

Meeting Date: 5/13/2014

Report Type: Consent

Report ID: 2014-00341

Title: (Pass for Publication) Amendments to Sacramento City Code Section 5.136 Relating to Taxicab Regulations

Location: Citywide

Recommendation: Review 1) an Ordinance amending and adding various sections of Chapter 5.136 of the Sacramento City Code, relating to taxicabs; 2) a Resolution approving the types of charges and maximum rates for taxicab service; and 3) pass for publication the Ordinance title as required by Sacramento City Charter 32c to be considered on May 20, 2014.

Contact: Dafna Gauthier, Business Permit Manager, (916) 808-7800; Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

Presenter: None

Department: Finance

Division:

Dept ID:

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Sample Taxi Driver Test
- 4-Exhibit 1 - Proposed Taxi Ordinance
- 5-Exhibit 2 - Taxi Ordinance - Red line version
- 6-Exhibit 3 - Alternative Language - Red line version
- 6a-Exhibit 3 - Alternative Language
- 7-Exhibit 4 - Resolution

City Attorney Review

Approved as to Form
Michael W. Voss
5/7/2014 4:38:08 PM

Approvals/Acknowledgements

Department Director or Designee: Leyne Milstein - 5/2/2014 9:48:33 AM

Description/Analysis

Policy Considerations: Taxicabs are an essential component of the public transit system that serves the City. A well-functioning taxi system can be a valuable resource for visitors, business people, and patrons of bars, clubs, restaurants, and stores. At the same time, taxis can also assist those who do not have a car or access to other forms of public transit for a variety of reasons such as income, age, disability, or simply personal choice.

Taxicabs are operated by private persons utilizing the public rights of way to advertise and deliver their services. Left unregulated, the competitive and transient nature of the business can result in predatory, discriminatory, fraudulent, and/or dangerous conduct. The appropriate regulation of taxicab companies, taxicab drivers, and their operations must be in place to protect the public's health, safety, and welfare.

Economic Impacts: None

Environmental Considerations: The regulation of taxicabs is not subject to CEQA because it involves only general policy and procedure making and it does not have the potential for causing a significant effect on the environment (CEQA Guidelines §§ 15061(b)(3), and 15378(b)(2)).

Sustainability: There are no sustainability considerations applicable to amending city code related to taxicab regulations.

Commission/Committee Action: In September 2013, the Law and Legislation Committee requested amendments to the existing taxicab ordinance in accordance with the recommendations that were presented to the Committee. On March 18, 2014, the Law and Legislation Committee approved the proposed ordinance language and requested that alternative language be presented to the City Council that creates an exemption to the vehicle age requirement and allows the use of software applications used in conjunction with mobile devices (mobile apps) to satisfy the dispatch service requirement.

Rationale for Recommendation: The proposed ordinance would amend the city code to implement the following regulations:

1. A cap on the number of taxicab vehicle permits
2. An age limit on taxi vehicles
3. Dispatch by means of two-way radio or mobile data terminals, rather than by cell phone
4. Taxi driver testing requirements
5. Requirement for taxi operators to accept credit cards
6. A dress code for taxi drivers
7. A two-year renewal for taxi vehicle permits
8. Prohibition on taxicab drivers preventing customers from entering other taxicabs and preventing other drivers from lawfully entering a parking space

These regulations will reduce the number of taxicabs in the City of Sacramento, increase the level of safety in the industry, allow taxicab operators to provide their services more effectively, and improve the quality of taxicab service.

Passing the resolution relating to charges and maximum rates will add a special fare for trips from the downtown area to the Sacramento International Airport, and to and from locations within the downtown area. Establishing these charges and maximum rates will prevent customers from being overcharged.

Financial Considerations: None. The proposed changes to the city code are not anticipated to have any financial impact to the City.

Background

There have been several complaints in the downtown area regarding taxi drivers impeding traffic, fighting in the informal queuing lines, or parking in illegal spaces to obtain a better position in the informal queuing line. These drivers are parked for hours waiting for a fare to the airport, while ultimately bypassing other fares (i.e. short fare runs). The informal queuing has created many disagreements amongst the drivers and is affecting our citizens and visitors in the downtown area. Other complaints relate to taxi drivers' lack of professionalism, dress code, and taxi vehicle maintenance.

Staff has benchmarked with other cities (Los Angeles, San Diego, Oakland, Riverside, Stockton, Portland, Fresno, Atlanta, Windsor and Calgary, Canada) to examine best practices and compare our industry to other jurisdictions.

In March 2014, the Law and Legislation Committee approved the proposed ordinance, attached as EXHIBIT 1. The ordinance implements the following best practices that are designed to enhance the taxi industry:

1. Limit the number of taxi vehicle permits issued by the City (Ordinance sections 6 and 7)
2. Prohibit taxicab vehicles that are over eight years of age (Ordinance section 10)
3. Require dispatch by means of radio or mobile data terminals rather than by cell phone (Ordinance sections 12 and 13)
4. Require taxicab driver testing (Ordinance sections 2 and 5)
5. Require taxi operators to accept credit cards (Ordinance section 11)
6. Implement a dress code (Ordinance section 4)
7. Two-year renewal for taxi vehicle permits (Ordinance sections 8 and 9)
8. Prohibit taxicab drivers from preventing customers from entering other taxicabs and from preventing other drivers from lawfully entering a parking space (Ordinance section 3).

The Law and Legislation Committee also requested staff to provide the City Council with alternate ordinance language that would do the following: (1) add an exemption to the vehicle age requirement for rare, historical, or vintage quality vehicles, and (2) allow the required dispatch service to be conducted through the use of software applications used in conjunction with mobile devices (mobile apps). The alternative ordinance language is attached as EXHIBIT 3.

Placing a Cap on the Number of Permitted Taxicabs

The City of Sacramento and the taxi industry concur that there are too many taxis in Sacramento, especially in the downtown area. Staff has discovered that different

jurisdictions have several methods to limit or reduce the number of taxis in their area. Some of these methods include letting the demand drive the supply, limiting the number of taxis to a ratio using the jurisdiction's population, or requiring minimum operating standards.

Staff recommends using the ratio of the City's population to the number of taxis of 1,000 persons to one taxicab vehicle. Staff recommends a cap of 450 taxicabs based on population for the City of Sacramento, which is approximately 450,000-475,000. This cap will allow staff time to collect relevant data and re-evaluate in three years. During that time, staff can determine if this methodology is sufficient given the City's population. Staff will also hire a consultant to assist the City in determining the appropriate number once the relevant data is retrieved from the taxi industry.

Require an Age Limit on Vehicles

Staff has also determined that some of the taxicab vehicles in the City are old, prone to breakdowns and outdated regarding technology, safety, and efficiency. As a result, the public's health, safety, and welfare are compromised when these older vehicles are used. Most jurisdictions have a vehicle age cap of five to eight years. Staff is recommending the eight-year cap on the age of the vehicle, which will be enforced in five years to allow the industry time to adjust.

The City's Fleet Manager has indicated that there will be eventual emissions and air quality benefits to the Sacramento Region by phasing out the cabs over eight years old five years from now. This is a very lenient baseline standard. The cab companies are encouraged to explore the potential environmental and cost savings benefits of migrating to hybrid and alternative fuel technologies. Other California cities have established grant funding opportunities and incentives including authorizing fare surcharges to support cab companies voluntary migration to hybrid and alternative fuel vehicles.

The language of ALTERNATIVE A adds an exemption to the vehicle age requirement for vehicles that are rare, historical, or of vintage quality. Staff recommends the Council adopt this exemption for vehicle age requirements.

Requiring Dispatch

To address the problems caused by or related to drivers establishing an informal queuing system and competing for limited fares, staff recommends that the City require all fleet associations to be equipped and operated by a dispatch communication system that is approved by the Federal Communications Commission.

This type of dispatch system will provide the public with a central point of contact to seek taxicab services and enable the drivers to remain mobile, travel to different parts of the city, and still be able to access profitable fares. Another benefit of a dispatch system is that the city will be able to gather data from the systems and study it in order to improve the taxi industry (such as calls for service and supply vs. demand).

The proposed ordinance limits dispatch service to only two-way radio and mobile data terminal systems. However, staff recommends the language in ALTERNATIVE B, which allows associations to use mobile apps to satisfy the dispatch service requirement. The alternative language will also require the dispatch service (instead of each taxicab driver) to maintain a log of all trips made by taxicab vehicles so the City will be able to retrieve the data necessary to audit the associations.

Driver Testing Requirements

Another common complaint from the public is that some taxicab drivers do not understand them due to a language barrier or are not familiar with common landmarks and/or how to get to specific destinations directly. This often results in customers being taken to the wrong places and other unprofessional conduct.

Staff recommends the city require all drivers to pass a City Taxi Driver Exam to test main points of interest, familiarity with city geography, and knowledge of the Sacramento City Code relating to taxi regulations, the taxi industry, and customer service. The training test will also cover safety for both the drivers and passengers (see Attachment 3 - Sample Test).

Credit Cards

At times, customers may not carry large amounts of cash to pay for taxicab service. If the taxicab driver will not accept credit or debit cards, this prevents customers from being able to take a taxicab or pay for services provided. As a result, citizens may be stranded in an unfamiliar area or drivers may be unable to collect their fees. Staff recommends that the City require all taxicab drivers to be electronically equipped to accept debit and credit cards. The credit card device must be capable of taking both credit cards and debit cards.

Dress Code

The City has also received complaints that some taxicab drivers have been dirty and unkempt. Staff recommends the City require all taxi drivers to adhere to a dress code. The dress code will require collared shirts, long or short dress slacks, and closed toe shoes. Drivers shall wear shoes at all times while on duty. Drivers must be hygienically clean and wearing clothing clean in appearance.

Two-year Renewal for Taxi Vehicle Permits

Staff is recommending that the city code be amended to require renewal of taxi vehicle permits every two years instead of annually. This will reduce the amount of work City staff will need to dedicate to these tasks and reduce costs for the taxicab drivers.

Zoning Rates

Staff and representatives of the taxi industry have agreed upon a maximum rate, which is closely aligned with the taximeter rates, from the Central City to the Sacramento International airport. In order to impose this rate, the area within and including the borders of the American River to the north, 29th Street to the east, W Street to the south, and the Sacramento River to the west are designated as the "Central City." The maximum rate a taxi vehicle can charge a consumer for a trip from the Central City to the airport is \$45.00. However, the City does not regulate the rates for trips **from** the airport because the trip begins outside of the City limits. The rate to the airport is for a direct route and does not include idling or stops along the way to the airport.

In addition, maximum rates for trips within the Central City are proposed. The maximum rate for fares that begin and end within the Central City is \$15.00. Again, this would be for a direct route with no idling or stopping. The use of maximum rates is common in the taxi industry, as it protects tourists and infrequent taxi users from being overcharged. The proposed charges and maximum rates are imposed by resolution, attached as EXHIBIT 4.

Under the current city code, a driver may not request, demand, or accept any compensation in an amount greater than the maximum rates established by the City Council. Any violation can be penalized by the issuance of a citation or by suspending or revoking the driver's permit. No change to this regulation is proposed.

Establishing Guidelines for Mobile Applications

City staff is not proposing regulations relating to mobile apps at this time. Currently, the businesses using mobile apps, also known as Transportation Network Companies (such as UberX and Lyft), are being regulated by the California Public Utilities Commission (CPUC). The CPUC is in the process of undergoing phase II of its investigation into other parts of this industry and may be updating its regulations in the near future. Staff recommends that the City wait for the CPUC before proposing regulations for this industry.

Stakeholder Meetings

At the direction of the Law and Legislation Committee, staff held several stakeholder meetings with the taxi industry and representatives from the Downtown Partnership, the Sacramento Hotel Association, the Sacramento Convention Center, and the

Sacramento Convention and Visitors Bureau (SCVB). The stakeholder working group consisted of the taxi fleet association managers and taxi driver representatives from the taxi industry. Several meetings were held between October 2013 and February 2014. The final meetings with each committee were held in April 2014 to review the draft language for the ordinance amending Chapter 5.136 of the Sacramento City Code.

Age Limit on Vehicles

Initially, the taxi committee requested that the age limit be based on mileage rather than years. The recommended mileage by the committee is a limit of 350,000 miles. The taxi committee then suggested a ten-year limit on the age of vehicles. Staff and the City's Fleet Manager has concerns with the suggested mileage as this does not restrict drivers from buying old repurposed vehicles from an auction. The staff recommendation is to implement the eight-year age limit and omit emissions standards.

Staff originally recommended an Emission Performance tag with a minimum smog score of eight. However, after further research and discussion, staff found that this would be too stringent on the industry as it limits the number of vehicle makes and models that can be purchased under this requirement. Staff recommends working with the taxi industry under a five-year plan to implement the age limit of vehicles by year in phases. Each year, each fleet will need to have 1/5 of their fleet meet the year standards.

Dispatch

A few of the drivers in the taxi industry prefer not to have dispatch, or if dispatch is required, a few drivers would like to have the dispatch hours be required only during standard business hours (8:00 am-5:00 pm). This is not the consensus; most drivers understand the necessity for dispatch to provide the proper customer service in a transportation industry. The SCVB agrees with staff that dispatch is necessary. The taxi business is a 24-hour 7-days-a-week business, and therefore, staff recommends dispatch should be 24/7, or during the time any taxi vehicle is in operation for the fleet they are associated with. Staff recommends adopting the dispatch alternative language (B) as written in Exhibit 3.

Credit Cards

The taxi industry agrees that all taxi drivers should accept credit cards; however, the industry is asking for the electronic device, the "Square Credit Card Reader," to be permitted as a device to accept credit cards. The Square Credit Card Reader is a small square device that connects to a smartphone and allows individuals and small businesses to accept credit cards. A compromise agreement was made with the taxi industry to allow the Square device or a similar device be allowed to accept credit and debit cards. However, the hospitality committee would prefer the taxi industry to have

the ability to accommodate customers in accepting major credit cards that tie into a taximeter, and a device that prevents fraud or scams.

**Sample Questions of Taxi Driver Training Test
Taxi Limousine Para-transit Association (TLPA)
SAMPLE TEST (Attachment A)**

1. Smoking is prohibited in cars. Which word closely relates to the underlined word?

- Allowed
- Genius
- Banned
- Covert

2. Another word for taxi is

- Car
- Cab
- Bus
- Amusement

3. Max was _____ to see me. Fill in the correct word

- Blank
- Happy
- Eat
- Shark

4. The moon shines _____

- Bright
- Car
- Sad
- box

Basic Math

5. The fare is \$23.00. You are given these bills (20.00 + 5.00). How much change should you give back?

- Three dollars
- Six dollars
- Two dollars
- One dollar

6. What is the total amount of money shown? Quarter, dime, dime, penny, nickel, nickel, penny, penny.

- 50 cents
- 58 cents
- 55 cents
- 45 cents

7. How much money is this? Twenty, twenty, twenty, five dollars, quarter (showed bills).

- 65.75
- 60.50
- 65.15
- 65.25

8. The fare is \$15.50. What is the change if you are given a 20.00 dollar bill?

- 4.50
- 3.75
- 4.25
- 5.00

9. How much money is this? One dollar, five dollars, two nickels, two dimes, and two pennies.

- 6.30
- 6.15
- 6.32
- 6.35

10. How much money is left when you subtract a quarter, dime, and penny from a \$1.00?

- .65 cents
- .75 cents
- .64 cents
- None of the above

Next session

Offers a tutorial of different information, then has a review section for drivers to answer. For example, tutorial provides information of why taxis are regulated and how different rules may apply from city to city. Then, there is a test on the material from this tutorial.

11. It is common for local government, such as city or county to regulate the taxicabs that pick up in their boundaries?

- True
- False

12. As a taxicab driver, you must know before you pick up anywhere if it is legal for you to do so and what the rules are in that area:

- True
- False

13. Which of these are common driver rules?

- Helping passengers with their luggage
- Behaving in a professional manner

- Taking the most direct route to get the passenger where he or she is going
- All of the above

14. You can lose your driver permit if you operate unsafely, or are convicted of a crime:

- True
- False

Tutorial guide on geographical resources drivers can use (describes how to use a Thomas Brothers map, discusses GPS, etc.)

15. GPS navigators are foolproof:

- True
- False

16. North is almost always at the top of a map:

- True
- False

17. When it comes to travel locations and information, your _____ is a good resource.

- Local bar
- Visitors and convention bureau
- Post office
- None of the above

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

**AMENDING AND ADDING VARIOUS SECTIONS OF CHAPTER 5.136 OF
THE SACRAMENTO CITY CODE RELATING TO TAXICABS**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 5.136.020 of the Sacramento City Code is amended as follows:

A. A definition of “active” is added to read as follows:

“Active,” as it relates to any permit, means the permit has been issued pursuant to this chapter, has not been revoked, and has not expired. “Active” includes a permit that is suspended.

B. A definition of “dispatch service” is added to read as follows:

“Dispatch service” means an operation that receives requests for taxi service at a central location and communicates with taxicab drivers to respond to such requests.

C. A definition of “valid” is added to read as follows:

“Valid,” as it relates to any permit, means the permit has been issued pursuant to this chapter, is not suspended, is not revoked, and is not expired.

D. Except as amended by subsections A, B and C above, all provisions of section 5.136.020 remain unchanged and in full force and effect.

SECTION 2.

Section 5.136.120 of the Sacramento City Code is amended as follows:

A. Subsection K is added to read as follows:

K. The applicant failed to take or pass a city taxicab drivers test in accordance with section 5.136.290.

B. Except as amended by subsection A above, all provisions of section 5.136.120 remain unchanged and in full force and effect.

SECTION 3.

Section 5.136.180 of the Sacramento City Code is amended to read as follows:

5.136.180 Threats, harassment, or abuse.

No taxicab driver shall:

- A. Threaten, harass, or abuse any other person while operating a taxicab;
- B. Prevent or attempt to prevent a customer from entering another taxicab of their choice; or
- C. Prevent or attempt to prevent another taxicab driver from lawfully maneuvering his or her taxicab vehicle into a vacant parking space, whether within a taxicab zone or not.

SECTION 4.

Section 5.136.250 is added to the Sacramento City Code to read as follows:

5.136.250 Taxicab driver dress and cleanliness.

No taxicab driver shall operate a taxicab unless:

- A. He or she is wearing the following items of clothing:
 - 1. A collared shirt;
 - 2. Long or short dress slacks; and
 - 3. Closed-toed shoes;
- B. All clothing that he or she is wearing is clean in appearance; and
- C. His or her person is hygienically clean.

SECTION 5.

Section 5.136.290 is added to the Sacramento City Code to read as follows:

5.136.290 City taxicab drivers test.

A. Prior to obtaining or renewing a taxicab driver permit, all applicants shall take and pass a city taxicab drivers test that evaluates the applicant's knowledge of city topography and applicable regulations, as well as the applicant's ability to speak and understand directions in English. The director shall establish the method of testing, the contents of the test, and the score required to pass.

B. In addition to any of the penalties and remedies set forth in section 5.136.070, the director may require any taxicab driver who violates a provision of this chapter to take and pass a city taxicab drivers test described in subsection A, above. Notice shall be given to the permittee and to the taxicab fleet association to which the

permittee is registered. Notice is effective upon depositing the notice in the U.S. mail first class postage prepaid addressed to the permittee and the taxicab fleet association at the last addresses on record with the director. The driver shall take the test within seven days after the director gives notice of the requirement.

SECTION 6.

Section 5.136.302 is added to the Sacramento City Code to read as follows:

5.136.302 Taxicab vehicle permit limit.

Notwithstanding any contrary provision in this chapter, the city shall not issue a taxicab vehicle permit if there are 450 or more active taxicab vehicle permits at the time the application is submitted, except in the following circumstances:

- A. If a taxicab vehicle permit was active on January 1, 2014, the city may renew that permit;
- B. If a person sells a vehicle that has an active taxicab vehicle permit, the City may issue the new owner a taxicab vehicle permit for that vehicle; and
- C. If a person replaces a vehicle that has an active taxicab vehicle permit, the City may issue a taxicab vehicle permit for the replacement vehicle, if the taxicab vehicle permit for the replaced vehicle is simultaneously forfeited.

SECTION 7.

Section 5.136.304 is added to the Sacramento City Code to read as follows:

5.136.304 Selection of applicants for new taxicab vehicle permits.

- A. Whenever the number of active taxicab vehicle permits falls below 450, the director shall publish a notice in a newspaper of general circulation in the city pursuant to section 6063 of the California Government Code. The notice shall request that any person wishing to be considered for a taxicab vehicle permit should notify the director and provide a date when potential applicants must file a letter of intent to apply for the permit. The director may give additional public notice of the availability of a permit as he or she deems appropriate.
- B. The director shall thereafter conduct a lottery among all those expressing interest in the available taxicab vehicle permits and establish a sequence in which potential applicants will be considered for the available permits. Specific rules and procedures for the lottery shall be established by the director and approved by resolution of the city council.

C. If the selected applicant fails to qualify for a taxicab vehicle permit or elects not to proceed with the permit application process, applicants drawn in sequence in the lottery shall be considered until the permit is issued.

SECTION 8.

Section 5.136.310 of the Sacramento City Code is amended to read as follows:

5.136.310 Application for taxicab vehicle permit.

A. An owner, lessee, or holder of a similar interest in a taxicab may apply for a taxicab vehicle permit by filing an application with the director. The application shall be on a form approved by the city manager and may require any information or documentation consistent with the provisions of this chapter.

B. To renew a taxicab vehicle permit, the permittee shall file an application with the director. The application shall be submitted no later than 30 days prior to the vehicle permit expiration date. Untimely applications to renew taxicab vehicle permits are subject to a late penalty in the amount established by resolution of the city council.

C. Every application for a taxicab vehicle permit shall be accompanied by an annual nonrefundable taxicab vehicle permit application fee in the amount established by resolution of the city council.

D. No person shall knowingly make a false statement of fact or knowingly omit any information that is required in an application for a taxicab vehicle permit.

SECTION 9.

Section 5.136.330 is amended to read as follows:

5.136.330 Term of taxicab vehicle permit.

A taxicab vehicle permit issued pursuant to the provisions of this chapter shall be valid for two years from the date it was issued, unless it is suspended or revoked sooner.

SECTION 10.

Section 5.136.355 is added to the Sacramento City Code to read as follows:

5.136.355 Taxicab vehicle age.

No person shall operate a taxicab vehicle that is more than eight years old. The age of a vehicle shall be measured by using January 1st of the model year of the vehicle as the starting date. This section shall not be enforced until January 1, 2019.

SECTION 11.

Section 5.136.392 of the Sacramento City Code is added to read as follows:

5.136.392 Credit card and debit card transactions.

A. No person shall operate a taxicab without a device capable of electronically processing credit card and debit card transactions and printing a receipt.

B. All taxicab drivers shall accept credit card and debit card charges as payment for taxicab services and shall provide the customer with a receipt. The director shall determine the types of credit or debit cards that must be accepted.

SECTION 12.

Section 5.136.394 is added to the Sacramento City Code to read as follows:

5.136.394 Dispatch equipment.

No person shall operate a taxicab without the equipment necessary to communicate with the dispatch service provided by the taxicab fleet association with which the taxicab is registered, pursuant to section 5.136.620.

SECTION 13.

Section 5.136.620 of the Sacramento City Code is amended to read as follows:

5.136.620 Dispatch service.

A. The taxicab fleet association shall provide dispatch service to each of its registered taxicabs 24 hours a day. Dispatch service shall be performed by one or more persons who are located in the taxicab fleet association office, as described in section 5.136.590, or other commercial location within ten miles of the city limits. The dispatch service must be able to receive requests for service by telephone, facsimile, and TDD phone.

B. Dispatch service communications with taxi drivers shall be conducted by two-way radio, mobile data terminals, or similar communication devices as approved by the director. The communications and devices shall comply with all applicable laws and regulations.

C. The taxicab fleet association shall maintain dispatch logs that fully and accurately document the date and time of each request for service, the locations where

the passenger is to be picked up and dropped off, the taxicab assigned, and the time the trip was completed. The dispatch logs shall be maintained in the association office for at least three years from the date of the log.

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B. A definition of “dispatch service” is added to read as follows:

“Dispatch service” means an operation that receives requests for taxi service at a central location and communicates with taxicab drivers to respond to such requests.

C. A definition of “valid” is added to read as follows:

“Valid,” as it relates to any permit, means the permit has been issued pursuant to this chapter, is not suspended, is not revoked, and is not expired.

D. Except as amended by subsections A, B and C above, all provisions of section 5.136.020 remain unchanged and in full force and effect.

SECTION 2.

Section 5.136.120 of the Sacramento City Code is amended as follows:

A. Subsection K is added to read as follows:

K. The applicant failed to take or pass a city taxicab drivers test in accordance with section 5.136.290.

B. Except as amended by subsection A above, all provisions of section 5.136.120 remain unchanged and in full force and effect.

SECTION 3.

Section 5.136.180 of the Sacramento City Code is amended to read as follows:

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SECTION 4.

Section 5.136.250 is added to the Sacramento City Code to read as follows:

5.136.250 Taxicab driver dress and cleanliness.

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- A. He or she is wearing the following items of clothing:
 - 1. A collared shirt;
 - 2. Long or short dress slacks; and
 - 3. Closed-toed shoes;
- B. All clothing that he or she is wearing is clean in appearance; and
- C. His or her person is hygienically clean.

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5.136.290 City taxicab drivers test.

- A. Prior to obtaining or renewing a taxicab driver permit, all applicants shall take and pass a city taxicab drivers test that evaluates the applicant's knowledge of city topography and applicable regulations, as well as the applicant's ability to speak and understand directions in English. The director shall establish the method of testing, the contents of the test, and the score required to pass.
- B. In addition to any of the penalties and remedies set forth in section 5.136.070, the director may require any taxicab driver who violates a provision of this chapter to take and pass a city taxicab drivers test described in subsection A, above. Notice shall be given to the permittee and to the taxicab fleet association to which the

permittee is registered. Notice is effective upon depositing the notice in the U.S. mail first class postage prepaid addressed to the permittee and the taxicab fleet association at the last addresses on record with the director. The driver shall take the test within seven days after the director gives notice of the requirement.

SECTION 6.

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Notwithstanding any contrary provision in this chapter, the city shall not issue a taxicab vehicle permit if there are 450 or more active taxicab vehicle permits at the time the application is submitted, except in the following circumstances:

A. If a taxicab vehicle permit was active on January 1, 2014, the city may renew that permit;

B. If a person sells a vehicle that has an active taxicab vehicle permit, the City may issue the new owner a taxicab vehicle permit for that vehicle; and

C. If a person replaces a vehicle that has an active taxicab vehicle permit, the City may issue a taxicab vehicle permit for the replacement vehicle, if the taxicab vehicle permit for the replaced vehicle is simultaneously forfeited.

SECTION 7.

Section 5.136.304 is added to the Sacramento City Code to read as follows:

5.136.304 Selection of applicants for new taxicab vehicle permits.

A. Whenever the number of active taxicab vehicle permits falls below 450, the director shall publish a notice in a newspaper of general circulation in the city pursuant to section 6063 of the California Government Code. The notice shall request that any person wishing to be considered for a taxicab vehicle permit should notify the director and provide a date when potential applicants must file a letter of intent to apply for the permit. The director may give additional public notice of the availability of a permit as he or she deems appropriate.

B. The director shall thereafter conduct a lottery among all those expressing interest in the available taxicab vehicle permits and establish a sequence in which potential applicants will be considered for the available permits. Specific rules and procedures for the lottery shall be established by the director and approved by resolution of the city council.

C. If the selected applicant fails to qualify for a taxicab vehicle permit or elects not to proceed with the permit application process, applicants drawn in sequence in the lottery shall be considered until the permit is issued.

SECTION 8.

Section 5.136.310 of the Sacramento City Code is amended to read as follows:

5.136.310 Application for taxicab vehicle permit.

A. An owner, lessee, or holder of a similar interest in a taxicab may apply for a taxicab vehicle permit by filing an application with the director. The application shall be on a form approved by the city manager and may require any information or documentation consistent with the provisions of this chapter.

B. To renew a taxicab vehicle permit, the ~~association to which the vehicle is registered~~ permittee shall file an application with the director ~~along with the application for renewal of its taxicab fleet association permit~~. The application shall be submitted no later than ~~thirty (30)~~ days prior to the ~~association vehicle~~ permit expiration date ~~renewal date assigned to the association to which the driver is registered, pursuant to Section 5.136.530(A)~~. Untimely applications to renew taxicab vehicle permits are subject to a late penalty in the amount established by resolution of the city council.

C. Every application for, ~~or renewal of,~~ a taxicab vehicle permit shall be accompanied by an annual nonrefundable taxicab vehicle permit application fee in the amount established by resolution of the city council.

D. No person shall knowingly make a false statement of fact or knowingly omit any information that is required in an application for a taxicab vehicle permit.

SECTION 9.

Section 5.136.330 is amended to read as follows:

5.136.330 Term of taxicab vehicle permits.

~~A~~ Taxicab vehicle permits issued pursuant to the provisions of this chapter shall be valid ~~until the next association permit renewal date assigned to the association to which it is registered, pursuant to Section 5.136.530(A)~~ for two years from the date it was issued, unless it is suspended or revoked sooner.

SECTION 10.

Section 5.136.355 is added to the Sacramento City Code to read as follows:

5.136.355 Taxicab vehicle age.

No person shall operate a taxicab vehicle that is more than eight years old. The age of a vehicle shall be measured by using January 1st of the model year of the vehicle as the starting date. This section shall not be enforced until January 1, 2019.

SECTION 11.

Section 5.136.392 of the Sacramento City Code is added to read as follows:

5.136.392 Credit card and debit card transactions.

A. No person shall operate a taxicab without a device capable of electronically processing credit card and debit card transactions and printing a receipt.

B. All taxicab drivers shall accept credit card and debit card charges as payment for taxicab services and shall provide the customer with a receipt. The director shall determine the types of credit or debit cards that must be accepted.

SECTION 12.

Section 5.136.394 is added to the Sacramento City Code to read as follows:

5.136.394 Dispatch equipment.

No person shall operate a taxicab without the equipment necessary to communicate with the dispatch service provided by the taxicab fleet association with which the taxicab is registered, pursuant to section 5.136.620.

SECTION 13.

Section 5.136.620 of the Sacramento City Code is amended to read as follows:

5.136.620 Dispatch service.

A. The taxicab fleet association shall provide dispatch service to each of its registered taxicabs ~~twenty four (24)~~ hours a day. Dispatch service shall be performed by one or more persons who are located in the taxicab fleet association office, as described in section 5.136.590, or other commercial location within ten miles of the city limits. The dispatch service must be able to receive requests for service by telephone, facsimile, and TDD phone.

B. Dispatch service communications with taxi drivers shall be conducted by ~~cellular telephone~~, two-way radio, mobile data terminals, or similar communication

devices as approved by the director. The communications and devices shall comply with all applicable laws and regulations.

BC. The taxicab fleet association shall maintain dispatch logs that fully and accurately document the date and time of each request for service, ~~the origin and destination locations~~ the locations where the passenger is to be picked up and dropped off, the taxicab assigned, and the time the trip was completed. The dispatch logs shall be maintained in the association office for at least ~~one year~~ three years from the date of the log.

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ALTERNATE ORDINANCE LANGUAGE

ALTERNATIVE A: VEHICLE AGE EXEMPTION

Adopt the proposed ordinance with Section 10 amended to read as follows:

SECTION 10.

Section 5.136.355 is added to the Sacramento City Code to read as follows:

5.136.355 Taxicab vehicle age.

A. No person shall operate a taxicab vehicle that is more than eight years old, unless the taxicab vehicle is exempt pursuant to subsection B. The age of a vehicle shall be measured by using January 1st of the model year of the vehicle as the starting date.

B. A taxicab vehicle is exempt from the requirements of subsection A, if the Director finds that the vehicle is rare, historical, or of vintage quality.

C. This section shall not be enforced until January 1, 2019.

ALTERNATIVE B: TWO-WAY RADIO OR MOBILE APP DISPATCH DURING OPERATING HOURS, WITH CENTRAL DISPATCH LOG.

Adopt the proposed ordinance with Section 13 amended to read as follows and with Section 14 added to read as follows:

SECTION 13.

Section 5.136.620 of the Sacramento City Code is amended to read as follows:

5.136.620 Dispatch service.

A. The taxicab fleet association shall provide dispatch service to each of its registered taxicabs during the hours that any of its registered taxicabs are being operated. Dispatch service shall be conducted by two-way radio, mobile data terminal, software application used with a mobile device, or similar communication devices as approved by the director. This section does not preclude taxicab drivers from obtaining requests for service by other means, such as a street hail or telephone call directly to the driver.

B. The taxicab fleet association shall maintain a computerized dispatch log that fully and accurately documents the following information for each request for service made to any of its registered taxicabs:

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1. The date and time of the request for service;
2. The origin and destination locations;
3. The taxicab driver and vehicle assigned;
4. The time the trip was completed; and
5. The amount paid for each trip.

C. Entries in the dispatch log shall be available for inspection in the association office for at least three years from the date of the request for service.

SECTION 14.

Section 5.136.220 of the Sacramento City Code is amended to read as follows:

5.136.220 Reporting trips to dispatch service.

A. No taxicab driver shall fail to report a request for service and the resulting trip to their association's dispatch service, including requests made directly to the taxicab driver by hail or by telephone. The report shall be made contemporaneously with the beginning and end of each paid trip, and it shall fully and accurately provide the information required by section 5.136.620.

B. No person shall knowingly make a false statement of fact or knowingly omit any information that is required to be contained in the dispatch log.

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ALTERNATE ORDINANCE LANGUAGE

ALTERNATIVE A: VEHICLE AGE EXEMPTION

Adopt the proposed ordinance with Section 10 amended to read as follows:

SECTION 10.

Section 5.136.355 is added to the Sacramento City Code to read as follows:

5.136.355 Taxicab vehicle age.

A. No person shall operate a taxicab vehicle that is more than eight years old, unless the taxicab vehicle is exempt pursuant to subsection B. The age of a vehicle shall be measured by using January 1st of the model year of the vehicle as the starting date.

B. A taxicab vehicle is exempt from the requirements of subsection A, if the Director finds that the vehicle is rare, historical, or of vintage quality.

C. This section shall not be enforced until January 1, 2019.

ALTERNATIVE B: TWO-WAY RADIO OR MOBILE APP DISPATCH DURING OPERATING HOURS, WITH CENTRAL DISPATCH LOG.

Adopt the proposed ordinance with Section 13 amended to read as follows and with Section 14 added to read as follows:

SECTION 13.

Section 5.136.620 of the Sacramento City Code is amended to read as follows:

5.136.620 Dispatch service.

A. The taxicab fleet association shall provide dispatch service to each of its registered taxicabs ~~twenty-four (24) hours a day during the hours that any of its registered taxicabs are being operated.~~ Dispatch service shall be conducted by ~~cellular telephone,~~ two-way radio, mobile data terminal, software application used with a mobile device, or similar communication devices as approved by the director. This section does not preclude taxicab drivers from obtaining requests for service by other means, such as a street hail or telephone call directly to the driver.

B. The taxicab fleet association shall maintain a computerized dispatch logs that fully and accurately documents the following information

for each request for service made to any of its registered taxicabs:

1. ~~€~~The date and time of ~~each the~~ request for service;
2. ~~€~~The origin and destination locations;
3. ~~€~~The taxicab driver and vehicle assigned; ~~and~~
4. ~~€~~The time the trip was completed; ~~and~~
5. The amount paid for each trip.

C. Entries in ~~T~~the dispatch logs shall be ~~maintained in available~~ for inspection in the association office for at least ~~one three~~ years from the date of the ~~log request for service~~.

SECTION 14.

Section 5.136.220 of the Sacramento City Code is amended to read as follows:

5.136.220 ~~Triplogs required~~ Reporting trips to dispatch service.

A. No taxicab driver shall fail to ~~maintain a triplog report a request~~ for service and the resulting trip to their association's dispatch service, ~~including requests made directly to the taxicab driver by hail or by telephone.~~ The report shall be made contemporaneously with the beginning and end of each paid trip, ~~that and it shall~~ fully and accurately ~~documents that trip~~ provide the information required by section 5.136.620. ~~Triplogs shall contain the following information:~~

- ~~1. The taxicab driver's name;~~
- ~~2. The taxicab vehicle's permit number;~~
- ~~3. The date and time that each fare began and was completed;~~
- ~~4. The addresses of the origin and destination of each paid trip; and~~
- ~~5. The amount paid for each trip.~~

~~B. Upon demand of a peace officer, or city employee authorized to enforce this chapter, the driver of a taxicab shall present his or her triplogs for examination.~~

~~C. Taxicab drivers shall file their triplogs for each day with the taxicab fleet association within one week of the date of the triplog.~~

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~~DB~~. No person shall knowingly make a false statement of fact or knowingly omit any information that is required to be contained in ~~a trip log~~ the dispatch log.

RESOLUTION NO.

Adopted by the Sacramento City Council

**APPROVING TYPES OF CHARGES AND
MAXIMUM RATES FOR TAXICAB SERVICE**

BACKGROUND

- A. In 2008, the City Council adopted Resolution No. 2008-573 approving maximum rates, fares, and charges for taxicabs and taxicab service pursuant to then-section 5.136.060 of the Sacramento City Code, which authorized the City Council to set the maximum rates, fares, and charges for taxicab service. The maximum rates, fares, and charges established in that resolution currently remain in effect.
- B. In 2010, the City Council adopted Ordinance No. 2010-028 repealing and adding Chapter 5.136 of the Sacramento City Code. Pursuant to that ordinance, the City Council's authority is now codified in section 5.136.050 of the Sacramento City Code.
- C. Section 5.136.050 of the Sacramento City Code authorizes the City Council to establish the types of charges and the maximum rates allowable for taxicab service, by resolution.
- D. In order to protect the public from excessive charges, maximum rates should be established for trips from within the Central City area to the Sacramento International Airport, and for trips from one location within the Central City area to another location within the Central City area.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The City Council finds and determines that the background statements A through D are true.
- Section 2. Resolution No. 2008-573, adopted on August 19, 2008, is repealed.

Section 3. The City Council determines that, pursuant to section 5.136.050 of the Sacramento City Code, the types of charges and maximum rates allowable for taxicab service shall be as follows:

<u>Charge</u>	<u>Maximum Rate</u>
Flag Drop	\$4.00
Per Mile	\$3.00
Per Hour.....	\$28.00
Per Mile Increment.....	\$.60 per 1/5 mile
Central City to Airport.....	\$45.00
Central City to Central City.....	\$15.00

Section 4. For purposes of this resolution, “Central City” means the area within and including the following borders: the American River to the north, 29th Street to the east, W Street to the south, and the Sacramento River to the west.

Section 5. The “Central City to Airport” charge shall apply to all direct trips to the Sacramento International Airport that begin within the Central City unless the amount indicated on the taximeter at the end of a trip is less.

Section 6. The “Central City to Central City” charge shall apply to all direct trips to a location within the Central City that begin at another location within the Central City, unless the amount indicated on the taximeter at the end of a trip is less.

