), 2.2(h), 2.2(i), 2.2(j) – Exceptions to Maximum Rates of Fare

Proposed Ordinance No. 11 Revisions

Dispatch Service Technology Requirements

- 24 Hour Dispatch

- MTS Ordinance No. 11, Section 2.6(b) requires dispatch service organizations to receive and respond to service requests or other operational questions 24 hours a day
 - Due to the decline in trip requests via dispatch, particularly after hours, some dispatch services are unable to staff their dispatch service after business hours
 - A proposed revision to this section would allow a dispatch center to utilize a remote call center or join with other dispatch services to provide 24-hour service.

Proposed Ordinance No. 11 Revisions

Dispatch Service Technology Requirements

- Computerized Dispatch System
 - MTS Ordinance No. 11 does not define what a computerized dispatch system should be. This has caused some dispatch services to utilize WhatsApp or other phone messaging apps as their primary method to dispatch trip requests to their subscriber.
 - proposed revisions would define computerized dispatch as a transportation specialized computer system that is designed to automate the flow of information between a dispatch service and driver and at a minimum, electronically record trip information start/end locations, route taken, up-front or final fare, and any additional information related to a trip.

Proposed Ordinance No. 11 Revisions

Dispatch Service Technology Requirements

- GPS tracking while in service
 - MTS Ordinance No. 11 does not explicitly explain the method dispatch services should use to locate vehicles in service using a GPS or similar technology. This has caused some dispatch services to require subscribers to activate their smartphone GPS location feature instead of keeping track of the taxicab through GPS equipment installed on the taxicab.
 - To ensure the taxicab is the object being tracked and not the driver, proposed revisions would require a GPS tracking method installed directly on the vehicle.

Proposed Ordinance No. 11 Revisions

LSVs

- MTS Ordinance No. 11, Section 1.1(r) defines a LSV as a motor vehicle, other than a motor truck, having four wheels on the ground
- FHVA has received a permit application for a three-wheeled vehicle that meets all other definitions for an LSV and meets California Department of Motor Vehicles safety criteria. The proposed revision would remove the four wheels on the ground requirement to enable this new type of vehicle to be permitted as an LSV.

Proposed Ordinance No. 11 Revisions

- Next Steps

- After receiving feedback from TAC on the above proposed revisions, MTS will provide a red-line track change to MTS Ordinance No. 11 at the next TAC Meeting (to be scheduled around February 2024) for approval and subsequent MTS Board of Directors approval.
- MTS will also review whether any changes to MTS Board Policy No. 34 “For-Hire Vehicle Services”, which discusses maximum rates of fare, may be required.

For-Hire Vehicle Administration Operations Update

Agenda Item # 6

FHVA Operations Update

- E-mail is primary method of communication for all purposes
 - Check Spam/Junk Folders, set e-mail filters to accept FHVA e-mails
- Permit Holders must notify FHVA of any changes in their address, phone number or e-mail information
- FHVA staff available by appointment only. All calls and e-mails are returned by the next business day

| Position | Name | Phone Number | E-Mail |
|--|-----------------|----------------|---------------------------|
| Manager (General information) | Leonardo Fewell | (619) 235-2643 | Leonardo.Fewell@sdmts.com |
| Admin. Assistant (Applications Transfers) | Carina Kenney | (619) 595-3086 | Carina.Kenney@sdmts.com |
| Regulatory Analyst (Applications, Transfers) | Alexis Dizon | (619) 595-3081 | Alexis.Dizon@sdmts.com |
| Regulatory Inspector (Vehicle Inspections) | Tom Lee | (619) 557-4524 | Tom.Lee@sdmts.com |
| Regulatory Inspector (Driver Training) | Mark Palmer | (619) 398-9595 | Mark.Palmer@sdmts.com |
| Regulatory Inspector (Enforcement) | Joe Ross | (619) 398-9573 | Joe.Ross@sdmts.com |

FHVA Operations Update

- Between January 2 and March 4, 2024, FHVA will collect regulatory fee payments, vehicle inspection forms and annual statements at the Airport holding lot, San Ysidro, Otay Mesa and CBX
- Payments, vehicle inspection forms and annual statements may also be placed in the FHVA Red drop box on the main lobby or mailed to:

For-Hire Vehicle Administration
100 16th St, San Diego, CA 92101

- To avoid a \$100 late payment fee, payments must be received by FHVA by March 4, 2023 by COB
- No cash or credit cards. Only personal or Cashiers Checks and Money Orders are accepted

FHVA Operations Update

- Addition of Oceanside to the list of Cities FHVA regulates
 - As of 11/12/2023, the city of Oceanside was added to Poway, Santee, El Cajon, La Mesa, Lemon Grove, San Diego, National City, Chula Vista, and Imperial Beach where FHVA provides For-Hire Vehicle regulation
 - For-Hire vehicle companies that were previously registered with the city of Oceanside, will be offered to transition to FHVA
 - All currently FHVA permitted vehicles may now conduct business in the city of Oceanside with no additional permit requirements

FHVA Operations Update

Number of Active vs. Surrendered Permits

| Number of Active vs Surrendered For-Hire Vehicle Permits (As of 11/13/2023) | | | | |
|--|-------------------------|-------------------------------|--------------------------|--------------------------|
| Number of Permit Holders: Taxi: 5 LSV: 2 NEM/Charter: 81 Jitney: 2 TOTAL: 579 | | | | |
| Permit Type | Total Number of Permits | Number of Permits Surrendered | Currently Active Permits | % Loss in Active Permits |
| Charter | 98 | 9 | 89 | 9% |
| Jitney | 3 | 1 | 2 | 33% |
| Low Speed Vehicle | 29 | 0 | 29 | 0% |
| NEMT | 561 | 14 | 547 | 2.5% |
| Taxi | 773 | 113 | 660 | 14.5% |
| Total (All Types) | 1464 | 137 | 1327 | 9% |

FHVA Operations Update

2023 (July-September Field Inspections)

| 2023 QUARTERLY (July-September) FHVA FIELD INSPECTIONS & STATS | | | | | | | | | | | |
|--|-----------|---------------|-------------|---------|----------|-------------|--------|-------|----------------|----------------------|-------------|
| | San Diego | National City | Chula Vista | La Mesa | El Cajon | Lemon Grove | Santee | Poway | Imperial Beach | San Ysidro/Otay Mesa | TOTAL |
| Contacts | 1061 | 245 | 553 | 122 | 238 | 40 | 64 | 67 | 31 | 495 | 2916 |
| Cites | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 3 |
| Parking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 4 |
| Warnings | 38 | 5 | 6 | 5 | 0 | 0 | 1 | 1 | 0 | 4 | 60 |
| Field Rep. | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 3 |

Definitions:

Contacts: Field contacts to verify driver and vehicle compliance

Cites: Notice to Appear in Court

Parking: Parking Citation (administrative fine)

Warnings: Verbal Warning to driver to correct violation

Field Rep.: Field report requiring reinspection to ascertain violation has been corrected

FHVA Operations Update

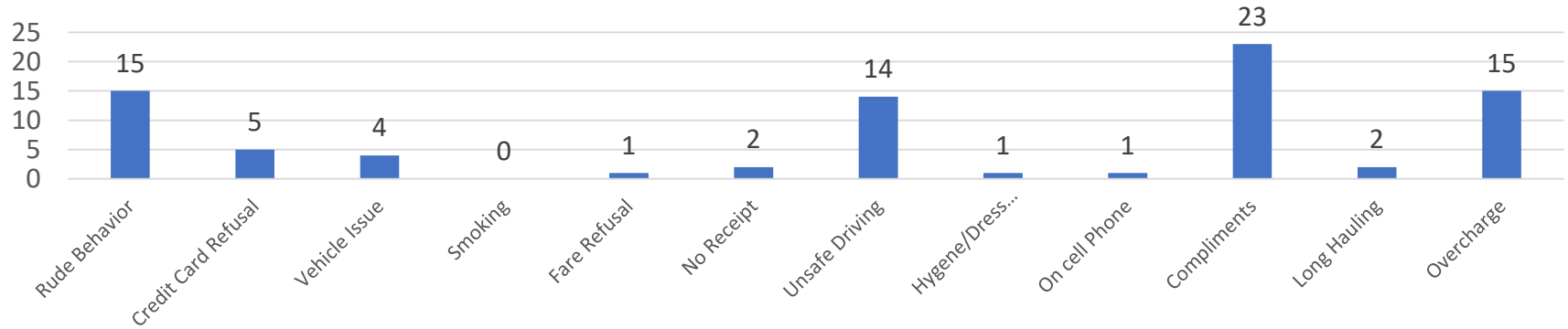
| Contacts Per Vehicle Type | | |
|---------------------------|-------------|-------------|
| Vehicle Type | Contacts | Percent |
| Taxi | 784 | 27% |
| NEM/Charter | 2074 | 71% |
| Jitney | 7 | 0.25% |
| Low Speed Vehicle | 51 | 1.75% |
| Total | 2916 | 100% |

FHVA Operations Update

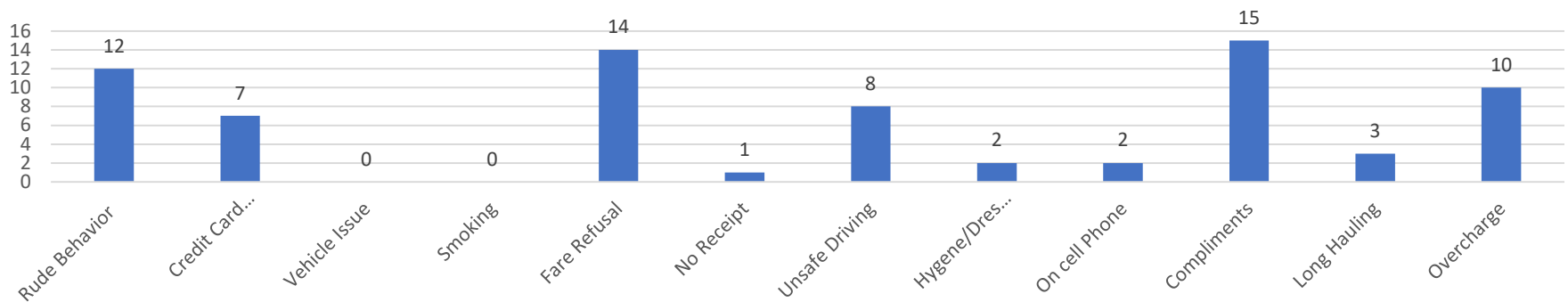
| Issued Warnings | |
|-----------------------------------|----|
| Do Not Have Sheriff ID | 25 |
| Sheriff ID Worn/Vehicle Display | 6 |
| Trip Logs – Complete/Non-Complete | 7 |
| Mechanical | 1 |
| No Op. Permit | 16 |
| Other | 5 |

FHVA Operations Update

Customer Feedback Cases April-June 2023

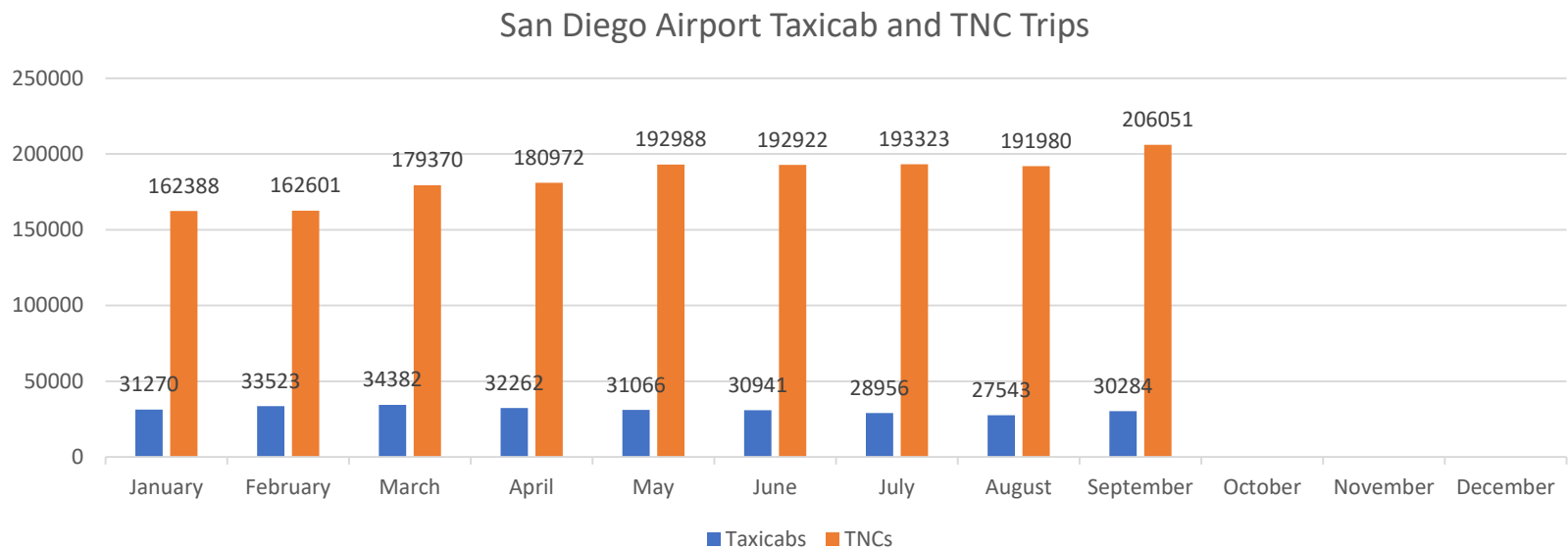


Customer Feedback Cases July-September 2023



FHVA Operations Update

San Diego Airport Taxicab and TNC trips



Topics for next Taxicab Advisory Committee Meeting

Agenda Item #7

Topics for next Taxicab Advisory Committee Meeting

- 2024 Maximum Rates of Fare
- Revisions to MTS ordinance No. 11 relating to Taxi/TNC partnerships, upfront pricing for prearranged trips and dispatch technology requirements and LSVs
- Flat-Rate Fare for Airport Originated Trips
- For-Hire Vehicle Administration Update

Committee Member Communications

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