



REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

915 I Street, Sacramento, CA 95814-2671

STAFF REPORT
January 17, 2012

**Honorable Members of the
Law and Legislation Committee**

Title: Enforcement of Taxicab Regulations - Parking and Exterior Postings

Location/Council District: All

Recommendation: Staff recommends the Law and Legislation Committee review Ordinance changes to City Code chapter 5.136 relating to taxicab regulations and forward a recommendation of approval of the Ordinance to the City Council.

Contact: Dafna Gauthier, Business Permit Manager, Finance Department (916) 808-7800

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

Department: Finance

Division: Revenue

Organization No: 06001211

Description/Analysis

Issue: Taxicab regulations in Chapter 5.136 of the City Code need to be updated to enhance enforcement relating to parking and citizens' complaints and to allow taxicab drivers to more effectively provide their services.

Policy Considerations: Taxicabs provide 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 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 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.

Environmental Considerations: The regulation of taxicabs is not subject to CEQA because it does not have the potential for causing a significant 'effect on the environment. (CEQA Guidelines §§ 15060(c)(2), 15061(b)(2), 15061(b)(3), 15321(b), 15378(a).)

Sustainability Considerations: There are no sustainability considerations applicable to amending City Code related to amending the taxicab regulations.

Rationale for Recommendation: Amendment of the City Code related to taxicabs would enhance the City's ability to ensure compliance with the regulations and allow taxicab operators to more effectively provide their services. As a result of these changes, taxicab service in the City of Sacramento should improve.

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

Emerging Small Business Development (ESBD): Not applicable.

Respectfully Submitted by: 
Brad Wasson, Revenue Manager

Approved by: 
Leyne Milstein, Finance Director

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Background

In October 2010, the Sacramento City Council adopted an ordinance modifying taxicab regulations in Chapter 5.136 of the City Code. Those regulations prohibited persons from parking taxicabs in parking meter spaces and required specific exterior postings on the vehicles. Since implementing this ordinance, it has become evident that revisions to the Code are necessary to more efficiently and effectively regulate the industry, and to improve taxi service in the City of Sacramento. Listed below are the proposed changes to the Code that will address several of these concerns.

1. No parking in parking meter spaces. SCC § 5.136.160
 - a. Enable parking enforcement officers to issue parking citations for violations. To do this, Section 5.136.160 would be amended to make a violation of that Section an infraction that is subject to civil parking penalties.
 - b. Allow taxicabs to be parked in parking meter spaces during times when the parking meter, pay-by-space machine or pay-and-display machine is not in operation.

2. Exterior postings. SCC § 5.136.370
 - a. Allow taxicab drivers to more effectively advertise their business by:
 - i. Reducing the minimum size of the lettering for the name and telephone number of the taxicab fleet association to which the vehicle is registered, from four inches to two inches in height; and
 - ii. Increasing the maximum size of the lettering for the name and telephone number of the taxicab company from two and one-half inches to four and one-half inches in height.
 - b. Require taxicab vehicles to have the City of Sacramento 311 number posted on the exterior for complaints or concerns.

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTION 5.136.160 OF THE SACRAMENTO CITY CODE RELATING TO PARKING TAXICABS IN A PARKING METER SPACE, AND AMENDING SECTION 5.136.370 OF THE SACRAMENTO CITY CODE RELATING TO EXTERIOR POSTINGS ON TAXICAB VEHICLES

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

SECTION 1.

Section 5.136.160 of the Sacramento City Code is amended to read as follows:

5.136.160 No parking in parking meter space.

A. No person shall stop, stand, or park a taxicab in any parking meter space, as defined by Section 10.04.010, during the hours of operation of the adjacent parking meter or of the controlling pay-by-space or pay-and-display machine.

B. Any person violating this section shall be guilty of an infraction, punishable by a fine in accordance with Section 36900 of the California Government Code.

C. A violation of this section is subject to civil parking penalties, pursuant to Section 40200 of the California Vehicle Code.

D. All remedies prescribed in this section shall be cumulative and not exclusive of any other remedy allowed by law. The election of one or more remedies shall not bar the city from the pursuit of any other remedy for the purpose of enforcing this section.

SECTION 2.

Section 5.136.370 of the Sacramento City Code is amended to read as follows:

5.136.370 Exterior postings.

A. No person shall operate a taxicab that does not have the following information permanently posted on the exterior of the vehicle:

1. The taxicab identification number, as provided by the director upon issuance of the taxicab vehicle permit, using letters and numbers that are not less than four inches in height;

2. The types of charges and rates being charged for taxicab service, using letters and numbers that are not less than one and one-half inches in height; and

3. The name and telephone number of the taxicab fleet association to which the vehicle is registered, using letters and numbers that are not less than ~~four~~ two inches in height.

4. Instructions to contact the City of Sacramento 311 call center with concerns or complaints, using letters and numbers that are not less than four inches in height.

B. The information specified in subsection A of this section, and any other information posted on the exterior of the vehicle, must be displayed in manner that is approved by the director.

C. Except ~~for the name and telephone number of the taxicab fleet association as specified in subsection A of this section,~~ no other name (e.g., name of a taxicab company or a driver) or phone number shall be posted on the exterior of the vehicle using letters or numbers that are more than ~~two and one-half~~ four inches in height.

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C. A violation of this section is subject to civil parking penalties, pursuant to Section 40200 of the California Vehicle Code.

D. All remedies prescribed in this section shall be cumulative and not exclusive of any other remedy allowed by law. The election of one or more remedies shall not bar the city from the pursuit of any other remedy for the purpose of enforcing this section.

SECTION 2.

Section 5.136.370 of the Sacramento City Code is amended to read as follows:

5.136.370 Exterior postings.

A. No person shall operate a taxicab that does not have the following information permanently posted on the exterior of the vehicle:

1. The taxicab identification number, as provided by the director upon issuance of the taxicab vehicle permit, using letters and numbers that are not less than four inches in height;

2. The types of charges and rates being charged for taxicab service, using letters and numbers that are not less than one and one-half inches in height; and

3. The name and telephone number of the taxicab fleet association to which the vehicle is registered, using letters and numbers that are not less than two inches in height.

4. Instructions to contact the City of Sacramento 311 call center with concerns or complaints, using letters and numbers that are not less than four inches in height.

B. The information specified in subsection A of this section, and any other information posted on the exterior of the vehicle, must be displayed in manner that is approved by the director.

C. Except as specified in subsection A of this section, no other name (e.g., name of a taxicab company or a driver) or phone number shall be posted on the exterior of the vehicle using letters or numbers that are more than four inches in height.