

FILE NO. 992021ORDINANCE NO. 331-99

1 [Operation of Spare Taxicabs on New Year's Eve]

2 AUTHORIZING THE TAXI COMMISSION TO AUTHORIZE COLOR SCHEME PERMIT-
3 HOLDERS TO OPERATE APPROVED SPARE VEHICLES AS TAXICABS WITHOUT A
4 TAXICAB PERMIT FROM THE CITY FOR THE PERIOD FROM 6:00 P.M. ON DECEMBER
5 31, 1999 THROUGH 6:00 A.M. ON JANUARY 1, 2000.

6
7 Be it ordained by the People of the City and County of San Francisco:

8
9 Section 1. **Findings.** This Board of Supervisors hereby finds that:

10 1. Putting out additional taxicabs on New Year's Eve, December 31, 1999, will
11 promote the public health, safety, and welfare.

12 2. Even on an ordinary New Year's Eve, the demand for taxis in the City far outstrips
13 the available number of permitted vehicles. The heavy influx of party-goers who instead rely
14 on private vehicles significantly raises the levels of congestion, accidents, and driving under
15 the influence in the City.

16 3. This year's Millennium celebrations are expected to draw record crowds into the
17 City on New Year's Eve, overwhelming already-scarce parking facilities and taxing the
18 capacity of the City's public transportation system. The resulting traffic congestion threatens
19 pedestrian and bicycle safety, pollutes the atmosphere, and interferes with access by
20 emergency and mass transit vehicles.

21 4. Proposition K and Article 16 of the Municipal Police Code establish a permit scheme
22 for ongoing and continuous taxicab operations. They do not address or take into account
23 exceptional situations in which public safety and welfare mandate the authorization of
24 additional taxicabs to operate outside of the permit scheme and subject to strict conditions
25 and time limits that are narrowly tailored to respond to the exceptional situation.

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Supervisor Newsom

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1 5. The approximately 250 spare vehicles maintained by the City's cab companies to
2 back up their regular fleet are already available, equipped and inspected as taxicabs. The
3 cab companies themselves are already licensed and regulated by the City.

4 6. Increasing the number of available taxicabs through the use of spares for one night
5 will reduce the demand for private vehicles and help reduce traffic and congestion problems
6 and promote public safety by reducing the number of private vehicles and party goers driving
7 vehicles on the streets. It will provide additional opportunities for drivers to drive on what is
8 traditionally a very lucrative night for them. Even with the additional vehicles out on the
9 streets, the demand for taxi service will be so great that no driver will suffer from the increased
10 competition.

11 7. The presence of additional legitimate taxicabs will also help discourage and reduce
12 the demand for illegal taxicabs and limousines. The increased holiday business will go to
13 drivers and companies who know the City and who will follow City laws, including fare
14 restrictions for the benefit of the riding public and gate limits for the benefit of working drivers.

15
16 **Section 2. Operation of Spare Vehicles as Taxicabs on New Year's Eve.**

17 Notwithstanding the provisions of Police Code Sections 1078 and 1120 prohibiting the
18 operation of a taxicab in San Francisco without a permit from the City, or the provisions of
19 Proposition K (Appendix 6 to the San Francisco Administrative Code), the Taxi Commission
20 may by resolution authorize color scheme permit-holders to operate approved spare vehicles
21 as taxicabs without permits for the period from 6:00 p.m. on December 31, 1999 through 6:00
22 a.m. on January 1, 2000. No single shift for a driver driving a spare pursuant to this
23 authorization shall exceed ten hours.

24 The Taxi Commission may impose additional restrictions on the operation of such
25 vehicles as it deems to promote the public's safety and convenience. The Taxi Commission

1 shall establish a gate fee for these vehicles based upon and consistent with the gate fee cap
2 established in the Police Code. The Taxi Commission may charge the color scheme permit-
3 holder a fee not to exceed forty dollars (\$40.00) for operating each spare. The fee shall be
4 included within the gate cap. The proceeds of such fee shall be placed in a special account to
5 be established by the Controller to be used by the Commission to promote safety measures
6 for taxicab drivers, including subsidizing the lease or purchase of security cameras or other
7 safety equipment.

8 No color scheme permit-holder shall charge a driver an additional or special fee for the
9 opportunity to drive this shift. The opportunity to drive this shift shall be made available to
10 drivers on some fair and equitable basis. Violation of the Taxi Commission's restrictions may
11 be a basis for disciplinary action against the color scheme permit-holder or other responsible
12 party.

13
14 Section 3. **Limitation.** Except as specifically provided in this ordinance, this
15 enactment shall not be construed to authorize unlicensed drivers or color scheme operators to
16 operate taxicabs during this or any other period or to authorize the use of unapproved
17 vehicles as taxicabs during this or any other period.

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19
20 APPROVED AS TO FORM:

21 LOUISE H. RENNE, City Attorney

22
23
24 By:


THOMAS J. OWEN
Deputy City Attorney

25

TAXI COMMISSION
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails Ordinance

File Number: 992021

Date Passed:

Ordinance authorizing the Taxi Commission to authorize color scheme permit-holders to operate approved spare vehicles as taxicabs without a taxicab permit from the City for the period from 6:00 p.m. on December 31, 1999 through 6:00 a.m. on January 1, 2000.

December 6, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

December 13, 1999 Board of Supervisors — FINALLY PASSED

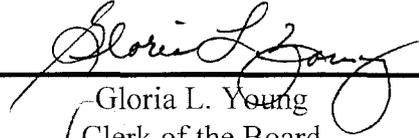
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

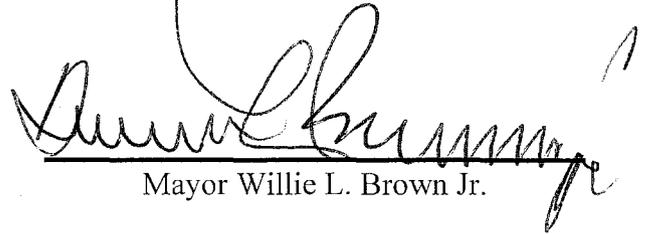
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I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on December 13,
1999 by the Board of Supervisors of the City
and County of San Francisco.

DEC 23 1999

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Willie L. Brown Jr.