

[Reducing time commitment of ramped taxi permittees to ramped taxi program, while requiring notice of intent to leave the program]

Ordinance amending Section 1148.1 of the Police Code to reduce, from five to three years, the time after receipt of a ramped taxi permit that the permittee is precluded from accepting a different motor vehicle for hire permit; and requiring six months' notice of the permittee's intent to leave the ramped taxi program.

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough italics Times New Roman~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Police Code is hereby amended by amending Section 1148.1, to read as follows:

Sec. 1148.1. PERMIT APPLICATIONS; PREFERENCES.

(a) Submission of Applications. Applications for permits for ramped taxis shall be made to the Taxi Commission on a form to be furnished by the Commission. Applications for permits for ramped taxis shall be accepted by the Commission and shall be recorded by the date and time at which each application is received. Except as otherwise provided herein, the Commission shall maintain a list in the order of receipt ("ramped taxi list"). In the absence of any preference provided for in this Division, applicants for permits for ramped taxis shall be processed and considered by the Commission in accordance with the order of application as set forth on the ramped taxi list. When a permit becomes available for issuance and an applicant on the waiting list is eligible for a hearing before the Taxi Commission, the Commission shall so notify the applicant.

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1 As of the effective date of this ordinance all persons whose application is already on
2 "the taxicab waiting list" as provided for in Section 1121 of this Article will be placed on the
3 ramped taxi list. Their place on the ramped taxi list shall be determined as of the date and
4 time on which his or her application for the taxicab waiting list was received by the
5 Commission. Those individuals so placed will remain on the taxicab waiting list until they are
6 removed in accordance with Section 1080(c)(1) of this Article.

7 (b) Limitation on Acceptance of Other Permits. All persons accepting a ramped taxi
8 permit shall be precluded from accepting any other motor vehicle for hire permit regulated by
9 this Article for a minimum of five years after receipt of a ramped taxi permit *or, in the*
10 *alternative, for a minimum of three years after receipt of the ramped taxi permit so long as 6 months*
11 *have elapsed since the permittee gave notice of his or her intent to leave the ramped taxi program in*
12 *accordance with the provisions of Subsection (c).* If the permittee becomes eligible for a permit
13 from another motor vehicle for hire waiting list ~~prior to the conclusion of the 5-year period at a time~~
14 ~~when the permittee is precluded from accepting the permit,~~ the permittee's application will be kept
15 active until a permit becomes available ~~after the conclusion of the 5-year period~~ *when the permittee*
16 *is no longer precluded from accepting one.*

17 (c) Notice of Intent to Leave the Ramped Taxi Program. *Upon completion of a minimum of*
18 *30 months as a ramped taxi permittee, the permittee may opt to leave the ramped taxi program by filing*
19 *with the Taxi Commission a written notice of intent to leave the program. The date the Commission*
20 *receives the notice of intent to leave the ramped taxi program shall be deemed the date the permittee*
21 *filed the notice. Upon receipt of the notice, the Commission shall promptly inform a reasonable*
22 *number of persons at the head of the ramped taxi list of the permittee's intent to leave the ramped taxi*
23 *program.*

24 *In accordance with Subsection (b), the permittee's decision to leave the ramped taxi program*
25 *shall become effective six months after his or her filing of the notice of intent to leave the program.*

1 Subject to qualifications (i) and (ii) below, upon completion of the six-month notice period, the
2 permittee shall be required to leave the ramped taxi program, and shall no longer be precluded from
3 accepting another motor vehicle for hire permit regulated by this Article.

4 (i) If, at the completion of the six-month notice period, the permittee is not yet eligible for a
5 permit from another motor vehicle for hire list, or no such permit is available, the permittee, at his or
6 her option, may remain in the ramped taxi program for any period of time until the permittee becomes
7 eligible for a permit from another motor vehicle for hire list and such permit becomes available.

8 (ii) The permittee's decision to leave the ramped taxi program shall become inoperative if,
9 during within the first three months of the required six-month notice period, the permittee informs
10 the Commission in writing of his or her decision to rescind the notice of intent to leave the program.
11 The permittee shall be required to file a subsequent notice of intent to leave the program if he or she
12 subsequently decides to leave the program. The same requirements governing the permittee's initial
13 notice of intent to leave the program, including the full six-month notice period, shall govern any
14 subsequent notice of intent to leave the program.

15 (d) Notwithstanding any other provision of this Section, the Tax Commission may
16 require that a taxicab permit to be issued to a ramped taxi permittee exiting the ramped taxi
17 program be issued (i) three months after the Commission hearing on the application for the
18 taxicab permit or (ii) when a new permittee has qualified for the ramped taxi permit and has
19 acquired a suitable vehicle which has passed inspection, whichever event occurs first. Before
20 the taxicab permit is issued, the ramped taxi permittee who is exiting the ramped taxi program
21 shall retain the ramped taxi permit and continue to operate the ramped taxi permit. Under no
22 circumstances may an individual simultaneously hold a ramped taxi permit and a taxicab
23 permit. Under no circumstances may two individuals hold the same ramped taxi permit or
24 taxicab permit.

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1 ~~(e)~~(d) (e) Preference For Full-Time Drivers of Ramped Taxis. Among the applicants
2 whose names appear on the ramped taxi list, the Taxi Commission shall give preference to
3 any applicant who has been a full-time driver of a ramped taxi during the 6 months
4 immediately preceding the Commission's hearing on that applicant's application, granting
5 permits to all otherwise eligible full-time drivers of ramped taxis on the list before granting
6 permits to others on the ramped taxi list. Any applicant seeking a preference pursuant to this
7 Subsection shall, at least 21 days prior to the hearing at which the applicant seeks to be
8 considered, so notify the Commission in writing and submit evidence to prove that the
9 applicant was a full-time driver of a ramped taxi in the preceding 6 months. For purpose of
10 this section, "full-time driver of a ramped taxi" shall mean a permitted driver who is actually
11 engaged in the mechanical operation and having physical charge or custody of a ramped taxi
12 as defined in this Article which is available for hire or actually hired for at least four hours
13 during any 24-hour period on at least 75 percent of the business days during the calendar
14 year.

15
16 APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

17 By: 
18 PAUL ZAREFSKY
19 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 012131

Date Passed:

Ordinance amending Section 1148.1 of the Police Code to reduce, from five to three years, the time after receipt of a ramped taxi permit that the permittee is precluded from accepting a different motor vehicle for hire permit; and requiring six months' notice of the permittee's intent to leave the ramped taxi program.

May 6, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

May 6, 2002 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

May 13, 2002 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

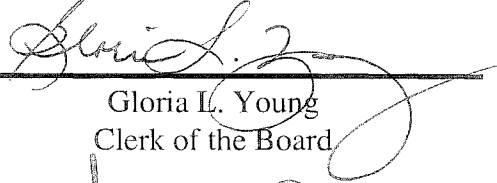
Absent: 1 - Newsom

File No. 012131

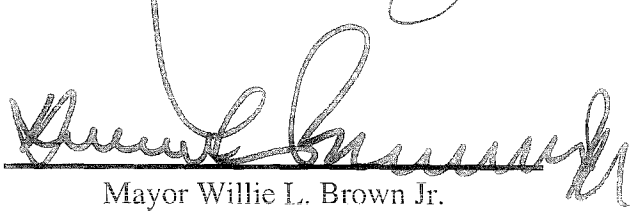
I hereby certify that the foregoing Ordinance was FINALLY PASSED on May 13, 2002 by the Board of Supervisors of the City and County of San Francisco.

MAY 24 2002

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.