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Agenda

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

January 3, 2020

10:00 a.m.

Taxicab Administration Building
1501 National Avenue, San Diego, CA 92113

To request an agenda in an alternative format or to request accommodations to facilitate meeting participation, please call the Clerk of the Board at least two working days prior to the meeting. Assistive Listening Devices (ALDs) are available from the Clerk of the Committee prior to the meeting and are to be returned at the end of the meeting.

	ACTION <u>RECOMMENDED</u>
1. <u>Roll Call</u>	
2. <u>Approval of Minutes</u> – November 18, 2019	Approve
3. <u>Non-Agenda Public Comment</u> The public may address the Committee regarding a matter <u>not</u> on the agenda. Each speaker has three minutes to speak. Give a completed <i>Request to Speak</i> form to the Clerk of the Committee.	
4. <u>2020 Maximum Rates of Fare</u>	Informational
5. <u>Workshop on MTS For-Hire Vehicle Insurance Requirements</u>	Informational
6. <u>Permits held prior to April 1, 2015 by Corporations and LLC's, deadline to meet City of San Diego Council Policy 500-02 Screening Criteria by February 12, 2020</u>	Informational
7. <u>Review of Taxicab Administration Regulations</u>	Informational
8. <u>Revisions to Taxicab Advisory Committee Membership and Guidelines</u>	Informational



9. Committee Member Communications
Brief comment on any taxicab related item not included in the Agenda.
10. Next Meeting: To Be Determined.
11. Adjournment

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

1501 National Avenue
San Diego, CA 92113

DRAFT MINUTES

November 18, 2019

[Clerk's note: Except where noted, public, staff and committee member comments are paraphrased].

1. Roll Call

Leonardo Fewell, Chair of the Committee, called the Workshop on Regulatory Matters meeting to order at 2:05 pm. A roll call sheet listing the Workshop on Regulatory Matters (WORM) member attendance is attached.

2. Approval of Meeting Minutes – August 13, 2019

Mr. Majid moved for approval of the minutes of the August 13, 2019 WORM meeting. Mr. Hueso seconded the motion, and the vote was 10 to 0 in favor with Mr. Nahavandian, Mr. Nichols and Mr. Tehrani absent.

3. Non-Agenda Public Comment

There were no non-agenda public comments.

4. Management Communications

Mr. Fewell announced the departure of prior Taxicab Administration Manager, Kenneth Nelson and his appointment as successor to the Taxicab Administration Manager position. Mr. Fewell notified attendees that the December 11, 2019 at 10:00 am Taxicab Administration Committee (TAC) meeting has been moved to December 2, 2019 at 2:00 pm.

5. Revision to Board Policy No. 34 (For-Hire Vehicle Services)

Mr. Fewell reviewed the proposed changes to the Rates of Fare Calculation Method. It is recommended that the current weighted average of fares calculation method for city/nonairport trips be replaced with the yearly change in the Annual All Urban Western Transportation CPI for the San Diego region. With this proposed change, there would no longer be two separate rates of fare calculations for city/nonairport trips and airport trips. Regardless of where the trip originated, the maximum rate of fare would be calculated based on CPI. This method of calculation would allow the taxicab industry to better compete with TNC's and other for-hire transportation services. In addition to the annual recalculation of the Maximum Rate of Fare the allowance of an additional 6% increase, beyond the established Maximum Rate of Fare, for Taxicabs equipped with Point of Sale (POS) equipment electronically connected to the taximeter and capable of printing, or electronically conveying, passenger payment receipts is also proposed. Mr. Fewell explained this revision is being proposed to incentivize the implementation

of new technologies allowing for increased payment securities. The proposed rates of fare using the 2018 Annual CPI Rates are as follows; \$2.90 flag drop 1/10 of a mile, \$3.10 per mile and \$25.00 per-hour waiting time. For those taxicabs utilizing POS equipment the proposed maximum rates of fare are as follows: \$3.10 flag drop 1/10 of a mile, \$3.30 per mile and \$27.00 per-hour waiting time.

Mr. Fewell noted that the Maximum Rates of Fare are calculated annually and presented at a noticed and open public hearing of the TAC, with the rates becoming effective immediately; no approval by the TAC or MTS Board of Directors is necessary.

The additional proposed revision to MTS Board Policy No. 34 is the update of MTS taxicab and for-hire vehicle regulated cities to reflect the inclusion of Chula Vista and National City.

Mr. Hueso inquired as to why such a rigid change would be imposed when the industry is still in continuous change and that there should be more flexibility and ability to elect leaving the rate as is. Mr. Fewell reported that the rates were last stabilized in 2015 and that the CPI Method is much more concise, particularly with the continued taxicab permit attrition. Mr. Fewell explained, and reiterated, that the establishment of the Maximum Rate sets a “cap”; it does not mean that the maximum rate **must** be charged. Mr. Palmeri asked how this change would impact the airport rates. Mr. Fewell reported that an approval to recalculate the Rates of Fare would mean there would no longer be uniformity of rates between the City of San Diego and the San Diego Airport. Mr. Banks stated that he thinks that having the difference in rates will lead to a lot of customer confusion. He also shared that the Ride Share Companies are now using a queue system much like taxi’s and he feels that the increase in rates with further impact that ability to remain competitive. Mr. Antallo agreed that it is difficult to remain competitive and that it is important to be flexible and adjust rates as the market indicates. Mr. Antallo agrees with utilizing the CPI Method of Calculation. Mr. Palmeri asked if all subscribing vehicles under the same radio service must have the same rate. Mr. Fewell clarified that there is nothing in Ordinance 11 that mandates charging the same rate. Mr. Tasem said that he feels utilizing the CPI method is going to make the rates too high and is going to continue to impact the ability to remain competitive negatively. Mr. Abraham said that he thinks the issue presented is very clear and does not require so much discussion, those who choose to charge the maximum rate should, and those who opt to charge lower may also do so. Ms. Tanguay said that she is also against any increase in rates due to the increased confusion between airport and city rates.

Public Comment

Kamran Hamidi, Permit Holder/Aiport Dispatch – Mr. Hamidi said that AB1069 states that you can no longer stabilize rates. The recalculation is required to be conducted annually and is merely establishing a maximum rate of fare. Mr. Hamidi stated that it’s been 7 years since drivers have had a “raise” and allowing for a increase in rates will effectively allow for a raise for those who so choose. Mr. Hamidi also thanks and supports Mr. Fewell for the review and simplification of the Maximum Rates, Ordinance and Policy revisions.

Action Taken

Mr. Majid moved to forward a recommendation to the TAC to approve the proposed revisions to MTS Board Policy No. 34. Mr. Abraham seconded the motion, and the vote was 7 to 1 in favor

with Mr. Tasem opposing, Mr. Palmeri and Ms. Tanguay abstaining and Mr. Nahavandian, Mr. Nichols and Mr. Tehrani absent.

6. Revision to MTS Ordinance No. 11 Sections 2.2(a), 2.2(j) and 2.3(h)

Mr. Fewell provided a verbal report of the proposed revisions to MTS Ordinance No. 11 as follows: Section 2.2(a): proposed revision to reflect the calculation of maximum rates of fare for both trips originating from the airport and city/non airport, Section 2.2(j): proposed revisions would expressly allow up front trip pricing for dispatch services in addition to permit holders and drivers as long as equal to, or less than, the maximum rates of fare. For purposes of passenger fare verification, the revision would also require the taximeter flag to remain recording at the end of every trip and Section 2.3(h): to be revised to additionally allow the licensed lease driver operating the taxicab to be listed as the merchant of record associate with the POS device.

Mr. Fewell stated that a critical reason for the change is for ease of investigations of Customer Feedback cases involving Square payment processing. Additionally, most drivers are no longer paid through the dispatch service but through their own credit card processing accounts. Mr. Tasem said that he believes that this change was already implemented 3 years ago and that MTS would only deal with owners, not lease drivers, in regards to disputes, he thinks this is a change back to an old system. Mr. Fewell stated that there was never an official change to the Ordinance and this revision proposal will update the language to reflect the current operating practices. He clarified that this change does not mean that the permit holder is not also involved in complaint resolution but allows for a more streamlined process when following up on cases. Mr. Banks agreed that it is important for Lease Drivers to be their own merchant of record for payment processing and record keeping. Ms. Tanguay provided some historical reference dating back to 1981 on the airport rate issue and also stated that she is in agreeance with aligning the current Square practice to the Ordinance.

Action Taken

Mr. Majid moved to forward a recommendation to the TAC to approve the proposed revisions to MTS Ordinance No. 11 Sections 2.2(a), 2.2(j) and 2.3(h). Ms. Tanguay seconded the motion, and the vote was 8 to 0 in favor with Mr. Palmeri abstaining, Mr. Nahavandian, Mr. Nichols and Mr. Tehrani absent.

7. Revisions to MTS Taxicab Administration Fee Schedule for 2020

Mr. Fewell provided a verbal report of the proposed 2020 Administrative Fee schedule as follows: Section 2.1: Proposed removal of the experience distinction and unification of the prorated fee of 100% for all applicants, regardless of years of experience, Section 2.2: the proposed language change clarifies that all additional permits, regardless of permit type, are charged at the same fee as taxicabs, Section 3: the proposed addition of fee charge for Replacement certificates for completion of Drivers Training, Section 4.5: the proposed reduction of dispatch service change fee from \$100.00 to \$50.00, Section 4.6: the proposed reduction of rate of fare filing per company fee from \$100.00 to \$50.00 and Section 4.9: the proposed reduction of the fee when adding, deleting or changing stockholder from \$250.00 to \$100.00

He noted that the Administrative Regulatory Fee will remain at \$600.00 for the year 2020. He stated that the Taxicab Administration mid-year budget will be presented at the January 2020 TAC meeting.

Action Taken

Informational item only.

8. Committee Member Communications

Mr. Abraham stated that he feels many of the agenda items being reviewed are self-explanatory and not so much time should need to be spent reviewing items that are not ultimately under the control of MTS. Mr. Majid asked that in consideration of length of meetings that Committee Members take the time to review the Agenda and Materials before the meetings. Mr. Antallo asked that the current MTS insurance requirements be reviewed at the next meeting.

9. Additional Non-Agenda Public Comment

There were no additional Non-Agenda Public Comments.

10. Next Meeting – TBD

11. Adjournment

The meeting was adjourned at 3:40 pm.

Accepted:

Filed by:

/s/Leonardo Fewell
Leonardo Fewell
Taxicab Administration Manager

/s/Jamila L Larkins
Jamila Larkins, Clerk of the Committee
MTS Taxicab Administration

Attachment: Roll Call Sheet


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

MEETING OF (DATE): November 18, 2019

CALL TO ORDER (TIME): 2:05 pm

ADJOURN: 3:40 pm

COMMITTEE MEMBER (Alternate)				ORGANIZATION	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
George Abraham	<input checked="" type="checkbox"/>			Taxicab Owner/Eritrean Cab Co.	2:00 pm	3:40 pm
Alfred Banks	<input checked="" type="checkbox"/>			Taxicab Lease Driver	2:00 pm	3:40 pm
Garret Cooper	<input checked="" type="checkbox"/>			San Diego County Weights & Measures	2:00 pm	3:40 pm
Antonio Hueso	<input checked="" type="checkbox"/>			USA Cab, LTD	2:00 pm	3:40 pm
Mikail Hussein	<input type="checkbox"/>	Abebe Antallo	<input checked="" type="checkbox"/>	United Taxi Workers Federation San Diego	2:00 pm	3:40 pm
Akbar Majid	<input checked="" type="checkbox"/>			Taxicab Owner/SDYC Holdings, LLC	2:00 pm	3:40 pm
Guillermo Morquecho	<input checked="" type="checkbox"/>			Taxicab Lease Driver	2:00 pm	3:40 pm
Houshang Nahavandian	<input type="checkbox"/>			Taxicab Owner/ESM Corporation		
Marc Nichols	<input type="checkbox"/>	Michael Anderson	<input type="checkbox"/>	San Diego County Regional Airport Authority		
Tony Palmeri	<input checked="" type="checkbox"/>	Michel Anderson	<input type="checkbox"/>	San Diego Travelers Aid Society	2:00 pm	3:28 pm
Margo Tanguay	<input checked="" type="checkbox"/>			Taxicab Lease Driver	2:00 pm	3:40 pm
David Tasem	<input checked="" type="checkbox"/>			Taxicab Lease Driver	2:41 pm	3:40 pm
Nasser Tehrani	<input type="checkbox"/>			Taxicab Owner/N.A.T. Cab Co.		
Sharon Cooney non-voting	<input type="checkbox"/>			MTS Chief of Staff		
Leonardo Fewell non-voting	<input checked="" type="checkbox"/>			MTS Taxicab Administration Manager	2:00 pm	3:40 pm
Samantha Leslie non-voting	<input type="checkbox"/>			MTS Staff Attorney/Regulatory Compliance		

CLERK OF THE TAC: 

TAXICAB ADMINISTRATION MANAGER: 



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Agenda Item No. 4

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

January 3, 2020

SUBJECT:

2020 MAXIMUM RATES OF FARE

INFORMATIONAL ITEM

Budget Impact

None with this Item.

DISCUSSION:

On December 12, 2019, the Metropolitan Transit System Board of Directors approved revisions to MTS Board Policy No. 34 (For Hire Vehicle Services). As a result, the change in the Annual All Urban Western Transportation Consumer Price Index (CPI) San Diego was adopted as the sole calculation method to determine the maximum rates of fare for both city and airport originated trips. Additionally, Taxicabs equipped with Point of Sale Devices (POS) Electronically Connected to the Taximeter and Printed or Electronically Conveyed Receipt Capabilities may now charge 6% more than the Maximum Rates of fare for Taxicabs without such devices.

The U.S. Bureau of Labor Statistics will release the finalized annual CPI for 2019 on January 14, 2020 at 08:30 a.m. MTS will utilize the change in the annual CPI to calculate the 2020 Maximum Rates of Fare for presentation to the Taxicab Advisory Committee on Wednesday January 15, 2020. Taxicab Companies may adopt the 2020 Maximum Rates of Fare immediately thereafter by filing a Statement of Rates of Fare form with Taxicab Administration.

Since taxicab companies may charge any rate of fare up to the authorized maximum, the Statement of Rates of Fare filing requirement only applies in the event the taxicab company chooses to adopt a higher maximum rate of fare than the one currently on file



with MTS; or, chooses to charge an 6% increase more than the maximum rate of fare if equipped with the aforementioned electronic POS requirement.

/s/Leonardo Fewell

Leonardo Fewell

Taxicab Administration Manager

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

Policies and Procedures

No. 34

Board Approval: 12/12/2019

SUBJECT:

FOR-HIRE VEHICLE SERVICES

PURPOSE:

To establish a policy with guidelines and procedures for the implementation of MTS Ordinance No. 11.

BACKGROUND:

Regulation of for-hire vehicle service is in the interest of providing the citizens and visitors to the MTS region and particularly the Cities of Chula Vista, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, and Santee, with a good quality local transportation service. Toward this end, MTS finds it desirable to regulate the issuance of taxicab permits, to establish maximum rates of fare, and to provide for annual review of cost-recovery regulatory fees.

POLICY:

34.1 City of San Diego Entry Policy

New City of San Diego taxicab permits will be issued in accordance with San Diego City Council Policy No. 500-02, "Taxicab Permits".

34.2 Maximum Rates of Fare Policy

Maximum rate of fare for exclusive ride and group ride hire of taxicabs shall be made in accordance with the change in the Annual All Urban Western Transportation Consumer Price Index (CPI)/San Diego. The fare structure shall consist of the dollar amounts charged by permit holders for the flag drop, the per-mile charge, waiting-time charge, first zone, and each additional zone charge. The maximum rates of fare shall be computed annually by the Chief Executive Officer and presented at a noticed public hearing of the Taxicab Advisory Committee.

34.2.1 Maximum Rates of Fare Determination

Unless Section 34.2.2 applies, the maximum fare determination shall be adjusted annually based on the 1990 Western transportation CPI/San Diego amounts of \$1.40 flag drop, \$1.50 per mile, and \$12.00 per hour waiting. Adjustments shall be rounded up or down, as appropriate, to the nearest even \$0.10 increment.

34.2.2 Maximum Rates of Fare Determination Only for Taxicabs Equipped with Point Of Sale Devices Electronically Connected to the Taximeter and Equipped with Printed or Electronically Conveyed Receipt Capability

Taxicabs equipped with point of sale devices electronically connected to the taximeter and capable of printing or electronically conveying receipts may charge the an increase of 6% more than the Maximum Rates of Fare for Taxicabs without such devices, as determined pursuant to Section 34.2.1. Adjustments shall be rounded up or down, as appropriate, to the nearest \$0.10 increment.

34.3 Airport Taxicab Fare Policy

In addition to the applicable maximum rate of fare described in Section 34.2.1, a taxicab operator may charge an “extra” equal to the Airport Trip Fee assessed against the individual taxicab operator by the San Diego County Regional Airport Authority. The extra may not be charged on any trip that does not originate at the airport or on any trip where the taxicab operator does not pay the fee to the San Diego County Regional Airport Authority. The extra charge may only be charged to the customer by utilizing the extra button on the taxicab meter. A driver may not verbally request payment.

34.4 Regulatory Fee Review

The following procedures will be utilized for the establishment of for-hire vehicle regulatory fees.

34.4.1 In accordance with State of California Public Utilities Code Section 120266, MTS shall fully recover the cost of regulating the taxicab and other for-hire vehicle industry. Pursuant to MTS Ordinance No. 11, Sections 1.3(b), 1.4(a), 1.4((c), and 1.5(d), the Chief Executive Officer establishes a fee schedule to effect full-cost recovery and notify affected permit holders of changes in the fee schedule.

34.4.2 The procedure for establishing a regulatory fee schedule will include an annual review of the audited expenses and revenue of the previous fiscal year associated with MTS for-hire vehicle activities. The revised fee schedule will be available for review by interested parties in November each year and is subject to appeal as provided for in Ordinance No. 11, Section 1.5(d).

34.4.3 A fee schedule based on previous year expenses and revenue amounts will be put into effect each January.

POLICY.34.FOR-HIRE VEHICLE SERVICES

This policy was originally adopted on 12/8/88.

This policy was amended on 7/26/90.

This policy was amended on 5/9/91.

This policy was amended on 6/13/91.

This policy was amended on 1/28/93.

This policy was amended on 5/11/95.

This policy was amended on 10/31/02.

This policy was amended on 4/24/03.

This policy revised on 3/25/04.

This policy was amended on 4/26/07.

This policy was amended on 7/17/08.

This policy was amended on 4/19/12.

This policy was amended on 4/16/15.

This policy was amended on 12/12/2019.



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Agenda Item No. 5

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

January 3, 2020

SUBJECT:

WORKSHOP ON MTS FOR-HIRE VEHICLE INSURANCE REQUIREMENTS

INFORMATIONAL ITEM

Budget Impact

None with this Item.

DISCUSSION:

MTS Taxicab Administration establishes minimum required public liability insurance requirements and coverage amount limits for Taxicabs and for-hire vehicles. MTS Taxicab Administration has received multiple request from Taxicab Advisory Committee members, drivers and permit holders to revise the current MTS for-hire vehicles insurance requirements, specifically, to eliminate insurance company minimum standard ratings. The intent is to allow insurance companies that do not meet the current MTS minimum A- rating requirement to come in to the San Diego taxicab insurance market. The expected result is lower insurance premiums for the San Diego taxicab industry.

Minimum Insurance requirements are established in the interest of public and passenger safety. MTS current insurance coverage limits and requirements are on par with similar regulatory agencies in the state of California. MTS is aware that insurance coverage is one of the largest operational costs for taxicab companies and a determining factor in determining whether or not to stay in business.

Before a final determination is made by MTS to revise the current for-hire vehicle insurance requirements, and in an effort to find effective and sustainable solutions that may result in lower insurance premiums for taxicabs, Taxicab Administration will convene a one-day workshop on for-hire vehicle insurance requirements. The workshop will take place at the MTS Board Room on Friday, January 17, 2020 at 10:00 am.



Attendance invitations have been sent to representatives from the city of San Diego, Insurance brokerages, the United Taxicab Workers San Diego (UTWSD), permit holders and selected stakeholders with subject matter experience. Attendance shall be by invitation only. Please contact Taxicab Administration for attendee suggestions, questions or concerns.

/s/Leonardo Fewell
Leonardo Fewell
Taxicab 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 WORKSHOP ON REGULATORY MATTERS

January 3, 2020

SUBJECT:

PERMITS HELD PRIOR TO APRIL 1, 2015 BY CORPORATIONS AND LLC'S
DEADLINE TO MEET SAN DIEGO CITY COUNCIL POLICY 500-02 CRITERIA BY
FEBRUARY 12, 2020

INFORMATIONAL ITEM

Budget Impact

Potential loss of regulatory fees for 167 taxicab permits.

DISCUSSION:

Pursuant to MTS's agreement with the City of San Diego (G0225.10-95), the City of San Diego sets fundamental public policy for the regulation of taxicabs and other for-hire vehicles. City of San Diego sets forth its fundamental public policy requirements within Council Policy 500-02. MTS Taxicab Administration then enforces and regulates these policies through MTS Ordinance No. 11.

On March 14, 2015, Council Policy No. 500-02 was revised to require that new taxicab permit holders must have a vehicle that 1) is no older than 10 years of the model age and 2) not have a salvage title. For all existing permit holders held by corporations or limited liability companies, City Council Policy No. 500-02 required compliance within 5 years. Pursuant to MTS Ordinance No. 11, the date of compliance was set as February 12, 2020.

Permit holders registered as corporations or limited liability companies have expressed concerns of the significant costs involved in replacing their vehicles with newer, non-salvaged compliant vehicles before the deadline. Many of these permit holders have stated they may cease operations completely instead of coming into compliance. Records show that 167 taxicab vehicles owned by corporation or limited liability



companies would not be found in compliance, either for the age or title status, by the February 12, 2020 deadline.

Permit holders registered as corporations or limited liability companies have also expressed frustrations for why their permits have been singled out to come into compliance by February 12, 2020, while Council Policy 500-02 does not extend the same requirements to non-corporation or non-limited liability company held existing permit holders (e.g. individually owned taxicab permit holders). Individually owned taxicab permit holders that held an existing permit before March 14, 2015, are not required to come into compliance with Council Policy 500-02 unless they transferred a permit or applied for a new permit.

In response to these concerns, MTS Taxicab Administration has reviewed this issue. The purpose for MTS's regulation of for-hire vehicles is to ensure public safety. MTS Ordinance No. 11 sets minimum safety standards that must be met for the vehicle. This includes, but is not limited to, annual 52 point vehicle inspections performed by MTS Taxicab Administration. These comprehensive vehicle assessments ensure that the vehicle, regardless of age or salvaged title, meets MTS's minimum safety standards.

Therefore, MTS Taxicab Administration supports revisions to Council Policy 500-02 and MTS Ordinance No 11 to eliminate vehicle age limits and title status. To allow time for the City of San Diego to review this issue, MTS Taxicab Administration will not enforce this requirement until January 1, 2021. If by January 1, 2021 the City of San Diego has not adopted changes to Council Policy 500-02 in regards to vehicle age limits and title status, MTS will enforce Council Policy 500-02 and MTS Ordinance No. 11 as currently stated.

/s/Leonardo Fewell

Leonardo Fewell

Taxicab Administration Manager

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

Attachment: San Diego City Council Policy 500-02

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

SUBJECT: TAXICAB PERMITS
POLICY NO.: 500-02
EFFECTIVE DATE: March 14, 2015

BACKGROUND:

Regulation of taxicab service is in the interest of providing residents and visitors to the City of San Diego with a good quality local transportation service. Towards this end, the City finds it desirable to regulate the issuance of taxicab permits.

PURPOSE:

To establish a policy for the issuance of additional taxicab permits, for the purpose of expanding the taxi industry to meet growing demand for taxi service throughout the City, and providing opportunity for both existing and new taxi operators and for experienced drivers.

POLICY:

The City will issue taxicab permits to applicants who can demonstrate that they have the experience and resources to provide outstanding quality service to customers and the community.

New permits will be issued on a full cost recovery basis. All applicants will first have to submit an application and satisfy Screening Criteria based on quality and customer service standards.

Permit holders of newly awarded permits must demonstrate that they are in compliance with Screening Criteria as a condition of annual permit renewal or the permit may be suspended or revoked.

When any taxicab permit is transferred, the transferee must satisfy Screening Criteria at time of transfer and thereafter as a condition of annual permit renewal or the permit may be suspended or revoked.

All permits held by corporations or limited liability companies shall comply with Screening Criteria within five years of the adoption of this Policy.

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

IMPLEMENTATION:

Screening Criteria will be evaluated on a pass-fail basis. Each element must be a “pass” in order for the applicant to have been considered to have satisfied the screening. Applicants are responsible for providing complete and accurate information needed for the screening evaluations.

1. Screening Criteria

A. Applicants must:

- a. Meet regulatory requirements for a taxicab permit holder and operator specified in ordinance and regulation.
- b. Provide evidence of at least six-months’ experience driving a taxicab, transportation network vehicle, charter party carrier services, or similar service oriented transportation or managing a demand responsive transportation service, or similar service oriented business.
- c. Provide evidence of ability to meet insurance requirements.
- d. Provide evidence of ability to finance the meeting of screening criteria and regulatory requirements.

B. Vehicles must:

- a. Meet regulatory and ordinance requirements
- b. Meet California Air Resources Board criteria for Zero Emission Vehicle or Low Emission Vehicle
- c. Be ADA-compliant (applies to first permit, thereafter at least 50% of vehicles must comply)
- d. Be equipped with a Global Positioning System (GPS)
- e. Be equipped with security cameras
- f. Be no older than 10 years of the model age
- g. Not have a salvage title

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

- C. Adequate facilities must be demonstrated for:
 - a. Administrative functions
 - b. Vehicle maintenance
 - c. Off-street vehicle storage when not in service
- D. Dispatch must be:
 - a. Staffed 24 hours
 - b. Computerized
 - c. Utilize a Global Positioning System (GPS)
- E. Customer service plan must include:
 - a. Acceptance of credit cards
 - b. Customer complaint system
 - c. Record keeping of every call, dispatch, trip, and complaint.
- F. Additional screening criteria may be added as needed by regulatory action to fulfill the purpose of improving industry standards and customer service and keeping current with technology.

HISTORY:

“Taxicabs - Certificates of Convenience and Necessity”

Adopted by Resolution R-72292 - 08/21/1962

Amended by Resolution R-216590 - 08/11/1976

Amended by Resolution R-217293 - 12/15/1976

Amended by Resolution R-222474 - 12/19/1978

Repealed by Resolution R-258090 - 03/14/1983

“Taxicabs - Permits”

Added by Resolution R-260636 - 05/07/1984

Amended by Resolution R-261739 - 10/15/1984

Amended by Resolution R-271307 - 06/28/1988

Amended by Resolution R-295355 - 08/06/2001

Amended by Resolution R-302130 - 12/06/2006

Amended by Resolution R-307494 - 06/26/2012

Amended by Resolution R-309308 - 11/25/2014



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Agenda Item No. 7

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

January 3, 2020

SUBJECT:

REVIEW OF TAXICAB ADMINISTRATION REGULATIONS

INFORMATIONAL ITEM

Budget Impact

None with this Item.

DISCUSSION:

In an effort to consolidate proposed revisions to taxicab regulations (e.g. MTS Ordinance No. 11, MTS Board Policy No. 34) that require MTS Board of Directors approval into one yearly agenda, MTS Taxicab Administration is requesting whether there any Taxicab Administration regulations that the taxicab industry is interested in revising. Taxicab Administration will examine each proposal and decide whether to recommend revisions to the MTS Board of Directors later in the year. If any of the requested revisions are fundamental public policy changes, the City of San Diego must approve the requested change first and revise Council Policy No. 500-02 (Attachment A) accordingly.

/s/Leonardo Fewell

Leonardo Fewell

Taxicab Administration Manager

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

Attachment: San Diego City Council Policy 500-02



CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

SUBJECT: TAXICAB PERMITS
POLICY NO.: 500-02
EFFECTIVE DATE: March 14, 2015

BACKGROUND:

Regulation of taxicab service is in the interest of providing residents and visitors to the City of San Diego with a good quality local transportation service. Towards this end, the City finds it desirable to regulate the issuance of taxicab permits.

PURPOSE:

To establish a policy for the issuance of additional taxicab permits, for the purpose of expanding the taxi industry to meet growing demand for taxi service throughout the City, and providing opportunity for both existing and new taxi operators and for experienced drivers.

POLICY:

The City will issue taxicab permits to applicants who can demonstrate that they have the experience and resources to provide outstanding quality service to customers and the community.

New permits will be issued on a full cost recovery basis. All applicants will first have to submit an application and satisfy Screening Criteria based on quality and customer service standards.

Permit holders of newly awarded permits must demonstrate that they are in compliance with Screening Criteria as a condition of annual permit renewal or the permit may be suspended or revoked.

When any taxicab permit is transferred, the transferee must satisfy Screening Criteria at time of transfer and thereafter as a condition of annual permit renewal or the permit may be suspended or revoked.

All permits held by corporations or limited liability companies shall comply with Screening Criteria within five years of the adoption of this Policy.

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COUNCIL POLICY

CURRENT

IMPLEMENTATION:

Screening Criteria will be evaluated on a pass-fail basis. Each element must be a “pass” in order for the applicant to have been considered to have satisfied the screening. Applicants are responsible for providing complete and accurate information needed for the screening evaluations.

1. Screening Criteria

A. Applicants must:

- a. Meet regulatory requirements for a taxicab permit holder and operator specified in ordinance and regulation.
- b. Provide evidence of at least six-months’ experience driving a taxicab, transportation network vehicle, charter party carrier services, or similar service oriented transportation or managing a demand responsive transportation service, or similar service oriented business.
- c. Provide evidence of ability to meet insurance requirements.
- d. Provide evidence of ability to finance the meeting of screening criteria and regulatory requirements.

B. Vehicles must:

- a. Meet regulatory and ordinance requirements
- b. Meet California Air Resources Board criteria for Zero Emission Vehicle or Low Emission Vehicle
- c. Be ADA-compliant (applies to first permit, thereafter at least 50% of vehicles must comply)
- d. Be equipped with a Global Positioning System (GPS)
- e. Be equipped with security cameras
- f. Be no older than 10 years of the model age
- g. Not have a salvage title

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

CURRENT

- C. Adequate facilities must be demonstrated for:
 - a. Administrative functions
 - b. Vehicle maintenance
 - c. Off-street vehicle storage when not in service
- D. Dispatch must be:
 - a. Staffed 24 hours
 - b. Computerized
 - c. Utilize a Global Positioning System (GPS)
- E. Customer service plan must include:
 - a. Acceptance of credit cards
 - b. Customer complaint system
 - c. Record keeping of every call, dispatch, trip, and complaint.
- F. Additional screening criteria may be added as needed by regulatory action to fulfill the purpose of improving industry standards and customer service and keeping current with technology.

HISTORY:

“Taxicabs - Certificates of Convenience and Necessity”

Adopted by Resolution R-72292 - 08/21/1962

Amended by Resolution R-216590 - 08/11/1976

Amended by Resolution R-217293 - 12/15/1976

Amended by Resolution R-222474 - 12/19/1978

Repealed by Resolution R-258090 - 03/14/1983

“Taxicabs - Permits”

Added by Resolution R-260636 - 05/07/1984

Amended by Resolution R-261739 - 10/15/1984

Amended by Resolution R-271307 - 06/28/1988

Amended by Resolution R-295355 - 08/06/2001

Amended by Resolution R-302130 - 12/06/2006

Amended by Resolution R-307494 - 06/26/2012

Amended by Resolution R-309308 - 11/25/2014



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Agenda Item No. 8

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

January 3, 2020

SUBJECT:

REVISIONS TO TAXICAB ADVISORY COMMITTEE MEMBERSHIP AND GUIDELINES

INFORMATIONAL ITEM

Budget Impact

None with this Item.

DISCUSSION:

The Taxicab Advisory Committee (TAC) is composed of sixteen voting members. On December 2, 2019, TAC member Anthony Palmeri announced his retirement and the withdrawal of the San Diego Traveler's Aid Society's participation on the TAC.

Additionally, the TAC representative from the Hotel Industry, Mr. Ryan Chasteen has relocated out of state and failed to respond to requests pertaining to the appointment of a replacement member.

MTS Taxicab Administration would appreciate feedback on how to address these two vacancies.

/s/Leonardo Fewell

Leonardo Fewell

Taxicab 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, San Diego Travelers Aid Society, the Hotel Industry, 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 **October 10, 2019**.
- 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.