

REPORT NO. UMTA-MA-06-0049-80-16

UMTA/TSC Project Evaluation Series

Taxi Regulatory Revision in San Diego, California Background and Implementation

**Interim Report
July 1981**

Service and Methods Demonstration Program



**U.S. DEPARTMENT OF TRANSPORTATION
Urban Mass Transportation Administration and
Research and Special Programs Administration
Transportation Systems Center**

NOTICE

This document is disseminated under the sponsorship of the Department of Transportation in the interest of information exchange. The United States Government assumes no liability for its contents or use thereof.

NOTICE

The United States Government does not endorse products or manufacturers. Trade or manufacturers' names appear herein solely because they are considered essential to the object of this report.

1. Report No. UMTA-MA-06-0049-80-16	2. Government Accession No.	3. Recipient's Catalog No.	
4. Title and Subtitle TAXI REGULATORY REVISION IN SAN DIEGO: Background and Implementation		5. Report Date July 1981	
		6. Performing Organization Code TSC/DTS-243 U281412	
7. Author(s) Pat M. Gelb		8. Performing Organization Report No. DOT-TSC-UMTA-81-40	
9. Performing Organization Name and Address DeLeuw, Cather & Company* P. O. Box 7991 120 Howard Street San Francisco, CA 94120		10. Work Unit No. UM027/R0712	
		11. Contract or Grant No. 1409 - 18B	
		13. Type of Report and Period Covered Interim Report January - August, 1980	
12. Sponsoring Agency Name and Address U. S. Department of Transportation Urban Mass Transportation Administration Office of Transportation Management & Demonstrations Washington, D. C. 20590		14. Sponsoring Agency Code UPM-30	
		15. Supplementary Notes U. S. Department of Transportation *Under contract to: Transportation Systems Center Kendall Square Cambridge, MA 02142	
16. Abstract Starting in January, 1979, the San Diego City Council revised its paratransit regulations and began issuing 6 new taxi permits per month. As of July, 1979, the rate of new permit issuance was increased to 15 per month. Effective August 1, 1979, the Council replaced the standard rate of fare with a maximum rate, up to which operators may charge what they choose. Other regulatory changes included abolition of the public convenience and necessity certification requirement; provision for fixed route and shared ride services; specification of an appeals process for denial, suspension or revocation of permits; and standardization of licensing fees, insurance and reporting requirements for all paratransit vehicles. This report summarizes the historical background and implementation of these regulatory changes, compares the old and new regulations and describes the local taxi industry prior to the regulatory revisions. Preliminary responses to the new regulations are also described, preparatory to an evaluation of these changes to be performed under contract to TSC on the basis of data collected by the City of San Diego with UMTA support.			
17. Key words Taxicab, Regulation, Deregulation, Paratransit, Price and Service Innovation, Case Study, San Diego		18. Distribution Statement DOCUMENT IS AVAILABLE TO THE PUBLIC THROUGH THE NATIONAL TECHNICAL INFORMATION SERVICE, SPRINGFIELD, VIRGINIA 22161	
19. Security Classif. (of this report) Unclassified	20. Security Classif. (of this page) Unclassified	21. No. of Pages 232	22. Price



PREFACE

This Interim Report describes the historical background and implementation of taxi regulatory changes adopted by the San Diego City Council. These changes have two primary features: open entry and competitive pricing. The new regulations achieving open entry became effective in January, 1979; the rate of new permit issuance was increased in July, 1979. Effective August 1, 1979, the standard rate of fare was replaced by a maximum rate up to which operators may charge what they choose. The City has continued to issue new taxi permits and to accept rate changes to date.

Data upon which this report and a subsequent large-scale evaluation of the effects of the regulatory changes are based were collected by the City of San Diego with support from the Urban Mass Transportation Administration's (UMTA) Service and Methods Demonstration Program. This Interim Report was prepared by DeLeuw, Cather & Company for the Transportation Systems Center (TSC) of the U. S. Department of Transportation, under Technical Task Directive DOT-TSC-1409-18B. Principal researcher for the case study evaluation is Pat M. Gelb, author of this report.

Grateful acknowledgement is due to numerous people for their cooperation and assistance in the preparation of this report. Carla Heaton, Technical Monitor, Transportation Systems Center, and Larry Bruno, Project Manager, UMTA, have provided valuable guidance and support. Elaine Balok, former Paratransit Administrator, and Victoria Whelan, Project Coordinator, City of San Diego, were generous with their time in providing essential information, as were Council members Larry Stirling, Leon Williams, and Fred Schnaubelt. The help of other City staff from the Paratransit Office and San Diego Police Department should also be acknowledged, as should that of the San Diego Unified Port District, the Harbor Police, the Comprehensive Planning Organization, and the Sheriff's Division of Licenses.

Professor Gorman Gilbert, University of North Carolina, James Womack, Massachusetts Institute of Technology, and Eugene Leyval, Executive Director, California Taxicab Owners Association, reviewed the draft report and provided valuable commentary.

The San Diego taxi industry was also generous in providing needed information to this background report. Although the individual operators and drivers we spoke with are too numerous for exhaustive mention, thanks are due to the following individuals, whose acknowledgement may serve to represent the contribution made by the industry at large:

Dan Fox
COAST CAB

Larry Haver
CO-OP CABS

Mike Marguet
INDEPENDENT CAB OWNERS
ASSOCIATION

Bob Ruddy
LA JOLLA CAB

Tex Hedrick
RED CAB

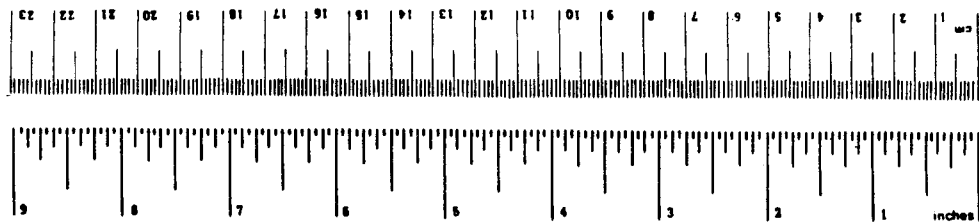
John Harper
SAN DIEGO CAB

Bill Hilton
YELLOW CAB

METRIC CONVERSION FACTORS

Approximate Conversions to Metric Measures

Symbol	What You Know	Multiply by	To Find	Symbol
LENGTH				
in	inches	2.5	centimeters	cm
ft	feet	30	centimeters	cm
yd	yards	0.9	meters	m
mi	miles	1.6	kilometers	km
AREA				
in ²	square inches	6.5	square centimeters	cm ²
ft ²	square feet	0.09	square meters	m ²
yd ²	square yards	0.8	square meters	m ²
mi ²	square miles	2.6	square kilometers	km ²
	acres	0.4	hectares	ha
MASS (weight)				
oz	ounces	28	grams	g
lb	pounds	0.45	kilograms	kg
	short tons (2000 lb)	0.9	tonnes	t
VOLUME				
tblsp	tablespoons	5	milliliters	ml
fl oz	fluid ounces	15	milliliters	ml
c	cups	30	milliliters	ml
pt	pints	0.24	liters	l
qt	quarts	0.47	liters	l
gal	gallons	0.95	liters	l
ft ³	cubic feet	3.8	liters	l
yd ³	cubic yards	0.03	cubic meters	m ³
		0.76	cubic meters	m ³
TEMPERATURE (exact)				
°F	Fahrenheit temperature	5/9 (after subtracting 32)	Celsius temperature	°C



Approximate Conversions from Metric Measures

Symbol	What You Know	Multiply by	To Find	Symbol
LENGTH				
mm	millimeters	0.04	inches	in
cm	centimeters	0.4	inches	in
m	meters	3.3	feet	ft
m	meters	1.1	yards	yd
km	kilometers	0.6	miles	mi
AREA				
cm ²	square centimeters	0.16	square inches	in ²
m ²	square meters	1.2	square yards	yd ²
km ²	square kilometers	0.4	square miles	mi ²
ha	hectares (10,000 m ²)	2.5	acres	ac
MASS (weight)				
g	grams	0.035	ounces	oz
kg	kilograms	2.2	pounds	lb
t	tonnes (1000 kg)	1.1	short tons	st
VOLUME				
ml	milliliters	0.03	fluid ounces	fl oz
l	liters	2.1	pints	pt
l	liters	1.06	quarts	qt
l	liters	0.26	gallons	gal
m ³	cubic meters	35	cubic feet	ft ³
m ³	cubic meters	1.3	cubic yards	yd ³
TEMPERATURE (exact)				
°C	Celsius temperature	9/5 (then add 32)	Fahrenheit temperature	°F

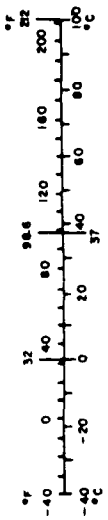


TABLE OF CONTENTS

	<u>Page</u>
EXECUTIVE SUMMARY	ix
1.0 INTRODUCTION	1
1.1 Overview	1
1.2 SMD Program Interest in Taxi Regulatory Revisions	2
1.3 Overview of the Regulatory Revisions Case Studies	3
1.4 The San Diego Case Study	4
2.0 SITE DESCRIPTION	7
2.1 Geography, Population and Employment	7
2.2 Political Jurisdictions and Responsibilities	8
2.3 Transportation Characteristics	11
3.0 TAXI INDUSTRY CHARACTERISTICS PRIOR TO REGULATORY REVISIONS	15
3.1 Definition of Terms	15
3.2 Previous Code Provisions, Authorities Regulating Taxicabs	17
3.3 Taxi (and Jitney) Industry Structure Prior to Regulatory Revisions	31
3.4 Fare Structure	41
3.5 Taxi Operating Practices	44
3.6 Taxi Level of Service Measures	50
3.7 Taxi Demand	51
3.8 Taxi Operator Productivity Measures	56
3.9 Attitudes Toward the Taxi Industry	61
4.0 EVOLUTION AND IMPLEMENTATION OF REGULATORY CHANGES	67
4.1 Background and Chronology of Regulatory Change Process	67
4.2 Provisions of the Revised Regulatory Code (Compared with Former Code)	72
4.3 Implementation of Changes	82
5.0 RATE CHANGES SINCE REGULATORY REVISIONS	93
5.1 City of San Diego	93
5.2 San Diego County	95

Table of Contents (cont.)

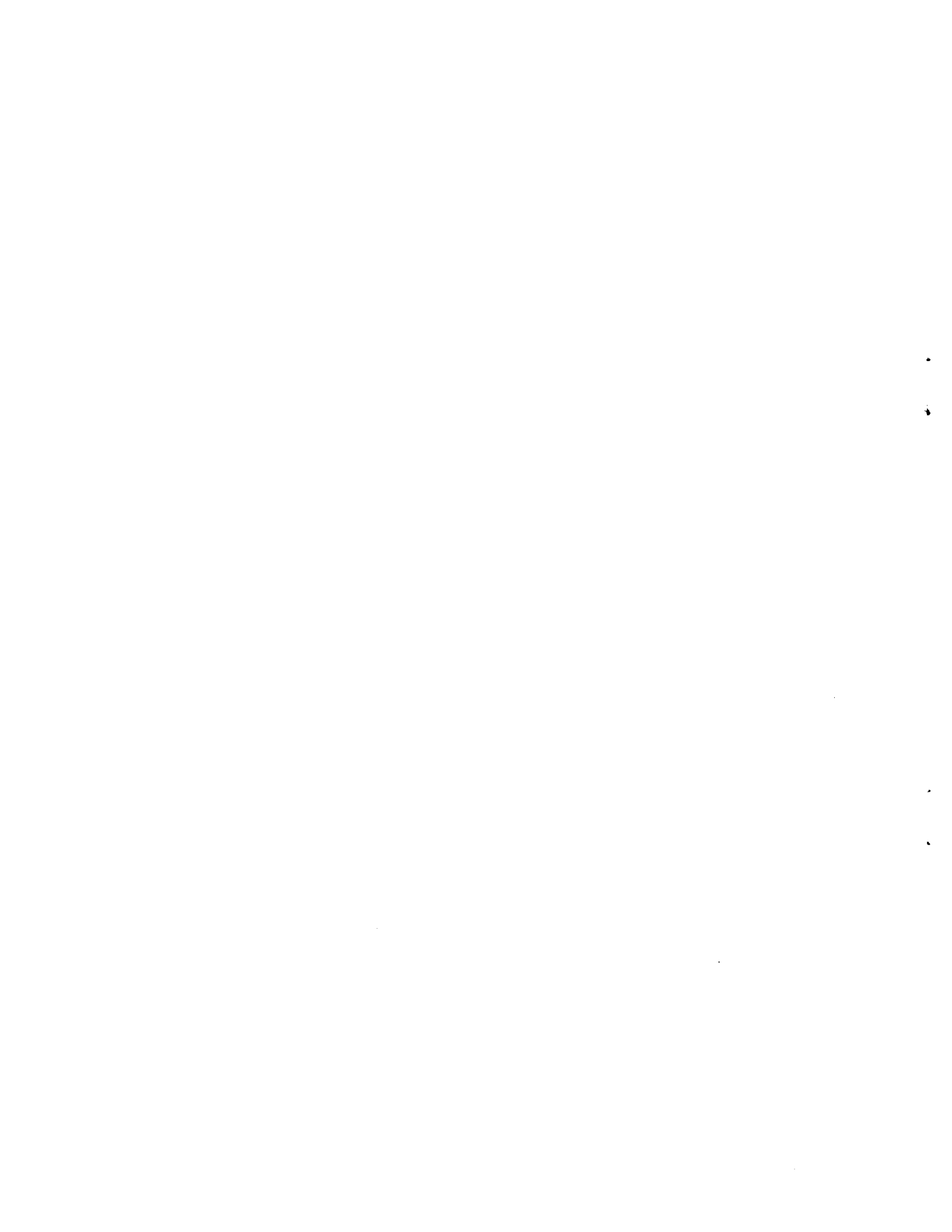
	<u>Page</u>
6.0 CONCLUSIONS	97
6.1 Overview	97
6.2 The Regulatory Changes	97
6.3 Genesis and Objectives of the Changes	98
6.4 Transferable Features of the Implementation Process	99
 BIBLIOGRAPHY	 103
 APPENDIX	
A. History of Certificate Transfers, City of San Diego	A-1
B. Rates Filed by San Diego Operators Since Competitive Pricing	A-5
C. Former City of San Diego Taxicab Ordinance	A-9
D. Revised City of San Diego Paratransit Ordinance	A-27
E. Former County of San Diego Taxicab Ordinance	A-69
F. Revised County of San Diego Taxi Ordinance	A-73
G. City of San Diego Procedure for Processing Paratransit Vehicle Permits	A-93
H. City of San Diego Taxi Rate Filing Form	A-95
I. City of San Diego Monthly Report of Taxicab Operations Filing Form	A-97
J. San Diego Unified Port District Application for Ground Transportation Services Permit	A-99
K. San Diego Region Taxicab Survey Form	A-101
L. Council Policy 500-2: Taxicabs-Permits Current Draft	A-103
M. Council Policy 500-2: Taxicabs-Certificates (Former)	A-105
N. Council Policy 500-5: Taxicab Rates of Fare	A-107
O. Report of New Technology	A-110

LIST OF TABLES

	<u>Page</u>
ES-1 Major Taxi-Jitney Regulatory Revisions in the City of San Diego	x
2.1 Public Fixed-Route Transit Service, San Diego Region, FY78	14
2.2 Public Demand-Responsive Service, San Diego Region, FY78	14
3.1 San Diego Taxi Certificates Issued by Year, 1929-69	19
3.2 Jurisdictional Taxicab Regulations, San Diego Region, January 1978	30
3.3 Taxi Certificates by Operator, San Diego, 1976, 1977 and 1978	33
3.4 Ground Transportation Permits by Operator, Lindbergh Field, 1976, 1977 and 1978	40
3.5 Taxi Certificates by Operator, San Diego County, 1978 and 1979	42
3.6 Comparative Taxicab Rates, May 1978	43
3.7 Taxicab Rate Changes Adopted by San Diego City Council, 1947 through 1979	45
3.8 Passengers' Wait Time After Phoning for a Taxicab, 1978	50
3.9 Taxicab Trip Purposes by Origin and Destination, San Diego, 1978	54
3.10 Socio-Economic Profile of San Diego Taxicab Passengers, 1978	55
3.11 Travel Behavior Characteristics of San Diego Taxicab Passengers, 1978	57
3.12 Taxicab Productivity Measures by Operator Type, San Diego 1976, 1977 and 1978	58
4.1 Comparison of Former and Revised Paratransit Codes in San Diego	73
4.2 Previous Annual City Paratransit Vehicle Fees	85
5.1 Rates Filed by San Diego Operators Since Competitive Pricing: August, 1979 - July, 1980	94
5.2 Summary of Rate Changes Filed by County Operators, 1979	95

LIST OF FIGURES

2.1 The San Diego Area	9
2.2 Existing Highway and Transit System	13
3.1 Taxicab Operational Areas	32
3.2 Changes in Taxi Rate Structure, San Diego, 1947-1980	46
3.3 Distribution of Taxicab Trips, San Diego, 1978	53
3.4 San Diego Taxi Trips - Twelve Month Moving Totals	60



EXECUTIVE SUMMARY

The Regulatory Changes

The taxicab regulatory revisions adopted in the City of San Diego have two major elements: (1) first, effective January 1, 1979, the previous ceiling on taxi permits has been removed, and continuous entry has been opened at a specified rate to independent owner-operators as well as companies; (2) second, beginning August 1, 1979, competitive pricing, whereby operators may charge individual rates up to an established maximum, replaces the citywide standard rate of fare. Council authorized issuance of 6 new permits per month between January and July, 1979, and 15 permits per month since July to date. The Council-established maximum rate of fare for exclusive ride service is \$1.50 drop plus \$1.50 per mile. No maximum is imposed for fixed route service, which is to be charged on a per capita basis as filed by operators with the City Manager/Paratransit Office.

The regulatory revisions also remove the public convenience and necessity certification requirement and include specific code categories for all paratransit modes; accompanying efforts to promote jitney and shared-ride services; changes in the applicable regulatory fees; codification of an appeals procedure for denial, suspension and revocation of permits, and reassignment of various regulatory responsibilities. The major features of the former and revised regulations are summarized in Table ES-1.

Jurisdictions Affected

The new regulations are effective within the municipal boundaries of San Diego, including Lindbergh Field, the San Diego International Airport, which is under the jurisdiction of the San Diego Unified Port District. Under its airport management, the Port requires that taxi operators wishing to pick up passengers at the airport obtain a ground transportation permit from the Harbor Police. The airport permit fee is low (\$25), and the Port has tended to accept an operator's prior licensing by the City as sufficient evidence of responsibility and need. Traditionally almost all City-licensed operators have acquired airport permits more or less automatically. The Port also accepts the City's standard rate of fare. Thus, continued open entry and variable rate setting have represented de facto changes for airport taxi operations as well. As a result, the Port imposed a temporary moratorium on new airport ground transportation permits. (Airport taxi problems are discussed in more detail below.)

Table ES-1
 MAJOR TAXI/JITNEY REGULATORY REVISIONS IN THE CITY OF SAN DIEGO

<u>Issue</u>	<u>Former</u>	<u>Revised</u>
Entry Requirements:	Public Hearing (City Council) Certification of Public Convenience and Necessity Council Resolution Limit on total permits according to population ratio established by Council policy	Permit Process (City Manager/Paratransit Office) Rate of permit issuance determined by Council policy ^a
Transfer of Permits:	Upon Approval of Council	Upon Approval of City Manager
Right of Appeal Upon Denial, Suspension or Revocation of Permits:	Not Specified	Written appeal to City Manager within 10 days
Procedure Upon Appeal:	Not Specified	Hearing (City Manager); Final resort is to Council's Transportation and Land Use Committee
Service Types:	Taxis, Sightseeing Vehicles and Automobiles for hire; latter category includes Fixed Route (Jitney) services	Five types of Paratransit Vehicles defined: Taxis; Vehicles for hire; Jitneys; Sightseeing vehicles; and Non-emergency medical vehicles <u>Taxicabs</u> authorized to offer exclusive ride, group ride, shared ride AND fixed route services
<u>Rates of Fare:</u>	Public Hearing on operator petition Council Resolution Taximeters required (City Manager)	Rates by type of service Public hearing (operator petition) Maximum rate (Council Resolution) up to which operators may charge individual rates Operators must file rates (Paratransit Office) Taximeters required
Jitney Rates:	Included under autos for hire Rates on a per capita, per hour, per mile OR per event basis	Rates on a per capita basis
Shared Ride Rates:	Meter to be reactivated after first passenger's destination.	Shall be charged on a per zone basis
Equipment and Specifications:	Taximeters required Identifying color scheme required Driver and vehicle identifying number to be displayed Two-way radio communication required by Council policy	Same except two-way radio communication/dispatching capability required of all taxicabs operating under permits or certificates granted after October 31, 1976.
<u>Operating Requirements:</u>		
Taxis:	Acceptance of additional passengers subject to approval of first (see Rates) No additional charge permitted unless second passenger rides beyond first	Acceptance of additional passenger on approval of first for shared ride basis of operation --Fares to be charged on a zone basis --Maximum zone rates to be set by Council Fixed route taxi service permitted subject to conditions similar to those for jitneys
Jitneys:	Routes not specified	Fixed-route service on routes approved by City Manager Fixed routes <u>may</u> parallel transit routes Routes to be shown on vehicle

^aBetween January and July 1, 1979, the City issued 6 new permits per month; since July, the City has been issuing 15 new permits per month

Table ES-1 (cont.)

<u>Issue</u>	<u>Former</u>	<u>Revised</u>
Public Liability:	Insurance by authorized carrier required Minimum amounts to be set by Council	Self-insurance permitted with Council approval Minimum amounts to be set by City Manager Standardization of liability insurance requirements for all paratransit vehicles
<u>Administrative Changes:</u>		
Application and Regulatory Fees:	Variable fees by vehicle type: Taxicab - \$200 Auto for hire - \$50 Sightseeing vehicle - \$200 plus \$50 for vehicles seating 20 or less passengers OR \$90 for vehicles seating more than 20 (\$25 Annual Business License Fee included)	Regularization of fees for all types of paratransit vehicles: \$100 Filing (Application) Fee \$110 Regulatory Fee \$50 Fee to petition for change in location of cabstand \$25 Annual Business License Fee

San Diego County, which has jurisdiction over the unincorporated areas, also changed its code to permit open entry and variable rates in approximately the same time frame as that for the City changes. Regulatory revisions thus affect the City and County governments and the Port District most directly. Other municipalities in the region are currently considering or implementing like changes in the wake of the City and County revisions. No reciprocal agreements existed between jurisdictions prior to the recent regulatory revisions, and there had been no broad-based impulse to regional regulation. Operators seeking to pick up passengers in any jurisdiction needed to obtain the appropriate license. Coordination among jurisdictions was generally cooperative, however.

The regulatory changes effect no transfer of authority from one jurisdiction to another. The major change in both the City and the County is to reduce the taxi regulatory responsibilities of elected officials. The former City Department of Transportation was dissolved in 1978 and many of its functions transferred to existing City Managerial departments. Duties relative to paratransit were consolidated under the Paratransit Office. The federally-designated metropolitan planning organization, the Comprehensive Planning Organization for the San Diego region, has been interested in taxi regulation and planning and has participated in studies of local taxi industry and ridership characteristics. But the agency has no regulatory authority for taxicabs in the area.

Industry Characteristics

Pre-Revisions Size and Structure. The City taxi industry prior to the regulatory revisions was dominated by a single large operator, Yellow Cab, which held 280 (68%) of the total 411 licenses. Some 62 independents had obtained licenses in the wake of a 1976 Yellow Cab drivers' strike; 59 of these were still operating in 1978. The remaining 72 licenses were held by seven relatively small fleet operators of 5 to 15 cabs each. Most of the fleet operators had become full-time lease operations by 1978, although a few continued to employ drivers on a commission basis. Council policy had traditionally limited the issuance of new taxi certificates according to a population ratio of one license per 3,000 residents. Available evidence indicates that the number of outstanding licenses already exceeded this population-based ceiling at least as early as 1969, as well as in 1977 when the 62 owner-operator certificates were issued.

Interim Changes. Although the major focus of this report is the regulatory revisions and their implementation -- since subsequent evaluation efforts will look at the effects of the changes -- it is worth noting the number of new permittees since open entry began. As of the end of May, 1980, the City had processed and approved 195 new taxi

permits, of which 144 permittees had had their vehicles inspected and gone on the road. Paratransit Office staff report that the large majority of these new permit holders are independents. Adding the new operators to the previous total (411) yields 555 licensed taxicabs as of May 30, 1980.

Operating Practices. Operational characteristics vary among operators, but two primary factors appear most directly related to operating practice: the size of the operation and its radio-dispatch capability. These factors tend to influence the proportion of pick-up versus telephone request (or "bell") business, the extent of cruising, use of cabstands and concentration on the airport. The 1978 Taxicab Passenger Survey conducted by the Comprehensive Planning Organization and the City of San Diego found that areawide taxi business was 67 percent telephone-request, 23 percent pick-ups from cabstands, and 10 percent other street hail. Interviews with local operators conducted in preparation of this report indicated that the fleet operations tended to do a much larger proportion of telephone-request business (from 75 to 95 percent) than independents (about 10 percent on average).

Geographic coverage also varies among operators. The larger operators generally cover the entire city as well as the airport from a centralized dispatcher. A few companies concentrate on specific areas for the majority of their business, such as La Jolla Cab Company in the La Jolla area and Red Cab, which focuses on the border area near San Ysidro. Cabstands are generally little used, and there is also not much cruising. Pick-up business, in addition to the airport, is concentrated at the region's numerous naval installations, the railroad stations and downtown Greyhound bus station as well as Hotel Circle near the airport. Yellow Cab provides contract package delivery and dial-a-ride services regionwide. The independents argue that they are unable to undertake contract-type services with a single vehicle.

Associations. Independent operators formed two associations in response to the City's requirement for radio dispatch capability: the 24-member ICOA and the 30-member CO-OP, which also leases dispatch service to non-members. CO-OP Cabs share a common logo and color scheme, but not all members charge the same rates. The ICOA members have different colors and rates. This group split off from CO-OP in pursuit of a less-regimented, fraternal type of organization. Their resistance to conformity illustrates a key point about the independent operators. Further cooperation--such as in wholesale gas purchase or shared maintenance--is constrained by the independent spirit which was in many cases why these operators sought to obtain their own taxi permit in the first place.

In addition to ICOA and CO-OP, there are also a Cab Owners Association of fleet owners, an organization called Cab Drivers for Free Enterprise (CDFE) and a San Diego County Taxi Drivers Association (SDCTDA). The Cab Owners Association, primarily a social and interest

group, is the oldest. CDFE claimed 150 charter members, many of whom had reportedly waited over eighteen months for a certificate by 1978 when the public hearings were called to discuss open entry. The organization staunchly advocated open entry at that time; its current status is unclear. A recently-organized drivers association claiming 200 members at midyear, 1979, SDCTDA sought to establish a citizen board with regional authority over taxicabs. This organization remains active although the regional regulation issue has found no broad-based support.

Union. Some San Diego drivers are members of the Transportation and Allied Workers of California Union local chapter. Never dominant, the Union has been considerably weakened since the Yellow Cab drivers' strike as more and more of the striking driver-members who applied for independent permits commence their independent operations.

Fare Structure

Prior to the regulatory revisions, San Diego taxi rates were established through procedures common to many municipalities throughout the county. Operators petitioned Council for changes in the rates, and Council evaluated their request on the basis of information supplied by the operators as supplemented by its own notions of a fair rate of return. Council had enacted rate changes on an overall average of once every three years between 1956 and 1977.* Prior to the regulatory revisions, the City's standard rate was \$0.80 drop including the first 1/7 mile (or \$0.70 fixed charge) and \$0.70 per mile.** Historically, changes generally consisted of a 10 cent increase in either the drop charge or the mileage rate; the fractional mileage increment decreased from 1/3 mile in 1947 to 1/7 mile in 1977. Thus the cost for a 4-mile trip--the current average taxicab trip length in the region--increased from \$1.40 in 1947, to \$3.50 in 1977. (Note that the San Diego Consumer Price Index rose by 93 percent between 1973 and 1979, compared with a 38 percent increase in taxi rates over the same period.)

Pre-Revisions Taxi Productivity Measures

As of the City's Annual Review of Taxicab Rates dated June 1978, there had been a gradual increase industrywide in both total miles and paid miles driven. The ratio of paid to total miles was roughly stable over the three preceding years: operators drove over two miles for every revenue mile. Independents showed lower ratios than multi-certificates of paid to total miles but also lower ratios of overall costs to revenues, primarily because of the greater number of longer trips these operators booked. Recall that the independents' business is concentrated on the airport. City Paratransit Office staff reported an estimated average 7,300 trips per cab per day for the local industry as a whole during 1978. Overall revenue and trip figures have grown in

*There had been no increase during the previous decade from 1947 to 1956.

**Throughout this report taxi rates will be given in terms of the drop charge (the amount registered on the meter when the flag is dropped at the start of the trip including the first mileage increment) the fixed charge (the drop charge less mileage) as well as the mileage charge. In this instance, 1/7 of a mile costs \$0.10, so the fixed charge is \$0.70.

recent years since the sharp declines of 1976 when Yellow and several other companies went bankrupt. There are anomalies in the data, however, as a result of these attritions and because different operators filed different data in different years.

Pre-Revisions Taxi Ridership Characteristics

The 1978 City/CPO Taxicab Passenger Survey revealed that San Diego taxi riders were 66 percent residents and 34 percent visitors; 63 percent male, 77 percent white and just under 50 percent employed. Military personnel made up a full third of total ridership, and their presence is also borne out in the large percentage (45 percent) of riders between the ages of 16 and 24. Also, nearly 50 percent of all riders had household incomes below \$7,000. Only 6 percent of residents but 23 percent of visitors had household incomes over \$25,000. Persons 60 years and older constituted 9 percent of riders. More visitors than residents had drivers' licenses: 90 percent compared to 61 percent. Only 8 percent of resident taxi riders were handicapped. Slightly more than half of the residents (53 percent) had no vehicles at home. The primary alternative mode choice of taxicab passengers was bus (36 percent).

Pre-Revisions Taxi Trip Characteristics

The 1978 peak periods of local taxi travel were between 8:30 a.m. and 2:00 p.m. and between 6:30 and 9:30 p.m. Trip purposes varied considerably, but most were from home (34 percent) or work (23 percent) to home (28 percent) or recreation and social destinations (21 percent). Three areas of the City included over 80 percent of all taxi trip destinations: these are the Pt. Loma/U.S. Naval Supply Center and Yacht Harbor area (19 percent); the central city area including the airport, downtown and Balboa Park, a major tourist attraction (54 percent); and the East San Diego area (7 percent). The average taxi trip in San Diego was 3.8 miles long and took 8.8 minutes to complete. The average fare was \$3.45.

Revision Process

Objectives. Administrative and legislative pronouncements indicate that the City had pondered implementing taxi regulatory changes for more than a decade. Local regulators, City staff and some operators also maintain that the changes were in response to local conditions. The primary motivations for the regulatory revisions were to improve area-wide taxi service and encourage innovations as well as to relieve Council of the burden of evaluating need in response to individual requests for new licenses and industry requests for rate changes. A 1976 Yellow Cab drivers strike and the eventual bankruptcy of the firm had also demonstrated the threat to ongoing citywide taxi service when a single operator held over two-thirds of all taxi licenses.

Taxi regulatory revision found a constituency among Councilers, City administrators and staff, striking drivers and others seeking permits and local residents of relatively under-served areas of the City. Elected officials and regulators anticipated that increased competition from new entrants would lead operators to seek out new market areas, increasing areawide service coverage and leading to service innovations to increase vehicle productivity. These officials as well as numerous license applicants argued that there was ample demand to justify open entry, and the length of the waiting list--some 230 plus names, including those of over thirty existing permit holders--appeared to support this contention. On the other hand, opposition to the regulatory changes came from existing operators, both multi-certificated firms and many of the original independent licensees who had obtained their permits following the 1976 strike. These operators maintained that demand was insufficient to sustain additional taxi service providers.

The new provisions also attempt to remove Council from frequent periodic rate review and rate setting by substituting a maximum rate of fare for exclusive, group and shared ride services. Changes in the maximum rate are still effected by Council resolution after a duly noticed and open public hearing and it still rests with the operators to petition for a change. The chief differences result in that regulators anticipate having to change a maximum rate less frequently than a standard rate, while variable pricing under a maximum induces competition among operators and service types. The new ordinance requires operators to file their chosen rates with the City Manager/Paratransit Office in advance of their effective date. Operators may file new rates as often as they choose, but the costs involved in temporary loss of patronage and to reset the meter(s) are not negligible. Annual financial reporting records have been required of operators since August 12, 1976.

Attitudes Toward Regulatory Revisions

Open entry in San Diego found a broad-based constituency among elected officials, City administrators, regional planners, and striking drivers and others seeking to obtain individual owner-operator permits. Attitudes favorable to open entry tended to coalesce among the former groups over time. Attitudes among taxi operators have been divided, chiefly depending on whether the operator had already obtained a permit or not. In general, the multi-certificated operators opposed open entry, arguing that the average number of trips per shift had declined since before 1976 and that demand was not sufficient to sustain additional suppliers.

Rate revision was less controversial. The majority of the multi-certificates had maintained the need for a rate increase prior to establishment of the maximum. Although early in the public discussion phase the independents claimed that they could make a profit at the pre-1977 rate of fare, none objected to the new maximum. In fact, during the first five months of competitive pricing, most of the independents filed higher rates.

Alternative proposals such as regional regulation were apparently unpersuasive. There was also little argument over the other features of the new ordinance, although since its enactment, some operators object to its rate (and route) filing requirements and the financial information reporting requirements which were carried over from the previous ordinance. These objections frequently stem from operators' understanding of the regulatory revisions as "deregulation," which is clearly a misnomer.

Attitudes among operators and regulators have also been affected by mutual distrust and suspicion, some of which was manifest prior to the recent changes. Memories of a 1969 bribery scandal soured some Councilors on City regulation of taxicabs, since it appeared to play into the hands of a self-serving industry by inhibiting competition. On the other hand, City staff's focus on the potential for service innovations appeared naive or downright dangerous to some of the operators. This friction was exacerbated somewhat by media coverage of the taxi issues.

Implications for Other Localities

It should be emphasized that the regulatory changes were achieved relatively smoothly in San Diego. Predictions of price gouging, deteriorated service and outright violence among drivers have not been realized to date. The City's success was largely owing to having able staff to administer the changes who were sensitive both to the City's goals and the industry's needs. These staff were diligent in their efforts to involve local operators in the entire revision process. The City also assists operators to provide new services by printing promotional materials and undertaking public information programs. Inter-jurisdictional problems were minimized by virtue of the long-standing spirit of cooperation in taxi regulation between the County and the municipalities. Problems at the airport are discussed below.

The regulatory revision process had its problems, nonetheless. Other localities contemplating taxi regulatory changes should consider the San Diego experience for its following transferable implications.

1. The revision process took a considerable amount of time, requiring key City staff to devote themselves more or less exclusively to planning, discussing, revising or implementing the changes. Council and committee meetings and public hearings occasionally produced unexpected delays in major steps in the process.
2. Operator information could prove laborious. Mailing addresses of independent operators become out-dated frequently; telephone communication is difficult because owner-drivers are likely to be on the road during business hours. Difficulty in achieving good liaison with local operators was particularly unfortunate where operators misunderstood the regulatory changes. Industry opposition to the changes was often immediate and forceful.

3. Note that changes in the rate structure were much less controversial than those effecting a relaxation of entry restrictions.
4. Media coverage of events in the regulatory change process occasionally tended to confuse the issues and to exacerbate existing friction between regulators and operators. The local papers tended to characterize the changes as "deregulation," predicting dire consequences for taxi operators and riders. Many media reports expressed the positions of the multi-certificated operators as if they were those of the independents.
5. Full-scale public information needs, on the other hand, exceeded City resources. The lack of a City-sponsored information campaign meant that traveler awareness of competitive pricing and alternative services would depend upon ordinary media coverage. Our conversations with local operators revealed that the public has difficulty discriminating between drop and mileage charges to identify the cheapest rate and has little familiarity with innovative service, such as shared riding.
6. Increasing numbers of City-licensed operators brought attendant problems for airport taxi operations which emphasized differing Port and City administrative views. Increased airport taxi competition cause a variety of problems for the Harbor Police, especially in maintaining smooth operation of the taxi queue. On the other hand, the first in, first out queue policy counters the City's objectives for implementing competitive pricing. The City has advocated a taxi holding area with full-time starters to call up cabs at passengers' request. The Port points out that this is an expensive solution and asks who will pay for it. City and Port objectives come together in seeking to limit the total number of airport taxis. This approach would reduce the Port's taxi enforcement problems and increase citywide service coverage by diverting operators away from the airport.

Constructive Port-City negotiation on these issues prior to implementation of the regulatory revisions was impeded by political motivations. Yet the revisions affect both jurisdictions and leave these administrations in the position of having to devise compromise solutions after the fact. The Port imposed a moratorium on new airport permits to allow itself time to consider alternatives. In July 1980, the San Diego Mayor appointed a Task Force of City Council and Port Commission members to study airport problems. Their recommendations will be forthcoming.

1.0 INTRODUCTION

This section briefly describes the interests and scope of the SMD Program and its case study evaluations of taxi regulatory revisions in three U.S. cities. It then discusses the major issues of interest and the evaluation framework for each of these case studies. The introduction concludes with a description of the focus and data sources examined for this Interim Report as well as those to be investigated during the formal evaluation effort.

1.1 Overview*

A major reason for developing paratransit services is to make better use of existing transportation resources in both the public and private sectors. As a result of growing concern about energy consumption, traffic congestion and air pollution, transportation planners and policy-makers have been looking at paratransit services as an alternative to the single-occupant auto in addition to conventional transit. Even excluding publicly-owned school buses, social service agency vehicles and vanpools, there are thousands of taxis, limousines, jitneys and other vehicles for hire that could be utilized to complement existing transit operations.

In fact, paratransit services have been shown to be more effective and efficient than conventional transit for particular applications. Demand-responsive and shared ride taxi services, for example, are particularly efficient where origins and destinations are scattered over low-density areas and conventional transit vehicles would be more costly and less maneuverable. Shared ride and jitney services can also be used both as feeders to conventional fixed-route transit services and as alternative fixed-route services themselves.

A variety of factors combine to inhibit development and implementation of such innovative paratransit services, however. Exclusive ride service has become the model of taxi operations over many years. Many operators and riders are unfamiliar with the current variety of alternative service options. Existing taxi and paratransit regulations also impose barriers to the development of such alternative services. For example, jitney services have been specifically prohibited in many cities for many years. Other regulations inhibit or proscribe shared riding and zone-based or per capita fare systems.

The historic rationale for regulating taxi operations, dating back to the 1920's, includes such factors as the desire of public transit or taxi operators to protect their market share, or to secure a minimum level of earnings. Public welfare considerations such as continuation

*The material in this and the following section is adapted from Service and Methods Demonstration Program, Annual Report, August 1979, UMTA-MA 06-0049-79-8.

of adequate service, passengers' physical safety, and protection from price gouging have also played a part. Over the years analysis has focused on the impacts of regulation on the structure and service characteristics of the taxi industry, with more frequent debate over the merits of regulation.

1.2 The SMD Program Interest in Taxi Regulatory Revisions

The UMTA Service and Methods Demonstration (SMD) Program was established in 1974 to provide a comprehensive framework within which innovative transportation management techniques and transit services could be developed, demonstrated and evaluated, and the results disseminated to transportation planners, policymakers and transit operators. Demonstration projects sponsored by the SMD program specifically address one or more of UMTA's major program objectives which are to:

1. Provide more efficient public transportation service.
2. Provide more effective public transportation service.
3. Encourage ridesharing and transit use through local regulatory and pricing authority.
4. Develop a mix of innovative transit service models appealing to a wider range of user groups.
5. Integrate the use of private and public providers into a comprehensive set of public transportation services.
6. Develop information to assist local, state, and Federal policy formulation.
7. Guide an improved level of local response to UMTA regulations concerning TSM, E&H, and Alternatives Analysis.

Innovative service and methods concepts that realize these objectives are actively sought by the SMD program. Demonstration ideas can emerge either from within the program itself or from promising strategies which have already received limited application. Application of a concept in different sized cities or with significant variations is generally necessary to understand how and under which conditions a viable concept has the most potential.

In addition to actual demonstrations of innovative service and methods applications, the program has also included evaluation of non-SMD funded projects. Case studies of potentially innovative concepts initiated outside of the SMD program are conducted where it appears that the concepts warrant study and dissemination of findings that would not otherwise occur. The program's evaluations of taxi regulatory revisions in several American cities are of this latter type. In these cases, the SMD Program did not solicit application of revised regulatory policies,

but given that local government intended to implement changes, the SMD program sought to evaluate their effects in order to determine what if any potential they had for achieving improved transportation services. UMTA's support in these cases extends only to enable the evaluation effort and provide for the necessary evaluation data base.

The SMD Program became interested in taxi regulatory changes as local planners and regulators began to articulate the implications their regulations have for transportation service innovation and productivity. Over eighteen months ago the Transportation Systems Center (TSC) learned of the impending relaxation of fare and entry restrictions on Seattle's taxi industry and initiated a case study evaluation of the changes in that locale. Subsequently municipal legislators in San Diego and Portland, Oregon implemented changes in their taxi ordinances, and case studies were begun in these cities as well.

There are strong reasons for SMD Program interest in these developments. Prior to these evaluations there had been no rigorous study of regulatory revisions of the nature and scope provided by these case studies. Moreover, changes in the taxi institutional environment are viewed as a potential stimulus to innovations in the type, quality and quantity of taxi services provided by local operators. Thus the experience in these three sites should be of considerable interest to policymakers at all levels of government, regulators, taxi operators, transportation planners and researchers in this country and abroad.

1.3 Overview of the Regulatory Revisions Case Studies

TSC has undertaken case study evaluation of regulatory revisions in three American cities: Seattle, Portland, Oregon, and San Diego. The code revisions in all three cities involve relaxation of entry and fare restrictions, but there are significant differences among them in the degree to which controls have been removed, the service and operator types affected, and the manner in which the changes have been implemented. In addition are three limited investigations into past, current, and proposed changes in Indianapolis and Oakland and Berkeley, California. These smaller studies are much more summary and narrative than a formal evaluation.

The larger case studies offer the opportunity to do a comprehensive evaluation of the effects of the regulatory revisions on industry operators, regulators, taxi users and the general public. Because the development of an effective institutional framework is an essential precondition for developing the operational features of the services themselves in these cases, the evaluations also focus on the implementation of the new regulations as well as on their effects. The precise scope of each case study necessarily depends upon the nature and magnitude of the regulatory revisions and the availability of the necessary data. Nonetheless the evaluation methodology and findings will be as consistent as possible across all three sites in order to facilitate cross-cutting comparisons and analyses using combined data. The evaluations

have two major objectives (1) a thorough documentation and analysis of the regulatory changes process and (2) an assessment of the impacts of the changes on operators, travelers, and regulators. Specific impact issues to be examined include the effects of the regulatory revisions on the composition and fluidity of the taxi (and jitney) industries, operating practices, investment decisions and costs; the quality, quantity and price of services; operating efficiency, revenues and profitability; and the administrative costs associated with paratransit regulation.

Evaluation of these impacts will be structured in accordance with principles of supply-demand analysis. On the supply side this means examination of the nature and magnitude of changes in operator behavior along dimensions such as entry and exits, pricing practices, service offerings, investment decisions and operating practices. On the demand side, this includes analysis of changes in traveler behavior in terms of mode choice, taxi trip frequency and timing, and destination choice decisions. The interaction of supply changes and demand responses produces a new level of supply and demand which is reflected in measures of service utilization, revenues and profitability statistics.

Analysis of these changes will be presented in a subsequent evaluation report. This interim report aims to fulfill the first of the two primary case study objectives, to document and analyze the changes themselves as well as the process of their implementation. Major emphasis here has been placed on describing the administrative procedures, public information efforts and operational procedures which necessarily interact with the regulatory changes. Similar interim documents have been prepared for all three case studies.

Project monitoring and impact evaluation efforts will continue on the Seattle and San Diego case studies over the next seventeen months, with a final evaluation report to be presented on each site by August 1981. Continuing efforts on the Portland case study will consist of lower-level monitoring of the impacts of the regulatory revisions. No subsequent evaluation report on Portland is currently contemplated.

1.4 The San Diego Case Study

This Interim Report focuses on San Diego taxi industry and operations prior to relaxation of entry requirements and implementation of competitive pricing as well as on the institutional context for the regulatory revisions. The report also summarizes the historical and recent events relating to the adopted changes and identifies key participants in the regulatory change process. It compares the new Paratransit Ordinance with the former code provisions. The report also describes the process of implementing the code changes and identifies problems which have arisen. It concludes with a brief summary of post-revisions interim impacts on the local industry and on taxicab rates during the first five months of competitive pricing.

Primary data sources for this report include interviews with San Diego Paratransit Office staff and City-licensed operators, as well as reports and data compiled from the following sources:

City of San Diego

Historical records
Taxi rate files
Annual Taxi Rate Review reports
Response Time Survey
SDPD taxi medallion files
Taxicab Passenger Surveys, 1978 and 1979
Harbor Police files of airport-licensed operators

San Diego County Sheriff's Licensing Division

Files of taxi certificate holders and rates
Interviews with staff

The full-scale evaluation will require ongoing analysis of these and other data sources. Constraints on data collection resources preclude monitoring the adjustments to the regulatory changes on a continuous basis or on an individual operator or other highly disaggregated level. Data is to be collected at points of time and in detail sufficient to relate and explain these changes according to the supply-demand framework described in Section 1.3. Major evaluation issues include impacts on taxi industry size and structure; fares and pricing practices; operating practices; level of service measures; operator productivity and economics; demand; cost of regulation; and attitudes among regulators, operators, and the public. Data sources to be collected and analysed as part of the evaluation effort include, in addition to those listed above:

City files of operators' annual financial reporting information
Data on industry entry and exit (City, Airport, and County)
Operator trip sheets
Street Hail Survey
Random Household (telephone) Survey
Information on cabstand location and use
Passenger complaints (City, SDPD, Harbor Police and ConVis Bureau)
Evidence of medallion values
Information on insurance practices

Personal interviews with operators and administrators will continue to form the backbone of the ongoing monitoring efforts for this evaluation.

2.0 SITE DESCRIPTION

The following section gives a brief description of the physical, demographic and infrastructure features of the study setting. Descriptions of the local taxi industry and regulatory provisions and authorities are presented in later sections of this report.

2.1 Geography, Population and Employment

San Diego County is situated in the southernmost part of California, extending to the Baja California and Mexican border. It is bounded on the north by coastal hills and mountain ranges, on the east by desert, and on the west by the Pacific Ocean. Composed of fourteen cities and an unincorporated area, with an overall population of 1.77 million people,¹ the county has a land area of over 4000 square miles, and an average density of 319 persons per square mile.² The City of San Diego, with a population of 825,700 in 1978, ranks as the second largest city in California.³ The San Diego region has been among the most rapidly growing metropolitan areas in the United States, increasing its population at an average annual rate of 4 percent over the past twenty-five years. Most of this growth has occurred in the relatively less-populated North County and Northern City areas of the region.

The relative sizes and locations of special population groups such as the elderly, ethnic minorities and the military, are of special interest in relation to demand for taxi service. These are described in turn below. Section 3.7 describes the demographic characteristics of taxi patrons.

The regional proportion of persons sixty years of age or older has also grown over the past five years. The 1975 special census counted 204,000 elderly persons in the region, or nearly 13 percent of the total, as compared with 166,000 or 12 percent of the regional population in 1970. Elderly persons live throughout the San Diego region, with concentrations in Chula Vista, the coastal and peninsula areas, El Cajon, Escondido, Vista, Oceanside and especially the City of San Diego.⁴

¹San Diego County Department of Planning and Land Use, "County Data Base," Report No. 79-5, July 1979.

²Robert F. Casey (TSC), San Diego Wheelchair Accessible Bus Study, UMTA-MA-06-0049-77-8, September 1977, p.2.

³CPO, Comprehensive Plan for the San Diego Region, 1978 Update, Vol. 5, p.8.

⁴Casey, p.3.

According to the 1975 special census of population, non-whites make up 15 percent of households in the greater San Diego region.⁵ Several specific areas have much higher concentrations of ethnic and racial minority populations, however. Central San Diego has some 23 percent non-white households, more than half of whom (54%) are Latino. The population of Southeast San Diego is 36 percent black, 15 percent Latino, 11 percent other non-white, and 38 percent white. And the South Bay area is 24 percent Latino.

The San Diego region is a prominent coastal area and has a number of large military (predominantly Naval) installations: eight facilities are located in the City of San Diego; Camp Pendleton Marine Base is located in the unincorporated area above Oceanside, and Coronado is the site of a Naval Amphibious Base. Military inservice population numbered 122,300 or 7 percent of regional population in 1978.⁶

Centre City San Diego is the major employment, cultural and financial center of the region, accounting in 1978 for 61,800 jobs, or 14 percent of City of San Diego employment and 8.5 percent of regional employment.⁷ The City of San Diego overall provided 431,400 jobs in 1978, or 58 percent of regional employment.⁸ Manufacturing and retail trade have traditionally been the most important employment sectors in nearly all of the cities in the region, accounting for from one-third to one-half of total employment. Regional employment sectors showing significant growth during the past decade include banking, business and legal services, eating establishments, utilities, wholesaling, construction and the federal government. Military employment has declined since 1972.⁹

The region's largest private office buildings are located in Centre City San Diego and nearby Mission Valley. Major industrial parks are chiefly clustered north of the City's new Highway 15. The major retail centers are distributed along the highways throughout the region.¹⁰ Figure 2.1 shows the various municipalities in the San Diego region, and the locations of the naval bases, downtown San Diego and the airport.

2.2 Political Jurisdictions and Reponsibilities

Principal jurisdictions within the San Diego region are the County, the City of San Diego, the thirteen smaller municipalities, and the Unified Port District. The Comprehensive Planning Organization (CPO) and the Metropolitan Transit Development Board (MTDB) are also noteworthy in the context of regional transportation planning governance.

⁵Table 3, "Household Population by Racial-Ethnic Origin of Head, by SRA," 1975 Census.

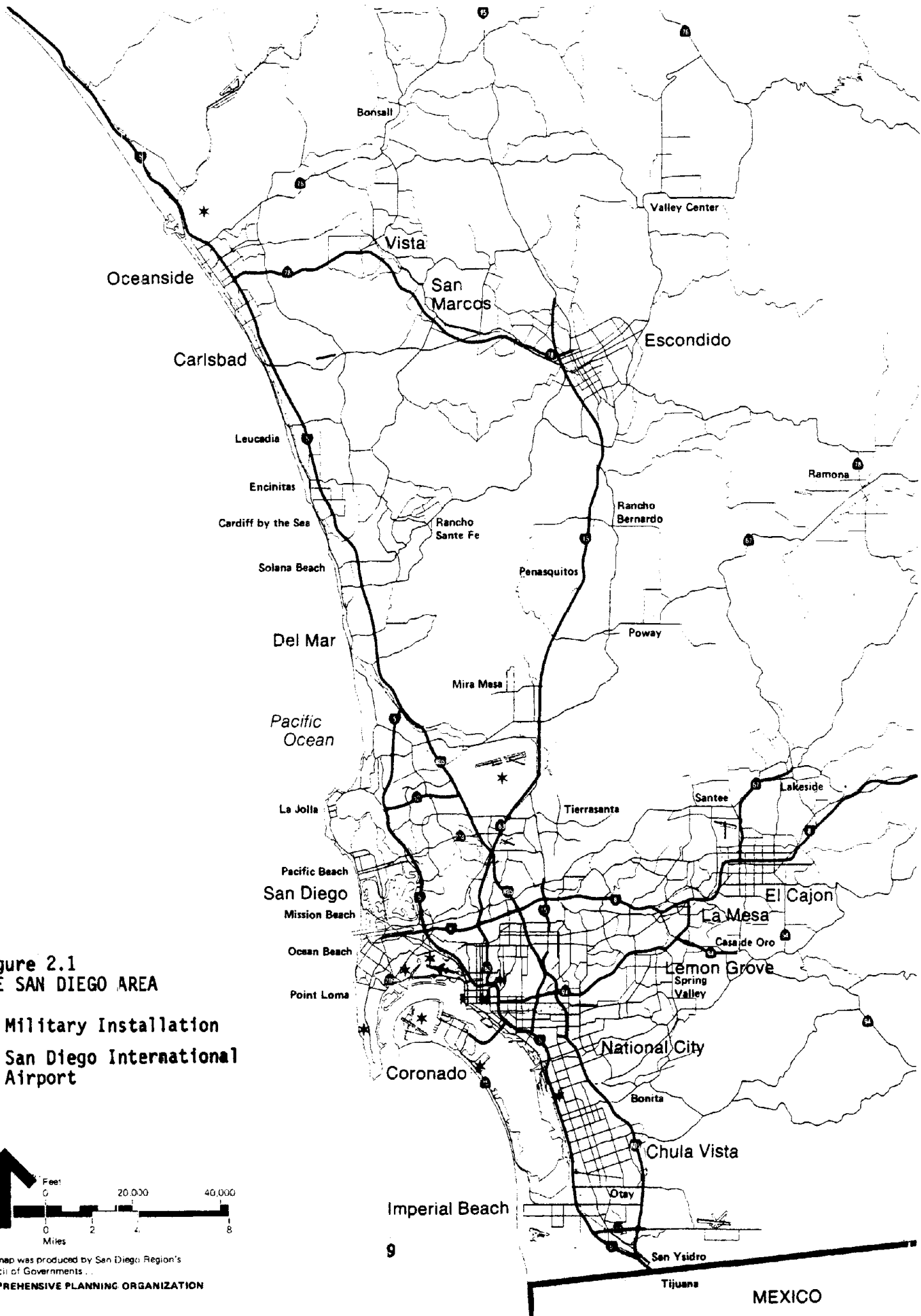
⁶CPO Series V Forecasts.

⁷CPO, "Info '78," No. 3, September 1978, p.5.

⁸Ibid., p.4.

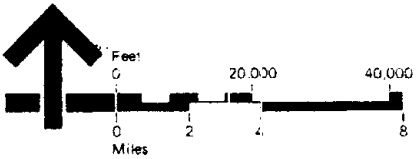
⁹Ibid., p.1.

¹⁰CPO, "Info '78," No. 1, July 1978.



**Figure 2.1
THE SAN DIEGO AREA**

- * Military Installation
- ← San Diego International Airport



This map was produced by San Diego Region's Council of Governments
COMPREHENSIVE PLANNING ORGANIZATION

2.2.1 San Diego County is governed by a five-member Board of Supervisors elected by district for four-year terms. The County has jurisdiction over the unincorporated areas. It operates its own planning and transportation departments, the latter providing staff services and follow-up efforts on taxicab regulatory revisions to the Board. Licensing, inspections and maintenance of files relating to taxis are handled by the Sheriff. The County is a member of CPO's Council of Governments.

2.2.2 The City of San Diego has a City Manager type of government under a Mayor and an eight-member City Council elected at large and nominated by district. The City sends three representatives to the San Diego Port Commission and one representative to CPO's Council of Governments. In 1978, the City dissolved its transportation department, dividing its responsibilities between various City Managerial departments.

2.2.3 The San Diego Unified Port District has operated for fifteen years, administering its public trusteeship over the 2500-acre San Diego Bay tidelands. Facilities under the Port's jurisdiction include Lindbergh Field, the San Diego International Airport, and the extensive tourist and recreational facilities along the San Diego waterfront. The seven-member Board of Port Commissioners is appointed by their respective City Councils to four-year terms. San Diego sends three members to the Port Commission; the remaining four come from the bayfront or coastal cities of Imperial Beach, Chula Vista, Coronado, and National City. Port Commissioners serve gratis. The Port District operates its own Harbor Police Force which has full licensing and enforcement authority over tidelands taxi operations, including the airport.

2.2.4 The Comprehensive Planning Organization, the metropolitan planning organization and council of governments in the San Diego region, is a joint powers agency of the County and its fourteen incorporated cities. CPO's Board of Directors, a 32-member body of locally-elected officials including representatives of Caltrans and Tijuana as ex-officio, non-voting members. It meets regularly to assure overall, areawide planning for the San Diego region. As the State's designated regional transportation planning agency, CPO is responsible for administration of Transportation Development Act (TDA) funds and for annually developing and endorsing the areawide transportation plan and transportation improvement program, as well as other planning work programs. These efforts are accomplished in accordance with State and Federal regulations and in conjunction with other agencies, under a memorandum of understanding between CPO, the Metropolitan Transit Development Board (MTDB), and the State through the California Department of Transportation (Caltrans).

2.2.5 The Metropolitan Transit Development Board was established by the State Legislature in 1974 for the purpose of researching and implementing an applicable and cost-effective, state-of-the-art transit system. It has jurisdiction over an area approximating the southwestern metropolitan portion of the County, including the City of San Diego.

MTDB is responsible for direction of approval of TDA funding requests and fixed-guideway (light-rail) transit and related short-range planning within its jurisdiction. These responsibilities include recommendation and approval of transportation systems management element (TSME) projects and a Transportation Improvement Program for the MTDB area, as well as planning for San Diego Transit Corporation (SDTC), the City's transit operator. The MTDB Board comprises seven locally-elected officials and a San Diego County resident appointed by the Governor.

2.3 Transportation Characteristics

Transportation needs within the San Diego region are served by aviation, rail, highways and roads, bus, taxicabs and other paratransit operations. The major facilities related to taxicabs in terms of travel patterns or potential demand are described briefly below.

2.3.1 Airport. The region's airport system includes one major commercial facility, Lindbergh Field, the San Diego International Airport, and a variety of smaller facilities, including twelve publicly-administered general aviation airports, four military facilities, and about twenty-six private airports, heliports, and emergency strips. Some 4.5 million passengers and 19.8 million tons of cargo passed through Lindbergh Field in 1975.¹¹ CPO projects these passenger and cargo volumes to increase to three times their 1975 levels by 1985, necessitating additional facilities and highway access if air operations are not to be constrained.¹² A new, West Passenger Terminal was completed and opened in July, 1979 and currently handles about half of airport traffic. This terminal is specifically designed to accommodate wide-bodied aircraft. The older, East Terminal is scheduled for various physical improvements in coming years.

2.3.2 Railroad. The Santa Fe Railway Company owns 128.3 miles of track between San Diego and Los Angeles. This corridor is now the third most heavily-travelled train route in the country, following Washington-New York-Boston and Harrisburg-Philadelphia. Increasing ridership in the corridor is chiefly owing to increases in service and newer equipment since May 1976. There are now six daily round-trip passenger trains between San Diego and Los Angeles. The 1977 ridership of 694,143 represents a 47 percent increase over 1976 levels. The San Diego and Arizona Eastern Railway (SD&AE) also operates freight lines between San Diego and El Centro, El Cajon, National City and Imperial Beach. The SD&AE discontinued passenger service in 1951 and has petitioned the Interstate Commerce Commission to abandon its freight operations in San Diego and Imperial County as well.

¹¹ CPO, Comprehensive Plan, Vol. 5, 1978 update, p.75.

¹² Ibid.; the Port District's Annual Report, 1979, reports that passenger volumes doubled during the '70s, with more than 6 million passengers using Lindbergh Field in 1979.

Elaborate plans are underway for development and expansion of the three passenger stations in the San Diego region. The Santa Fe Depot Restoration Project focuses on conversion of the 64-year-old station in central San Diego into a major transportation, commercial and recreational center. San Diego Transit Corporation (16 bus routes), AMTRAK, the City Dial-A-Ride and taxis, Mexicoach (fixed route services San Diego-Tijuana), and the hotel shuttles are to share in joint use of the new facility. MTDB is also considering use of this terminal in its fixed guideway transit feasibility studies. Similar multi-modal facility development studies are underway for the Del Mar and Oceanside stations.¹³

2.3.3 Highways. In July of 1978 the San Diego highway system consisted of 261 miles of controlled-access freeways and 11 miles of partially-controlled access expressways.¹⁴

2.3.4 Light-Rail Transit. The MTDB Board of Directors has approved and obtained funding for a Light-Rail Transit (LRT) Line between downtown San Diego and the international border at San Ysidro, utilizing existing San Diego and Arizona Eastern Railway facilities. The consultant contract for design and engineering of the LRT system was slated for early 1979; project development was expected to take 30 months, with July 1, 1981 as the target date for initiation of revenue service.¹⁵

2.3.5 Public Transit. There are three fixed-route public transit operators in the San Diego region. San Diego Transit Corporation (SDTC) is the primary operator, carrying about 87 percent of all transit passengers. SDTC provides services to 1.2 million residents over a 385 square mile area that includes eight cities and portions of the County. SDTC provides local, express and shuttle service with over 43 routes serving eleven major shopping centers, fifteen hospitals, ten colleges and universities, all City secondary schools, major employment centers, the airport and most of the area's major points of interest. The North County Transit District (NCTD) carries about 12 percent of transit riders and provides service to over 400,000 residents in six cities and sections of the North County in a 930 square mile area. NCTD operates seven inter-community, seventeen community, and two commuter routes, supplemented by subscription service to downtown San Diego from Carlsbad and Escondido. Chula Vista Transit (CVT) operates primarily in the City of Chula Vista, carrying about 1 percent of the region's transit passengers over some seven routes, one of which is a CBD shuttle.¹⁶ The service areas and major routes of these operators are shown in Figure 2.2. Fleet size, revenue miles and revenue passengers for these three systems for FY78 are presented in Table 2.1.

¹³CPO, TSME, 1978, pp. 162-168.

¹⁴CPO, Comprehensive Plan, Vol. 5, p.36.

¹⁵CPO, Comprehensive Plan, Vol. 5, 1978, pp. 58-9.

¹⁶CPO, TSME, p. 82-83.

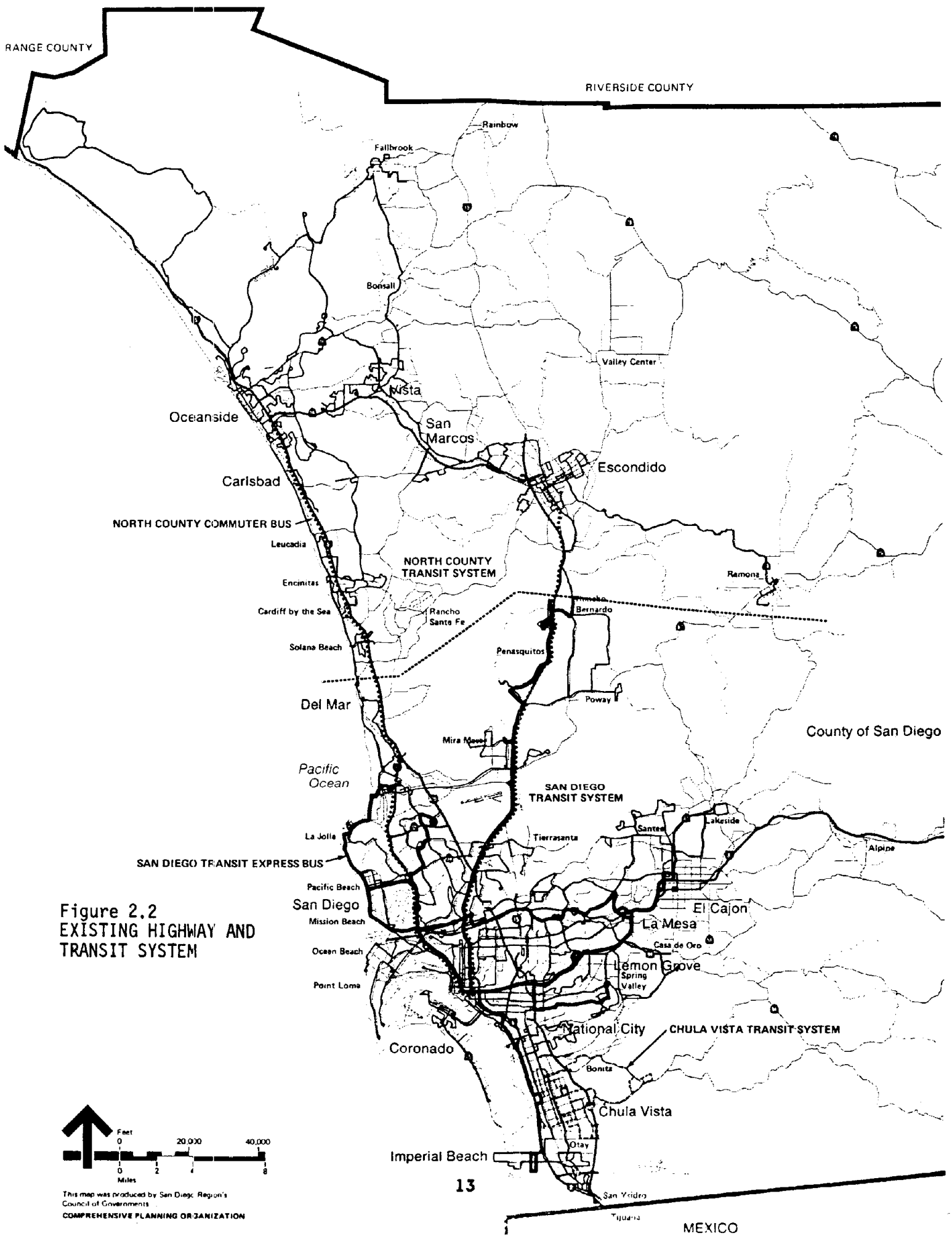
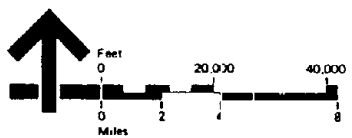


Figure 2.2
EXISTING HIGHWAY AND
TRANSIT SYSTEM



This map was produced by San Diego Region's
Council of Governments
COMPREHENSIVE PLANNING ORGANIZATION

Table 2.1¹⁷PUBLIC FIXED-ROUTE TRANSIT SERVICE, SAN DIEGO REGION, FY78

<u>Operator</u>	<u>Fleet (Buses)</u>	<u>Revenue Miles (Millions)</u>	<u>Revenue Passengers (Millions)</u>
SDTC	350	11.6	29.5
NCTD	89	5.1	4.6
CVT	10	0.5	0.3

Additional scheduled service is provided by Western Greyhound, Continental Trailways, Aztec Bus Lines, Bus-That-Goes-Around-in-Circles, Airport Shuttle Service, Mexicoach and Pacific Western Stage Lines. The region also has four public demand-responsive systems, as described in Table 2.2. Jitney-type services are described in Section 3.2.

Table 2.2¹⁸PUBLIC DEMAND-RESPONSIVE SERVICE, SAN DIEGO REGION, FY78

<u>Operator</u>	<u>Fleet Size</u>	<u>Elderly and Handicapped Ridership</u>	<u>Total Ridership</u>
San Diego Dial-A-Ride	21	142,000	160,000
La Mesa Dial-A-Ride	7	55,000	110,000
El Cajon Express	18	104,000	208,000
County Rural Bus System	2	N/A	6,000

It should be noted that the La Mesa and El Cajon dial-a-ride services are provided on contract by San Diego Yellow Cab; see Section 3.3.

A 1976 study of the transportation needs of elderly and handicapped persons in the region concluded that the unmet travel needs of these groups amounted to 40,000 trips per day.¹⁹ Only about 24 percent (or 9,600 trips) could be carried on conventional transit if special equipment were added to the coaches.²⁰ The majority (67 percent or 26,700 trips) requires door-to-door service. The remaining 3,000 trips (8 percent of total) require door-to-door service with lifts.

¹⁷ CPO, Comprehensive Plan, p.54.

¹⁸ Ibid.

¹⁹ CPO's 1978 TSME reports that nearly half of the elderly population and over 75 percent of the handicapped do not drive cars as their usual travel mode, see p.95.

²⁰ CPO, Comprehensive Plan, p.60.

3.0 TAXI INDUSTRY CHARACTERISTICS PRIOR TO REGULATORY REVISIONS

The following section focuses primarily upon pre-revisions -- i.e., 1978 -- regulatory authorities, regulations, procedures, and taxi industry characteristics in order to establish a "before" data baseline. Since relaxation of entry restrictions took effect January 1, 1979 while competitive pricing began August 1, 1979, some 1979 information is also included to supplement the earlier data as necessary. Information describing early responses to the code changes among operators and regulators is presented in Section 5 of this report.

3.1 Definition of Terms

Describing taxicab operations and industry characteristics requires a specialized vocabulary. The following terms are defined for the reader's convenience and to avoid misunderstandings of terms which vary among different localities.

Taxi Certificate: Prior to regulatory revisions, the certificate of public convenience and necessity required of each cab exercising pick up rights within the City limits.

Taxi Permit: Under the new ordinance, the license under which a person, firm, association or corporation may operate a paratransit vehicle as a business.

This report will refer to taxi certificates and multi-certificated firms in descriptions of pre-regulatory revisions conditions in San Diego. Descriptions of conditions during the implementation or post-revisions phases will refer exclusively to taxi permits and multi-permitted firms.

Medallion: Familiar term for individual numbered permit or certificate placed in the window of the taxi vehicle and representing ownership rights to operate the taxi as a business.

Independent Owner-operator OR Independent owner-driver (viz.): Person or persons holding one (or two) permit(s) or certificate(s) to operate and operating the taxicab(s) as owner and driver within the City limits. (For practical purposes, holders of two permits are also classed with independents in this report.) Includes operators in associations (viz.).

Organization Types

Fleet OR Firm: Multi-certificated or multi-permitted operation held by a single person, firm, or corporation.

Association: Unincorporated society or group of persons united for some purpose related to the operation of taxicabs. Includes cooperative associations.

Driver Types

- Leasee-driver: Person driving a taxicab on a self-employed basis by purchasing the use of the cab from the permit holder for a set fee per shift.
- Hired-driver: Person driving a taxicab for the permit holder on an employee basis, remuneration for which is calculated as a percentage of the cab's daily receipts.
- Owner-driver: Person driving a taxicab on a self-employed basis, holding the taxi permit and operating the cab as its owner and driver.

Service Types

- Exclusive Ride: Exclusive use of a taxicab by one or more related passengers at a time.
- Group Ride: Shared use of a taxicab where a group of related passengers enter at the same point of origin, disembark at the same destination and pay a single fare for the trip.
- Shared Ride: Non-exclusive use of a taxicab by two or more unrelated passengers travelling between different points of origin and/or destination but in the same general direction.
- Fixed-Route (Jitney): Transport of persons or parcels following a fixed route of travel between specified points.
- Time Call: Patron request for taxicab service far in advance of taxi's scheduled arrival time at patron's designated address.
- Personal: Patron request for a particular taxi driver, frequently on a regular or repetitive basis.
- Bell: Telephoned request for taxi service.
- Deadheading: Taxi returning from passenger drop-off point without a fare.
- Bookings: Taxi trips and fares logged during operating hours.
- Wildcatting: Operating a vehicle as a taxi without a license and often without distinctive coloring, rates or meter.

3.2 Previous Code Provisions, Authorities Regulating Taxicabs

The following section briefly summarizes the historical background of taxi regulation in San Diego, describes the salient features of the pre-revisions regulatory code in the City and County, and identifies specific authorities and responsibilities. Detailed discussion of these regulatory characteristics -- including their more recent evolution and comparisons between the old and new codes and past and present responsibilities -- is presented in Section 4.2.

Authority for the regulation of taxicabs is ceded to local municipalities and counties by Article XI, Section 7 of the California Constitution. This authority cannot be delegated or superseded, nor may any local government agency control taxicab operations in another entity's jurisdiction. Fifteen jurisdictions, including thirteen cities, the County and the San Diego Unified Port District, have regulations governing taxicabs in San Diego County. Specifically, these regulations control entry into the industry (licensing), rights to pick up passengers within specific boundaries, fares, and vehicle safety.

3.2.1 City of San Diego

The City of San Diego has regulated taxicabs since the late 1920's with provisions governing entry, rates, equipment and operating practices. The historical evolution of each of these types of regulation is described below.

3.2.1.1 Entry Controls

Regulations established by City ordinance and Council policy have included statutory limits on the total number of taxi certificates issued according to a formula based upon population.²¹ The essential requirement for certification was that public convenience and necessity (PCN) required the additional service, the proof of which involved a full-scale investigation and report to Council by the City Manager and a public hearing before Council on all permit applications. Certificates could be limited in duration of time (in cases of emergency) or limited to a specific geographical area of the City.

According to City archives there were 61 licensed cabs on the street in 1929 and this number increased gradually over the next 50 years, including several periods of sharp increase. The first such rise was during the Second World War, when trainees and other military personnel stationed at or shipping out from the region's many naval bases

²¹"Taxicab" was defined to mean "every automobile or ...vehicle... such as is in common usage in this county for taxicabs, and/or operated at rates per mile, or for wait-time or for both, or for a compensation, and equipped with a taximeter, used for the transportation of passengers for hire over the public streets of the City of San Diego and not over a defined route...and such vehicle is routed under the direction of such passengers..." San Diego Municipal Code, dated 12/75, Chapter VII, Division 1, Section 71.0101(e).

likely provided a ready and transportation-dependent market. The war years also saw a boom in local wildcatting. Sharply increasing demand for taxi licenses and increased wildcatting recurred during the Korean War years. The City issued 158 certificates between 1941 and 1945, of which 80 were to Yellow Cab, and 43 certificates during 1952, of which Yellow Cab received 30.

The industry grew more slowly during the '50's and '60's: 18 certificates were issued in 1957, 14 in 1962, and 37 in 1969, 28 of the last group were to Yellow Cab which continued to dominate the local market. Table 3.1 shows all certificates issued between 1929 and 1969.

The City was debating whether to maintain its system of issuing taxi certificates on the basis of public convenience and necessity at least as early as 1948. During that year, the City attorney recommended that a City Public Utilities Board be established and empowered to make the PCN determination. This recommendation was evidently not followed, however. Council did vote a moratorium on new taxi certificates in 1960, on the basis of the City Manager's finding that existing service was adequate for then current demand. A resolution two years later to issue 14 certificates was adopted over the objections of the AFL-CIO Cab Drivers Local. Council policy subsequently reimposed a freeze on new licenses until the San Diego population reached 700,000. This freeze was still in effect during 1965, when Council met to consider methods of evaluating taxi service in the face of requests for additional permits despite the freeze. The City's first comprehensive studies into local taxi service apparently date from these meetings. No certificates were issued until 1969, by which time available evidence indicates that the total number of outstanding licenses already exceeded the population-based maximum.

The County was evidently also considering taxi regulations during this period. In mid-1967 the Sheriff sought to obtain tighter controls on entry along the lines already established by the City, including a public convenience and necessity certification requirement, and requirements aimed to prevent wildcatting in private vehicles, including meters, distinctive coloring and limits on the number of passengers carried.

Whether or not Council had already begun to think of taxi regulation as particularly onerous, the events of the late 1960's were to demonstrate its perils. In 1967, in response to an Internal Revenue Service investigation of Yellow Cab Company's books, then President Charles Pratt testified to the County grand jury (in exchange for immunity from prosecution on tax evasion charges) that he had bribed the entire Council to secure their approval of the October 1967 rate increase. All of the Council members were indicted as the scandal drew on through 1970. All nine were also subsequently acquitted, but many lost their re-election bids. Several later filed for damages in private and class

Table 3.1-

SAN DIEGO TAXICAB CERTIFICATES ISSUED BY YEAR, 1929-1969

- 1929 - there were 61 cabs on the street
- 1934 - 4 new certificates issued
- 1940 - 5 new certificates issued: 2 to Tomlinson Cab; 1 to La Jolla Cab;
2 to Checker Cab
- 1941 - 24 new certificates issued: 3 to Checker Cab; 11 to Yellow Cab;
12 to Black & White Cab; 4 to Lo-Fare Cab; 2 to La Jolla Cab;
2 to Checker Cab; 1 to ABC Cab.
- 1942 - 69 new certificates issued: 6 to Tanner Grey Line; 37 to Yellow Cab;
17 to Black & White Cab; 4 to Lo-Fare Cab; 2 to La Jolla Cab; 2 to
Checker Cab; 1 to ABC Cab
- 1945 - 65 new certificates issued: 3 to Lo-Fare Cab; 5 to Checker Cab;
6 to Tanner Grey Line; 12 to Black & White Cab; 6 to Green & White
Cab; 32 to Yellow Cab; 1 to ABC Cab.
- 1947 - 2 new certificates issued to La Jolla Cab
- 1951 - 1 new certificate issued to ABC Cab
- 1952 - 43 new certificates issued: 1 to La Jolla Cab; 12 to Lo-Fare Cab;
30 to Yellow Cab
- 1954 - 5 new certificates issued: 2 to ABC Cab; 1 to La Jolla Cab; 2 to
Checker Cab
- 1956 - 1 new certificate issued to La Jolla Cab
- 1957 - 18 new certificates issued: 8 to Red Cab; 1 to Palm City Cab; 3 to
Radio Cab; 2 to Checker Cab; 3 to Martin Cab; 1 to ABC Cab
- 1958 - 4 new certificates issued: 2 to Liberty Cab, 1 to Brown & White Cab;
1 to City Cab
- 1959 - 1 new certificate issued to La Jolla Cab
- 1962 - 14 new certificates issued: 2 to ABC Cab; 1 to Brown & White Cab;
2 to Checker Cab; 1 to City Cab; 1 to Del Mar Yellow Cab; 2 to
La Jolla Cab; 1 to Radio Cab; 1 to Martin Cab; 2 to Red Cab; 1 to
Liberty Cab
- 1969 - 37 new certificates issued: 1 to Radio Cab; 1 to Checker Cab; 1 to
Red Cab; 1 to ABC Cab; 1 to Martin Cab; 28 to Yellow Cab; 1 to City
Cab; 1 to Liberty Cab; 1 to La Jolla Cab

- 1969 - Total Certificatés = 355

action lawsuits against San Diego Yellow Cab and its president Pratt. The bribery scandal was to have a far-reaching influence. Some Councilors inevitably developed a vindictive view toward Yellow Cab; others started looking to distance the Council from the dangers of taxi regulation.

Pratt's resignation in 1970 preceded by only three months the City Manager's announcement that the City ordinances governing taxicabs were in the final stages of revision. These revisions were the product of a two-year study of San Diego regulations and service levels. The proposed ordinance was to include:

1. Standards for suspension and/or revocation of driver permits.
2. Standards for vehicle maintenance and safety.
3. An increase in liability insurance requirements.
4. A requirement for 24-hour telephone service.
5. The non-transferability of taxi certificates.

Also in question was the Council's policy of issuing taxi certificates according to a formula based on citywide population.

No action was taken immediately and the next few years witnessed a wide range of suggestions. In 1971 the City Attorney announced his finding that the City had the right to revoke all 355 outstanding certificates and turn taxicab operations over to the San Diego Transit Corporation as part of a coordinated transit system. (Paratransit Office staff point out that whereas taxicab certification may have been interpreted as a privilege in 1971, it is certainly interpreted as a vested right today.) The next year the City Manager proposed to replace the \$100 annual taxi license fee with a percentage of operators' gross receipts. He later recommended that Council discontinued its present policy of issuing certificates according to population ratio, remove the statutory limit on certificates and control entry by imposing a \$3500 initial license fee. Action to revise the regulations was postponed again until an ad hoc committee could study all the recommendations. In 1973 Council did vote to increase the annual license fee from \$100 to \$200 and amended its ordinance to entrust the licensing of taxi drivers -- formerly processed on an individual municipality basis -- to the County Sheriff.

No comprehensive regulatory revision had been adopted by 1976, when local events precipitated the formulation of more concrete proposals and compelled Council action on them. These steps lead more directly into formulation and adoption of the 1979 regulatory changes, and are therefore described in Section 4.1, which presents the chronology of this process. It is noteworthy, however, that the seeds of these changes were planted long before the decade which produced them.

Automobiles for hire and sightseeing vehicles had at one time apparently been regulated similarly to taxicabs.²² The public convenience and necessity certification (and public hearing) requirements had already been removed prior to the 1979 regulatory revisions, however, and the procedure changed to a permit process administered by the City Manager (c. 1976). That is, formal demonstration of public convenience and necessity was not required. The operator's financial responsibility and the effect of the additional service on traffic congestion and the public good were the principal criteria, and these were evaluated at the City Manager's discretion. See previous City Code, Section 72.0202 and 3, Appendix Exhibit A. It should be noted that the previous Code definition of automobiles for hire did not exclude fixed-route (jitney) operations, even though this Code did not explicitly include a category for jitneys.²³ Both taxicab certificates and auto-for-hire permits were transferable upon approval of Council (taxicabs) or of the City Manager (auto for hire and sightseeing vehicles).

Nonetheless, the City's historical records rarely mention jitneys. They became controversial during 1977, when taxi operators protected alleged "unfair competition" from van-type vehicles advertising, soliciting and charging per capita rates for trips from the airport. The taxi operators contended that the City regulations favored jitney-type operations and advocated stricter controls. (Some of the operators evidently noted that they could engage in van operations, too.) SDPD personnel conceded that enforcement of auto-for-hire regulations had become more difficult since (sometime in 1976) Council had allowed these services to be charged on a per capita or per event basis as well as by the hour or the mile.

²²"Automobile for hire" was defined to mean "every automobile or.... vehicle, other than a taxicab or sight-seeing vehicle, which is operated by its owner or an employee...of the owner for any fare or consideration, and used for the transportation of passengers over the public streets of the City of San Diego...." "Sight-seeing vehicle" was defined to mean "every automobile or...vehicle for the transportation of passengers over streets of this City...for sight-seeing purposes or showing points of interest and charging a fee...therfor, regardless of whether any fee... is paid to the driver of such...vehicle... See Code, 12-75, Chapter VII, Article I, Division I, Section 71.0101(g) and (h).

²³That the City's regulations governing automobiles for hire were interpreted to include jitneys is attested to in a letter of April 29, 1975 to the Honorable Lou Conde, County Supervisor, from Robert Berrey, County Counsel, in response to Mr. Conde's request for clarification on the legal and regulatory status of jitneys and other matters. Letter in County of San Diego DOT, Taxicab Study, January 1978, Appendix, see p.3.

On February 27, 1978, Council placed a moratorium on the issuance of new auto-for-hire permits in response to the taxi operators' allegations. The moratorium was to provide for the situation to be studied by Council's Transportation and Land Use Committee (TLU), which suggested that taxicabs be permitted to engage in competitive pricing. (This moratorium was eventually lifted on April 9, 1979, after the new Paratransit Ordinance went into effect.)

3.2.1.2 Regulation of Rates

Historically, rate changes were achieved in San Diego similarly to procedures prevailing in municipalities across the country. Taxicab operators themselves initiated the process by petitioning Council for a change (usually an increase). Council evaluated the operators' request with the aid of City staff and information supplied by the taxi operators. The procedures required a public hearing. Frequently, the new rate established was selected as a compromise between the amount requested by the operators and the existing rate, such that operators habitually requested rate increases which were actually higher than needed in anticipation of cutbacks from Council. And Council habitually enacted a lower increase than that requested, on the supposition that the operators had inflated their request. The public hearing and staff evaluation process was time-consuming, moreover, so that prescient operators attempted to mobilize public and Council sentiment well in advance of anticipated need.

Councilers attempted to evaluate these requests on the basis of information supplied by the operators as well as their own notions of a fair rate of return based upon their staff's analytical methods and capabilities. The Council had no specific rate-making criteria to facilitate their determination of the reasonableness of rates, however. The City Manager was typically put in charge of investigating the potential effects of the proposed rate changes, and was required to report his findings and recommendations to Council, pursuant to the public hearing. (Rate increases adopted by Council according to these practices over the past thirty years are shown in Table 3.7.)

Historical record also reveals a variety of rate regulations in force or suggested over the years, many of which resemble the changes enacted in 1979. These include maximum, variable, and zone-based rates, and requests that operators submit annual financial information on which the City could base its rate regulations. These are discussed briefly below; pre-revisions rates and specific changes in local fare structure since 1947 are discussed in Section 3.4.

Council had evidently considered alternatives to the standard rate of taxicab fare throughout the past thirty years. Early in 1948, Council enacted a \$1.50 maximum fare for taxi trips beginning and ending wholly within the City limits. Ten years later Council rejected a petition to permit adoption of zone-based rates. The petition was successfully opposed by drivers union officials, who argued that zone-based rates allowed unscrupulous practices. The petitioner, however, referred to a period between 1927 and 1935, when zone-based rates had been in effect in San Diego.

The most controversial rate regulation in San Diego was that which apparently prompted the 1969-70 bribery scandal. It began ordinarily enough with a February 1967 request from all City operators for a ten-cent increase in the mileage rate. On August 30, the City's rate consultant, Stanley Lanhama, presented his conclusions that existing rates produced an adequate rate of return and recommended that the City deny the operators' petition. Yellow Cab's attorneys countered Lanham's conclusions, questioning his calculations and criticizing his use of the rate of return as a basis for evaluating a non-utility rate such as taxi fares. After a public hearing October 10, City Council voted unanimously to approve the increase, the City's first since 1958. Former Yellow Cab president Charles Pratt subsequently testified that he had bribed the Council to secure the rate increase and the citywide scandal ensued. It was later revealed that Pratt had attempted to discourage then-City Manager Hahn from taking punitive action against then-Deputy Police Chief Jauregui, who had allegedly accepted paid vacations from Pratt in exchange for leniency in his taxicab inspections. When Hahn refused to wait at least until Pratt resolved his problems with the IRS, Pratt reportedly threatened revenge.

As previously noted, then-Mayor Curran and the seven Counciliers along with one official's former campaign manager were charged with bribery, conspiracy to obstruct justice and to violate election laws. All were subsequently acquitted; several sued Pratt and Yellow Cab of San Diego for damages, but not collected any compensation.²⁴

The experience of the scandal had several effects. It undoubtedly soured the Council on the administration of its taxi regulatory responsibilities, and no doubt somewhat toward Yellow Cab, although the company's management completely changed after the Pratt incident. The City Manager shortly began to announce the progress of City studies into local taxi regulation and service levels and to predict sweeping changes in the legislation governing taxicabs. The Manager also began what became a series of requests for the industry to supply financial data on which the City could base its rate recommendations. References to the scandal persisted into the 1970's, prompting continued assertions that the structure of City regulation was in need of revision.

In April 1971, the Manager announced a preliminary study completed by the City's rate analyst in anticipation of future industry rate increase requests. According to the rate analyst, the Council had in the past based its fare increase decisions on a cab company's rate of return on dollars invested, but had decided this was not a fair way of assessing the company's financial situation. The present study had based its recommendations on companies' operating ratios, targetting an overall ratio of costs to revenues of between .95 to .975 as acceptable. The study also compared San Diego's taxi rates with those in other California cities.

²⁴ This background material supplied by the City's Paratransit Office Staff, 1980.

On August 12, 1976, Council adopted policy 500-5 requiring operators to provide financial reporting data and establishing annual City review of taxi rates. Subsequent changes in the City's regulations governing taxi rates were to wait until the 1979 ordinance.

The pre-revisions regulations on rates included standardized taxicab rates of fare as established by Council. Taxicab certificate holders could petition the City Council for desired changes in these rates. No additional passenger or other surcharges were allowed in the pre-revisions ordinance, although Council did approve a temporary thirty-cent surcharge to reflect rising gasoline costs during the 1979 crisis.

Provisions governing rate-setting for automobiles for hire and sightseeing vehicles had changed with the application procedure.²⁵ Automobile-for-hire operators were required to file their rates within thirty days of permit issuance and annually thereafter. Permittees might change their rates at their own discretion, after filing the new rates with the City Manager at least fourteen days prior to the effective date of the change. Moreover, these operators were permitted to charge on a per capita, per hour, per mile, or per event basis. Established rates for all types of service were required to be posted in the passenger compartment of the taxicab or other vehicle.

3.2.1.3 Other Provisions

Historical record includes few particulars on the City's regulation of other aspects of taxi operations in addition to entry and rate controls. This section therefore focusses exclusively on the salient features of the pre-revisions code as they apply to these other regulatory areas.

City taxicab drivers were required to possess a taxicab driver's identification card issued by the Sheriff of the County of San Diego. The Sheriff's investigation, which included a check on the driver's criminal and traffic record, became the standard for the County as a whole. Gradually, most of the individual municipalities accepted the Sheriff's I.D. card in lieu of their own investigation.²⁶ Drivers of automobiles for hire or sightseeing vehicles are required to obtain their permit in writing from the Chief of Police of the City of San Diego.

While the previous Code (12/75) was not specific about shared-ride service in a conventional taxicab vehicle, this type of service was certainly legal. But service requirements tended to discourage the

²⁵The wording of the Ordinance dated 4/77 appears to treat rate setting for sight-seeing vehicle services like that for autos for hire; Code, Sections 72.0302(5) and 72.0311(e).

²⁶El Cajon and Coronado are the sole exceptions to this uniform practice. The City of San Diego amended its ordinance in favor of the Sheriff's investigation on May 1, 1973. The other cities had each followed suit by early 1974.

practice, and to remove the incentive for drivers and passengers alike to attempt to engage in it. Section 72.0106(k) specified that

No driver, once a passenger has occupied his taxicab, shall permit any other passenger to occupy or ride in the taxicab unless the passenger first employing the taxicab shall consent to the acceptance of the additional passenger. No charge shall be made for an additional passenger except when the additional passenger rides beyond the previous passenger's destination and then, only for the additional distance so traveled.

In addition to these requirements, the previous City code also regulated the following:

- Operation of taxicabs, automobiles for hire and sight-seeing vehicles, including characteristics of service, solicitation, fare refusals, cruising, standing and use of cabstands. Solicitation was prohibited except from the driver's seat; cruising for fares was generally prohibited. It should be noted that the 12/75 Code did not require that all cabs possess two-way radios. Radio dispatch capability was required by virtue of Council policy.
- Specifications, maintenance and safety and inspection requirements for taximeters and other equipment, approval of color schemes and insignia.
- Public liability and indemnity insurance.
- Suspension and revocation of permits, right of appeal.
- Maintenance of financial and reporting records.
- Other matters, including issuance and placement of medallions, destruction or damage to licensed vehicles, replacement vehicles, reissue of permits, applicable fees, designation of responsible authorities.

The reader is referred to Section 4.2 for a comparison of the old and new regulatory provisions.

3.2.1.4 Authorities and Responsibilities

Responsibilities for regulation of taxicabs, autos for hire and sightseeing vehicles were assigned to the City Council, the City Manager, the San Diego Police Department, the City Clerk and the City Treasurer, as follows.

The City Council had full, general responsibility for adopting and promulgating regulations, including granting and revocation of certificates, determination of the total number of issuable certificates, approval of transfer of permits, establishment of and change in standard rates of fare, designation and location of cabstands and hearings on appeal.

The City Manager conducted the investigation into the public convenience and necessity requirements for additional service and the financial responsibility of the applicant (or transfer applicant); issued taxi certificates, and approved taximeters, operators' color scheme, trade name and insignia, and financial responsibility of insurers; issued auto-for-hire and sightseeing vehicle permits and determined their total number; approved transfer or reissue of permits; maintained files on auto-for-hire and sightseeing vehicle rates.

The Police Department (Traffic Division and Chief's Office) was generally responsible for enforcement of regulations including investigation of specific complaints, and for operator's notification of use of spare vehicle, replacement of lost certificates, revocation of driver licenses and permits, and for periodic safety inspection of vehicles and other equipment as well as meter checks.

The City Clerk maintained files on rates established by Council and set up public hearings on appeal or application for certification. The City Treasurer received all applicable fees. The taximeter was to be inspected, tested, approved and sealed by the State Department of Weights and Measures, and thereafter maintained in a manner satisfactory to the City Manager's representative.

3.2.2 County of San Diego

Subsequent to a landmark 1943 California Supreme Court decision (in re Matinez (1943) 22 Cal. 2d 259), San Diego County regulates the operation of taxicabs in the unincorporated areas. Under the previous County ordinance (Chapter 3, Sections 21.301 ff, dated 8/78, see Appendix Exhibit C), the majority of regulatory and procedural authority was vested in the Sheriff. This authority included investigation into and determination of the public convenience and necessity requirement for additional service and granting of new certificates, issuance of individual taxi permits and operator licenses. No public hearing or Board of Supervisors action was required.

3.2.2.1 Entry Controls

There was no statutory limit on the total number of issuable certificates other than the PCN requirement. Certificates were transferable on the Sheriff's approval. Demand for new County taxi certificates was typically low, owing to the lower population densities and therefore lower demand for taxi service in the unincorporated area.

Public convenience and necessity for additional service was demonstrated by a phone-hail survey conducted by the Sheriff in the applicant's proposed service area. If response time from existing operators was longer than 15 minutes, the need for additional service was indicated.²⁷

The Sheriff also considered and approved the financial responsibility and general fitness of the applicant and the type of intended equipment and color scheme. He could revoke or suspend licenses and certificates and approved their transfer and amendment. The Sheriff was also responsible for taxicab vehicle inspection, or could at his discretion use evidence of other inspections conducted by the State of California or by municipalities within the County. The Sheriff investigated the criminal and traffic record of all taxicab drivers, and this investigation, pursuant to issuance of the required driver I.D. card, generally became accepted throughout the county in lieu of individual city procedures to establish and monitor driver fitness. The investigation also provided for examination of the applicant's knowledge of the provisions of the code chapter, and of the traffic regulations and geography of the County. Every operator was required to notify the Sheriff, on a weekly basis, of the name and driver I.D. card numbers of each driver who became employed by or who left the employ of the operator. The Sheriff's office, thus, maintained taxi driver files (including a fingerprint check by the State Bureau of Investigation) which were shared by city law enforcement officers.

The previous County ordinance defined and regulated taxicabs; fixed-route, or jitney, services were not included. A letter dated November 3, 1975, from County Counsel to the Board of Supervisors²⁸ analyzed the County's authority to regulate "passenger stage corporations," including jitneys. The County Attorney found that passenger stages were exempt from regulation by the State PUC and subject to the jurisdiction of a city or city and county, when 98 percent or more of their operations were exclusively within the limits of that single city or city and county. Those passenger stages whose operations were not exclusively within a single city or city and county, such as those operating in the cities and unincorporated areas of San Diego County, were subject to PUC regulation. The necessary PCN certificate was therefore to be obtained from the PUC, not San Diego County.

3.2.2.2 Regulation of Rates and Other Provisions

The ordinance also regulated taxicab rates of fare, but reserved the Board of Supervisors' right to amend these rates. Pending fares to be established by resolution adopted by the Board of Supervisors, the ordinance specified a standard rate for flag drop, mileage and wait time. The salient feature of the County ordinance as regards taxi fares, however, was its coordination of this requirement with those

²⁷ "County DOT Memorandum to Board of Supervisors On Taxicab Deregulation," November 3, 1978, p.3; the total number of issuable permits was therefore subject to the results of these surveys. The County contended at the date of the Memorandum that it had one cab/852 residents, as compared with the City rate of one cab/1912 residents.

²⁸ In County, Taxicab Study, January 1978, Appendix.

pertaining in the fourteen municipalities regulating taxicab services in the County. This provision states:

If a taxicab licensed by the County is also licensed by an incorporated city within the County of San Diego or by any other public agency, including any branch of the United States armed forces, and such city or public agency has established a fare rate schedule, the schedule so established for use within the boundaries of such public agency or city may be used for such taxicab in lieu of the fares set by or under this ordinance except that no flat or unmetered rate may be used while doing business in the unincorporated area of the County of San Diego.²⁹

The code required the rate schedule to be conspicuously posted in the interior of the taxicab. The County ordinance also included provisions governing:

- Information to be included in the Sheriff's PCN determination.
- Suspension and revocation of certificates and licenses.
- Transfer and amendment of certificates.
- Maintenance, safety and inspection of vehicles, approval of color scheme and insignia.
- Accuracy and inspection of taximeters.
- Driver's duties -- including courteous and efficient service, solicitation, cruising, standing, maximum numbers of passengers, exclusive ride privilege, fare refusals, applicable fees and fines.

Taximeters were to be inspected at least annually by the County Sealer of Weights and Measures and subject at all times to inspection by the Sheriff or his representative. The Issuing Officer was responsible for examination of drivers as well as for issuance, suspension and revocation of driver identification cards. The Board of Supervisors was empowered with the general authority to adopt or promulgate taxicab regulations, and was specifically involved in the establishment of standard rates.

Violation of taxicab regulatory provisions was deemed a misdemeanor with appropriate penalties of fine and/or imprisonment.

²⁹County Ordinance, Section 21.319(c).

3.2.3 Other Municipalities

The following information on taxi regulations and authorities in jurisdictions other than the City and County of San Diego was derived from available secondary sources.³⁰ Effort will be made to monitor noteworthy changes in regulatory procedures and taxi operating environment in other municipalities for presentation in the final full evaluation report.

The majority of the other thirteen cities in San Diego County required yearly licensing, fare setting and periodic inspection of vehicles through 1978. Several cities, such as Oceanside, had exclusive franchise operations, while others, like San Diego itself, licensed several companies to operate within their corporate limits. Only San Marcos had no licensed taxi operation. Table 3.2 summarizes taxi license fees, existing fares, companies licensed, number of vehicles, and authorities for regulation and inspection for each jurisdiction as of January 1978.

3.2.4 Coordination Between Jurisdictions

Coordination between City and County regulations and procedures has traditionally been cooperative. Although there were no formalized reciprocal agreements between jurisdictions, the regulations enacted by the individual municipalities accommodated multi-jurisdictional operations. Prior to the recent changes, the County ordinance allowed multi-jurisdictionally licensed operators to charge rates established by the individual cities instead of the County-established rate. In fact, the County's own standard rate -- as well as that of many of the smaller municipalities -- frequently resembled that established by the City of San Diego.³¹ Further, the County Sheriff could accept evidence of vehicle safety inspection by one or another municipality in lieu of his own inspection. And twelve of the fourteen cities have accepted the County's Driver Identification Card issued by the Sheriff, and relied upon the Sheriff's Department driver identification files for fingerprints and other necessary information.

The City's move to revise its taxi regulations may also have influenced other local jurisdictions to consider regulatory revisions. The County adopted its taxi regulatory revisions in December 1978, two months prior to the City-enacted ordinance, but apparently as a result of the City's original undertaking. Changes in other jurisdictions' regulations will be covered in subsequent evaluation efforts. Although airport taxi licensing and rate regulation has conformed to that of the City, there is less evidence of coordination of policies between the Port District and the City involving taxi operations at the airport. Section 4.3 includes discussion of the differing views of these jurisdictions on the objectives and effects of the present regulatory revisions.

³⁰ It owes primarily to the CPO, TSME Report, 1978, pp. 133ff, and the County's Taxicab Studies, January and August, 1978.

³¹ County DOT, November 3, 1978 Memo to Board of Supervisors, p.5.

Table 3.2
 JURISDICTIONAL TAXICAB REGULATIONS, SAN DIEGO REGION
 JANUARY, 1978

Licensing Authority	License Fee	Fare	Cab Company	No. Licensed Vehicles	License Regulation	Vehicle Inspection
Carlsbad	\$25/yr./veh	\$.50 first 1/5 mi. \$.10 ea. add. 1/5 mi. \$4.80/min./wait	Encinitas Yellow	2	Public Hearing C. C. Cert. P.C. & N. Resolution Ordinance	City Maintenance
		\$.70 first 1/5 mi. \$.10 ea. add. 1/5 mi. \$7.00/hr./wait	A-1 Cab	1		
		\$.80 first 1/8 mi. \$.20 ea. add. 1/4 mi. \$.20 ea. 1/2 min. wait \$1.05/mi. outside city	Oceanside Yellow	4		
Chula Vista	\$100/veh./yr.	\$.80 first 1/7 mi. \$.10 ea. add. 1/7 mi. \$7.20/hr./wait	Yellow Cab	5	Public Hearing C. C. Cert. P.C. & N. Resolution Ordinance	City Police
			Diamond Cab	6		
			Carnation Cab	3		
			Bonita Cab	1		
Coronado	\$50/veh. yr.	\$.60 first 1/8 mi. \$.10 each add. 1/8 mi.	Coronado Livery	16	Public Hearing C. C. Cert. P.C. & N. Resolution City Code	City Manager
Del Mar	\$50/yr. cab stand \$10/yr./veh.	\$.80 first 1/7 mi. \$.10 ea. add. 1/7 mi. \$7.20/hr./wait	Bill's Cab	11	Public Hearing C. C. Cert. P.C. & N. Resolution Ordinance	County Sheriff
El Cajon	\$175/yr. \$25/yr./veh. above 7	\$.80 first 1/7 mi. \$.10 ea. add. 1/7 mi. \$7.20/hr./wait	Yellow Cab	259	Public Hearing C. C. Cert. of P.C. & N. Resolution Municipal Code	City Police
			Santee Cab	3		
Escondido	\$50/yr./veh. \$20/yr. ea. add. veh. Franchise	\$.80 first 1/7 mi. \$.10 ea. add. 1/7 mi. \$.8/hr./wait	Yellow Cab	11	Public Hearing C. C. Resolution City Code	City Police
Imperial Beach	\$25/Lic. \$50/yr./veh.	\$.80 first 1/7 mi. \$.10 ea. add. 1/7 mi. \$7.20/hr./wait	Yellow Cab	1	Public Hearing C. C. Cert. P.C. & N. Resolution Municipal Code	City Manager
			Diamond Cab	4		
La Mesa	\$450/yr. Franchise	\$.80 first 1/7 mi. \$.10 ea. add. 1/7 mi. \$7.20/hr./wait	Yellow Cab	3	Public Hearing C. C. Cert. P.C. & N. Resolution Municipal Code	None
National City	\$50/veh. \$10/veh. above 10	\$.60 first 1/6 mi. \$.10 ea. add. 1/6 mi. \$.6/hr./wait	Yellow Cab	20	Public Hearing C. C. Cert. P.C. & N. Resolution Ordinance	City Police
			Diamond Cab	48		
			Radio Cab	9		
Oceanside	\$500/yr. Franchise \$60/yr./veh.	\$.80 first 1/8 mi. \$.20 ea. add. 1/4 mi. \$.20 ea. 1/2 min. wait \$1.05/mi. outside city	Yellow Cab	15	Public Hearing C. C. Cert. P.C. & N. Resolution Ordinance	City Police
San Diego	\$200/yr./veh.	\$.80 first 1/7 mi. \$.10 ea. add. 1/7 mi. \$7.20/hr./wait	8 Cab Companies - Independent owner-operators	352	Public Hearing C. C. Cert. P.C. & N. Resolution Ordinance	City Police
				59		
San Marcos	\$50/yr. \$50/yr. first veh. \$20/yr. ea. add. veh.	\$.50 first 1/4 mi. \$.10 ea. add. 1/4 mi. \$.540/min./wait Outside City meter + 1/2	None	None	Public Hearing C. C. Cert. P.C. & N. Resolution Ordinance	City Manager
Vista	\$50/yr. \$5/yr./veh	\$.80 first 1/8 mi. \$.10 ea. add. 1/8 mi. \$.30 ea. 2 min. wait	Bill's Cab	4	Public Hearing C. C. Cert. P.C. & N. Resolution City Code	County Sheriff
County	\$50/yr. lic \$5/yr./veh. to 10 \$2/yr./veh. above 10	\$.80 first 1/7 mi. \$.10 ea. add. 1/7 mi. \$7.20/hr./wait	17 Companies Independents	417 10	Cert. P.C. & N. by Sheriff Ordinance	County Sheriff
Port of San Diego - Access to Lindbergh Field	\$25/yr./veh.		7 Companies 56 Independents	336 59	Financial Services	None

Source: San Diego County Taxicab Study, January, 1978

Subsequent evaluation reports will clarify the use of multiple rate setting in Carlsbad

3.3 Taxi (and Jitney) Industry Structure Prior to Regulatory Revisions

Together the fifteen jurisdictions regulating taxicabs in San Diego County (that is the thirteen municipalities then existing, the County and the Port) licensed twenty-two companies and sixty-five independents, operating 567 vehicles as of January 1978. Of these, 164 cabs operated exclusively in one jurisdiction: 106 in the City of San Diego, twenty-one in other municipalities, and thirty-seven exclusively in the unincorporated County. The remaining 403 vehicles were licensed to operate in more than one jurisdiction.³² The City of San Diego licensed 411 of the total licensed cabs; the Unified Port District, 404; the County, 400. El Cajon, 262, and National City, 77, also appeared to have a significant proportion of local taxi business. Other jurisdictions licensed from one to sixteen cabs each. Figure 3.1 illustrates the operating areas of these various companies and independents. Non-service areas comprise the sparsely-populated eastern portion of the County which, taxi operators maintain, does not present enough demand to sustain a profitable operation. Particulars on taxi operations in the City of San Diego, the County, and at the Airport are given in the following paragraphs.

3.3.1 City of San Diego

Table 3.3 summarizes the level of taxi industry operations in the City of San Diego for 1976, 1977, and 1978. Calculated on a population base of 800,000, the 411-permit ceiling prevailing during 1977 and 1978 represented .51 certificates per 1,000 San Diego residents. The 319 outstanding certificates had already exceeded the population-based ceiling in 1976.³³ These operators were licensed to pick up anywhere within the City limits of San Diego. In addition, the City issued two and then six limited area certificates for service to the relatively isolated areas of Mira Mesa and Del Mar northwest of the City, and Poway-Rancho Bernardo, to the northeast.³⁴

The City experienced some dramatic changes in its taxi industry during the period 1976 through 1977. These included the bankruptcy of Pleasureline Products, Inc., which operated three taxicab companies and held thirty-six certificates, and a drivers' strike against Yellow Cab, holder of 280 certificates (88 percent of the City total). Labor problems represented a final blow to Yellow Cab, whose financially troubled parent company, Westgate-California, had been under Chapter 10 bankruptcy proceedings since 1974. Citing its inability to meet its insurance costs, Yellow Cab filed its own bankruptcy proceeding by late 1976.

³²CPO, 1978 TSME Report, p.135.

³³A ratio of one taxi certificate per 3000 residents established by Council policy, prevailed from 1962 until 1976, when it was changed to 1 per 1500 residents over a base population of 700,000, to permit the introduction of owner-operators.

³⁴It was City policy to issue limited certificates in order to provide taxi service to geographic areas experiencing minimal or no service; see October 20, 1978 City Manager's Report, p.12.

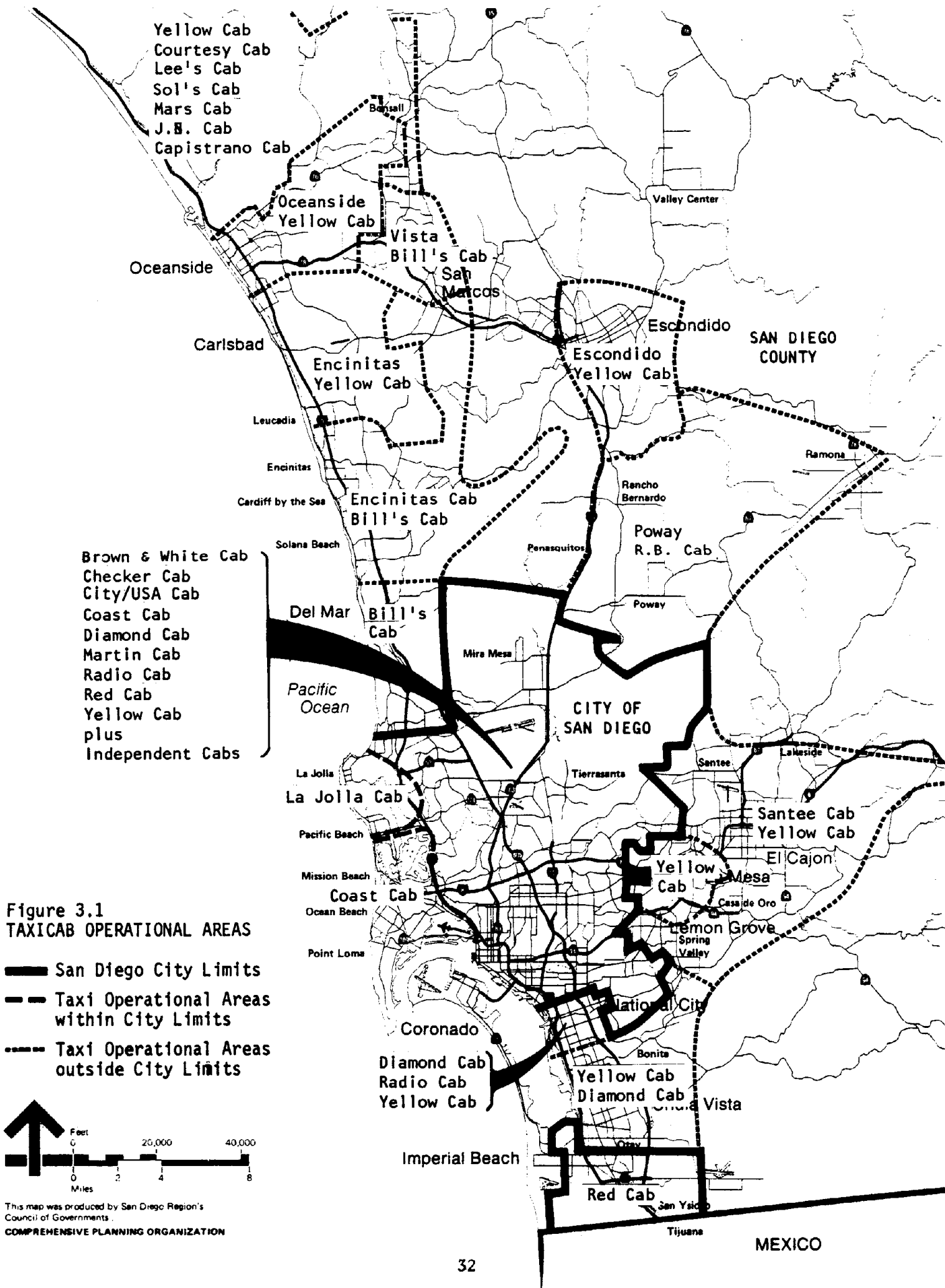


Table 3.3
TAXI CERTIFICATES BY OPERATOR
CITY OF SAN DIEGO, 1976, 1977 AND 1978

	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>Multi-Certificates</u>			
Brown & White	3	5	6
Checker	13	15	16
City/USA (1976:ABC)	2	13 ^a	13
La Jolla	- ^a	11	11
Martin	5	5	5
Radio	7	9	9
Red	9	11	12
Yellow	280	280 ^a	280
<u>Independent Owner-Operators (with one cab apiece)</u>	-	62 ^b	59
TOTAL	319	411	411
<u>Limited Area Certificates</u>			
Bill's Cab	2	2	2
Poway			4

Source: "Analysis of Taxicab Fares in the City of San Diego," 5/24/78.

^aYellow, La Jolla and USA began operations under new ownership in 1977, following the Pleasureline Products bankruptcy and the Yellow strike and receivership in 1976. La Jolla Cab did not file its financial information in 1976.

^bThe City Licensed its first independent owner-operators during December 1976; these operators were all on the road by March 1977.

The level of City taxi operations during 1977 ultimately surpassed that of 1976, and the 1977 industry included some new features. First, the City had issued its first taxi certificates to independent owner-operators, who held 15 percent of total certificates. Second, Yellow, City/USA and La Jolla Taxicab Companies resumed operations under new ownership. Finally, three multi-certificated companies converted from employee-driver to leasee-driver forms of organization, joining a trend which was occurring nationwide. These were Brown and White, Checker, and City/USA, all of which subsequently reported improved cost/revenue ratios in 1977, see Section 3.8. During 1978, Red Cab and Yellow Cab also commenced conversion to leasee-driver organization; Yellow Cab is about one-third employee-drivers at this writing. La Jolla, Martin, and Radio Cab companies continued operating on a commission basis.

Companies vary by service type and geographic area of concentration as well as by organizational type and size. Organizational characteristics of operators as well as some historical notes are presented here. Characteristics of operating practices, such as equipment, labor aspects, dispatching, percentage telephone request business and the like, are discussed in Section 3.5.

Since before the recent regulatory revisions, San Diego has had two major types of taxicab operator organization: the multi-certificated, or fleet operator holding more than one permit in a single jurisdiction, and the independent owner-operator, who typically holds a permit to operate a single cab. Most representatives of the first group are currently full-time lease operations. That is, the cabs are leased to individual drivers for 10- to 12-hour shifts; the operators, or company owners may participate in dispatching, but they typically do not drive taxicabs. Owner-operators may lease their cab to another driver for a second shift, but these permit-holders typically drive the vehicle themselves at least one shift per day.

In addition to organizational types, however, size of company offers an alternative and meaningful way of categorizing taxicab operations in San Diego. As Table 3.3 shows, there is only one large company, Yellow Cab, which held 68 percent of all City certificates in 1978. Yellow has traditionally enjoyed an edge over its smaller competitors by virtue of its size. This advantage includes a large company's ability to provide contract services, purchase gasoline in quantity, and engage in cooperative arrangements with automotive corporations, receiving maintenance services or automobiles and related equipment in exchange for road-testing the cars or other products. The other eight multi-certificated companies have all been small in comparison with Yellow, holding from six to sixteen City certificates each.

Finally, the San Diego industry continues to include an ever-increasing number of independent owner-operators since their original licensing in 1977. Most of these operators have typically had one cab, although several have "doubled" since acquiring their original permit, obtaining a second permit and taxicab which they lease out. A very few independents currently (since 1979) have three or four cabs. Since a primary focus of this evaluation is on independent owner-operators, however, these few individuals are included among the larger category of owner-operators for the purposes of this report. Subsequent schemes of organization will be considered if necessary to conform to future organizational changes in the local industry. In addition to operator types, several associations of operators exist to provide for sharing some of the functions of taxicab operation, -- chiefly radio dispatching -- consolidation of resources and advocacy. The following particulars have been acquired through personal interviews with company managers, association administrators, independent owner-operators and drivers.

3.3.1.1 Multi-certificates: Large.

Yellow Cab Company has dominated the San Diego industry since the late 1920's, and is still the largest and most diversified cab operator in the area. Yellow held 280 City certificates and 280 airport stickers in 1978. In addition to conventional exclusive ride services throughout the City and the airport, Yellow contracts to provide D-A-R services in El Cajon and La Mesa as well as areawide package delivery services which have produced between \$60,000 and 70,000 gross annual revenue since 1969. In addition to its contract service, Yellow Cab enjoys some other benefits of its size. The company is able to purchase large quantities of wholesale gasoline at considerable savings over retail prices.³⁵ The company also has cooperative agreements with Standard Oil and General Motors, providing vehicle and product road tests in exchange for maintenance and cut-rate package deals on new vehicles for its fleet.

3.3.1.2 Multi-certificates: Smaller

Red Cab Company has operated in the City of San Diego since 1957, when San Diego annexed San Ysidro, Red's primary market area just north of the Mexican border. In 1978, the company held twelve City permits and eleven airport stickers. The size of the company and the characteristics of its service have changed little over the past twenty-two years. Operations focus on the San Ysidro - border area, supplemented by pick-ups in San Diego proper -- primarily at the airport, on military bases and the Greyhound station -- when drivers get a haul into the City and need a fare to avoid dead-heading back to San Ysidro. Competition from wildcatters charging flat rates or offering shared-ride service into San Diego has always been a problem. The only major change in company characteristics was Red Cab's conversion to an all-lease operation

³⁵ Prior to 1973, however, the company received much unfavorable publicity when it was disclosed that Yellow Cab was purchasing gasoline from its parent company at .03 per gallon above the retail price.

on January 1, 1978. The company was reluctant to convert because leasing lessens control over the individual drivers, increases turnover, and complicates dispatching. Shifts lease for \$24.

Martin Cab Company held five City certificates and five airport stickers in 1978. The company has operated in San Diego at roughly the same size since 1957; its certificates were transferred to the present owner in 1959. The company pays its drivers a 40 percent commission on total bookings. All cabs are radio-dispatched and serve the central San Diego area, including the airport.

Radio Cab Company held nine City certificates and six airport permits in 1978. The company has operated in San Diego under the same ownership since 1957. Its prime territory is the central San Diego area; in addition, Radio Cab has nine certificates to operate in National City. The company leases radio dispatch services to independent operators by monthly subscription,

La Jolla Cab Company began operations under new and private ownership in 1977, following the bankruptcy of Pleasureline Products, Inc., which acquired the company in 1974. La Jolla began its San Diego operations in 1940, and gradually accrued twelve certificates over the next thirty years. In 1978 the company held eleven City certificates. La Jolla Cab has concentrated exclusively on the La Jolla area for its pick-ups and has not obtained airport stickers to date.

La Jolla has considered converting to a lease operation but prefers to maintain central dispatch control over its drivers on the road. Management feels this is the source of the company's success. Managers express no real concern about their ability to survive under the new market conditions. La Jolla serves nearly 99 percent of the local demand, and few if any of the new independents have attempted to break into this market. The successful La Jolla pattern of staking out and serving a specific territory provides a model which other small operators may choose to follow.

City/USA Cab Company is the successor to several local cab companies. City began operations with one cab in 1959; it had two certificates which were transferred to new ownership in 1963. It joined with USA and ABC after the 1976 bankruptcies of these firms. USA Cab had evolved out of the 1973 transfer of fourteen certificates from San Diego Cab Company, originally established in 1969 as a minority enterprise intended to serve the Southeast area of the City, to Pleasureline Products, Inc. Pleasureline subsequently also acquired La Jolla Cab Company (1974). ABC had been in operation at least since 1942, with two transfers of ownership, in 1949 and 1969, at which time the company held nine certificates. City/USA continued as an all-lease operation with thirteen City certificates and eleven airport stickers in 1977 and 1978. It operates throughout San Diego, with emphasis on the central area.

Checker is one of the City's oldest operators, with six vehicles reportedly operating in early 1940. The company had acquired fifteen certificates by 1945 and continued at that level of operation

until 1952, when the original partnership was dissolved and six certificates were transferred to Checker's present owner. The company gradually accrued certificates over the next twenty-five years and held sixteen City certificates and fifteen airport permits in 1978. Checker converted to an all-lease operation during 1977.

Brown and White Cab began operations in San Diego in 1958, incorporated in 1962, and experienced a transfer of ownership in 1974. The company held six City and six airport permits in 1978. Brown and White converted to a lease operation in 1977.

3.3.1.3 Independent Owner-Operators

The City had had no independents prior to the Yellow Cab strike in 1976. As a result of the sudden drop in available taxi service with the Yellow strike, however, the City was compelled to authorize alternative operations. First it issued sixty-five 30-day emergency certificates distributed among the existing companies. At the same time, a group of two to three hundred striking Yellow drivers filed for individual permits as part of their organized strike action. When Yellow subsequently filed for bankruptcy, the City decided to issue sixty-two independent owner-operator permits, chiefly to reduce the public's dependence on one large operator, but also to "open up" the local industry. These sixty-two independents (supplemented by an additional sixteen names off the list when that number of the original group failed to commence operations within the requisite 90-day period) were all operating by March, 1977; fifty-nine were still in operation as of 1978.

Two-way radio capability has been required of all City taxicabs since before regulatory revision, and most of the independents subscribed to radio services from a larger company or through membership in an association. The capabilities of these systems have been limited, however (see Associations below). As a result, nearly all independent owner-operators have sought to obtain airport ground transportation permits, and many report that the majority of their business results from airport pick-ups.

3.3.1.4 Associations

The City of San Diego has had a variety of taxicab associations, the prime focus of which has been to provide radio dispatch services. Members have tended to consolidate their interests and support around major issues which emerge from time to time but no on-going lobbying effort or advocacy association is identifiable. Attempts to expand other joint services, such as providing for group purchase of gasoline at wholesale rates, have been unrealized.

Both CO-OP Cabs and the Independent Cab Owners Association (ICOA) developed in response to the City's requirement that all taxicabs be radio-dispatched. The sixty-two original owner-operators who obtained permits during the Yellow Cab strike in 1976 formed the basis of the

original CO-OP. These individuals had organized during the Yellow drivers strike as part of a union-mobilized strike action to apply to the City for independent owner-operator status. When the sixty-two received their permits, it was logical to continue their association in shared radio-dispatch facilities. CO-OP began with approximately twenty of these individuals as charter members. The association is currently reported to include between fifty and sixty vehicles, including approximately thirty full members with the rest radio-only subscribers. CO-OP members/subscribers pay \$100 per month for VHF radio-dispatch services. CO-OP carries three telephone directory advertisements with a single telephone number. (In addition, Silver Cabs and Airway Cab, operated by CO-OP members, carry their own ads with the designation, "Same as CO-OP Cab.") Members' vehicles are all painted silver and bear the CO-OP logo, but not all charge the same rates. Such conformity is currently being debated.

The members of ICOA split off from CO-OP. These individuals had apparently formed a social or quasi-fraternal club during the drivers' strike against Yellow, and this association existed within CO-OP. The original fifteen ICOA founders decided to form their own association in reaction to the regimentation in CO-OP: the ICOA founders objected to sharing the identical color scheme as well as to CO-OP's requirement for late-model cars; moreover, they found CO-OP meetings argumentative. ICOA was formed shortly after CO-OP, some six to nine months after the first independents began operating in late December 1976. ICOA now has about twenty-four member vehicles.

ICOA retains its fraternal character: new members are invited by two member-sponsors and must be voted in by the association. To meet the City requirements for radio dispatching, ICOA provides dispatch services via a UHF simplex frequency and telephone answering service. ICOA charges \$125 per vehicle initial membership fee plus \$35 per month for radio services.

In addition to ICOA, there is also a Cab Owners Association composed of older owners of multi-certificated companies, such as Yellow, La Jolla, Red, and so on. This is predominantly a social and interest group whose advocacy of issues such as rate increases has occasionally been highlighted in the press.

During 1978 while public hearings were being held to discuss the proposed regulatory revisions, an organization called Cab Drivers for Free Enterprise advocated opening entry to independent owner-operators.³⁶ The organization claimed 150 members, many of whom reported that they had waited more than eighteen months for independent taxi certificates (presumably, since the Yellow drivers strike). Sixty-two operators from this group had obtained their permits by March of 1977. The current status of this advocacy organization is unclear.

³⁶ News Clippings, e.g., San Diego Daily Transcript, c.1978.

San Diego County Taxi Drivers Association was organized in March of 1979, following implementation of open entry (at six new permits per month), and prior to inauguration of competitive pricing. A drivers advocacy organization claiming 200 members at mid-year, SDCTDA sought to have established a five-member board of appointed citizens which would have regional authority over taxicabs. (This issue has diminished in concern since the inception of competitive pricing on August 1, 1979, and the organization has become inactive.)

3.3.1.5 Jitney Operations

Although a variety of sources describing the new Paratransit Ordinance characterize jitneys as a new service provided by the regulatory revisions, jitney-type vehicles had in fact been licensed by the City prior to the 1979 code changes. The major change brought about by the regulatory revision with respect to jitneys was in delineating a jitney category separate from other autos-for-hire, non-emergency medical vehicles and taxis. Moreover, jitney services were actively encouraged in conjunction with the new regulations. Potential jitney routes and clientele were described to current and potential transportation providers in an effort to promote this type of service.

Prior to 1979, fixed-route jitney-type vehicles were included in the auto-for-hire category which also included sight-seeing vehicles and limousines. Vehicles licensed under this category could charge on a per-hour, per-mile or per-capita basis. Although the majority of vehicles in this category were traditional limousines, there were several jitney operations. In 1978 six companies operated fifteen to sixteen jitney-type vehicles: two operated between downtown San Diego and Mexico; two had routes between the airport and major hotels; one followed a sight-seeing route; and the sixth operated between the airport and military bases.³⁷ Jitney-type vehicles were able to set their own rates, both before and after the 1979 regulatory revisions. The City did not set maximum rates, nor regulate jitney rates in any other manner.

3.3.2 Operations at Lindbergh Field, the San Diego International Airport

Table 3.4 presents figures on ground transportation permits issued to taxi operators at San Diego International Airport for the three years prior to the City's regulatory revisions. Although there are some inconsistencies in the data obtained from different jurisdictions, it is noteworthy that, generally, taxis licensed to operate within the City also obtained permits to operate at the Airport. La Jolla Cab Company was the only exception. It is particularly important to note that, although some multi-certificated companies have City-licensed cabs for which they have no airport permits, all of the independent owner-operators licensed by the City applied for and received airport permits for their vehicles.

³⁷ Information provided by City Paratransit Office staff, January 9, 1980.

Table 3.4
GROUND TRANSPORTATION PERMITS BY OPERATOR
LINDBERGH FIELD, 1976, 1977 AND 1978

	<u>1976</u>	<u>1977</u>	<u>1978</u>
<u>Multi-Certificates</u>			
Brown & White	3	5	6
Checker	13	13	15
City/USA (1976:ABC)	2	4/10 ^a	4/9
La Jolla	12 ^a	- ^b	-
Martin	6 ^a	7 ^a	5
Radio	7	9	6
Red	10 ^a	17	11
Yellow	282 ^a	282 ^a	280
<u>Independent Owner-Operators</u>			
	-	62	62
TOTALS	335 ^a	409	398

Source: San Diego Unified Port District, Harbor Police.

^aThe figures shown by the Port exceed those shown by the City. Inconsistencies may result from the different dates at which this annual information was compiled.

^bLa Jolla Cab ceased its airport pick-ups with its reorganization under new ownership in 1977.

3.3.3 County Operations

Since the unincorporated areas tend to be less densely populated than the incorporated areas, most taxicab operations hold permits in one or more municipalities, where the demand is presumably higher. San Diego County regulates taxi operations exclusively within the unincorporated areas. Given the lower demand in these areas, the level of these operations has been relatively stable, with little demand for new certificates under the previous certificate of public convenience and necessity process. The County maintained no waiting list of certificate applicants, and independent owner-operator interest was understandably low.

The levels of county-licensed operations for 1978 and 1979 are shown in Table 3.5. Notes a, b, and c describe changes in this level of county operations in the recent past. Comparing 1978 and 1979 reveals the increase in permit activity since adoption of the new County Code changes affecting taxicabs in December 1978. Figure 3.1 depicted the major operational areas of these companies.

3.4 Fare Structure

Each of the fourteen municipalities and the County included rate setting among their taxicab regulations prior to 1979; the rates which were established by the City of San Diego were accepted by the Port District (which has no rate setting authority) for airport taxis. Standard rates included the drop charge plus the first fractional mileage increment, and the charge per hour wait time. Rates did not vary greatly throughout the County. As we have seen, many jurisdictions adopted identical rates in order to provide for multi-jurisdictional licensing and operation.

The predominant rate throughout the region was \$0.80 drop and first 1/7 mile (or \$0.70 fixed), plus \$0.70 for each additional mile and \$7.20 per hour wait charge; this was the standard rate established by the City of San Diego. As of 1978, the low end of the rate spread in the region was represented by San Marcos (where, incidentally, there was no taxi service) at \$0.50 drop and first 1/4 mile (or \$0.40 fixed), plus 0.40 per mile and \$5.40 per hour wait charge. At the high end -- \$0.80 drop and first 1/8 mile or (\$0.70 fixed), plus \$0.80 per additional mile -- were operators in Carlsbad, Oceanside, and Vista. Thus, the cost of the average four-mile trip varied from a low of \$2.00 to a high of \$3.90, nearly 100 percent difference. Wait charges among these operators varied from \$9.00 to \$24.00 per hour. Table 3.2 summarized this information by jurisdiction.

It should be noted that San Diego's rates were the second lowest of those in twenty-one western cities surveyed by the City's rate analyst in 1978. Only Reno's rates were lower, while twelve cities had higher rates than those in San Diego. Table 3.6 presents the rate information for the twenty-one cities.

The following paragraph presents details on rates of fare and the frequency of rate changes adopted by the City of San Diego over

Table 3.5
TAXI CERTIFICATES BY OPERATOR
SAN DIEGO COUNTY, 1978 AND 1979

<u>Multi-Certificates</u>	1978	1979
AAA	4	4
Bill's	15	11 ^d
Brown & White	6	(6) ^e
Checker	4	4
Diamond	42	42
Encinitas Yellow	3	3
Escondido Yellow	10	10
Lemon Grove/Spring Valley	3	3
Mack's Hack	-	4
Metro	5	5
Poway	5	4
Radio	(12) ^a	-
Red	14	14
Oceanside Yellow	14 ^b	-
San Clemente Yellow	(10) ^b	-
San Diego Yellow	287	283
Santee	(3) ^c	-
 <u>Small Multi-Certificates</u>		
ARRO	2	2 ^f
Colt	-	2
East County	2	3
Fallbrook	2	2
Mar's	2	2
Ramona	2	2
 <u>Independent Owner-Operators</u>		
Bunsco	-	1
Cherokee	-	1
Clipper Express	1	1
Computer	-	1
Cromley	1	1
J. B.	1	1
Kimchee	-	1
Lee's	1	(1) ^g
R & J	-	1
San Marcos	-	1
Sol's	1	1
TOTALS	427	410

SOURCE: San Diego County Sheriff's Licensing Division.

^aFirst licensed 1969; inactivated 7-15-78.

^bFirst licensed 1975; inactivated 7-1-78.

^cFirst licensed 1976; inactivated 7-1-78.

^dFirst licensed 1975, 6 licenses 1979; did not renew after 7-1-79.

^eFirst licensed 1977; inactivated 6-11-79; new owner licensed 8-1-79.

^fWent out of business 1-8-80.

^gFirst licensed 1969; inactivated 7-1-79.

Table 3.6
COMPARATIVE TAXICAB RATES
MAY 1978

CITY	INITIAL FARE	RATE THEREAFTER	WAITING TIME	(does not include any waiting time)				SURCHARGE
				1 MILE	2 MILES	3 MILES	4 MILES	
San Diego	80¢ per first 1/7 mi.	10¢ per additional 1/7 mi.	\$7.20 per hour	\$1.40	\$2.10	\$2.80	\$3.50	
Bakersfield	80¢ plus 10¢ per first 1/6 mi.	10¢ per additional 1/7 mi.	6.00 per hour	1.40	2.10	2.80	3.50	
Coronado	80¢ per first 1/8 mi.	10¢ per additional 1/8 mi.	7.20 per hour	1.50	2.30	4.10	4.90	
Chula Vista	80¢ per first 1/7 mi.	10¢ per additional 1/7 mi.	7.20 per hour	1.40	2.10	2.80	3.50	
El Cajon	80¢ per first 1/7 mi.	10¢ per additional 1/7 mi.	7.20 per hour	1.40	2.10	2.80	3.50	
Escondido	80¢ per first 1/7 mi.	10¢ per additional 1/7 mi.	8.00 per hour	1.40	2.10	2.80	3.50	
Fresno	60¢ to \$1.20 flagdrop	70¢ to \$1.00 per mile	8.00 per hour	Min. 1.30-1.20	Min. 2.00-3.20	Min. 2.70-4.70	Min. 3.40-5.20	
La Mesa	80¢ per first 1/7 mi.	10¢ per additional 1/7 mi. or fraction thereof	7.20 per hour	1.40	2.10	2.80	3.50	
Las Vegas	75¢ per first 1/4 mi.	20¢ per additional 1/4 mi.	10.00 per hour	1.35	2.15	2.95	3.75	Each passenger over 3 - 20¢ additional, airport trip - 20¢ additional.
Los Angeles								
Wilmington Cab	\$1.00 per first 1/7 mi.	20¢ per additional 2/7 mi.	20¢ per 1/4 min.	1.60	2.30	3.00	3.70	
All other Co.'s	80¢ per first 1/8 mi.	20¢ per additional 1/4 mi. or fraction thereof	20¢ per 1/4 min.	1.60	2.40	3.20	4.00	
Oceanside	90¢ per first 1/2 mi.	20¢ per additional 1/6 mi.	20¢ per 1/4 min.	1.50	2.70	3.90	5.10	\$1.45 per mi. on all miles driven 5 or more miles outside the city limits.
Oakland	80¢ per first 1/9 mi.	20¢ per additional 2/9 mi.	20¢ per 1-1/3 min.	1.60	2.50	3.40	4.30	Beyond 20 mile radius from city, add 1/2 of the meter.
Palm Springs	80¢ per first 1/9 mi.	20¢ per additional 2/9 mi.	9.00 per hour	1.60	2.50	3.40	4.30	45¢ additional each mile outside city limits.
Phoenix								25¢ for airport pickup.
Charter Cab	90¢ per first 1/9 mi.	20¢ per additional 2/9 mi.	10.00 per hour	1.70	2.60	3.50	4.40	
Village Cab	60¢ per first 1/6 mi.	20¢ per additional 2/6 mi.	6.00 per hour	1.10	1.70	2.30	2.90	
Yellow Cab	85¢ per first 621 ft. (< 1/8 mi.)	20¢ per additional 1242 ft. (< 1/4 mi.)	8.00 per hour	1.55	2.40	3.25	4.10	25¢ for each additional passenger.
Reno	70¢ per first 1/6 mi.	10¢ per additional 1/6 mi.	4.80 per hour	1.20	1.80	2.40	3.00	(Proposed rate incl: 90¢ per first 1/9 mi 10¢ ea. add. 1/9 mi. \$9.00 per hour)
Sacramento	\$1.20 per first 2/9 mi.	20¢ per additional 2/9 mi.	8.00 per hour	1.90	2.80	3.70	4.60	
San Bernardino	70¢ per first 1/7 mi.	10¢ per additional 1/7 mi.	6.00 per hour	1.30	2.00	2.70	3.40	
San Francisco	90¢ per first 1/9 mi.	20¢ per additional 2/9 mi.	20¢ per 1/4 min.	1.70	2.60	3.50	4.40	
Santa Ana	80¢ per first 1/4 mi.	20¢ per additional 1/4 mi.	9.20 per hour	1.40	2.20	3.00	3.80	
Santa Barbara	70¢ per first 1/8 mi.	10¢ per additional 1/8 mi.	8.00 per hour	1.40	2.20	3.00	3.80	
Yuma	70¢ per first 1/7 mi.	10¢ per additional 1/7 mi.	6.00 per hour	1.30	2.00	2.70	3.40	

Source: City of San Diego Annual Rate Review, June 1978.

the past thirty years. The procedures for obtaining rate changes prior to the regulatory revisions and the historical background and evolution of taxi fare regulation in the City are discussed in sections 3.2 and 4.1.

Table 3.7 summarizes rate changes adopted by the San Diego City Council since 1947. There were ten changes during the 30-year period through 1977, including a ten year hiatus between 1947 and 1956. Adoption of the \$1.50 drop and \$1.50 per mile maximum rate is the first fare increase since March of 1977. Generally, each change consisted of a ten-cent increment in the drop charge or in the mileage rate; the first fractional mileage increment decreased from 1/3 in 1947 to 1/7 in 1977. Thus, the cost for a four-mile trip -- the average taxicab trip length in the region -- increased from \$1.40 in 1947, to \$3.50 in 1977. These changes are depicted in Figure 3.2.

3.5 Taxi Operating Practices

The following information on taxi operating practices was derived primarily from interviews with taxi operators to provide a good cross section of the types of operations prevailing in San Diego. It is limited to City-licensed operations, however, and focuses on dispatching practice, the breakdown between phone-hail, or bell, and street-hail or other pick-up business and equipment. It attempts insofar as possible to describe pre-revisions practices.

All cabs have been required by the City to be two-way radio-dispatched since before the 1979 changes, but the capabilities of different operators' systems vary, and this factor tends to influence other aspects of the business. The 1978 Taxicab Passenger Profile Survey conducted by CPO and the City of San Diego found that the area-wide taxi business overall (residents and visitors) was 67 percent phone-hail or "bell," 23 percent pick-ups from cabstands and 10 percent other street-hail.³⁸ County and CPO studies indicate that most City operators made comparatively short trips; regional travel (trips over 7 miles long) constituted less than 10 percent of these operators' business. Only Red Cab, operating out of San Ysidro just above the Mexican border, and La Jolla Cab, operating in La Jolla, northwest of the downtown area, showed larger percentages of long trips.³⁹ The average taxi trip was about four miles long.

Taxis licensed by the City (exclusive of limited-area certificates) have been permitted to pick up anywhere within the City limits, but the airport, the naval bases, Hotel Circle and the downtown area have been the primary trip generators. The City has maintained cabstands throughout San Diego, to be shared by all City-licensed operators. Operators generally report that they will try to pick up at the airport or the naval bases, however, before trying any other street-hail locations. The airport currently has a total of fifty taxicab spaces including the front and back-up queues at each terminal. The Port's current plan, however, is to reduce this number to the old ceiling of twenty spaces per terminal, which will yield a total of forty spaces once construction work currently in progress is completed.

³⁸Taxicab Passenger Survey: San Diego, California, November 1978, Draft.
³⁹CPO, TSME, 1978. p.134.

Table 3.7
TAXICAB RATE CHANGES ADOPTED BY SAN DIEGO
CITY COUNCIL, 1947 THROUGH 1979*

<u>Date</u>	<u>New Rate Structure</u>
10/29/47	.50 drop & first mile (.20 fixed) + .30/mile; \$3.00/hour wait charge
6/12/56	.40 drop & first 1/3 mile (.30 fixed) + .30 mile; \$3.00/hour wait charge
12/18/58	.50 drop & first 1/3 mile (.40 fixed + .30 /mile; \$3.00/hour wait charge**
6/19/63	Wait charge to \$4.80/hour
10/11/67	.50 drop & first 1/4 mile (.40 fixed) + .40/mile; \$4.80/hour wait charge - +22%
4/6/72	.50 drop & first 1/5 mile (.40 fixed) + .50/mile; \$4.80 - +20%
1/3/74	.60 drop & first 1/5 mile (.50 fixed) + .50 mile; \$4.80 - +4%
3/1/74	.65 drop & first 1/5 mile (.55 fixed) + .50/mile; \$4.80 - +2%
9/12/75	.60 drop & first 1/6 mile (.50 fixed) + .60/mile; \$6.00/hour wait charge - +14%
3/3/77	.80 drop & first 1/7 mile (.70 fixed) + .70/mile; \$7.20/hour wait charge - +21%
4/79-7/79	1.10 drop & first 1/7 mile (1.00 fixed) + .70/mile; \$7.20/hour wait charge [†]
8/1/79	1.50 drop + 1.50/mile; \$9.00/hour wait charge was adopted as a maximum rate of fare; operators may charge anything up to this maximum ^{††}

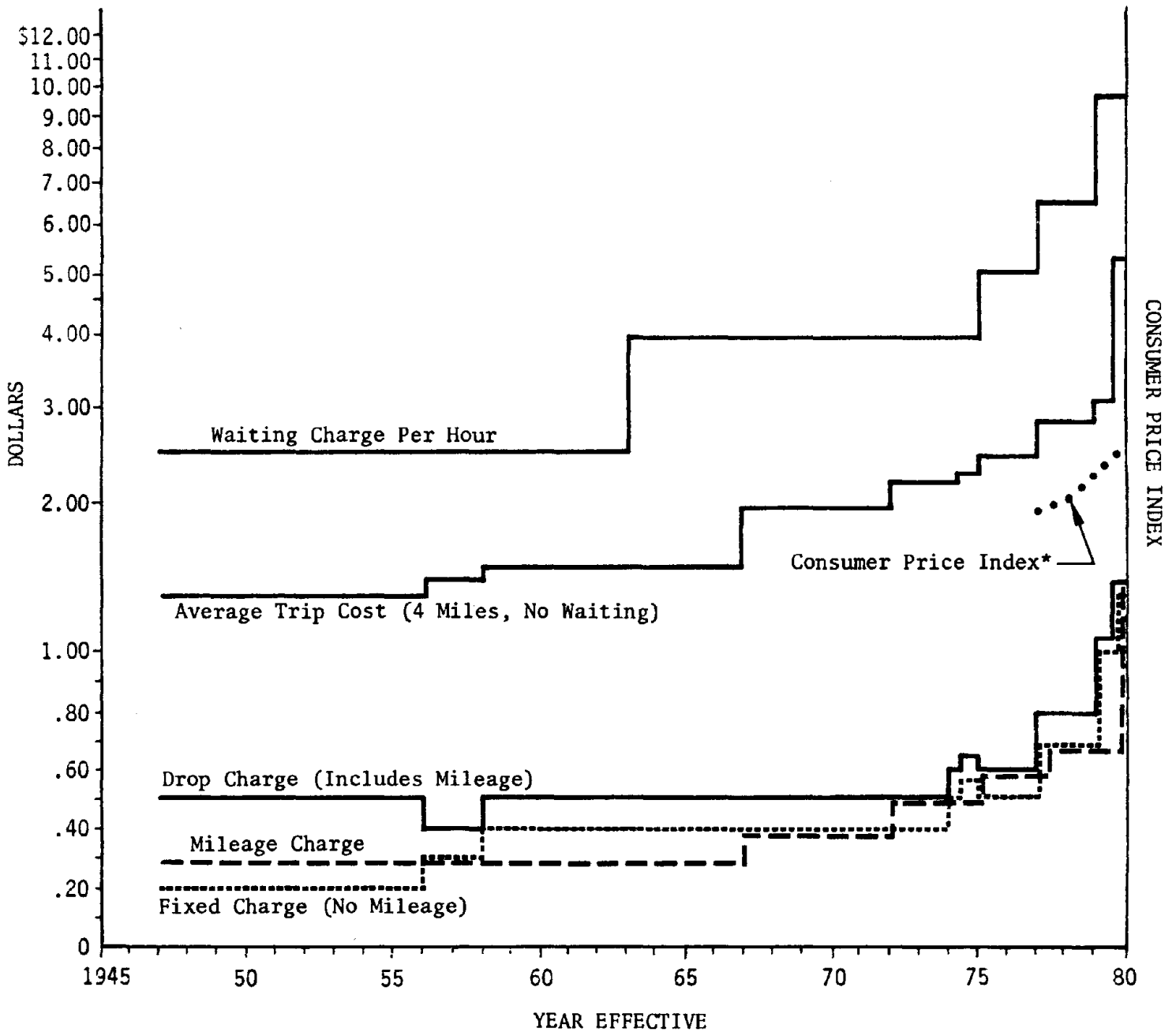
*Information based upon news clippings 1940 to present plus data supplied by City Paratransit Office

**Note that .50 drop and first 1/3 mile was the legal maximum, but the companies were charging .40 for the drop and first increment. See S.D. Union 10/22/47.

+A .30 surcharge was temporarily adopted in response to the 1979 gas crisis.

††No mileage increment is stipulated with the maximum rate; therefore it is impossible to calculate the maximum fixed charge.

Figure 3.2
 CHANGES IN TAXI RATE STRUCTURE, SAN DIEGO 1947 -1980



*Bureau of Economic Statistics, Consumer Price Index for San Diego Metropolitan Area, February, 1977 through May, 1980; Handbook of Basic Economic Statistics, Vol. XXXIV, No. 7, July, 1980.

Five of the eight multi-certificated companies had converted to lease operations by 1978; shifts typically leased for \$20. Commissions averaged under 50 percent of bookings, less \$0.10 per trip in the case of Yellow Cab, or the minimum wage for the shift, whichever was greater.

Most operators have continued to use late-model cars, and many purchased them used. Insurance has traditionally been through the assigned-risk pool. The average cost for liability insurance among the multi-certificated companies was \$1700 per vehicle in 1977, according to the City's Annual Rate Report for 1978. Operators report that the insurance picture is "softening" with fewer accidents in recent years, so that some companies have been able to get insurance through direct underwriters with a variety of companies.

3.5.1 Multi-Certificates: Large

Yellow Cab's operations have been characteristic of its large size and majority share of the local market. Yellow was (and is) the most diversified local operator, providing contract package delivery and Dial-A-Ride services in addition to conventional taxi services areawide. The company's name recognition and fleet size have enabled it to maintain a larger proportion of bell business (about 75%) than other operators. Yellow Cab is the only local company which continues to purchase large lots of new replacement vehicles; many of these purchases are part of package deals with General Motors by which Yellow obtains the automobiles and maintenance services at minimal cost in exchange for road testing them. Thus, the company continually replaces the older vehicles in its fleet. Yellow Cab insures itself for the first \$50,000 of accident liability, supplementing this with agency coverage for the higher amounts. Yellow Cab is the only local company to engage in this cost-saving practice.

A predominantly-lease operation since mid-1979, Yellow rents its shifts at approximately \$25. In the past, the company paid a 50 percent commission on total bookings. This was changed to 48 percent less \$0.10 per trip in 1976, a major factor in the drivers' strike. Yellow has obtained airport stickers for all of its City-licensed vehicles in fairness to its lease-drivers, but dispatchers monitor the airport situation closely to prevent drivers' spending too much unproductive time in the airport taxi queues. The drivers' union, the Transportation and Allied Workers of California, an affiliate of the Seafarers' International Union of North America, AFL-CIO, is considerably weakened since the major company's conversion to leasing.

3.5.2 Multi-Certificates: Smaller

Red Cab of San Diego has operated from its San Ysidro base in much the same way over its 20-year history. Because the majority of its border-area trips are pick-up (that is, persons who walk across the border and are headed northward), and because these trips constitute the major portion of Red Cab's business, the company's overall bookings are

only 10 percent bell. (Nearly 75 percent of Red's drivers speak Spanish.) All cabs are radio-dispatched, however, and this practice helps to reduce deadheading and to solidify the bell business, which has been increasing in recent months. Drivers dropping passengers off in the San Diego area check in with the dispatcher before routing toward the airport, the Greyhound station or one of the naval bases in search of a return fare.

The company's vehicles have often been later model used cars (mostly 1971 Fords now) purchased at General Services Administration (GSA) auction and reconditioned for taxicab use. The company keeps two spares: one in top condition, the other a "clunker." They all have eight-cylinder engines and get about 12 miles to the gallon. Insurance is through the assigned risk pool and costs \$5 per vehicle per day. Red Cab has cabs out 22 hours a day; few of them are on the road between two and four a.m., however.

The company has been losing drivers who obtain their own individual owner-operator permits. Management was also beginning to question whether full-time dispatching is cost-effective in conjunction with an all-lease operation. On the other hand, the company has not contemplated an entry into shared-ride and fixed-route services, despite what it perceives as unfair competition from wildcatters in unmarked cars who load several passengers at the border and charge per capita rates into the downtown area.

La Jolla Cab Company has focused almost exclusively on the La Jolla area for its pick-ups, and attempts to provide service which is specifically responsive to its wealthier clientele. Driver courtesy and customer service, such as carrying groceries and helping elderly and handicapped passengers, are emphasized, and therefore, the company retains its commission structure. Management has considered converting to a lease operation, but feels that centralized control over its drivers is an essential factor in the company's success. La Jolla Cab's twenty-four drivers receive 35.2 percent of their total bookings or the minimum wage for the ten-hour shift, whichever is larger. Business is good and consistent, relative to other operations, and drivers average \$250 for a 50-hour week.

All cabs are radio-dispatched, and dispatchers are on duty 24 hours a day (La Jolla employs four dispatchers). The company also possesses good name-recognition in its home area. As a result, business is over 95 percent bell, and the majority of these calls are regular customers who reside within three miles of the Roslyn Lane dispatch office. La Jolla Cab estimates that it picks up close to 99 percent of the local demand. Dispatchers attempt to distribute this repeat business equitably over the driver force; personals are discouraged in order to avoid favoritism. The company also refuses most pre-scheduled (or time) calls, as these tie up the telephone and invariably involve more mileage, deadheading and no-shows than other business. La Jolla will take time calls for ticketed events or travel, however, as these calls have a

lower probability of no-shows. The company also does mostly cash business, carrying only eight charge customers in recent years. There are two La Jolla cabstands: one at the library at Wall and Girard; the other at Striker's Shoes in the 7800 block of Girard; but they are rarely used.

La Jolla Cab runs low-mileage Dodge Aspens. These are purchased new and specially outfitted for taxicab service with a heavy-duty "cab-kit," adding \$700 to 800 to the purchase price of the car. The current fleet is all 1977 or 1979 models, except the spare, a '66 Plymouth; the 1977's were purchased new when the company changed hands. La Jolla keeps cabs on the road 24 hours per day, although it has only four out at night. Nine cars are out by 10 a.m.; another goes on at 2 p.m., when the early shift which starts at 4 a.m., ends.

3.5.3 Independent Owner-Operators

The operations of the independents appear to have been limited by these operators' size and dispatch capabilities. Radio services, though required by the City and obtained in association with other operators, are of limited effectiveness in conjunction with the one man-one cab type of operation. Moreover, the independents argue that they are unable to undertake contract-type or shared-ride services with a single vehicle. Cooperative efforts are constrained by the independence which was, in many cases, the impetus for acquiring a permit in the first place.

The ICOA answering and dispatch service illustrates the operations problem: ICOA provides dispatch services via a UHF simplex frequency and telephone answering service. The answering service operator holds the caller while putting the call out via transmitter. If no ICOA driver responds within a reasonably short interval, the operator suggests the caller try another company, saying there is no cab in the immediate vicinity. The operator makes no active effort to dispatch cabs; in fact, the answering service handles other accounts (such as doctors' offices) in addition to ICOA's calls. Largely as a result of this method, only about 5 percent of ICOA members' total business is estimated to come from bell; moreover, operators are reluctant to incur the extra mileage costs involved in responding to bells. These calls do not produce enough revenue to pay a full-time dispatcher, and this combination of factors tends to reinforce operators' practice of sitting in the airport queue. Airport pick-ups account for 90 percent of the independents' business. ICOA recognizes the need to upgrade its radio services and to establish new market territories. ICOA is gradually building a bank account which will enable it to purchase its own VHF station and hire full-time dispatchers.⁴⁰

⁴⁰ Information derived from January 11, 1980 interviews with ICOA steering committee members.

3.6 Taxi Level of Service Measures

Insufficient data were available at this time to permit derivation of measures such as vehicle miles by geographic area or time of day for this report. Operators' primary service areas are described in Section 3.2, see Figure 3.1. Number of vehicles by area and time of day is discussed under Operating Practices in Section 3.5. This section includes some information on wait (or response) time, service coverage, and reasons for patrons' choosing taxicabs.

3.6.1 Wait Time

The Taxicab Passenger Profile Survey (PPS; also known as the Taxicab Passenger Survey) conducted during November 1978 by CPO and the City of San Diego is the most recent source of traveler data, and it includes the following preliminary results on wait time following phone-hail requests of taxicabs. (See Appendix for a copy of the survey form.)

Table 3.8
PASSENGERS' WAIT TIME AFTER PHONING FOR A TAXICAB
SAN DIEGO, NOVEMBER 1978*

	<u>Resident</u>	<u>Visitor</u>	<u>Total</u>
1-5 minutes	33%	53%	39%
6-10 minutes	30	16	27
11-15 minutes	16	16	16
16-20 minutes	9	7	8
21-30 minutes	8	3	7
31-40 minutes	1	3	1
41-50 minutes	2	1	1
51-60 minutes	1	1	1
61-100 minutes	1	1	1

*Preliminary Passenger Profile Survey results supplied by City Paratransit Office Staff. Sample Size = 1037 cases.

These results show that cabs respond to the large majority (82%) of calls within 15 minutes, which is the Sheriff's and the City's established threshold for determining the adequacy of the existing number of taxicab certificates. These 1978 results also indicate a slight improvement over results compiled by the San Diego Police Department from its 1976 Response Time Surveys. The 1976 results showed responses to 72 percent of calls in 15 minutes, 20 percent in 15 to 30 minutes, 3 percent in 30 to 45 minutes, 3 percent taxi "no-shows," and 2 percent refusals. These results are based upon 100 phone-hail requests and are not strictly comparable with the PPS, however.

3.6.2 Service Coverage

Most City-licensed operators have tended to concentrate on the Centre City area, as we have seen. The three primary exceptions are La Jolla Cab, Red Cab, and Coast Cab. The primary pick-up locations are

reported to be the airport, the naval bases, the Greyhound station, Hotel Circle and the downtown. Independent operators interviewed pursuant to preparation of this report estimated that 90 percent of their business continues to come from airport pick-ups.

It has been contended for more than a decade that the predominantly black "Southeast" area of the City is poorly served. Allegations of service refusals and discrimination brought by Southeast area residents prompted the 1969 transfer of fourteen permits from Yellow Cab to the minority-owned San Diego Cab Company in order to provide service to this community. A 1977 City-sponsored study investigated these allegations and failed to establish conclusively the existence of racial discrimination or inferior service in Southeast. The community rejects this study, however, contending that discrimination is the way of life in this area. Their allegations further cite the testimony of taxi drivers at public hearings, to the effect that drivers generally will not pick up in Southeast, nor often even drop off, unless the fare has luggage or some other "collateral" to weigh against the perceived threat of robbery or assault.⁴¹ (Our interviews confirmed that many drivers choose not to serve this area.)

3.6.3 Other Measures

"Safety" was mentioned in the PPS as one of many factors contributing to travelers' choice of a taxicab for the surveyed trip. Only 8 percent of travelers selected this characteristic as their primary reason for choosing a cab, compared to 67 percent who selected "convenience," the highest-frequency response. Nearly a third (30%) of travelers surveyed selected "improve response time" as a means of improving local taxicab services, second only to "reduce fares" (64%).

3.7 Taxi Demand

This section briefly describes the spatial and temporal distribution of taxi trips taken in the San Diego Area and reports traveler and trip characteristics insofar as possible from available sources. All of this information was gathered prior to the 1979 City regulatory revisions.

3.7.1 Spatial and Temporal Distribution of Taxi Trips

The 1978 Taxicab Passenger Survey provided information on the spatial distribution of trips prior to regulatory revision. Three areas of the City included over 80 percent of all taxi trip destinations: these are the Pt. Loma/U.S. Naval Supply Center and Yacht Harbor area (19%); the central city area including the airport, downtown and Balboa Park, a major tourist attraction (54%); and the East San Diego area (7%). Two of these three accounted for 77 percent of trip origins: the Pt. Loma/U.S. Naval Supply Center and Yacht Harbor (19%) and the central city/airport area (58%). Remaining trip ends were fairly scattered, with the northern inland and eastern areas showing the least activity.

⁴¹ John Dunchack, "Evaluation of Taxicab Service in Southeast San Diego," City of San Diego DOT, 1977.

Both the City/CPO PPS (November 1978) and previous CPO and County taxicab studies provided information on the temporal distribution of taxicab trips. Two monthly peak demand periods have been identified: these occur on paydays, usually the Fridays of the first and third weeks of the month, when military, social security and welfare checks are received. The hourly distribution of taxicab trips also demonstrates distinct peaking characteristics. Figure 3.3 illustrates the hourly distribution of taxi trip start and end times, showing that the large majority of taxicab travel is between the hours of 8:00 a.m. and 10:00 p.m. with a mid-day valley around 3:00 to 4:00 p.m. Peaks occur about the lunch hour and before and after dinner time in the evening. Taxi travel between the hours of 11:00 p.m. and 6:00 a.m. is relatively light. The temporal distribution of trips conforms closely to the operator dispatching practices described in Section 3.5.

3.7.2 Other Trip Characteristics

3.7.2.1 Trip Purpose. Table 3.9 summarizes trip purposes by trip end from the preliminary results of the 1978 City/CPO Taxicab Passenger Survey. Note that the most frequent trips are homeward (28%), followed by recreation/social trips (21%), and work trips (16%). Home and work are also the most frequent taxi trip origins (34% and 23%, respectively).

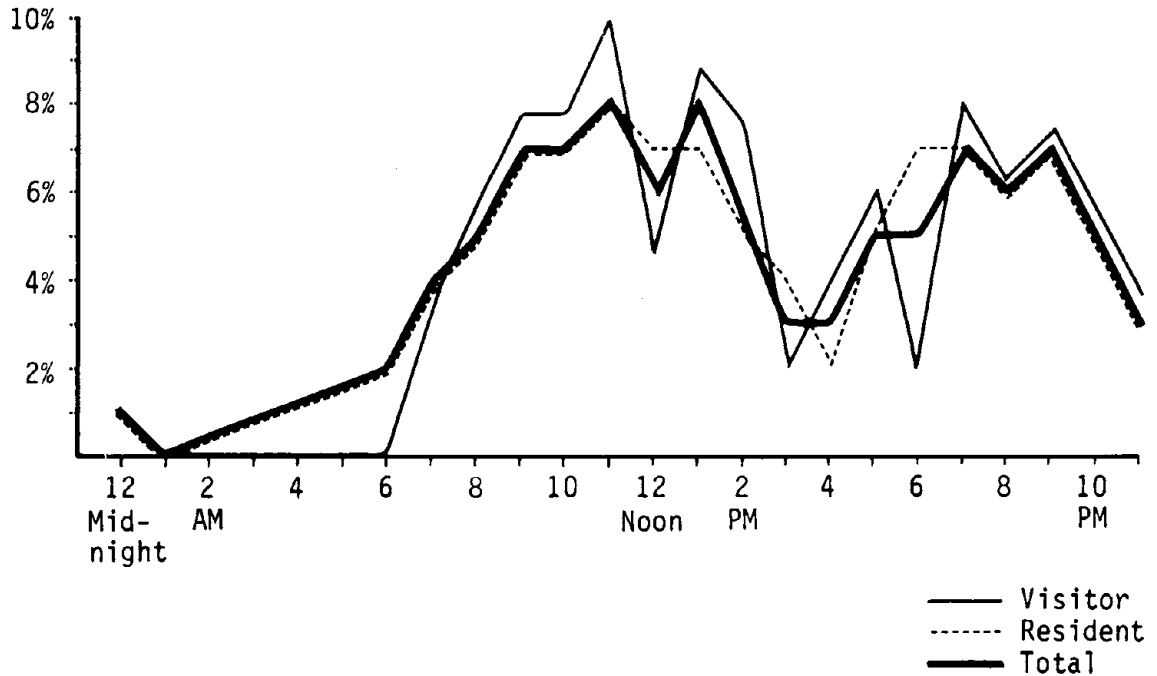
3.7.2.2 Trip Length. According to the same 1978 source, the average taxi trip in San Diego was 3.8 miles long and took 8.8 minutes to complete.

3.7.2.3 Traveler Characteristics. The City/CPO Taxicab Passenger Survey collected information on the following traveler characteristics: passenger's sex, age, possession of a driver's license, ethnicity, income, employment status, alternative mode choice, frequency of taxicab and bus usage, attitude toward shared-riding, and household's number of automobiles as well as the sample's percentage of residents, visitors, and handicapped persons. Preliminary survey results for each of these characteristics are presented in Table 3.10.

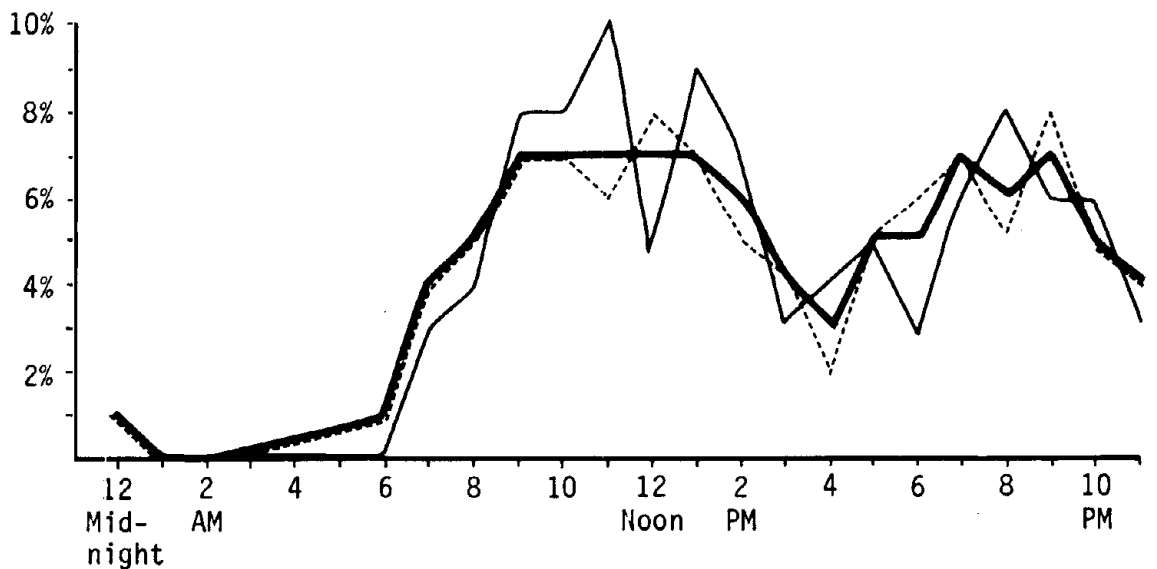
The survey population of taxicab users (residents and visitors combined) includes a higher percentage of non-whites and a lower percentage of elderly than the area population as a whole (see Section 2.1). Note also that the resident non-white taxi user group is nearly twice that of the region as a whole. San Diego taxi users also include a large proportion of persons between the ages of 16 and 24, most likely a product of the large numbers of transportation-dependent trainees and other military personnel stationed at the area's naval bases. One-third of the taxi user sample is military personnel. And the relatively high proportion of taxi passengers with household incomes less than \$7,000 is also consistent with this thesis. The taxi-riding visitor population includes a large proportion of wealthier individuals, but this is to be expected in a locality with high tourism like San Diego. Also not surprisingly, the resident taxi users include a much lower proportion of licensed drivers than the visitors. The relatively low proportions of elderly and handicapped taxi users may be attributable to the existence of less expensive, City-sponsored dial-a-ride services.

Figure 3.3
 DISTRIBUTION OF TAXICAB TRIPS
 San Diego, 1978

Trip Start Hour



Trip End Hour



Source: CPO/City of San Diego Taxicab Passenger Survey, 1978, Preliminary Results.

Table 3.9
 TAXICAB TRIP PURPOSES BY ORIGIN OR DESTINATION
 SAN DIEGO, 1978

<u>Purpose of Trip</u>	<u>At Origin (%)</u>			<u>At Destination (%)</u>		
	<u>Resident</u>	<u>Visitor</u>	<u>Total</u>	<u>Resident</u>	<u>Visitor</u>	<u>Total</u>
Home/Hotel	38.8	25.7	34.3	33.6	17.9	28.3
Recreation/Social	9.1	10.4	9.5	19.5	23.3	20.8
Work	25.4	18.7	23.1	16.3	15.0	15.8
Trip from out of Town	4.3	27.8	12.4	7.7	24.6	13.4
Personal Business	6.1	5.8	6.0	9.2	7.1	8.5
Medical	5.4	2.9	4.6	6.0	3.3	5.1
Shopping	6.5	2.9	5.3	4.9	3.7	4.5
School	1.5	5.0	2.7	1.1	1.7	1.3
Other	2.8	0.8	2.1	1.7	3.3	2.3

Table 3.10
SOCIO-ECONOMIC PROFILE OF SAN DIEGO
TAXICAB PASSENGERS, 1978

	Resident (66.1%) %	Visitor (33.9%) %	Total %
<u>Ethnicity</u>			
White	74.3	80.8	76.5
Black	15.3	7.4	12.6
Latino	6.0	5.0	5.7
Indian	0.1	0	0.1
Asian	2.9	4.4	3.4
Unknown	1.3	2.4	1.7
	<u>100.0</u>	<u>100.0</u>	<u>100.0</u>
<u>Sex</u>			
Female	40.3	32.2	37.5
Male	59.7	67.8	62.5
<u>Age</u>			
2-15	1.0	0	0
16-24	47.0	41.0	45.0
25-44	27.0	35.0	29.0
45-59	10.0	16.0	16.0
60 & over	9.0	2.0	9.0
	<u>100.0</u>	<u>100.0</u>	<u>100.0</u>
<u>Household Income</u>			
\$5,000 or less	31.3	15.9	26.0
\$5,001-7,000	26.1	18.4	23.5
\$7,001-10,000	17.1	7.0	13.6
\$10,001-15,000	12.1	14.9	13.1
\$15,001-25,000	7.2	15.9	10.2
\$25,000 & over	6.2	27.9	13.6
	<u>100.0</u>	<u>100.0</u>	<u>100.0</u>
<u>Employment Status</u>			
Employed	42.9	59.8	48.6
Unemployed	8.0	2.5	6.2
Military	33.9	32.2	33.3
Student	13.1	11.3	12.5
Retired	18.1	6.7	14.6
Homemaker	13.3	10.9	12.5
	<u>100.0</u>	<u>100.0</u>	<u>100.0</u>
Percentage Licensed Drivers	61.2	90.3	71.1
Percentage Handicapped	8.0	2.5	6.2

Source: 1978 City Taxicab Passenger Survey

The taxi users are generally a transit-oriented group, as revealed by the responses shown in Table 3.11. Over 50 percent of the residents have no automobiles in their family, and 58 percent use buses at least twice per month; over half of this group rides buses ten times or more in a month. Taxi use is even more frequent with more than 80 percent using taxis at least twice a month and over a third riding taxis two to five times each thirty days. "Bus" is the most frequently cited alternative mode for residents and visitors alike, followed by rental car for the visitors and walking for the residents. Majorities of both groups cited the convenience of taxicabs as their primary reason for choosing a cab (67% overall). The second most frequently cited reason was the lack of other means of transportation (23%).

3.8 Taxi Operator Productivity Measures

The upheaval within the San Diego taxi industry in 1976 inhibits distillation of a trend in operator productivity over the recent past. Moreover, the City only began to require financial reporting information from independent owner-operators in 1977, while a sufficient number of operators failed to comply in both 1977 and 1978 to complicate comparisons between independents and multi-certificates as well as between years. There is summary data to establish a baseline, nonetheless, against which to compare post-regulatory revision changes. This information is essentially complete for multi-certificates through the 1970's. The primary productivity measures included are paid miles, the ratio of paid to total miles, average trip length and average trip revenue, number of trips and average revenue per cab, net income and overall operating ratio (costs to revenues).

Table 3.12 summarizes the productivity measures which were obtainable from the City's Annual Review of Taxicab Rates dated June 1978. This information shows a gradual increase in both total miles and paid miles driven, while the ratio of paid to total miles is roughly stable: operators drive more than two miles for every revenue mile. Independents have lower ratios of paid to total miles, but also lower ratios of overall costs to revenues, primarily because of the greater numbers of longer trips these operators book. As reported in Section 3.5, 90 percent of the independents' business comes from airport pick-ups. These trips involve longer waits but lower mileage than cruising, followed by a longer than average overall trip. Thus the independents generally also average lower ratios of paid and total miles per cab than the multi-certificates. Red Cab, operating out of San Ysidro and La Jolla Cab, in La Jolla, also book longer than average trips, but their pick-ups are less entrained. La Jolla Cab managers reported that their drivers put more than 60 thousand miles on their cars per year, and emphasized the need for drivers to be under central dispatcher control. Red Cab's management pointed out the need for the drop charge to reflect gasoline prices, since mileage is such a major component in this company's overall operating expenses.

Table 3.11
TRAVEL BEHAVIOR CHARACTERISTICS OF
SAN DIEGO TAXICAB PASSENGERS, 1978

	Resident <u>(66.1%)</u> %	Visitor <u>(33.9%)</u> %	<u>Total</u> %
<u>Alternative Mode Choice</u>			
Bus	37.7	31.4	35.5
Private Auto-Passenger	15.7	10.9	14.1
Private Auto-Driver	13.7	5.9	11.1
Rental Car	1.3	23.4	9.0
Walking	17.7	13.0	16.1
Not Take Trip	10.6	2.9	8.0
Social Service Agency Vehicle	0.9	12.1	4.8
Other	2.2	0.4	1.6
	<u>100.0</u>	<u>100.0</u>	<u>100.0</u>
<u>Frequency of Taxi Use per Month (Residents Only)</u>			
Once or Less	19.9		
Two-Five Times	35.5		
Six-Ten Times	19.6		
More Than Ten Times	27.0		
	<u>100.0</u>		
<u>Frequency of Bus Use per Month (Residents Only)</u>			
Once or Less	41.6		
Two-Five Times	19.9		
Six-Ten Times	11.0		
More Than Ten Times	27.5		
	<u>100.0</u>		
<u>No. Vehicles in Family (Residents Only)</u>			
None	52.7		
1	28.5		
2	11.7		
3	7.1		
	<u>100.0</u>		

Table 3.12
TAXICAB PRODUCTIVITY MEASURES BY OPERATOR TYPE
SAN DIEGO, 1976, 1977 AND 1978

	1976		1977		1978		
	Total ^a	Multi-Certificates	Independents ^b	Total	Multi-Certificates	Independents ^b	Total ^b
Total Number of Taxicabs	319	349	44	393	352	43	395
Total Number of Paid Trips	2,080,315	2,182,220	140,550	2,322,770	2,233,897	203,265	2,437,162
Total Number of Paid Miles	8,480,760	8,811,230	719,701	9,530,931	9,621,601	1,073,727	10,695,328
Paid Miles Per Cab	26,585	25,247	16,357	24,252	27,334	24,970	27,077
Total Miles	17,038,611	18,455,929	1,646,837	20,102,766	19,475,189	2,304,516	21,779,705
Total Miles per Cab	53,413	52,882	37,428	51,152	55,327	53,593	55,138
Ratio of Paid Miles to Total Miles	.498	.477	.437	.474	.494	.466	.491
Average Paid Trip Length	4.07	4.04	5.12	4.10	4.30	5.28	4.4
Average Revenue Per Cab	\$20,679	\$22,004	\$14,218	\$21,133	\$21,559	\$16,696	-
Average Revenue Per Trip	N.A.	\$3.64	\$4.45	\$3.58	\$3.70	\$3.53	-
Average Number Trips Per Cab	6,521	6,252	3,194	5,910	6,346	4,727	-
Total Operating Expenses	6,720,456	7,533,522	510,707	8,044,229	7,448,806	424,397	-
Total Revenue	\$6,596,580	\$7,679,517	\$625,609	8,305,126	7,588,909	717,937	-
Net Income	(123,876)	145,995	114,902	260,897	140,103	293,540	-
Operating Ratio (Cost + Revenue)	.979 ^c	.981	.816	.968	.981	.591	-

Source: City of San Diego Annual Rate Review, June 28, 1978.

^a 1976 information available only for multi-certificates and excluding the three Pleasureline companies which went bankrupt in July.

^b The 1977 and 1978 information from owner-operators is not strictly comparable with that from multi-certificates. Only 43 or 44 owner-operators filed any information, while varying numbers filed different data. These anomalies--in addition to the longer trips served by independents--may account for their characteristically lower operating ratio.

^c Excluding Yellow Cab, which was off the road from August 1976 on, and filed for bankruptcy in December. Yellow showed negative income for 1976, producing an overall operating ratio of 1.02.

All operations appeared as of early 1979 to be gaining ground after the severe declines experienced during the period from late 1976 through mid-1977. Figure 3.4 shows trends in taxi trips since 1975 for the industry as a whole as well as for Yellow Cab, the multi-certificated companies and the independent owner-operators. The steepest decline began with the Yellow drivers' strike in August 1976, although a downturn was evident from the time of the 14 percent rate increase in effect during the third-quarter of 1975. The influx of new owner-operators in March of 1977 apparently offset somewhat the effect of the 21 percent rate increase enacted at the same time. The owner-operators showed steadily increasing business while Yellow Cab and the other multi-certificates continued to decline for another six to eight months.

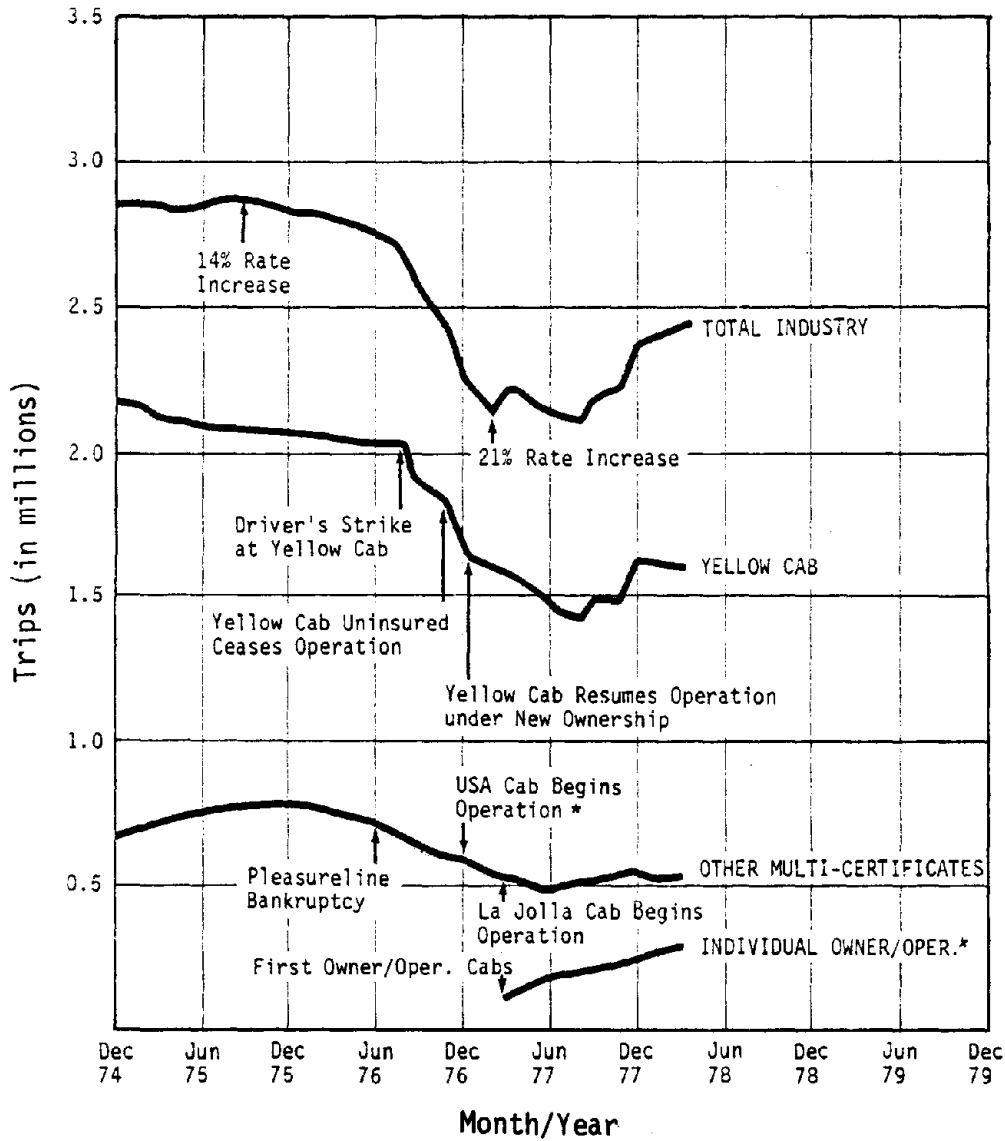
The average revenue per cab appears to be increasing, but the incompleteness of the operating cost information prevents assessment of net revenue per vehicle. On the other hand, the average number of trips per cab appeared to be declining, consistent with operators' and drivers' contentions that the number of trips booked per shift has declined.⁴² City Paratransit Office staff reported an estimated average of 7,300 trips per cab per day for the entire San Diego industry during 1978. The overall operating ratios reported for 1976, 1977, and 1978 (but only for multi-certificates in 1978) are still within the .95 to .975 range which Council Policy 500-5 set as "acceptable."

The summary information on operating costs does not include sufficient data from enough operators to make valid comparisons or derive meaningful measures. It may be possible to obtain this information from the City's financial data files in the future. It should be noted that Yellow Cab's cost saving arrangements on insurance and purchases of gasoline and equipment likely mean that the costs shown on its books are not reflective of average operating costs.

Information on medallion values is largely dependent on hearsay. City administrators generally ask the selling price of taxi certificates when owners file for their transfer, but the operators are not required to provide this information. It is generally uncertain, moreover, what any individual selling price includes in terms of equipment or name recognition (the "good will" associated with an established business). The City has long maintained that taxi certificates have no intrinsic value beyond the actual equipment. And a spokesperson for Yellow Cab argues convincingly that San Diego taxi medallions have not been worth much. In 1977, the Yellow Cab Company, including 280 certificates and \$150 thousand in property, sold for \$800 thousand. This averages

⁴² See, e.g., San Diego Union, July 26, 1979, where drivers report the number of trips per shift declined from 16-18 in 1978, to 13-14 in 1979. Yellow Cab estimates that overall decline at more than 20 percent, from 20 trips per shift in 1977-78, to 14 or 15 trips in 1979. Coast drivers characterized a 12-13 trip shift as "good day" in late 1979; DCCO interviews.

Figure 3.4
 SAN DIEGO TAXI TRIPS - 12 MONTH MOVING TOTALS



* Annualized

Source: City of San Diego Annual Rate Review, June 1978

\$2300 per taxi, including the vehicle. Nonetheless, estimates of medallion values prior to 1979 varied from \$8,000 to \$10,000 among City sources, and up to \$15,000 among taxi operators. Operators agreed that these values would plummet after open entry.

Demand for new or additional permits from existing operators and drivers testifies to the perceived health and profitability of the San Diego industry. Although many of the original owner-operator applicants evidently applied for permits as part of an organized strike action against Yellow Cab and did not really want to obtain permits, there is nonetheless no shortage of new operators as the City continues to license them at 15 per month. Reportedly 25 percent of new permit applications are from existing operators. And despite the region's size and concentration of tourism, taxi rates in the San Diego area have been among the lowest on the West Coast. All operators complain, however, that the immediate effect of open entry will be cut-throat competition with the majority of the newer operations, and likely some veterans, failing during what is anticipated to be a difficult transition period.

3.9 Attitudes Toward the Taxi Industry

The differing interests of regulators, operators and the public with respect to taxi regulations and the industry in general establish three major attitudinal groups. Within these groups, however, are various opinions and differing conceptions of the industry and the need for regulatory changes. It would be extremely reductive to refer to the administrative, or operator, view; even operators of the same general type disagree on how to run a profitable taxi business and what effects of the regulatory revisions can be expected. The following discussion adopts these categories for organizational purposes only. This information was derived from official documents, news clippings, and personal interviews with elected officials, administrators, and taxi operators.

3.9.1 Regulators

The primary regulator groups include Council members, City staff and City police. The first two groups participate in setting taxi policy as well as administering it; the last chiefly enforces the regulations established by the other two. Council members, and to some extent City staff, share many of the following concerns toward the industry at large:

- Whose interests should industry regulators properly serve?
- What are acceptable standards for taxi service, and how may existing service be improved?
- What are the costs of regulation, and how should they be reimbursed?
- How may the regulatory process be rendered more efficient?
- (Elected Officials) What are the political consequences of regulatory and other taxi issues?

In talking with regulators and reading official documents relating to taxi regulations in San Diego, it becomes clear that improved service was a major objective of regulators at opposite ends of the political spectrum. The more conservative, "free enterprise" advocates maintained that "free market conditions" would induce competition and produce better service. The more liberal or progressive officials relied upon regulations to prevent unethical practices and safeguard consumer interests.

The 1969-70 bribery scandal had soured some Councilers on the City's involvement in taxicab regulation and its political consequences. For these regulators, the less regulatory responsibility Council had, the better. Regulation was even seen to have played into the hands of a self-serving industry by inhibiting competition. The opposite course would serve these operators right. The vindictive view was fostered by the negative role previous Yellow Cab Company management had played in securing the Council indictments. The 1976 collapse of Yellow Cab had also revealed the vulnerability of the public while the City depended for taxi transportation chiefly upon one large, multi-certificated operation. Introducing independents appeared to offer a workable alternative to transferring a large portion of Yellow Cab permits to other operators. Finally, allegations of discriminatory service to the non-white residential areas demanded action on the part of elected officials.

City administrators' attitudes tended to be influenced by a broader perspective on the potential for taxicabs to provide services in addition to the conventional exclusive ride. Yellow was already providing dial-a-ride services in El Cajon and La Mesa. The development of taxi-based shared-ride or other contract services seemed logical extensions from which both consumers and operators would profit. These individuals sought the catalysts needed to induce hide-bound or unimaginative operators to attempt these service innovations. The administrators also perceived how to improve the efficiency of regulation by removing the licensing and fare-setting functions from the political process.

City police attitudes appeared to be influenced chiefly by their enforcement role. They evaluated the industry in terms of the frequency of violations and other problems, and assessed changes in terms of their predictable or perceived effects on such problems. This orientation also characterized the attitudes of the Port District and Harbor Police, who appeared to other regulators to be pre-occupied with enforcement issues to the exclusion of their potential for innovation.

These differing orientations and goals affected the impulse to regulatory revision in varying degrees; there was no single or primary advocate of regulatory change.

3.9.2 Operators

Operator viewpoints also differ and can be grouped only roughly according to organizational type. The attitudes of the multi-certificated operators clearly conformed more closely to one another than to the attitudes of owner-operators. On the other hand, owner-operators represented a broad diversity of opinion and not even the owner-operator associations spoke with a unified voice. Despite these differences, operators share some concerns with respect to the industry at large:

- What techniques will ensure a profitable operation with a reasonable return on invested resources?
- What practices distinguish one operator from the competition?
- What is the optimum level of operation? What are the appropriate market segments to serve, or types of services to offer?
- What regulations serve the goal of achieving and preserving a profitable operation?

3.9.2.1 Multi-Certificates

The multi-certificated operators shared a vested interest in preserving the status quo in terms of the overall size of the local industry. Since most of the multi-certificated companies operating in the San Diego area have existed for many years, these operators' attitudes are also influenced by the habits of long experience. Many view the "innovative" notions of regulators with amused skepticism. Others see the regulators as dangerously ignorant of the taxicab business. The established practice whereby city officials based decisions on rate setting and other taxi policies on information supplied and explained by taxicab operators has served to entrench these attitudes. Most of these operators continued to express the conviction that the San Diego taxi market was fully saturated, and that the absolute number of taxicabs the area could support was somewhere between 400 and 500. Further, business had been declining in recent years. Adding new operators simply meant a smaller share of a finite market for each operator. These operators differed in their expressed interest or intention to participate in innovative services, such as shared riding, fixed route, or contract services. Most judged that those companies which were able to serve alternative markets had already undertaken to do so.

3.9.2.2 Independents

Independent owner-operators' attitudes vary over the types of operations and markets which make for profitability, the extent of cooperation or conformity required, and the appropriate pace for growth or diversification. Operators also differ on whether the San Diego market can sustain continued open entry; the major source of variation on this point is -- not surprisingly -- whether or not the individual

operators have already obtained their desired number of permits. There was broad independent operator support for opening up the local industry prior to issuance of the original independent owner-operator permits in 1976-77. This uniformity of view disintegrated as some operators obtained their permits and sought to protect their new interests by re-imposing statutory limits on permits.

Most of the owner-operators have worked long and hard to achieve their independent businessperson status. This achievement is perceived as a personal victory over the leasee-driver status which conferred all of the disadvantages of independence with none of the benefits. The independent spirit of these operators is an essential ingredient in their attitudes toward the taxi industry in general as well as toward specific operating practices. These operators like to have their own colors, their own names, their own rates, and their own hours. As we have seen, this independence is a primary obstacle to cooperation among independents, who frequently characterize cooperation as conformity.

In keeping with the achievement of higher status, many owner-operators characterize the taxi industry as essentially a luxury service provided to a wealthy clientele. To these operators, the trappings of a luxury operation -- a large, well-kept, late-model American car, high rates and big tips -- are the hallmarks of a high-class operation. Their supposition is that the taxi business can provide a relatively easy way of earning a living by serving people to whom price is essentially unimportant. These attitudes were formed while most of these operators, as commission-drivers for multi-certificated companies, habitually turned in more than half of their day's receipts and dreamed of keeping their whole earnings once they had their own cab. These operators further reasoned that once they obtained their own permit they could easily concentrate solely on the traditional "cream" of the business -- the long-haul trip to or from the airport. Their commitment to the airport-oriented operation is strengthened by the limitations of telephone answering service dispatch systems and the difficulty of covering a large urban area efficiently with a single cab.

3.9.3 The Public

Elected officials report no identifiable citizen constituencies organized around taxi issues other than black residents of poorly-served areas. San Diego has had a variety of dial-a-ride and other social service agency-provided transportation services designed to serve its elderly and handicapped residents. The naval training installations have expressed no strong interest in City taxi services or regulations, despite the large percentage of taxi travellers who are military personnel (33 percent, see Section 3.7).

The chief constituency identified for San Diego taxi service is the black community residing in the area of the City known as Southeast. Citizen reports of service discrimination in Southeast since the late '60's, and operator testimony confirming that they would not pick up or drop off in this area prompted the district's liberal black Councilman to consider regulatory revisions as a catalyst to improved service. But this constituency is not an organized advocacy group, nor is there any other consumer organization which has focussed on taxicabs.

In fact, the lack of public concern about taxicabs has led elected officials in several cities to characterize the whole issue as a "sleeping dog" which is better left alone. It remains to be seen whether the continual influx of new operators and differing rates will affect the public's attitudes toward the taxicab industry.

3.9.4 Others

The City's conventional transit provider has also been surprisingly quiet about taxi policy. An October 1978 report of the City Manager to Council stated that the San Diego Transit Corporation supported the use of taxis as transit feeders or back-up service on discontinued or cut-back routes. (The Transit Corporation experienced some service cut-backs as a result of Proposition 13 revenue cuts.) Taxi operators have complained of unfair competition from jitney-type services, but there has been little comment in the other direction, despite the fact that jitney operations focus on the airport to military bases and airport to hotel routes which constitute the prime taxi markets.



4.0 EVOLUTION AND IMPLEMENTATION OF REGULATORY CHANGES

The following section focuses on the institutional context of taxi regulatory revisions in San Diego. It completes the chronology of events in the history of local regulatory revision by describing the recent past leading up to the 1979 changes themselves, and identifies major institutional roles and views. Following this is a comparison of the revised and former code provisions affecting taxicabs. Last is a discussion of the implementation process, including changes in administrative roles and procedures as well as some current problems. Changes in the taxi operational environment -- especially at the airport -- and the need for further public and operator information efforts are highlighted.

4.1 Background and Chronology of the Regulatory Change Process

Key participants in the regulatory change process in San Diego refer to the new Paratransit Ordinance as the culmination of a lengthy process of policy development and implementation. As already noted in Section 3.2, the history of taxi regulation in San Diego includes reiteration of many of the same questions Council faced during the '70's as well as many similar provisions and proposals. Some sources identify the 1969-1970 bribery scandal as the main root of the recent changes; others cite the 1976 Yellow Cab drivers strike. Clearly, these were both key events and closely related to each other as well as to the development of the changes implemented in 1979. The bribery scandal likely affected Council's whole attitude toward taxi regulation and its political consequences. The 1976 Yellow Cab drivers strike dramatically illustrated the potential dangers in the City's over-dependence on this single large taxi operator. City administrators and elected officials had been scrutinizing the local industry and regulatory structure since the scandal broke; events surrounding the strike seemed to require immediate action.

No comprehensive regulatory revisions had been adopted by 1976, although Council Policy 500-5 required operators to provide financial data and Council to review local taxi rates on an annual basis. The City DOT resumed the regulatory issue by urging firmer control over the issuance of taxi certificates. It also recommended that service criteria replace population formulas as the standards for issuing new permits, alleging in a report to the Transportation and Land Use (TLU) Committee that the outstanding certificates were not being fully utilized. Operators disputed these findings, contending that the City had made its report without consulting the industry. In fact, the 357 certificates outstanding early in the year far exceeded the official population-based ceiling.

In sharp contrast, Councilman Floyd Morrow, a member of the TLU Committee and one of the indicted 1967 Councilers, proposed that the City stop deciding which firms should get permits. Morrow's proposal was prompted in part by the revelation that current City procedures

prevented issuance of permits to independent owner-operators. Action on this proposal was delayed, but Morrow subsequently persuaded his colleagues to reject further restrictions on the numbers of certificates.

When Yellow Cab's operations were interrupted by a drivers' strike in August of 1976, it meant 288 taxicabs went off the San Diego streets. The City issued sixty-five emergency taxi permits to supplement the crippled service. Striking Yellow drivers also provided courtesy rides to mitigate the service interruptions felt by the public. As another part of their organized strike action, 200 to 300 drivers applied to the City for independent taxi certificates. San Diego Yellow Cab subsequently filed for bankruptcy.

In December, Council adopted a new policy (500-2) to increase the total number of outstanding taxi certificates to 411, including 62 to be held by independent owner-operators. This policy opened the local industry to independents for the first time. The TLU Committee also endorsed policies to hold Yellow Cab's licenses at their current level of 280 until the company held less than half of all City certificates and independents constituted 15 percent of the local industry. New certificates were to be issued at the rate of one per 1500 population increase over 700,000. In reaction to these new policies, Armour Oil Company withdrew its offer to purchase the financially-troubled Yellow Cab and Checker Cab withdrew from its agreement to purchase the defunct San Diego Cab Company.⁴³

Yellow Cab found a buyer nonetheless in Donald R. Swortwood of Ocean Salt Company, Inc., and the large company was able to resume operations in January 1977. The sixty-two independents also got on the road and the local industry appeared to be back on track. Regulatory revision continued to be mentioned by City administrative staff or elected officials in connection with subsequent Council action on taxis.

In March of 1977, Council approved a 21 percent increase in taxi rates and directed City staff to investigate ways the City could adopt a variable rate system, allowing drivers to charge anything up to a maximum rate. Staff was also to study alternatives to current regulations requiring operators to carry a minimum \$300,000 in liability and property damage insurance. In October, a group of employee-drivers requested that Council roll back the increase granted in March, contending that the companies were not sharing the increased revenue in the form of employee fringes. Independent operators stated that they were making more money than they had when working for multi-certificated firms and that they could compete very well with the rollback. Council denied these requests while continuing to consider alternative rate setting proposals.

⁴³In 1969, Council approved transfer of 14 unused certificates from Yellow Cab in San Diego Cab, a new company formed with the backing of prominent businessmen seeking to promote minority business and employment and provide service to the Southeast area. The financially-troubled firm had been sold in 1972 to Bell, Jackson and Lyons, Inc., and then in 1973 to Pleasureline Products, Inc., one of the three firms filing for bankruptcy in 1976.

In the meantime, allegations of taxi service discrimination toward the Southeast community continued as John Harper, a black Southeast resident and independent owner-operator, filed suit in Superior Court charging Radio Cab Company with discrimination. It was reported that the City DOT was preparing a study on service levels in the community. The continued allegations of discrimination influenced the City's liberal black Counciler, Leon Williams, to consider the potential for so-called "free market" conditions to induce service improvements to Southeast. If regulatory revisions were to open the industry to new operators and independents -- including minority entrepreneurs -- increased service in Southeast might well result. In any case, the old, consumer protection-oriented system had clearly failed this constituency; it was time to try something else. This change in the liberal Councilman's views achieving a union of advocates from opposite ends of the political spectrum behind a common objective was a key factor in achieving the regulatory revisions.

The last straw appeared to be added when in 1978, SDTC drivers threatened a strike which would shut down the region's transit system. Expanding taxi service by relaxing entry requirements offered a means of meeting public transportation needs in anticipation of this strike. The impending crisis seems to have sharpened the proposals for regulatory changes. The City Manager now urged Council to lift the 411 certificate limit and to issue 12 permits per month, starting in September. This proposal was welcomed as a "reasonable approach" by a group of 150 cab drivers -- many of whom were left over from the 1976 strike -- who said they had been waiting over eighteen months to obtain a license. A City DOT analyst remarked that open entry had already been implemented in Washington, D.C. and Atlanta. Spokesmen for the City's multi-certificated operators vigorously opposed the suggestion, contending that business was already declining. The City Manager's proposal also recommended establishing a ceiling on fares up to which operators might charge what they wished.

Taxi operators and drivers showed up in force at the June 12, 1978 TLU Committee meeting to consider the City Manager's proposals. Commentators editorialized that the intensity of the debate -- punctuated by catcalls, jeers, and laughter -- on both sides of the proposal gave Council second thoughts about going forward immediately with any regulatory changes. Subsequent accounts reported that "only a handful of taxi drivers and two or three owners [were] agitating to lift the entry controls. The public [had shown] no desire at all for a change in the current system." Meanwhile, there was "opposition...[from] literally hundreds of driver-owners, fleet owners and the drivers union."

In August a letter to Council signed by managers of Yellow, City/USA, Checker, La Jolla, Martin, and Red Cab companies, the thirty-seven members of CO-OP and twenty independents opposed the issuance of

additional licenses, citing the extreme precariousness of the business and urging that no more certificates be issued until trip totals exceeded those experienced in 1975. This was "not the time for social experiments," they asserted. The operators were less concerned over the proposed changes in the City's rate structure. Establishing a maximum rate would give taxi operators more direct control over a key aspect of the business and eliminate the information gathering efforts and delays inherent in petitioning for rate changes.

The City was committed to regulatory changes by this time, however; a new draft Paratransit Ordinance was being prepared as a product of TLU Committee meetings and public hearings during a good part of 1978. In November 1978, the City began a survey of taxi riders in conjunction with CPO. Official press releases said the survey would aid the City's consideration of taxi regulatory changes. Results indicated that taxis were serving surplus ridership created by cutbacks in the transit system. Planners began to consider the possibilities for taxis as part of an integrated transit system. At about the same time, the Council unanimously agreed to adopt Councilman Schnaubelt's suggestion that six rather than twelve new taxi permits be issued each month, and for six months rather than a year.

By early 1979, the new Paratransit Ordinance was ready for Council; it was approved on February 24, and became effective thirty days later. On April 9, Council removed the moratorium on auto-for-hire permits which had been imposed in February of 1978. On May 22, 1979, Council approved a proposal to replace the standard rate of fare with a maximum rate below which operators would be free to charge what they like. Council also voted to increase the number of new permits issued each month from six to fifteen, starting in July. Operators present at the meeting opposed the increasing numbers of taxi permits, although there was some praise for the competitive pricing system. Council voted unanimously to adopt competitive pricing on July 16, 1979.

4.1.1 Institutional Views: Regulators

This chronology of the regulatory change process illustrates that no single point of view consistently characterized the attitudes of the participants in the development of the regulatory changes. Council's performance of its taxi regulatory responsibilities had apparently frequently been complicated as it attempted to base decisions on incomplete information or information supplied by the regulated operators. While many policies developed ad hoc in response to immediate problems needing quick solutions, Council tended to postpone decisions on larger issues, such as removing the restrictions on licenses and fares.

It also appears that Council's general uneasiness with taxi regulation was the basic impetus behind suggestions to revise the regulatory system or reassign its responsibilities. Nonetheless, the

1969 bribery scandal and ensuing events appear to have prompted Council to take definitive action. Some sources attribute the issuance of independent permits and the regulatory changes themselves to Council's desire to punish Yellow Cab for ex-President Pratt's testimony. It seems clear, however, that while Council sought to reduce the City's dependence on a single large operation in the aftermath of the 1976 strike, its motives for the code changes were to improve service while distancing itself somewhat from the perilous task of taxi regulation.

The City's Paratransit Office staff and Councilers attempted to explain the code changes in terms of their potential to improve service. They predicted increased competition, more service generally and especially to outlying areas, and more diversified services. Reported secondary objectives included the deconcentration of permits away from a single large operator and the desire to stop speculation in taxi permits by reducing their monetary value.

4.1.2 Institutional Views: Operators

The taxi operators have been generally more consistent than the regulators in pursuing policies which protect their interest as they see them, although they have rallied on both sides of the issue of the statutory ceiling on permits. Both management and drivers showed the high degree of organization and readiness to respond promptly and dramatically to a variety of impending changes. Industry protests of historical restrictions on solicitation, the early petition for zone-based fares, unfair competition from autos for hire, and the Yellow Cab drivers' strike amply illustrate this point in addition to their reactions to the recent code changes. On the basis of newspaper reports, it appears that although many regulatory proposals have evoked heated reaction from operators, the limitation on the number of taxi permits has always been the most volatile issue.

On the other hand, the established companies felt that they had less to fear from "cut-throat competition" than their independent counterparts. Most predicted that they would ride out the revisions with a modest reduction in profits, but expected numerous independents to fail. These operators also pointed out that they had been petitioning for rate increases prior to the revisions. Although competitive pricing may have been implemented to serve the regulators' aim of achieving service innovations, it provided the relief these operators needed nonetheless. In fact complete removal of the maximum limit and imposition of a limit on the frequency with which operators may file rate changes -- according to the county system -- was often mentioned by these operators as a further improvement.

Other operators were skeptical about the revisions' inducing service innovations, while they predicted disastrous effects on the industry at large. Forecasts of violence between cab drivers were common as well as of passenger confusion over the varying rates and the abundance of new operators. Some price gouging was anticipated, although most operators expected only a modest rise in rates reflecting the previously stated need for a rate increase.

4.1.3 Institutional Views: Public

The taxi regulatory revisions received extensive press and media coverage and the regulatory change process took place in the public eye. This publicity was a mixed blessing, however, since the local papers tended to characterize the regulatory changes as "deregulation," with dire consequences for taxi operators and riders. Many media reports expressed the positions of the multi-permitted operators as if they were those of the independents. These tactics produced lively coverage, but they tended to confuse the issues and to aggravate the affected parties.

4.2 Provisions of the Revised Regulatory Code (Compared with Former Code)

Table 4.1 provides a point-by-point comparison of the new City Paratransit Ordinance with the former code provisions covering taxicabs and jitneys. The following paragraphs discuss the changes wrought by the new ordinance. The salient features of the old code were discussed in Section 3.3.

4.2.1 Overview

The major changes in San Diego taxicab governance are the following:

- Issuance of a predetermined number of new taxi permits every month whereas previously the total number of permits was limited by a ceiling (already reached) based upon population.
- Issuance of taxicab permits to independent owner-operators, with a lower limit on the percentage of total permits to be held by such operators.
- Replacement of the previous system of issuing certificates of public convenience and necessity administered through the City Council, with a permit process administered through the City Manager's Office.
- Provision for fixed-route and shared ride services.
- Replacement of the standard rate of fare with a maximum rate established by Council resolution up to which operators may charge whatever they chose, and allowance for different rates for different types of services.
- Establishment of regulations governing the filing of taxicab, shared-ride and fixed-route rates of fare.
- Specification of an appeal process for recourse in case of denial, suspension or revocation of vehicle and driver permits.

Table 4.1
COMPARISON OF OLD AND REVISED PARATRANSIT CODES IN SAN DIEGO

<u>Issue Definitions</u>	<u>Not Included.</u>	<u>Old Code Provision</u>	<u>New Code Provision</u>
"Paratransit Vehicle"			Every vehicle, other than mass transit vehicles or vehicles involved in an organized car pool not available to the general public, which is operated for fare or compensation and used for the transportation of passengers over the public streets of the City, irrespective of whether such operations extend beyond the City limits. Such paratransit vehicles shall include taxicabs, vehicles for hire, jitney vehicles, non-emergency medical vehicles and sight-seeing vehicles. A paratransit vehicle may do business in the City of San Diego only under the authority of the Public Utilities Commission of the State of California or as specified in this Article. (Sec. 75.0101(a))
"Taxicab"	Every automobile or motor-propelled vehicle of a distinctive color or colors, and/or of public appearance such as is in common usage in this country for taxicabs, and/or operated at rates per mile, or for wait-time or for both, or for a compensation, and equipped with a taximeter, used for the transportation of passenger for hire over the public streets of the City and not over a defined route and irrespective of whether the operations extend beyond the boundary limits, and such vehicle is routed under the direction of passenger or passengers, or of persons hiring the same. (Sec. 71.0101(e))		Every vehicle other than a vehicle for hire, a jitney vehicle, a non-emergency medical vehicle or a sight-seeing vehicle which: (1) Transports passengers or parcels or both over the public streets of the City; and (2) Is available for hire on call or demand through "cruising," at taxi stands, by telephone or along a defined fixed route as authorized in the discretion of the City Manager. (Sec. 75.0101(c))
"Vehicle for Hire"	"Automobile for hire" is defined as every automobile or motor-propelled vehicle, other than a taxicab or sight-seeing vehicle, which is operated by its owner or an employee, agent or representative of the owner for any fare or consideration, and used for the transportation of passengers over the public streets of the City, irrespective of whether such operations extend beyond the City limits. (Sec. 71.0101(g))		Every vehicle which: (1) Transports passengers or parcels or both over the public streets of the City; (2) Is routed at the direction of the hiring passenger; (3) Is prearranged for hire but not made available through cruising; and (4) Is hired by a person for the benefit of himself or a specified group. (Sec. 75.0101(d))
"Jitney"	Not Included.		Every vehicle which: (1) Transports passengers or parcels or both over the public streets of the City; (2) Follows a fixed route of travel between specified points with the fare based on a per capita charge established in its permit in the discretion of the City Manager; and (3) Is made available to embarking passengers at specified locations along its route on a variable schedule. (Sec. 75.0101(e))
"Sight-Seeing Vehicle"	Every automobile or motor-propelled vehicle for the transportation of passengers over streets of this City, irrespective of whether such operations extend beyond the City limits, for showing points of interest and charging a fee or compensation therefor, regardless of whether any fee, compensation or consideration is paid to the driver either by the passenger or by the owner or the person who employs the driver or contracts with the driver or chartered the vehicle whether or not such driver receives any fee or compensation for his services as driver. (Sec. 71.0101(h))		Every vehicle which: (1) Transports passengers for purposes of showing points of interest over the public streets of the City; and (2) Charges a fee or compensation therefor regardless of whether any fee or compensation is paid to the driver, either by the passenger or by the owner or the person who employs the driver or contracts with the driver or chartered the vehicle, whether or not such driver receives any fee or compensation for his services as driver. (Sec. 75.0101(f))

<u>Issue Definitions</u>	<u>Old Code Provision</u>	<u>New Code Provision</u>
"Non-Emergency Medical Vehicle"	Not Included.	Every vehicle which transports physically and/or mentally disabled persons who require supervision and/or specialized transportation equipment and their attendants over the public streets of the City. (Sec. 75.0101(g))
"Taximeter"	Shall mean any mechanical instrument, appliance, device, or machine by which the charge for hire of a passenger-carrying vehicle is mechanically calculated, either for distance traveled or time consumed, or both, and upon said instrument, appliance, device or machine such charge is indicated by figures. (Sec. 71.0101(d))	Shall mean any instrument, appliance, device, or machine by which the charge for hire of a passenger-carrying vehicle is calculated, either for distance traveled or time consumed, or a combination of both, and upon which such charge is indicated by figures. (Sec. 75.0101(k))
"Certificate" or "Permit"	"Certificate" shall mean a certificate of public convenience and necessity. (Sec. 71.0101(t))	"Permit" shall mean the license under which a person, firm, partnership, association or corporation may operate a paratransit vehicle as a business. (Sec. 75.0101(m))
"Individual Owner-Driver"	Not Included.	"Individual Owner-Driver" shall mean a self-employed person, who engages in the business of operating a single taxicab as its owner and driver. The term includes all permit holders who hold no more than one such permit for one taxicab only. (Sec. 75.0101(o))
"Group Ride"	Not Included.	"Group Ride" shall mean shared use of a taxicab where a group of related passengers enter at the same point of origin and disembark at the same destination and pay a single fare for the trip. (Sec. 75.0101(u))
"Shared Ride"	Not Included.	"Shared Ride" shall mean non-exclusive use of a taxicab by two or more unrelated passengers, traveling between different points of origin and/or destination, and traveling in the same general direction. (Sec. 75.0101(v))
"Exclusive Ride"	Not Included.	"Exclusive Ride" shall mean exclusive use of a taxicab by one or more related passengers at a time. (Sec. 75.0101(w))
<u>Other Regulations</u> Taxicab Certificate OR Paratransit Permit Application and Issuance	Certificate required. Sworn application to Council on forms provided by Council, including information on owner, number of vehicles owned and in operation, number of vehicles for which certificate is desired, and make, type, year and seating capacity and taximeter type for each, proposed distinguishing color scheme or insignia, geographic area or time limits of service (if applicable), and other information as required by Council.	Permit required. Sworn application to City Manager on forms provided by and filed with City Clerk, including information on owner, number of vehicles owned and in operation, data to establish applicant's financial responsibility; number of vehicles for which permit is desired and make, type, year and seating capacity of each, proposed rates of fare, distinguishing color scheme or insignia, geographic or time limits (if applicable) and other information as required by the City Manager. A nonrefundable filing fee (\$100) is required.

Issue <u>Other Regulations (cont.)</u>	<u>Old Code Provision</u>	<u>New Code Provision</u>
Taxicab Certificate OR Paratransit Permit Application and Issuance (cont.)	City Manager was to investigate and report to Council on: the public demand for additional service; the adequacy of existing mass transportation and taxicab service; financial responsibility and experience of applicant; proposed equipment and color scheme; effect of additional taxi service on traffic congestion and parking; potential public hazard; other facts as required by Council.	City Manager is to investigate and report on: financial responsibility and experience of applicant; proposed equipment; other facts as necessary, at his own discretion.
Expiration of Certificates/Permits	Council was to determine by public hearing whether the public convenience and necessity required the additional service. Having so determined, Council issued certificates to those applicants whom it deemed entitled to them. Numbered medallion issued by City Managers for display in the taxi vehicle. Replacement via Police Department. (Sec. 75.0101,a-e)	City Manager determines the number of permits to be granted to applicant(s) and issued such permits subject to conditions as imposed by Council and upon payment of a regulatory fee (\$110) to be determined by the City Manager. Numbered medallion issued by City Managers for display in the taxi vehicle. Replacement via Police Department. (Sec. 75.0102 & 3)
Numerical Limitation on Permits	Not Included.	Such permits shall be issued for a period of one year and be renewable annually upon payment of a regulatory fee to be determined by the City Manager. (Sec. 75.0104(c))
Transfer of Permits	Not Included.	Determined by Council. (Sec. 75.0104(a))
Limited Certificates	Upon approval of Council, after investigation by City Manager and Manager's recommendation in writing to Council (Sec. 72.0101(h))	Upon approval of City Manager. Transferability of permits to be limited by policy of Council, established by resolution, concerning the minimum number of permits to be held by individual owner-drivers (currently 15%). Prior approval of City Manager required for transfer of majority interest where permit holder is a partnership or corporation. (Sec. 75.0105(a))
Suspension and Revocation of Permits	Issuable according to procedures specified above, with limitations in hours or geographic boundaries of service. (Sec. 72.0101(m)) Certificates may be suspended or revoked by the Council at any time in case: (1) The Council finds the owner's past record to be unsatisfactory. (2) The owner fails to operate the taxicab or taxicabs in accordance with the provisions of this section. (3) The owner shall cease to operate any taxicab for a period of thirty (30) consecutive days without having obtained permission for cessation of such operation from the Council. (4) The taxicab or taxicabs are operated at a rate of fare other than that approved by the Council and stated on the certificate and the rate card issued by the Council. (5) For any other reason which the Council may deem warrants suspension or revocation. (6) The certificate holder fails to begin operating the taxicab for which the certificate is first issued within ninety (90) days after the resolution is passed. (Sec. 72.0101(k))	Issuable according to procedures specified above, with limitations in hours or geographic boundaries of service. (Sec. 75.0107) Permits may be suspended or revoked by the City Manager. Causes the same (with conforming language) EXCEPT adds drivers' failure to act in accordance with regulations (Sec. 75.0109)

Issue	Old Code Provision	New Code Provision
Other Regulations (cont.)		
Permit (or Driver's) Identification Card Revocation Process	Not Included.	Upon the City Manager's finding that a permit holder or driver falls within the provisions for revocation or suspension, the permit holder or driver shall be notified that his/her permit has been revoked or suspended and the manner in which such action may be appealed. The permit holder or driver shall be notified each time a complaint against him/her has been filed, or the Chief of Police has noted an incident of noncompliance. The Chief of Police shall cause each complaint to be investigated. Upon the investigation and determination of three valid complaints and/or incidents of noncompliance, the permit holder or driver shall receive a Notice of Adverse Action and shall appear for an informal hearing before the Chief of Police. Following a Notice of Adverse Action, receipt of one additional valid complaint or incident of noncompliance with this section shall cause the permit to be revoked. (Sec. 75.0110) Written appeal must be filed with the City Manager within 10 days. The revocation or suspension is then stayed pending final determination. (Sec. 75.0112) City Manager assigns the appeal to a Hearing Officer, who shall schedule the hearing. Further and final appeal rights shall be available through the Council's Transportation and Land Use Committee. (Sec. 75.0113) Similar conditions but permits are to be surrendered to the City Manager. (Sec. 75.0111) Requires driver's I.D. card as issued by Sheriff. Prohibits employment of driver whose taxi operating privilege has been revoked. Permits drivers to drive for up to 4 different permit holders, but drivers must file a separate application for each employment with the Sheriff. (Sec. 75.0114) Specifies conditions for denial, suspension or revocation by the Chief of Police, including: (1) Any circumstance which would furnish grounds for initial denial or later suspension, revocation or refusal to renew. (2) Violation by the driver of any of the provisions of this Article. (3) Revocation or suspension of his/her State Driver's License. (4) Conviction of assault, battery, resisting arrest or any felony involving force and violence. (5) Conviction of crime involving moral turpitude that would require that a person register under Section 290 of the California Penal Code.
Right of Appeal Upon Denial, Suspension or Revocation of Permit or Driver's Identification Card	Not Included.	
Procedure Upon Appeal, as above	Not Included.	
Surrender of Permits	Suspended or revoked permits are to be surrendered to the City Clerk. Permits of retired taxicabs not replaced within 30 days are to be similarly surrendered. (Sec. 72.0101(e))	
Driver's Identification Cards	(a) No person shall drive or operate any taxicab unless such person has a taxicab driver's identification card issued by the Sheriff of the County of San Diego. (b) No person shall employ as a driver or operator any person who has not been issued a taxicab driver's identification card by the Sheriff of the County of San Diego. (Sec. 72.0107)	
Denial, Revocation or Suspension of Driver's Privilege to Operate a Taxicab	Not Included.	

<u>Issue</u>	<u>Old Code Provision</u>	<u>New Code Provision</u>
<p><u>Other Regulations (cont.)</u> Denial, Revocation or Suspension of Driver's Privilege to Operate a Taxicab (cont.)</p>	<p>Not Included.</p>	<p>(6) Conviction of driving under the influence of intoxicating liquors and/or narcotics while operating a paratransit vehicle. (7) Any person whose driving record shows a violation point count as specified in Sections 12810 and 12810.5 of the California Vehicle Code. For the purposes of this paragraph, a plea or verdict of guilty, a finding of guilty by a court, a plea of nolo contendere, or a forfeiture of bail is deemed a conviction. (Sec. 75.0114, a-h)</p>
<p>Rates of Fare</p>	<p>Council to establish rates by resolution after a hearing. Operators to petition for change in the rates. Meters required as approved by City Manager. Rates to be calculated by mileage and/or wait time. Meters subject to inspection by City Manager or Police at all time. Unlawful to display for hire indicator while cab is engaged. Owner identification information and rates to be displayed in passenger compartment. (Sec. 72.0102)</p>	<p>Rates to be set according to type of service. Council to establish a maximum rate by resolution after a hearing. Operators to petition for change in maximum rate. Each permit holder to file chosen rates for exclusive and shared ride service with the City Manager, and post rates on each side of taxi vehicle. Rate changes at operator's discretion; new rates must be filed. Taxi meters required with other stipulations: identical to former code provisions.</p>
<p>Equipment and Specifications</p>	<p>Taximeters to be initially inspected, tested, approved and sealed by State Department of Weights and Measures. Taxicabs to conform to color scheme approved by City Manager. Each cab to bear assigned I.D. number and to display medallion. Driver identification information to be displayed in vehicle. (Sec. 72.0103)</p>	<p>For shared ride service operator shall charge a zone fare no greater than Council-established maximum. For fixed route service operator shall charge per capita rate as filed with City Manager. Changes in fixed route rates to be filed 14 days in advance of effective change. Fixed route rates to be displayed on either side of cab. (Sec. 75.0202)</p> <p>Similar requirements, EXCEPT all taxicabs operating under permit certificates granted after October 31, 1976, shall be so equipped and operated that they may be dispatched by two-way radio communication in response to a telephone or other request for service by a prospective passenger. This requirement may be met by use of a radio telephone or a netted radio dispatch system. The radio dispatch capability must be provided so as to conform to the regulations of the Federal Communications Commission pertaining to Land Transportation Radio Service. Failure to conform to those regulations will additionally constitute a failure to meet the requirements of this section (Sec. 75.0203)</p>
<p>Operating Regulations</p>	<p>Drivers are required to take the most direct route, to give receipts on request, to obey police and firemen, and to carry a current City map. Drivers are prohibited to repeatedly cruise by places of assembly so as to obstruct traffic or to use an assistant to solicit passengers, to transport more passengers than the seating capacity of the vehicle, to refuse a fare except in the case of potential hazard, to park the cab on the same side of the street on which two cabs are stopped or within 100 feet of another cab, or to go further than 12 feet of the cab unless aiding passengers. The acceptance of additional passengers is subject to the consent of the first, and no additional charge is permitted unless the second passenger rides beyond the destination of the first. All disputes of fare shall be determined by the officer in charge of the nearest police station. (Sec. 72.0106)</p>	<p>Council is empowered to promulgate operating regulations by resolution. Other regulations are substantially the same. Fare refusal provision prohibits discrimination by race, sex, or handicap. Acceptance of additional passengers for shared riding is specified, with fares to be charged by zone as established by Council. Fixed route service on routes designated by the City Manager is allowed. (Sec. 75.0204)</p>

<u>Issue</u>	<u>Old Code Provision</u>	<u>New Code Provision</u>
<u>Other Regulations (cont.)</u>		
Stands	<p>Stands are established by Council resolution, designated for "Taxi Only," and in operation 24 hours a day. Cabs must use stands except when loading or unloading passengers, or between 10 pm and 6 am. Operators may petition for a change in location of taxi stands; fee for such petition to be \$50. (Sec. 72.0103 & 9)</p>	<p>Provision limiting taxicabs to use of cabstands except as specified is removed. Amount of fee to petition for change in cabstand location is "determined by the City Manager." All other provisions are the same. (Sec. 75.0205)</p>
Financial and Reporting Records	<p>Every person engaged in the business of operating any taxicab within the City of San Diego shall maintain financial records in accordance with good accounting practices, and maintain reporting records in a form and at intervals which shall be determined from time to time by the City Manager, to be made available to the City Manager upon demand at any reasonable time. (Sec. 72.0104)</p>	<p>Identical requirements (Sec. 75.0119)</p>
Inspection and Maintenance	<p>Initial inspection of equipment and taximeter by City Manager and subsequent inspection at discretion of Chief of Police. Repair, maintenance, cleaning of vehicles required. (Sec. 72.0105)</p>	<p>Identical requirements.</p>
Public Liability	<p>It shall be unlawful to operate a taxicab unless there shall be filed with the City of San Diego, a policy of insurance executed and delivered by a company authorized to carry on an insurance business in the State of California, the financial responsibility of which company shall have been approved by the City Manager, by the terms of which said insurance company assumes responsibility for injuries to persons or property caused by the operation of said vehicle in the minimum amounts set from time to time by resolution of the City Council. (Sec. 72.0110)</p>	<p>Minimum amounts of liability issuance coverage required are to be determined by the City Manager and filed with the City Clerk. A permit holder may obtain a certificate of self-insurance for a specified amount approved by Council pursuant to the applicable provisions of the California Vehicle Code. Otherwise, the provisions are the same. (Sec. 75.0118)</p>
<u>Jitney Regulations</u>		
Rates of Fare	<p>Jitneys included under automobiles for hire. Rates may be established on a per capita, per hour, per mile OR per event basis. Rates to be filed by operator on an annual basis, changes requested by operator shall be filed 14 days in advance of effect, all rates are to be filed with City Manager. (Sec. 72.0204)</p>	<p>Rates shall be established on a per capita basis. Other provisions identical. (Sec. 75.0601)</p>
Routes	<p>Not Included.</p>	<p>Application required in writing to City Manager describing proposed fixed route and fare to be charged. Upon Manager's approval, permit holder shall display a representation of the route, the fare and permit holder's trade name on the side of the vehicle. Changes in the route must be approved by the City Manager, similarly. (Sec. 75.0602)</p>

- Specification of the requirement that all taxicabs operating by virtue of permits issued after October 31, 1976 be equipped with two-way radio communication capability.
- Standardization of licensing fees, liability insurance requirements and reporting procedures for all paratransit vehicles.

Only some of these new regulations are achieved by specific provisions of the new Paratransit Ordinance itself. Many are effected by force of Council policy or resolution under Council's general authority to adopt or promulgate policy and regulations governing taxicabs. On December 19, 1978, the Council amended Council Policy 500-2 to allow for the issuance of additional taxicab certificates, including a minimum 15 percent to be allotted to individual owner-operators. The new Paratransit Ordinance does not stipulate removal of the statutory limit on the total number of taxi permits. On the contrary, it codifies Council's basic authority to establish such a limit. The current rate of issuing new permits - first six and now fifteen permits per month - was established by Council resolution under this authority in conformity with Policy 500-2. Similarly, although the new ordinance specifies that there shall be a maximum rate of fare and establishes the requirement of a variety of applicable fees, the amount of the maximum rate is to be established by Council resolution while the other fees are to be determined by the City Manager. On the other hand the radio dispatch capability requirement previously in effect by Council resolution has been included in the new ordinance.

The new Paratransit Ordinance is organized into Divisions 1 through 6. Provisions that apply to all categories of paratransit vehicles have been set out in Division One; these include application, issuance, transfer, surrender and revocation of paratransit vehicle operating permits; appeal procedure; driver's identification card; operating regulations; public liability regulations and financial record regulations. Provisions applicable to a particular category of vehicle are set out in Divisions 2 through 6. Division 2 contains those regulations that apply to taxicabs. Division 6 contains those which apply to jitney vehicles.

4.2.2 Definitions

The revised Paratransit Code specifies five separate categories of paratransit vehicles: taxicabs, vehicles for hire, sight-seeing vehicles, non-emergency medical vehicles and jitney vehicles. This categorization adds jitanes and non-emergency medical vehicles to the San Diego Code, and separates them from automobiles for hire, the section under which they had previously been regulated. As Section 3.3 of this report described, jitney services existed and had been licensed by the City prior to the 1979 regulatory changes. The chief difference with the new Code was the specific delineation of a jitney category. Also, under the new Code, City staff encouraged jitney service by describing potential jitney routes and clientele to potential service providers.

The new code broadens the taximeter category by removing the distinction, "mechanical," thereby allowing electronic or other meter types. Since it replaces the previous system of certification of public convenience and necessity with a permit process, it also defines taxi "permits" in lieu of "certificates." Finally, the new code also defines "individual owner-drivers" as a new operator type and "shared-ride" as distinct from "exclusive" or "group ride" as new regulatory categories.

4.2.3 Specific City Paratransit or Taxicab Regulations

4.2.3.1 Permit Application and Issuance. The new Paratransit Code converts the previous system of public convenience and necessity certification conducted by Council to a permit process administered by the City Manager. The primary change effected by this code revision is the omission of the public hearing from the required procedures for issuing new permits. The burden of proof to demonstrate the need for new taxi service had been on the applicant. This requirement is now also removed. Related changes include minor reductions in the amount of information required in the City Manager's investigation of the permit applicant and establishment of application and regulatory fees. Council retains its authority to determine the numerical limit on total taxicab permits. Council exercised this authority continually prior to the code changes, but it was not expressly included in the old ordinance. Permits limited to particular geographic areas of operation or emergency permits limited in duration are issuable both before and after the code changes; authority for their issuance is transferred from Council to the City Manager, as with ordinary permits.

4.2.3.2 Suspension and Revocation of Permits. The new ordinance similarly transfers authority for suspension and revocation of permits from the City Council to the City Manager. The conditions are identical with one exception: the revised code permits suspension or revocation of permits for failure of drivers as well as owners to act in accordance with City regulations. The new ordinance also establishes the process to be followed by the City Manager or Chief of Police in filing complaints against the permit holder or driver, pursuant to revocation of the permit or driver's identification card. The revised code stipulates the permit holder or driver's right of appeal and the procedure upon appeal of permit (or ID card) denial, suspension or revocation. Only the permit holder's right of appeal from denial, suspension or revocation of auto-for-hire permits had been specified in the former code. Except for the transfer of responsibility from the Council to the City Manager, the procedure for surrender of permits remains substantially unchanged.

4.2.3.3 Driver's Identification Card. The new ordinance expands the provisions governing the licensing of taxi drivers, providing, in addition to the Sheriff's identification card, for drivers' employment with up to four taxi operators, prohibiting re-employment of drivers whose cards have been revoked or suspended, and stipulating the conditions for suspension or revocation of the identification card or the driver's privilege to operate a taxicab in San Diego.

4.2.3.4 Taxicab Rates of Fare. The primary changes in the new provisions governing rates of fare include replacement of the standard rate of fare with a maximum rate and the various requirements providing for operators to file and charge separate rates up to that maximum. The new ordinance also allows for differential rates by type of service, including zone-based fares for shared ride service.

Provisions regulating the accuracy of taximeters are substantially unchanged, except for the addition of an inspection by the Chief of Police before a repaired and resealed meter may be returned to service.

4.2.3.5 Taxi Equipment and Specifications. The major change is the provision requiring two-way radio dispatch capability in all taxi vehicles. Excepted are taxicabs operating under certificates granted prior to October 31, 1976; according to City Paratransit office staff, less than fifteen cabs are included in this "grandfather clause."

4.2.3.6 Operating Regulations. The operating regulations contain three primary additions: acceptance of additional passengers for shared-riding is specified with zoned-based fares to be charged as established by Council; fixed-route service is included with routes to be approved by the City Manager; and Council reserves the right to promulgate additional operating regulations by resolution. The other provisions are substantially unchanged.

4.2.3.7 Other Provisions. The new ordinance effects no changes in the provisions governing inspection and maintenance or financial reporting records. Provisions governing cabstands omit the requirement for taxis to use stands and the amount of the fee to petition for a change in the location of stands. Public liability insurance requirements are broadened to permit self-insurance. Minimum amounts of insurance required are to be specified by the City Manager instead of Council.

4.2.3.8 Separate Jitney Regulations. Rates must be filed within thirty days of permit issuance and annually thereafter. Rates are limited to a per capita basis instead of per capita, per hour, per mile, or per event. Application for fixed routes must be made in writing; all routes must be approved by the City Manager. According to City Paratransit Office staff, fixed-route services may parallel established transit routes; vehicles of ten passenger capacity or more may also use transit bus stops. These latter provisions are established by resolution.

4.2.4 County Regulatory Revisions

As of January 1979, San Diego County also revised its taxicab regulations. The County changes are similar to those enacted in the City in two basic elements: the previous system of certification of public convenience and necessity has been changed to a permit process which continues to be administered by the Sheriff; and the standard rate of fare established by the Board of Supervisors has been removed. The

County changes offer a contrast to the revisions adopted by the City, however. In the first place, there was no previous statutory limit on the total number of issuable taxi certificates in the County, and the certification required no public hearing before the Board of Supervisors. The public convenience and necessity for additional services was established through a response time survey conducted by the Sheriff. This is no longer done. Demand for County certificates was traditionally low due to the lower demand for taxi service in the less-populated unincorporated areas. Second, the revised County Code permits operators to charge whatever they wish and imposes no rate ceiling. The only rate structure limitation imposed by the new Code is on the number of times operators may change their rates. Rates must be filed as in the City, but operators may file only two rates per year. The County Code revisions effect no changes in taxi regulatory and license fees. These continue at \$50 per company per year plus \$5 per cab for the first ten vehicles and \$2 per cab for each remaining vehicle.

4.3 Implementation of Changes

As the foregoing section reveals, implementation of the new City Paratransit Ordinance involves a variety of adjustments in regulatory responsibilities, procedures, and fees as well as in the taxi operational environment. Changes in each of these areas are discussed below. No transfer of authority from one jurisdiction to another or from one agency to another is effected by these regulatory revisions.

4.3.1 Changes in Regulatory Responsibilities

The major changes in authority effected by the City Code revisions are to transfer responsibilities for taxi permit issuance and transfer from the City Council to the City Manager's (Paratransit) Office; to remove the Council from frequent rate review and rate setting; and to establish an appeals procedure to be followed by operators and regulators in case of denial, suspension or revocation of permits and drivers' I.D. cards. The new division of responsibilities among regulatory authorities within the City of San Diego is shown below. The previous system of responsibilities was detailed in Section 3.2.

4.3.1.1 The City Council has entire, general authority to set policies and promulgate and/or adopt regulations governing taxicabs through the Municipal Code, by Council Resolution, or by Council Policy. This authority includes determination of the total number and rate of permits issued, transferability of permits, determination of the maximum rate of fare, decisions on appeal of denial, suspension or revocation of permits, location and designation of taxicab stands, and establishment of regulatory and related taxi/jitney fees.

4.3.1.2 The Paratransit Office (according to City staff, where the ordinance mentions the City Manager's Office, reference to the Paratransit Office is intended) reviews and grants applications for permits and transfer of permits, exercises authority for denial, suspension and revocation of operator and drivers permits, recommends application and regulatory fees and rates, maintains files on rates and rate changes and approves routes for fixed-route services.

4.3.1.3 The City Treasurer's Office accepts all fees required.

4.3.1.4 The City Clerk's Office maintains application for permit files and accepts filings for appeals on permit denial, suspension or revocation; these are then forwarded to the Paratransit Office. The City Clerk's Office also maintains files on Council actions.

4.3.1.5 The Police Department. The Chief of Police's Office has general enforcement authority over taxis and jitneys on the road. Thus it investigates complaints and incidents of non-compliance and maintains files on operators pursuant to a hearing after three Notices of Adverse Action, and suspension or revocation on the fourth. The Paratransit Unit inspects taxicabs before they go on the road, as well as periodically thereafter, and approves new permittees' color schemes and insignia. In practice, the Police Department and the Paratransit Office currently share in responsibility for suspension/revocation of permits, and both authorities contribute evidence and/or recommendations to the formal hearing. Paratransit Office recommendations override those of the Police Department in cases of official dispute.

4.3.1.6 The County Sheriff's Department issues taxi drivers' I.D. cards, which the City requires and maintains driver fingerprint records and information on which companies a driver is driving for. The California State Department of Weights and Measures inspects and seals the taximeter prior to the cab's initially going into service on the road. The Federal Communications Commission has authority over main station radio dispatching services and individual radio operator licenses and frequencies.

4.3.2 Changes in Administrative Procedures and Fees

The issuance of new permits at a predetermined rate per month removes Council from the frequent periodic evaluation of local taxicab service levels which was necessary under the previous public convenience and necessity certification requirement. A public hearing is no longer required. When an applicant's name comes to the top of the current applicants' list, he or she is considered for approval of a permit. If the applicant requests more than one permit, they are considered for another permit in five months (and so on until their full permit request is taken care of). Council still authorizes the issuance of the permits and sets the rate of permit issuance. The Paratransit Office issues the permits.

The new regulatory provisions also remove Council from the necessity of frequent rate review and rate setting by substituting a Council-determined maximum rate of fare for exclusive and group ride service. Changes in this maximum are effected by Council resolution after a duly noticed and open public hearing and on the basis of recommendations from the City Manager's (Paratransit) Office staff. It still rests with the operators to petition for a change in the maximum rate of fare. The new ordinance also provides for Council resolution to establish

maximum zone fare rates for shared ride service. No maximum is imposed for fixed route services; these are to be charged on a per capita basis in accordance with the rates the operator has filed for the service with the City Manager's (Paratransit) Office.

The new ordinance also revises the procedures for denial, suspension and revocation of licenses and establishes procedures for denial, suspension and revocation of driver identification cards to be followed in the case of appeal of such actions. Authority for denial, suspension and revocation of permits is transferred from the Council to the City Manager; authority for denial, suspension and revocation of driver identification cards is vested in the City Manager's Office. Accordingly permits or I.D. cards revoked or suspended are to be surrendered to the City Manager instead of to the City Clerk. Appeal from denial, suspension or revocation of permits or identification cards is to be filed with the City Manager by the permit holder or driver. The City Manager then refers the appeal to a Hearing Officer for hearing. Subsequent and final appeal may be made to the Council's Transportation and Land Use Committee.

The new Paratransit Ordinance establishes requirements for the following taxi-related fees: Non-refundable filing fee (currently \$100) an annual regulatory fee (currently \$110, regardless of vehicle type or capacity); a fee in advance of petitions filed to achieve a change in the number or location of taxicab stands (currently \$50). Determination of the amounts of these fees rests with the City Manager. In addition, there is a \$25 plus \$2 per employee annual business license tax. No fees are stipulated in conjunction with petitions filed to change the maximum rate of fare, the operator's individual rate (or route in the case of fixed-route services), or for petitions on appeal.

The amount of the regulatory fee represents a significant revision over the previous annual fees which were levied according to vehicle type and capacity, as shown in Table 4.2. The new fee serves to equalize City charges for all paratransit vehicles, and to establish an annual regulatory fee distinct from the application fee or annual business license fee. The \$110 annual regulatory fee currently imposed covers approximately half of the cost of regulating the paratransit vehicle, according to City Paratransit Office sources; this reduced fee is intended to offer an incentive to new operators.

Table 4.2
PREVICUS ANNUAL PARATRANSIT VEHICLE FEES

<u>Vehicle Type</u>	<u>Amount</u>	<u>Conditions</u>
Taxicab	\$200.00	
Automobile-for-Hire	50.00	
Sight-seeing Vehicle	200.00	
	plus 50.00	for vehicles with seating capacity of 20 or less
	OR	
	plus 90.00	for vehicles with seating capacity greater than 20

Source: City Manager's Report to Major and Council, October 20, 1978.

4.3.3 Changes in the Taxi Operational Environment

4.3.3.1 Early Changes in Industry Size

The major change in the taxi operational environment brought about by the regulatory revisions is the rapid increase in the total number of taxi operators, with the large majority of the new entrants being individual owner-drivers. By May 1980, 195 new permits had been approved, the majority to independents; 144 of these permittees have had their vehicles inspected and gone on the road. Without accounting for a small number of transfers, there has been a 35 percent increase in San Diego taxicabs during the foregoing 17 months. This increase has been felt primarily in the growing numbers of operators seeking business at the airport and in street hail business areawide. Airport problems are discussed more fully in Section 4.3.5 below. These and other resultant difficulties will be monitored in subsequent evaluation reports.

4.3.3.2 Changes in Operating Practice

Coast Cab, the newest of San Diego's multi-permitted firms, was formed after the 1979 Code changes. It provides a useful example of operational changes since regulatory revisions. Originally established as a collective of independent owner-operators and apparently existing within the ranks of CO-OP (see Associations) for one to two years, Coast was re-organized as a corporation on October 31, 1979. As a corporation, Coast Cab has a highly-developed organization, within which its nine owners share not only radio dispatching but all of the other functions associated with running a taxicab fleet, including advertising, insurance, meter installation, auto maintenance, and purchasing. The company recently obtained an unused service station property on monthly rental, to provide for shared maintenance and wholesale gasoline purchase and storage in the near future. In addition to the owners, who each hold

twenty-five shares in the corporation and who each drive and take shifts as dispatcher, the company leases shifts to other drivers at \$25 for twelve hours. There are ten to twelve leasee-drivers, half of whom are women.

The corporation holds thirteen San Diego licenses and four County licenses to operate in the under-served eastern portion of the County (as East County Cab). Following the La Jolla Cab model, Coast has targetted the Ocean Beach-Point Loma-Mission Bay areas of the City as its primary market. Coast Cab holds only three airport stickers. It is attempting to stake out a limited market area, and focusing its efforts on building its name recognition. Thus, all of Coast Cab's drivers, although they lease their shifts, are required to follow dispatcher instructions and respond promptly to bells. Management devotes considerable time and resources to advertising, including a quarter-page telephone directory ad and promotional gimmicks such as calendars, phone cradles, and the like. Coast encourages personals and some time calls. (This approach appears to be working: business is about 70 percent bell and about 50 percent is repeaters. A good day, according to drivers, consists of twelve or thirteen trips booked, with \$80-90 in revenue, plus tips, yielding about \$60 clear.)

Coast has been the first company to express its interest in providing shared-ride services. It purchased a shared-ride vehicle recently and embarked on a publicity campaign with the City's help. It hopes to have its shared-ride operation under way by June 1980. La Jolla and Red Cab have also expressed an interest in this type of services, owing to rising gasoline costs and increased competition. During interview, La Jolla's manager stated that the firm attempted to initiate shared-riding between higher demand trip ends (such as to and from the airport or hotels). The chief obstacle appeared to be La Jolla's own high-income clientele which prefers not to sacrifice privacy or convenience in exchange for a cost savings on the overall trip. Dispatchers meet initial reluctance to share a cab when they attempt to pair callers over the telephone. And passengers reportedly object to even minor deviations from the shortest or straight-line route.

Indications are that the independents are only just beginning to perceive the extreme limitations of the airport market under high competition conditions. This market has contracted dramatically since the Port's moratorium on ground transportation permits was imposed (see Section 4.3.5). On the other hand, the traditional model of the high-class taxi operation -- along with the limitations of size and lack of cooperative effort -- continues to militate against the independents developing much interest in alternative services such as shared-riding or package delivery. Operators cite their inability to provide contract services on a 24-hour a day, seven days a week basis with a single taxicab, but this argument reveals that few have considered these kinds of services as a full-time alternative to conventional exclusive ride service. Another problem is the perceived lack of public demand -- and tips -- connected with such services.

ICOA conditions illustrate some of the factors working against increased co-operation among independents. Association leaders are thinking about developing the group and its membership, especially as CO-OP is not currently taking new members and ICOA's radio-subscription rates are lower than CO-OP's. In addition, although ICOA originally objected to the regimentation of CO-OP, more recent attitudes appear to suggest consolidation, including adoption of a unifying ICOA color scheme, logo and rates, as the smartest response to de-regulation. Greater organization is not likely to come easily however. Members' individual dependence and interest in cooperation vary greatly. For example, one of ICOA's members is ESM Corporation, which has reportedly been buying medallions from new independents, but keeping the vehicles within ICOA, as well as in the CO-OP. Clearly, this kind of loose organization of independent businesses militates against further consolidation of interest and goals.

4.3.4 Public Information Programs

Staff of the City Paratransit Office have attempted to make presentations to civic, community and interest groups to describe the new taxicab, shared-ride and fixed-route services provided by the regulatory revisions. The City attempts to support operators in their efforts to provide innovative services by printing publicity materials for them. Committee meetings and workshops with taxi operators, interested citizens and Council persons have also been initiated to provide for dissemination of information on the new procedures and gathering of feedback from the affected parties.

The Paratransit Office also maintains continuing communication with individual and multi-permitted operators on a formal and informal basis. These efforts became laborious, as operator addresses became outdated frequently. Also many local operators are on the road during ordinary business hours. These efforts also are hampered in scope and effectiveness by limitations in staff time and other resources. The City's total budget for publicity connected with the code changes and desired service innovations was less than \$1,000. The various issues relating to the regulatory revisions have been covered in the press, but these reports tend to be somewhat sensationalized and occasionally inaccurate.

Our interviews with taxi operators disclosed three areas where concentrated public and operator information efforts might substantially improve the implementation process and ease the period of transition. First was the initial operator and clientele reluctance to engage in shared riding. Operators contended that their passengers would not sacrifice privacy and convenience for a fare savings. Moreover, the shared ride zone matrix is a complicated tool to apply to administration in a taxicab without considerable familiarity among operators and riders

with its use. These contacts also conceded, however, that they were reserving judgment -- and their major efforts at shared ride service -- until the City's shared-ride publicity campaign was underway. Many operators also seemed generally unfamiliar with the concept of shared riding, fixed route or contract services, the very innovations City staff stated they hoped to promote. These operators generally relied upon an old and rather limited model of taxicab service as the pattern to which they sought to fashion their operations.

The operator interviews disclosed that there is indeed a good deal of confusion resulting from the various rates of fare currently being charged. Some operators contended -- and probably correctly -- that passengers could not always sufficiently distinguish the drop and mileage charges to choose the lowest fare. Some of these operators sought to maintain a low drop charge and a higher mileage rate because they had found themselves to be competitive among the public with operators charging a higher drop and lower mileage rate. (Obviously, this relationship can only exist over the long term for passengers making short or rather infrequent trips. Since a large proportion of taxi users are visitors however, this condition may persist.)

Third, our conversations with regulators, law enforcement personnel and taxi operators disclosed that suspicion and distrust of one another tended to influence these individuals' actions apart from the regulations themselves. It appears that more concentrated efforts at dialogue along with added resources to provide for public and operator information programs are required. Specific efforts could include workshops in fundamental business practices, including market identification, analysis of costs and revenues, and operation of alternative types of services. Operators familiar with diversified taxi operations, regulatory changes and innovations in other areas might be brought in to lend their expertise to these gatherings, or be available on call to provide advice to incoming operators. Organization of resources to share functions such as vehicles maintenance, dispatching, book-keeping or insurance might be discussed.

In addition, the public needs to be apprised of both the objectives of the regulatory revisions and the benefits they can realize by patronizing the new services. The airport provides a case in point: until very recently, when the City arranged to post a sign notifying incoming passengers that competitive pricing was in effect, the majority of passengers arriving at the San Diego terminals likely had no notion that a range of taxi prices was available to them in the airport queue. Those who do attempt to select the cheapest cab will still be constrained by the "first in, first out" queue system to take the front cab regardless of price.

4.3.5 Complaints and Problem Areas

City Police Department staff report no dramatic changes in the kinds of complaints brought against taxi operators and drivers with the implementation of the Code changes. Police spokesman report that the number of complaints has increased, but this could be an effect of more cabs on the street as well as of the general areawide focus on taxicabs in recent months. Most complaints are for fare refusals for short trips, chiefly at the airport, although this is the most common complaint presented to City Police as well. Next in order are actual crimes, such as robbery or rape, perpetrated by drivers. Last are paratransit code violations such as circuitous rides, illegal surcharges and violations of the exclusive ride contract. Frequently complaints result when passengers who are unaware of competitive pricing take an expensive ride or two before discovering a lower-priced operator.

The procedures for accepting and investigating complaints are unchanged by the new Paratransit Ordinance. In order for the Police to accept the complaint, the passenger must provide the offending driver's name or I.D. number and evidence to substantiate the alleged violation. A significant proportion of complaints are never substantiated because passengers do not record or remember the necessary information. In addition, investigation of complaints and prosecution of offenders requires that the complaints be available to testify at a Court hearing. Since a large proportion of all taxi users are visitors to San Diego and many are in the area for only a limited period of time, they are generally unavailable to testify if and when the investigation reaches court. As a result of these factors, only about 50 percent of all complaints are followed through to the addition of a Notice of Admonition in the driver or operator's file. (Three Notices of Admonition/Adverse Action put the operator on formal notice that suspension or revocation of the permit will follow on a fourth). In addition to complaints, violations are occasionally spotted by City police patrols. Paratransit office staff are also working with the San Diego Convention and Visitors Bureau (ConVis) to establish an additional recourse and repository for visitor complaints. These are then forwarded to the City Police. ConVis personnel can help to educate visitors to the competitive pricing system and alternative taxicab services available in San Diego.

4.3.5.1 Airport Taxi Conditions

The major problem resulting from open entry during the implementation phase was the large numbers of new owner-operators seeking to do business at the airport. Enforcement and licensing of airport taxi operations is under the jurisdiction of the Harbor Police. Although the airport requires its own ground transportation permit or sticker in addition to the City taxi permit, its fees have traditionally been low (\$25 since 1968) and city-licensed cabs' ability to obtain an airport sticker more or less automatic. Increasing numbers of city operators therefore have meant increasing numbers of airport operators.

The increased taxi competition at the airport caused a variety of problems for the Harbor Police. The taxi queues were usually full, necessitating some extra effort at taxi traffic regulation to move cabs up from the back-up queue, to refuse overflow cabs and to prevent these cabs from cruising. Maintaining smooth first-in, first-out operation of the taxi queues was a major problem. It reportedly takes 45 to 90 minutes to get from the back to the front of the queue during peak travel periods. Backloading, or failing to transit the queue, soliciting from back positions in the queue, short haul refusals and altercations between drivers all reportedly resulted from the increasing numbers of airport taxis. These problems were exacerbated at the curbside by the new competitive pricing conditions as operators attempted to solicit passengers or passengers to choose the cheapest available cab.

The airport's first in, first out queue policy also tends to counter the City's objectives for implementing competitive pricing in the first place. Even if passengers are cognizant of the variable rates, they still have to fight the queue system to select a cab. Passengers choosing cabs farther down in the queue are required to wait until the cabs in front are full. This not only inconveniences the informed passenger, but also tends to remove the incentive for airport operators to charge competitive rates.

The City has advocated establishment of an airport taxi holding area and employment of full-time starters to call cabs from this area at passengers' request. If the passenger specifies a given taxi or rate, then the starter would relay the full request to the holding area. Otherwise cabs would be called up in order of their arrival at the holding area. Port officials estimate that employment of four full-time starters (one starter at each of two terminals for two eight-hour shifts per day) will cost \$125,000. This is nearly sixteen times the \$7,000-8,000 the Port currently receives annually in revenues from taxi permit fees, raising the question of how to make up the difference. (The Port is considering raising its ground transportation permit fee as one approach.)

On the other hand, the Port expresses itself as committed to the first in, first out queue system as well as to industrywide use of a standard rate of fare. It is so committed to the queue method of taxi operation that it originally advocated placement of a "berm" or barrier which would physically separate the queue from the traffic lanes and prohibit queue egress except from the front. This idea was abandoned because it became obvious that a disabled vehicle could obstruct the entire queue under such circumstances. Although the Port is considering the City's starter idea, it still seeks to retain the queue and rejects the notion of a holding area. Port administrators also reject competitive pricing as creating a bazaar atmosphere in front of the terminals.

The solutions suggested to these problems reveal the conflicting City and Port points of view toward taxi regulation and the difficulties of coordination between the two. The City and the Port apparently did not cooperate in advance planning efforts for the new regulations. The Port District also evidently chose not to comment upon the proposed code revisions at the public hearings called to discuss the changes. Yet the revisions affect operations under both jurisdictions and leave these authorities in the position of having to negotiate compromise solutions after the fact.

4.3.5.2 Temporary Moratorium on Airport Permits

The major focus of the Port's efforts in the face of its airport taxi problems has been to restrict the numbers of airport operators. Raising the permit fee is one approach to this objective. The Port also considered imposing a statutory limit on the number of ground transportation permits and holding a lottery to apportion them among the current permit holders. The Port attorney decided that permanently restricting the numbers of airport taxis may exceed the Port's authority. In July 1980, the San Diego Mayor appointed a Task Force composed of City Council and Port Commission members to discuss and resolve airport taxi problems. The Task Force's recommendations are expected by September 1980. In the meantime, the Port has placed a moratorium on new permit issuance which has been extended to allow time for these discussions to go forward and to permit other alternatives to be studied.



5.0 RATE CHANGES SINCE REGULATORY REVISIONS

The following paragraphs report briefly on the rates which have been filed by existing and entering City and County operators during the first year of competitive pricing.

5.1 City of San Diego

Numerous rate changes have been filed by City taxi permit holders since competitive pricing went into effect August 1, 1979. These are summarized by operator type and quarter in Table 5.1 and detailed in Appendix B. Rates have varied from a low of \$0.80 drop plus \$0.70 per mile (\$0.70 fixed) -- the pre-revisions rate -- to the maximum allowable rate of \$1.50 drop and \$1.50 per mile. The average four mile trip, thus, could have varied from \$3.50 to \$7.35 in price. Numerous operators have filed more than one rate during this first year of competitive pricing; only a few have filed three different rates.

It should be noted that the Paratransit Office has no formal means of enforcing its rate filing requirement and the rate filing information is somewhat incomplete in consequence. Some of the existing operators failed to file their rates by August 1, 1979; a few of these including at least two of the fleets were evidently continuing to charge the pre-revisions standard rate. Some entering operators evidently filed rates considerably after commencing operations. Also, operators could, in violation of the Paratransit Code, charge rates other than those they show on file. There is no way other than spot checks, accidental discovery or personal knowledge for City staff to uncover such violations. Finally, some licensees who are shown as active permit holders on the City records have not filed rates. It must be assumed that these operators have not commenced operations or have folded without the City's knowledge, or that they are operating in violation of the rate filing requirement.

It should also be noted that rate changing involves non-negligible expense and some risk: operators interviewed reported costs of from \$64 to \$79 per cab to change the meter and replace the decal showing their rate on the exterior of the vehicle. Operators also reported that it can take three to six months for ridership to return to its previous level after a rate increase. During the interim the operator seeks to compensate for the loss of ridership through the increased revenue per trip and the decreased mileage costs while fewer trips are taken.

Table 5.1 illustrates two major points: first San Diego taxi-cab rates have been rising; second, the distribution of rates by operator type has altered. During the first six months of competitive pricing the fleet operators generally charged lower rates (median rate of \$1.20 drop plus \$0.80 per mile) than the independents (median rate of \$1.00 drop plus \$1.00 per mile). By the first quarter of 1980, however, six of

Table 5.1
SUMMARY OF RATES FILED BY CITY OPERATORS BY QUARTER DURING THE FIRST YEAR OF COMPETITIVE PRICING:
August, 1979 through July, 1980

Operators by Type Multi-Permits ^b	Typical Rates ^a								TOTAL OPERATORS
	1.00 drop +0.80/mi.	1.20 drop +0.80/mi.	Other Rates	1.00 drop +1.00/mi.	Other Rates	1.20 drop +1.00/mi.	Other Rates	1.20 drop +1.20/mi.	
7-31 thru 9-24-79	2 - 20%	5 - 50%	1 - 10%	1 - 10%	--	1 - 10%	--	--	10 ^b
9-25 thru 12-31-79	2 - 20%	3 - 30%	1 - 10%	1 - 10%	--	3 - 30%	--	--	10 ^b
1-1 thru 3-31-80	2 - 20%	1 - 10%	1 - 10%	--	--	6 - 60%	--	--	10 ^b
4-1 thru 7-30-80	2 - 20%	1 - 10%	--	1 - 10%	--	6 - 60%	--	--	10 ^b
<u>Independents</u>									
7-31 thru 9-30-79	--	12 - 19%	4 - 6%	31 - 49%	3 - 5%	11 - 17%	--	1 - 2%	63
10-1 thru 12-31-79	--	6 - 7%	7 - 8%	44 - 48%	4 - 4%	21 - 23%	--	4 - 4%	91
1-1 thru 3-31-80	--	4 - 4%	6 - 5%	45 - 41%	3 - 3%	26 - 24%	2 - 2%	17 - 15%	110
4-1 thru 7-30-80	--	3 - 3%	1 - 1%	40 - 37%	4 - 4%	28 - 26%	3 - 3%	22 - 20%	108 ^c

Information derived from City Paratransit Office files

^aFor ease of stratification and comparison, the mileage increment and hence the fixed charge (drop charge excluding mileage) have been omitted from these breakdowns.

^bDiamond Cab Co. is a multi-permitted County firm which held a single City permit. It is included among multi-permits in this table. Coast Cab rates were originally filed under various independent names; these have been consolidated in this table.

^cNine operators are identified by the Paratransit office as having been in business sometime during the period 8-1-79 through 4-30-80 but no longer in operation after 4-30-80. These are excluded from the last quarter on this table.

the ten fleet operators had increased their rates to \$1.20 drop plus \$1.00 per mile. The median rate among independents briefly remained almost negligibly lower before rising to meet that of the fleets by the next quarter. Thus the median rate is now the same for both operator types. The median price of the average four mile trip has risen from \$4.20 to \$5.00 among fleet operators, and from \$4.80 to \$5.00 among independents.

On the other hand, a noticeable proportion of independents (over 25 percent by the third and nearly 30 percent by the fourth quarter of this first year) charged higher rates than any of the fleets. And, while two of the fleets (20 percent) still have not filed to change from the lowest filed rate of \$1.00 drop plus \$0.80 per mile, none of the independents ever even filed this rate.

It is impossible with present information to assess the average frequency of rate changes by operator type. New independent operators have continually entered the San Diego industry throughout the year while only one new fleet operator had emerged by this writing.

5.2 San Diego County

San Diego County adopted its new fare regulations in December 1978, effective the following January. The new code removes the standard rate of fare, requiring only that operators file their rates and limiting rate changes to one per six months. Although there was some rate change activity during 1979, most County operators continued to charge the pre-revisions rate of \$.80 drop plus \$.70 per mile. The range of actual fares for a four-mile trip was the same as among City operators during the same period. Most of the changes filed were filed by new entrants to the industry; only one rate change was filed per operator. Although majorities of all operator groups continued to charge the old, lower rate, nearly half the independents experimented with higher rates, similar to the pattern among City operators. This information is summarized below.

Table 5.2
SUMMARY OF RATE CHANGES FILED BY COUNTY OPERATORS, 1979

	<u>.80 drop .70/mile</u>	<u>.90 drop 190/mile</u>	<u>.80 drop 1.00/mile</u>	<u>1.00 drop 1.00/mile</u>	<u>1.20 drop 1.20/mile</u>	<u>1.50 drop 1.50/Mile</u>
Larger Multi-Certificates	10	1	-	1	-	-
Small Multi-Certificates	4	-	-	-	1	-
Independents	6	-	1	2	-	1



PAGE 97 IS MISSING / BLANK IN THE MASTER COPY

6.3 Genesis and Objectives of the Changes

Administrative and legislative pronouncements indicate that the City had pondered implementing taxi regulatory changes for more than a decade prior to the recent revisions. Moreover, from the point of view of local regulators, City administrative staff and some operators and drivers, these changes were in response to pre-existing local conditions. Although some operators argued that the San Diego taxi industry could not support additional entrants, a waiting list of over 230 applicants had sought to obtain new permits for many months prior to open entry. Over thirty of these applicants were present permit holders. The population-based ceiling on permits had been exceeded. The sixty-two independent operators who had been licensed following the 1976 Yellow Cab drivers strike were apparently doing well. Moreover, new applicants (including approximately 25 percent existing permit holders) have continued to file for permits at the rate of two or three per week since open entry. And the overwhelming majority of the new permittees have so far begun operations rather than transfer or decline the permit. No slackening of operator interest in obtaining additional permits had appeared by this writing, although subsequent evaluation monitoring efforts will seek to identify when and if this occurs.

Council had approved taxi rate increases on an average of once every two years since 1956. The perils of evaluating industry requests for rate increases had been dramatically evidenced by the 1969 Council bribery scandal following a 1967 increase. Substitution of a maximum rate for the standard rate of fare sought not only to reduce the frequency of Council's involvement in rate changes, but also to permit rates to be directly influenced by competition. Although early in the discussion phase some of the original independents maintained that they could make a profit at the pre-1977 rate, the operators generally favored this aspect of the regulatory changes. The multi-permitted operators had been arguing the need for a rate increase in any case. Establishment of a maximum rate thus appeared to serve the objectives of operators and regulators alike. Early rate changes since competitive pricing have included an increase in the median price of a four-mile trip from \$4.20 to \$5.00. Rate changes will be carefully monitored over the coming months.

Finally, the new regulations seek to encourage service improvements citywide by increasing the number of suppliers and providing for service alternatives to increase vehicle productivity and develop new markets. In addition to visitors and other recreation trip makers, the elderly and those with physical disabilities, military personnel stationed at the area's nine major installations represent a prime taxi sub-market in San Diego, constituting a full third of local taxi ridership in 1978. The evaluation's focus on changes in taxi operating practices will include talking with operators about their development of different sub-markets. New market segmentation will become increasingly important as existing markets reach saturation.

6.4 Transferable Features of the Implementation Process

It should be emphasized that the regulatory changes were achieved relatively smoothly in San Diego. Periodic meetings among City staff and operators aided formulation of the new regulations. Potential problems during the implementation phase were mitigated by staff efforts to notify all operators of changes in the requirements and to accommodate them by relaxing deadlines for securing compliance. The City also provided substantial assistance to operators in providing new services by printing promotional materials and undertaking public information programs. The change in the rate of new permit issuance (from 6 to 15 permits per month) was based on actual staff estimates of how many permits they could process each month.

Establishment of the maximum rate was delayed until August 1 to allow Council's Transportation and Land Use Committee additional time to consider pricing policy alternatives. Inter-jurisdictional problems were minimized by virtue of the long-standing spirit of cooperation regarding taxi regulations between the County and the municipalities. The County had enacted changes similar to the City's regulatory revisions in roughly the same time frame; several other municipalities in the region are currently reported to be following the City's lead. (Problems at the airport are discussed below.)

A large measure of the City's success in achieving the regulatory changes can be attributed to having able staff in place who were sensitive to both the City's goals and the industry's needs. Severe problems, such as price gouging, deteriorated service and outright violence among drivers which had been predicted to occur as a result of the regulatory changes have not materialized to date.

Even so, other localities should note that the revision process tends to take a considerable amount of time. City study of taxi regulations and service levels in San Diego with the objective of modifying regulatory and administrative procedures for issuing permits and achieving uniform service standards had commenced a full decade prior to formulation of the 1979 Paratransit Ordinance. City staff and local operators witnessed a wide range of alternative regulatory proposals during the interim.

Achieving passage and implementation of the revised ordinance required intensive City involvement, with key staff having to devote themselves more or less exclusively to planning, discussing and revising the proposed changes. Council and committee meetings and public hearings occasionally produced unexpected delays in major steps in the process. Operator information could prove laborious -- especially where large numbers of small firms or independents are involved. Public information needs appeared to exceed City resources.

6.4.2 More Problematic Aspects of the Implementation Process

The following problems which have resulted during implementation of the regulatory changes in San Diego are highlighted not to reflect upon the local regulators and industry but to apprise other localities of the kinds of difficulties which may arise.

6.4.2.1 Shared-Riding

A good deal of City staff effort went into devising a zone-based fare system for shared riding, but operators implementation of the service has been delayed. Some of the operators we spoke with said that the City's zone matrix is too cumbersome for easy administration under road conditions. These operators also apparently anticipate a wide-scale City-sponsored public information program to elicit interest in shared ride service, which they feared would meet with ridership resistance. The City has offered to print publicity materials in order to get the first shared-ride operation underway. The progress of shared riding in San Diego is an area warranting special attention during the coming months.

6.4.2.2 Airport Problems

Another problem which emerged during the early phase of the regulatory changes resulted from the growing number of operators and differing Port and City administrative views toward taxi operations at the airport. Increased taxi competition caused a variety of problems for the Harbor Police, especially in maintaining smooth operation of the taxi queue. Ordinary backloading and short-haul refusal problems are exacerbated by competitive pricing as operators attempt to solicit passengers and passengers to choose the cheapest available cab. On the other hand, the first in, first out queue policy counters the City's objectives for implementing competitive pricing in the first place. The City has advocated a taxi holding area with full-time starters to call up cabs at passengers' request. The Port points out that this is an expensive solution and asks who will pay for it. Constructive Port-City negotiation on these issues prior to implementation of the regulatory revisions were apparently impeded by political motivations. Yet the revisions affect both jurisdictions and leave these administrations in the position of having to devise compromise solutions after the fact. In the meantime, the Port has improved a temporary moratorium on new ground transportation permits. Airport taxi operations and their effects on areawide service represent major issues for continued evaluation and consideration by other localities.

6.4.2.3 Influence of Local Media

Taxi issues have achieved high visibility in San Diego, especially since the 1969 scandal. Continued allegations of discriminatory taxi service practices toward the predominantly black residential

area of the City known as Southeast have been publicized since the 1960's as well. Thus, the taxi regulatory revisions received extensive press and media coverage and the regulatory change process took place in the public eye. This publicity has been a mixed blessing, however, since the local papers have tended to characterize the regulatory changes as "deregulation," with negative consequences for taxi operators and riders. Many media reports express the positions of the multi-certificated operators as if they were those of the independents. These tactics produce lively coverage, but they also tend to confuse the issues and to aggravate the affected parties. Jurisdictions considering regulatory changes should therefore also consider the potential effect of the media in their own areas.

6.4.2.4 Communication

The regulatory revisions served to point up differences of opinion among the major groups concerned with taxi issues: regulators, operators, and the public. Although none of these groups really speaks with a single voice, the discussion and media coverage of events and issues surrounding the regulatory changes tended to polarize their points of view. Suspicion and distrust of one another also appeared to influence the positions taken by operators and regulators, apart from the regulatory changes themselves. Some of these attitudes were manifest prior to the changes. Memories of the 1969 scandal soured some of the Councilors on City regulation of taxicabs. For these regulators, the less regulatory responsibility Council had, the better. Regulation was even seen to have played into the hands of a self-serving industry by inhibiting competition. From another point of view, regulations designed to protect consumers had apparently failed. Continued allegations of discriminatory service practices indicated a need for positive change.

City administrative staff tended to focus on the new regulations' potential for inducing service innovations. These individuals felt frustrated at what they saw as the hide-bound and unimaginative approaches adopted by, for example, the Port, and many of the operators. A good number of the operators, assessing the new regulations in terms of their long experience in the local industry, viewed these notions of innovation with amused skepticism. Other portrayed the regulators as dangerously ignorant of the taxicab business. Owner-operators particularly, having worked long and hard to achieve their independent status, resented the continued imposition of officials and regulations -- especially as a result of what they (mis)understood to be "deregulation."

Except for the allegations of discriminatory service to black neighborhoods, the public remained generally quiet about taxi issues. According to the local press, the man on the street adopted a "what can you do" attitude. But researches show that the public also suffers from misinformation about the new regulations. Our conversations with local operators revealed that the public has difficulty discriminating between drop and mileage charges to identify the cheapest rate under variable



pricing. Moreover, many taxi patrons, being visitors, are unaware that competitive pricing exists in San Diego, while few taxi users are familiar with shared riding. It is doubtful therefore that the public appreciates the potential benefits of the new regulations in terms of service improvements or knows how to respond to them.

These communication difficulties not only posed problems throughout the regulatory change process, but continue to represent obstacles to the development of service innovations. Other localities planning to consider changes to their own taxi regulations, therefore, may also want to consider the means and resources needed to establish constructive dialogue early on.

BIBLIOGRAPHY

- Beesley, M. F. "Regulation of Taxis." Urban Transport: Studies in Economic Policy. 354-79.
- Casey, Robert F. San Diego Wheelchair Accessible Bus Study, UMTA-MA-06-0049-77-8. September 1977.
- Colcord, Frank C. Urban Transportation Decision Making, 3: San Francisco: A Case Study, Cambridge, Mass.: Massachusetts Institute of Technology, Urban System Lab. May 1971.
- Comprehensive Planning Organization of the San Diego Region. Comprehensive Plan, Vol. 5. 1978.
- Comprehensive Planning Organization of the San Diego Region. Comprehensive Plan, Vol. 5. 1978 Update.
- Comprehensive Planning Organization of the San Diego Region. Transportation Systems Management Element for the San Diego Region. July 1979.
- City of Dallas, Public Utilities Department. "Taxicab Rate Study." February 1979.
- Gilbert, Gorman; Connie A. Garber and James F. Foerster. Establishing Innovative Taxicab Services: A Guidebook. U.S. Department of Transportation (Final Report). August 1977.
- Orr, Daniel. "The Taxicab Problem: A Proposed Solution." Journal of Political Economy, 7:1:141-7. 1969.
- Robbins, Alan, William Campbell, Robert B. Presley, Alan Sieroty. Taxicabs and Paratransit Development in Los Angeles, Senate Select Committee on Public Transportation Problems. October 17, 1978.
- Rosenbloom, S. "Taxis and Jitneys" The Case for Regulation," Reason 3:11:4-16. 1972.
- City of San Diego and Comprehensive Planning Organization, "Taxicab Passenger Survey." San Diego, California. November 1978 (Draft).
- City of San Diego, Department of Transportation. Evaluation of Taxicab Service in Southeast San Diego. October 1977.
- San Diego County Department of Planning and Land Use. "County Data Base," Report No. 79-5. July 1979.

- San Diego County Department of Transportation. Taxicab Study, County of San Diego. August 1978.
- San Diego County Department of Transportation. Taxicab Study, County of San Diego. January 1978.
- San Diego Daily Transcript. 1976-1979.
- San Diego Tribune. 1976-1979.
- San Diego Union. 1929-1980.
- Urban Mass Transportation Administration. "Paratransit Services: Proposed Policy," Federal Register. October 20, 1976.
- Urban Mass Transportation Administration and Transportation Research Board. Paratransit. TRB Special Report 164. Proceedings of a Conference held November 9-12, 1975, National Academy of Sciences, 1976.
- U.S. Department of Transportation. Traffic Volumes on California State Highways. 1978.
- Webster, A. L.; E. Weiner; J. D. Wells. "The Roles of Taxicabs in Urban Transportation," Office of Transportation Planning Analysis, Assistant Secretary for Policy, Plans, and International Affairs, U.S. Department of Transportation. 1974.
- Wohl, M. "The Taxi's Role in Urban America: Today and Tomorrow," Transportation 4:2:143-158. 1975.
- Womack, James P. "Opportunities and Options for Taxi Regulatory Reform," Center for Transportation Studies, MIT, April 1978.

Appendix A
 HISTORY OF CERTIFICATE TRANSFERS
 CITY OF SAN DIEGO

Date	Cab Company (Operator)	Number of Certificates Requested	Number of Vehicles in Operation	Action Taken Regarding Request
1-25-34	Transfer 4 licenses of Independent Cab Co. (Geo. Bullus) 2 to Black & White Cab Co. (Joe Petrone) 2 to San Diego Cab Co. (M. S. RafaIovich)	4		Approved 1-25-34
2-1-34	Transfer 6 taxicabs of Calif. Cab Co. (A. G. Foster) to Yellow Cab Co. (Joseph L. Green)	6		Approved 2-21-34
7-3-46	Transfer 3 certificates from dba La Jolla Cab Co. (Steele Tomlinson) to operate as La Jolla Cab Co. (Wm. E. Miller)			Approved R-83630 7-9-46
12-4-47	Transfer certificates of Black & White Cab Co. (Chas. Pratt, deceased) to San Diego Yellow Cab Co. (Joseph L. Green)	44		Approved R-87835 12-16-47
3-30-49	Transfer certificates of ABC Cab Co. (Herbert Saville) to (Perry Black) dba ABC Cab Co.	2		Approved R-93404 4-11-49
1-27-50	Transfer Certificates of Checker Cab Co. (R. T. Blair) to dba Lo-Fare Cab Co. (E. J. Hornung)(partnership Lo-Fare and Checker)	17	10	Approved R-99185 8-22-50
9-12-52	Transfer 17 certificates held by Partnership Checker Cab & Lo-Fare Transfer to Francis McCormick, E. J. Hornung & C. Guy Selleck, Jr. to operate as individuals--Partnership cancelled			Approved R-108677 10-7-52

HISTORY OF TAXICAB CERTIFICATE TRANSFERS
CITY OF SAN DIEGO (cont.)

Date	Cab Company (Operator)	Number of Certificates Requested	Number of Vehicles in Operation	Action Taken Regarding Request
8-24-59	Transfer certificates of Martin Cab Co. (Louis L. Martin to Antonio Balestreri)	3	3	Approved R-157053 9-22-59
11-17-59	Transfer certificates of H. C. Cochran, deceased to Red Cab Co. of S.D. Inc.	3		Approved R-157913 11-17-59
11-17-59	Transfer certificates of Scott L. Young, Otis D. Hedrick and Albert F. Schiesel to Corporation they've formed--Red Cab Co.	3		Approved R-157914 11-17-59
4-25-60	Transfer certificates of Tanner Gray Line to San Diego Yellow Cab (Rex Taylor)	24	209	Approved R-160189 5-3-60
6-2-60	Transfer 33 certificates of Lo-Fare Cab Co. to S.D. Yellow Cab Co.	33		Approved R-160736 6-7-60
6-7-63	Transfer 2 certificates of City Cab Co. (M. J. Savin) to (1) dba City Cab Co. (Edward E. Muse)(1) dba Liberty Cab Co. (E. Dale Seamon)			Approved R-176972 8-22-63
8-10-64	Brown & White Cab Co. (O. K. Sperry) transfer 2 certificates to Brown & White Cab Co.			Approved R-181397 9-10-64
9-25-64	Transfer Liberty Cab Co. (Dale E. Seamon) 1 certificate to Radio Cab Co. (Wm. Sale)			Approved R-181847 10-22-64
2-21-66	Transfer 1 Liberty Cab Co. certificate (Dale Seamon) to dba Liberty Cab Co. (Bobby J. Wheeler)	1		Approved R-186818 3-31-66

HISTORY OF TAXICAB CERTIFICATE TRANSFERS
CITY OF SAN DIEGO (cont.)

Date	Cab Company (Operator)	Number of Certificates Requested	Number of Vehicles in Operation	Action Taken Regarding Request
2-21-66	Transfer 1 Liberty Cab Co. certificate (E. Dale Seamon) certificate to Radio Cab Co. (Mm. Sale)	1		Approved R-186817 3-31-65
1-16-69	Transfer Yellow Cab Co. to San Diego Cab Co.--14 certificates			Approved R-195766 1-16-69
6-17-69	Liberty Cab Co.--transfer 2 certificates from Bobby J. Wheeler (former operator) to Dusty Jo Wheeler			Approved R-197218 6-17-69
9-22-69	ABC Cab Co. (Perry Black) transfer 9 certificates to dba ABC Cab Co. (Joseph De Souza)			Approved R-198175 10-7-69
3-3-70	Transfer 14 certificates of San Diego Cab Co. to Brokers Mortgage Co.			Approved R-199194 3-3-70
8-18-70	Transfer Antonio Balestreri dba Martin Cab Co. to Martin Cab Co., Inc.	5		Referred to Mgr.
10-3-74	Brown and White Cab Co.	3		Ownership Transfer Granted, Resolution #211712
12/13/73	San Diego Cab Co.	16		S.D. Cab Transferred Certificates to Pleasureline, Resolution #209458
7-24-73	Radio Cab Co.	7		Ownership Transferred from W. Sale to Radio Cab Corp. Resolution #208546

HISTORY OF TAXICAB CERTIFICATE TRANSFERS
CITY OF SAN DIEGO (cont.)

Date	Cab Company (Operator)	Number of Certificates Requested	Number of Vehicles in Operation	Action Taken Regarding Request
6-7-73	San Diego Cab Co.	2		Transfer of certificates from Liberty Cab Co. to San Diego Cab Co.; Resolution #208104
9-12-72	San Diego Cab Co.	14		Certificates transferred from Brokers Mortgage Co. to Bell, Jackson & Lyons, Inc.; Resolution #206500
10-22-74	Radio Cab Co.	1		Transferred 1 certificate from Liberty Cab Co.; Resolution #181847
1-3-73	Yellow Cab of San Diego (Kinrock, Pratt, Freidlan, Armour) purchased by Yellow Cab of Southern Counties, a subsidiary of Westgate California Corp., for \$1.57 million.			Transfer of ownerships, all Yellow certificates
12-76	Yellow Cab of San Diego (Westgate - California, Smith) purchased by Western States Investment Corp. (Swortwood) for \$840,000.			Transfer of ownership, 280 certificates.

Appendix B
 RATES FILED BY SAN DIEGO OPERATORS SINCE COMPETITIVE PRICING *
 AUGUST, 1979 - JULY, 1980

	First Filing					Second Filing					Third Filing				
	Date	Drop	Fixed**	/Mile	Wait	Date	Drop	Fixed**	/Mile	Wait	Date	Drop	Fixed**	/Mile	Wait
<u>Multi-Permits</u>															
Brown & White	7/31/79	1.20(1/4)	1.00	.80	9.00	9/24/79	1.20(1/5)	1.00	1.00	9.00					
Checker	9/20/79	1.20(1/5)	1.00	1.00	9.00										
City/USA	8/27/79	1.00(1/5)	.80	1.00	9.00	2/28/80	1.20(1/5)	1.00	1.00	9.00					
Coast ^a	7/15/79	.90(1/9)	.90	1.00	9.00	6/11/80	1.00(1/10)	.90	1.00	9.00					
Diamond	7/18/79	1.00(1/4)	.80	.80	9.00										
La Jolla	8/05/79	1.20(1/4)	1.00	.80	9.00	1/24/80	1.20(1/5)	1.00	1.00	9.00					
Martin	8/17/79	1.00(1/4)	.80	.80	9.00										
Radio	8/02/79	1.20(1/4)	1.00	.80	9.00	12/05/79	1.20(1/5)	1.00	1.00	9.00					
Red	8/01/79	1.20(1/4)	1.00	.80	9.00	9/25/79	1.20(1/5)	1.00	1.00	9.00	12/11/79	1.20(1/4)	1.00	.80	9.00
Yellow	8/01/79	1.20(1/4)	1.00	.80	9.00	2/26/80	1.20(1/5)	1.00	1.00	9.00					
<u>Independents</u>															
Ace	11/02/79	1.20(1/5)	1.00	1.00	9.00	2/03/80	1.20(1/6)	1.00	1.20	9.00					
Airlie	9/26/79	1.00(1/5)	.80	1.00	9.00	5/06/80	1.20(1/5)	1.00	1.00	9.00					
Airway	8/08/79	1.40(1/4)	1.20	.80	9.00	11/01/79	1.00(1/5)	.80	1.00	9.00					
Alexander	8/09/79	1.20(1/4)	1.00	.80	9.00	11/05/79	1.20(1/4)	.95	1.00	9.00					
American	8/01/79	1.20(1/4)	1.00	.80	9.00	8/11/79	1.20(1/5)	1.00	1.00	9.00	5/30/80	1.20(1/4)	.90	1.20	9.00
Andresida	8/13/79	1.20(1/5)	1.04	.80	9.00										
Angel's	8/15/79	1.00(1/5)	.80	1.00	9.00										
Aztec	8/06/79	1.20(1/6)	1.00	1.20	10.00	12/07/79	1.20(1/6)	1.00	1.20	9.00					
A2B ^b	8/01/79	1.40(1/7)	1.20	1.40	7.20	8/07/79	1.00(1/7)	.80	1.40	9.00					
Balboa	12/07/79	1.20(1/4)	1.00	.80	9.00										
Barnum	8/17/79	1.20(1/4)	1.00	.80	9.00	12/10/79	1.20(1/5)	1.00	1.00	9.00					
Beach	11/15/79	1.20(1/5)	1.00	1.00	9.00										
Big Apple	8/03/79	1.20(1/4)	1.00	.80	9.00	8/27/79	1.00(1/5)	.80	1.00	10.00					
Blithe Spirit ^b	8/30/79	1.50(1/4)	1.30	.80	10.00										
Bowers	1/17/80	1.20(1/5)	1.00	1.00	9.00										
Bradlyn	3/07/80	1.50(1/6)	1.30	1.20	10.00										
Brandy's	4/02/80	1.20(1/5)	1.00	1.00	9.00										
Bugel's	12/04/79	1.00(1/5)	.80	1.00	9.00										
Bullseye	12/04/79	1.00(1/5)	.80	1.00	9.00										
Bumblebee	1/03/80	1.20(1/6)	1.00	1.20	9.00										

*Competitive Pricing was adopted via ordinance and Council policy to provide a maximum rate rather than a standard rate of fare. As of August 1, 1979, this maximum was established at 1.50 drop plus 1.50 per mile with a \$10 per hour wait charge. Operators may charge any similarly structured rate up to that maximum and may file rate changes at their own discretion.

**Fixed charge is drop charge excluding mileage.

^aOriginally filed under PTL Taxi.

^bNo longer in operation as of 5/1/80.

^cColt, Silver, Silver Fox, Silver Cab Wagons all operated by one family.

Appendix B (continued)

	First Filing				Second Filing				Third Filing						
	Date	Drop	Fixed**/Mile	Wait	Date	Drop	Fixed**/Mile	Wait	Date	Drop	Fixed**/Mile	Wait			
<u>Independents (cont.)</u>															
Bunsco	12/03/79	1.00(1/5)	.80	1.00	9.00										
Cadillac Town Taxi	8/06/79	1.00(1/5)	.80	1.00	9.00										
California	8/06/79	1.00(1/5)	.80	1.00	10.00										
Carson Cool	8/07/79	1.00(1/5)	.80	1.00	9.00										
Carvel	8/09/79	1.00(1/5)	.80	1.00	9.00	3/14/80	1.20(1/6)	1.00	1.20	9.00					
Chapat	12/27/79	1.00(1/5)	.80	1.00	9.00										
Charger	12/04/79	1.20(1/5)	1.00	1.00	9.00										
Cherokee	10/15/79	1.10(1/5)	.90	1.00	?	12/10/79	1.20(1/5)	1.00	1.00	9.00					
Classy	3/31/80	1.20(1/6)	1.00	1.00	10.00										
Colt ^c	8/06/79	1.00(1/5)	.80	1.00	9.00										
Computer	12/04/79	1.50(1/6)	1.25	1.50	10.00										
Courtesy	8/02/79	1.20(1/5)	1.00	1.00	9.00										
Covert's	2/08/80	1.20(1/4)	.90	1.20	9.00										
Cromley ^b	12/19/79	.90(1/9)	.80	.90	9.00										
Dave's San Diego	8/21/79	1.20(1/4)	1.00	.80	9.00	1/10/80	1.20(1/5)	1.00	1.00	9.00					
Del's	8/30/79	1.20(1/5)	1.00	1.00	9.00	10/10/79	1.20(1/6)	1.00	1.20	9.00					
Doc's	8/06/79	1.00(1/5)	.80	1.00	9.00										
Doug's	8/06/79	1.20(1/4)	1.00	.80	9.00	10/12/79	1.20(1/5)	1.00	1.00	9.00					
DR ^b	8/09/79	1.20(1/4)	1.00	.80	9.00	10/01/79	.90(1/9)	.80	.90	?					
Early Bird	3/10/80	1.00(1/5)	.80	1.00	9.00										
Ed's	12/07/79	1.00(1/7)	.86	1.00	9.00										
Evans	8/21/79	1.00(1/5)	.80	1.00	9.00										
Fairways	8/05/79	1.20(1/4)	1.00	.80	9.00	9/17/79	1.00(1/5)	.80	1.00	10.00					
Frank's	2/27/80	1.20(1/5)	1.00	1.00	9.00										
Frenchy's	8/02/79	1.00(1/5)	.80	1.00	9.00										
Future Legend	2/29/80	1.00(1/6)	.75	1.50	10.00	3/10/80	1.00(1/7)	.80	1.40	9.00					
Gemini	12/12/79	1.00(1/5)	.80	1.00	10.00										
General	3/25/80	1.00(1/5)	.80	1.00	9.00										
Gil's	9/26/79	1.00(1/5)	.80	1.00	9.00										
Golden State	7/31/79	1.00(1/4)	.80	.80	9.00	9/08/79	1.00(1/5)	.80	1.00	9.00					
Hamilton ^b	10/26/79	1.20(1/4)	1.00	.80	9.00										
H & R	12/06/79	1.00(1/5)	.80	1.00	10.00										
Hood	8/06/79	1.00(1/5)	.80	1.00	9.00	11/01/79	1.00(1/6)	.83	1.00	10.00	12/11/79	1.20(1/6)	1.00	1.20	10.00
Hotel Circle	8/09/79	1.00(1/5)	.80	1.00	9.00										
Jackpot	1/11/80	.90(1/9)	.80	.90	9.00										
Jack's Hack	8/02/79	1.00(1/5)	.80	1.00	9.00										
Jerry's	7/31/79	1.20(1/8)	1.10	.80	9.00										
JJ's ^b	12/07/79	.90(1/9)	.80	.90	9.00										
J & M	7/31/79	1.20(1/8)	1.10	.80	9.00	8/29/79	1.00(1/5)	.80	1.00	9.00					
J.P. & Son	8/15/79	1.00(1/5)	.80	1.00	9.00	4/07/80	1.20(1/6)	1.00	1.20	9.00					
John's ^b	8/04/79	1.20(1/8)	1.07	1.00	9.00										
King's	3/10/80	1.20(1/6)	1.00	1.20	9.00										
Larry's	8/08/79	.80(1/5)	.60	1.00	10.00	3/15/80	1.00(1/6)	1.00	1.20	10.00					
Lee's	8/13/79	1.20(1/5)	1.00	1.00	9.00										
Limerick	8/01/79	1.20(1/4)	1.00	.80	9.00	10/12/79	1.20(1/5)	1.00	1.00	9.00					
Little Pink	12/05/79	1.00(1/5)	.80	1.00	9.00										
Luxury	8/15/79	1.00(1/5)	.80	1.00	9.00										
Ma Cab	8/18/79	1.00(1/5)	.80	1.00	10.00	11/01/79	1.20(1/6)	1.00	1.20	10.00	6/25/80	1.50(1/6)	1.25	1.50	10.00

Appendix B (continued)

	First Filing					Second Filing					Third Filing			
	Date	Drop	Fixed**	/Mile	Wait	Date	Drop	Fixed**	/Mile	Wait	Date	Drop	Fixed**/Mile	Wait
<u>Independents (cont.)</u>														
Mack's Hack	8/14/79	1.00(1/5)	.80	1.00	9.00									
Marathon	3/05/80	1.20(1/6)	1.00	1.20	9.00									
Maxi Taxi	8/20/79	1.10(1/5)	.90	1.00	10.00									
Metro	8/12/79	1.00(1/5)	.80	1.00	9.00	1/18/80	1.20(1/6)	1.00	1.20	9.00				
Miguel ^b	8/05/79	1.00(1/5)	.80	1.00	9.00									
Mira Mesa	4/14/80	1.20(1/6)	1.00	1.20	9.00									
Monogram	8/02/79	1.20(1/8)	1.10	.80	9.00	12/10/79	1.20(1/5)	1.00	1.00	9.00				
Morris	7/17/79	1.10(1/5)	.90	1.00	10.00									
Mr. Taxi	1/23/80	1.20(1/5)	1.00	1.00	9.00									
Newport	4/23/80	1.00(1/5)	.80	1.00	10.00									
O.K.	8/03/79	1.20(1/4)	1.00	.80	9.00	12/04/79	1.20(1/5)	1.00	1.00	9.00				
Olimpi	4/14/80	1.20(1/6)	1.00	1.20	9.00									
Padre	8/01/79	1.00(1/5)	.80	1.00	9.00	2/11/80	1.20(1/6)	1.00	1.20	9.00				
Palmer's	4/23/80	1.20(1/6)	1.00	1.20	9.00									
Paul the Greek's	12/04/79	1.50(1/5)	1.20	1.50	10.00									
Pete's	8/13/79	1.20(1/5)	1.00	1.00	9.00									
Phantom	2/27/80	1.40(1/5)	1.20	1.00	10.00									
Plus #1	9/17/79	1.50(1/4)	1.30	.80	10.00									
Polara	12/07/79	1.20(1/5)	1.00	1.00	9.00									
PTL	9/15/79	.90(1/9)	.80	.90	9.00	12/05/79	1.00(1/5)	.80	1.00	9.00				
Pyramid	4/14/80	1.20(1/5)	1.00	1.00	10.00									
Quicksilver	12/13/79	1.40(1/5)	1.20	1.00	10.00									
Quimen	4/07/80	1.20(1/5)	1.00	1.00	9.00									
R & J	3/19/80	1.00(1/5)	.80	1.00	9.00									
Rainbow	8/27/79	.90(1/9)	.80	.90	9.00	3/20/80	1.20(1/5)	1.00	1.00	9.00				
Rancho	3/06/80	1.20(1/6)	1.00	1.20	9.00									
Rosita	?	1.20(1/4)	1.00	.80	?	9/27/79	1.20(1/5)	1.00	1.00	?				
Royal	8/08/79	1.00(1/5)	.80	1.00	9.00									
Service	8/01/79	1.00(1/5)	.80	1.00	9.00	3/07/80	1.20(1/6)	1.00	1.20	10.00				
Shield	11/14/79	1.20(1/6)	1.00	1.20	9.00									
Silver ^c	10/26/79	1.00(1/5)	.80	1.00	9.00									
Silver Cab Wagons ^d	10/26/79	1.50(1/6)	1.30	1.20	10.00									
Silver Fox ^c	?	1.20(1/5)	1.00	1.00	?	10/15/79	1.40(1/7)	1.20	1.40	9.00				
Simmons	8/20/79	1.20(1/5)	1.00	1.00	10.00	2/08/80	1.20(1/6)	1.00	1.20	10.00				
Spence	3/21/80	1.20(1/6)	1.00	1.20	9.00									
Sunset	8/01/79	1.20(1/4)	1.00	.80	9.00	9/26/79	1.20(1/5)	1.00	1.00	9.00				
Tele-Taxi	12/04/79	1.00(1/5)	.80	1.00	9.00	6/02/80	1.00(1/6)	.80	1.20	10.00				
Torres	1/15/80	1.00(1/5)	.80	1.00	9.00									
Town & Country	7/24/79	1.00(1/8)	.87	1.00	9.00									
Triangle	3/12/80	1.20(1/5)	1.00	1.00	9.00									
Two Guys	12/07/79	1.20(1/5)	1.00	1.00	9.00									
UL	12/27/79	1.00(1/5)	.80	1.00	9.00									
Union	9/12/79	1.00(1/5)	.80	1.00	9.00	4/22/80	1.20(1/6)	1.00	1.20	9.00				
United	8/09/79	1.00(1/5)	.80	1.00	9.00									
Van's	8/01/79	1.00(1/5)	.80	1.00	9.00									
Vic's	8/01/79	1.20(1/4)	1.00	.80	9.00	12/17/79	1.20(1/5)	1.00	1.00	9.00				
Web's ^b	3/19/80	1.20(1/5)	1.00	1.00	9.00									
West Coast	8/08/79	1.20(1/4)	1.00	.80	9.00	8/14/79	1.00(1/5)	.80	1.00	10.00				
Woody's	7/30/79	1.20(1/8)	1.10	.80	9.00	12/14/79	1.00(1/5)	.80	1.00	9.00				

**CHAPTER VII
PUBLIC UTILITIES AND TRANSPORTATION**

ARTICLE 1

VEHICLES FOR HIRE

(Amended 8-2-75 by Ord. 11670 N.S.)

DIVISION 1

DEFINITIONS

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01 DEFINITIONS

(Added 6-17-52 by Ord. 5329 N.S.)
(Amended 10-15-59 by Ord. 8188 N.S.)
(Amended 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.0101 DEFINITIONS

The following words and phrases, wherever used in this Chapter, shall be construed as defined in this section, unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases.

- (a) "Street" shall mean any place commonly used for the purpose of public travel.
- (b) "Owner" shall mean every person, firm or corporation having use or control of any passenger-carrying automobile, or motor-propelled vehicle, as herein defined.
- (c) "Driver" shall mean every person in charge of, or operating any passenger-carrying or motor-propelled vehicle, as herein defined, either as agent, employee, or otherwise, of owner, as owner, or under the direction of the owner, as herein defined.
- (d) "Taximeter" shall mean any mechanical instrument, appliance, device, or machine by which the charge for hire of a passenger-carrying vehicle is mechanically calculated, either for distance traveled or time consumed, or both, and upon said instrument, appliance, device or machine such charge is indicated by figures.
- (e) "Taxicab" shall mean every automobile or motor-propelled vehicle of a distinctive color or colors, and/or of public appearance such as is in common usage in this country for taxicabs, and/or operated at rates per mile, or for wait-time or for both, or for a compensation, and equipped with a taximeter, used for the transportation of passenger for hire over the public streets of the City of San Diego and not over a defined route and irrespective of whether the operations extend beyond the boundary limits of said City, and such vehicle is routed under the direction of such passenger or passengers, or of such persons hiring the same.
- (f) "Compensation" shall mean, as used in this Chapter, and include any money, thing of value, payment, consideration, reward, tip, donation, gratuity or profit paid to, accepted, or received by the driver of any vehicle in exchange for transportation of a person, or persons, whether paid upon solicitation, demand or contract, or voluntarily, or intended as a gratuity or donation.
- (g) "Automobile for Hire" shall mean every automobile or motor-propelled vehicle, other than a taxicab or sight-seeing vehicle, which is operated by its owner or an employee, agent or representative of the owner for any fare or consideration, and used for the transportation of passengers over the public streets of the City of San Diego, irrespective of whether such operations extend beyond the boundary limits of said City.
- (h) "Sight-seeing Vehicle" shall mean every automobile or motor-propelled vehicle for the transportation of passengers over streets of this city, irrespective of whether such operations extend beyond the boundary limits of this city, for sight-seeing purposes or showing points of interest and charging a fee or compensation therefor, regardless of whether any fee, compensation or consideration is paid to the driver of such sight-seeing vehicle, either by the passenger or by the owner or the person who employs the driver or contracts with the driver or charters such sight-seeing vehicle with a driver to transport or convey any passenger, and irrespective of whether or not such driver receives any fee or compensation for his services as driver.
- (i) "Certificate" shall mean a certificate of public convenience and necessity.
- (j) "Certificate Holder" shall mean any person or persons operating a business under a certificate of public convenience and necessity.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.1 STREET

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.2 OWNER

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

167-19

SEC. 71.01.3 DRIVER

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.4 TAXIMETER

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.5 TAXICAB

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.6 COMPENSATION

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.7 AUTOMOBILE FOR HIRE

(Added 1-17-61 by Ord. 8421 N.S.)
(Amended 7-9-68 by Ord. 9840 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.8 TRANSFER

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.9 AMBULANCE

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.91 CERTIFICATE

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 71.01.92 CERTIFICATE HOLDER

(Added 1-17-61 by Ord. 8421 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

ARTICLE 2
AUTOMOBILE TRANSPORTATION
DIVISION 1
TAXICABS

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.01 TAXICABS – CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 2424 N.S. adopted 4-21-42.)
(Amended 10-28-47 by Ord. 3564 N.S.)
(Amended 5-16-74 by Ord. 11323 N.S.)
(Amended 7-25-74 by Ord. 11355 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0101 CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

(a) No person shall engage in the business of operating any taxicab within the City of San Diego without first having obtained a certificate of public convenience and necessity from the Council of The City of San Diego.

(b) All persons applying to the Council for a certificate for the operation of one or more taxicabs shall file with the Council a sworn application therefor on forms provided by the Council stating as follows:

- (1) The name and address of the owner or person applying.
- (2) The number of vehicles actually owned and the number of vehicles actually operated by such owner on the date of application, if any.
- (3) The number of vehicles for which a certificate of public convenience and necessity is desired.
- (4) The intended make, type, year of manufacture and passenger seating capacity of each taxicab for which application for a certificate of public convenience and necessity is made.

(5) The make and type of taximeter intended to be installed on each taxicab for which application for certificate is made.

(6) A description of the proposed color scheme, insignia, trade style and/or any other distinguishing characteristics of the proposed taxicab design.

(7) Where, pursuant to Section 72.0101(m), the application is for a limited certificate of public convenience and necessity, a detailed description of the geographical area in which the applicant proposes to operate and (if applicable) a statement setting forth the period of time in which said certificate shall be in existence.

(8) Such other information as the Council may in its discretion require.

(c) No certificate shall be granted until the Council shall after hearing declare by resolution that the public convenience and necessity require the proposed taxicab service.

(d) In determining whether the public convenience and necessity require the operation of a taxicab or taxicabs for which application is made, the Council or the City Manager, if directed by the Council, shall hold such public hearings as may be necessary to determine that fact. In the event such hearings are conducted by the City Manager, he shall report his findings in writing to the Council and recommend the granting or denial of such application or applications.

Before any application is acted upon the City Manager shall cause an investigation to be made and shall report his findings, in writing, to the Council on the following:

- (1) The demand of the public for additional taxicab service;
- (2) The adequacy of existing mass transportation and taxicab service;
- (3) The financial responsibility and experience of the applicant;
- (4) The number, kind and type of equipment and the color scheme to be used;
- (5) The effect which such additional taxicab service may have upon traffic congestion and parking;
- (6) Whether the additional taxicab service will result in a greater hazard to the public;
- (7) Such other relevant facts as the Council may deem advisable or necessary.

(e) Having declared that the public convenience and necessity require additional taxicab service, the Council shall grant certificates of public convenience and necessity to those persons applying therefor who in its opinion are entitled thereto. The Council shall in its discretion determine the number of certificates to be granted to any applicant or applicants.

No certificate shall be issued to any person who shall not have fully complied with all of the requirements of this section necessary to be complied with before the commencement of the operation of the proposed service.

With each certificate the Council issues, the City Manager shall issue a numbered medallion of a distinctive design. The certificate holder shall cause the medallion to be fixed to the outside left rear portion of the taxicab for which the certificate is issued. The medallion shall be fixed in a position in plain view from the rear of the taxicab. Medallions which are lost or defaced by accident, etc., shall be reported to and replaced by the Traffic Division of the Police Department.

Each certificate holder may utilize one spare taxicab and in the event that a taxicab for which a certificate has been issued becomes disabled or unsafe for use, said certificate holder will transfer the medallion from the disabled or unsafe taxicab to one heretofore duly inspected taxicab for a period not to exceed thirty (30) days; provided, however, that this section shall not be construed or deemed to replace those requirements in this Division for the permanent replacement of a taxicab for which a certificate has been previously issued. Each certificate holder must inform the Police Department when spare taxicab is in use and location of disabled vehicle.

(f) The provisions of this section shall not affect the number of taxicabs, operating with valid permits on the effective date hereof, except as such vehicles are abandoned or the right to operate has been lost through inability of operators to meet requirements of the ordinances of The City of San Diego; or in the event licenses are not renewed within 15 days after expiration thereof, or through revocation of said permits for cause by the Council.

(g) Every owner operating a licensed taxicab or taxicabs prior to the effective date of this code, shall be presumed in the absence of any contrary evidence and finding of the Council to have established a prima facie evidence of public convenience and necessity for the licensing of the taxicab or taxicabs actually in operation, and the Council upon written application received by the Council not later than fifteen (15) days after the effective date of this section shall grant a certificate or certificates to said owner for each such taxicab or taxicabs.

(h) Each certificate issued pursuant to the provisions of this section is separate and distinct and shall be transferable from the person to whom issued or by whom renewed to another person upon the approval of the City Council; provided, however, that where a certificate is issued pursuant to the provisions of this section to a form of legal entity wherein control is evidenced by shares of stock or such other evidence of ownership (including but not necessarily limited to a corporation, a partnership, a joint venture, a joint stock company, or a business trust) and the majority interest in said entity is transferred from that entity to another person or entity, said transfer, whether voluntary, by operation of law or otherwise shall be made only upon the approval of the City Council. The application for the transfer of said certificate shall certify that the owner of said certificate has notified the proposed transferee of the requirements of this section pertaining to the transfer of said certificate; and whenever such application for a transfer of certificate is made as provided for herein, the City Manager shall cause an investigation to be made into the character and fitness of the applicant to engage in the business of operating any taxicab or taxicabs within the City of San Diego, and no transfer shall be approved by the City Council without the recommendation of the City Manager in writing.

(i) Whenever an owner sells or transfers title to a taxicab or taxicabs for which a certificate or certificates have been granted and within thirty (30) days after such sale or transfer purchases other taxicabs, the City Manager shall, as a matter of right, upon written application to the City Manager within thirty (30) days of such purchase, issue a new certificate or certificates for the operation of no greater number of taxicabs than those sold or transferred, and provided said owner has complied with all the provisions of this section.

(j) Destruction of Taxicabs. Any owner whose taxicab or taxicabs, for which a certificate or certificates have been granted, have been destroyed involuntarily or who voluntarily destroys any taxicab or taxicabs, will, as a matter of right, upon written application to the City Manager, within thirty (30) days after such destruction, be issued a new certificate or certificates for the operation of no greater number of taxicabs than those so destroyed, and upon satisfactory evidence presented to the City Manager of such destruction, and provided further that the owner has complied with all the provisions of this section.

(k) Suspension and Revocation of Certificate. Certificates may be suspended or revoked by the Council at any time in case:

- (1) The Council finds the owner's past record to be unsatisfactory.
- (2) The owner fails to operate the taxicab or taxicabs in accordance with the provisions of this section.
- (3) The owner shall cease to operate any taxicab for a period of thirty (30) consecutive days without having obtained permission for cessation of such operation from the Council.
- (4) The taxicab or taxicabs are operated at a rate of fare other than that approved by the Council and stated on the certificate and the rate card issued by the Council.
- (5) For any other reason which the Council may deem warrants suspension or revocation.
- (6) The certificate holder fails to begin operating the taxicab for which the certificate is first issued within ninety (90) days after the resolution is passed.

(l) Surrender of Certificate. Certificates which shall have been suspended or revoked by the Council shall forthwith be surrendered to the Clerk of the City Council, and the operation of any taxicab or taxicabs covered by such certificates shall cease. Any owner who shall permanently retire any taxicab or taxicabs from taxicab service and not replace same within thirty (30) days thereof, shall immediately surrender any certificate or certificates granted for the operation of such taxicab or taxicabs to the Council and said owner may not secure additional certificates for taxicabs without having first made application therefor, in the manner provided in this section.

(m) Limited certificates of public convenience and necessity. The Council may issue limited certificates of public convenience and necessity which shall be limited in duration of time and/or limited to a specific geographical area of the City in which a taxicab service may be operated. The issuance of said limited certificate of public convenience and necessity shall require submission of all relevant information as set forth in subsections (a) through (l), supra, and shall state specifically the appropriate time limitations and/or the geographical limitations. In addition to the requirement set forth hereinabove, said taxicab services operating pursuant to a limited certificate of public convenience and necessity shall:

- (1) Commence operations at the specified date approved by the City Council and cease operations at the ending date approved by the City Council.
- (2) Pick up passengers only in the specified geographical area of the City approved by the City Council and shall not pick up passengers under any circumstances in the City outside said specified geographical area notwithstanding the provisions of Section 72.0105(j) herein.
- (3) Be allowed to transport passengers from said specified geographical area to points within said area or to points without said area.
- (4) Prominently display on the taxicabs the geographical area of the City in which the driver is authorized to pick up passengers.
- (5) Be subject to each and every provision relating to the operation of taxicabs as if granted a regular certificate of public convenience and necessity for the operation of a taxicab.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0102 RATES OF FARE

(a) The City Council by resolution shall, after a hearing, establish just and reasonable rates for hire of taxicabs. A certificate holder under Section 72.0101 shall petition the City Council for any desired change in taxicab rates for hire. Upon the effective date of this ordinance those rates heretofore established by City Council resolution shall be the effective rates for the hire of taxicabs.

(b) It shall be unlawful for any owner or driver to operate any taxicab in the City of San Diego unless vehicle is equipped with a taximeter designed to calculate fares upon the basis of a combination of mileage traveled and time elapsed and when operative with respect to fare indication, the fare-indicating mechanism shall be actuated by the mileage mechanism whenever the vehicle is in motion at such a speed that the rate of mileage revenue equals or exceeds the time rate, and may be actuated by the time mechanism whenever the vehicle speed is less than this and when the vehicle is not in motion. Means shall be provided for the vehicle operator to render the time mechanism either operative or inoperative with respect to the fare-indicating

mechanism. The taximeter shall also be of a style and design approved by the City Manager of said City, or his representative. Waiting time shall include all time when a taxicab occupied or engaged by a passenger is not in motion or traveling at a speed which is slow enough for the time rate to exceed the mileage rate; and the time consumed while standing at the direction of the passenger or person who has engaged such taxicab. It shall be the duty of every owner operating a taxicab to keep such taximeter in perfect condition so that said taximeter will, at all times, correctly and accurately indicate the correct charge for the distance traveled and waiting time, and such taximeter shall be at all times subject to inspection by an inspector of the City Manager, or any peace officer, and such inspector, or any peace officer is hereby authorized at his instance or upon complaint of any person to investigate or cause to be investigated such taximeter, and upon discovery of any inaccuracy in said taximeter, or if the taximeter is unsealed, to remove or cause to be removed such vehicle equipped with such taximeter from the streets of the City of San Diego until such time as said taximeter shall have been correctly adjusted, or sealed.

(c) It shall be unlawful for any driver of a taxicab while carrying passengers to display the flag or device attached to such taximeter in such a position as to denote that such vehicle is for hire, or is not employed, or to have such flag or other attached device in such a position as to prevent said taximeter from operating, and it will be unlawful for any driver to throw such flag into a position which causes said taximeter to record when such vehicle is not actually employed or to fail to throw said flag or other device on such taximeter into a nonrecording position at the termination of each and every service.

(d) The taximeter shall be so placed in said taxicab that the reading dial showing the amount to be charged shall be well lighted and readily discernible by the passenger riding in such taxicab.

(e) It shall be unlawful for any owner, driver, or operator of a taxicab to demand of a passenger a charge for hire other than the current applicable rate approved by the City Council and on file with the City Clerk.

(f) There shall be displayed in the passenger compartment of each taxicab in full view of the passenger a card not less than two inches by four inches in size, which shall have plainly printed thereon the name of the owner, or the fictitious name under which said owner operates, the business address and telephone number of said owner, and a schedule of the current authorized rates to be charged for hire of the vehicle.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0103 TAXICAB SPECIFICATIONS AND EQUIPMENT

(a) No vehicle shall be granted a certificate unless it conforms with all the provisions of this Division or unless said vehicle shall have been granted a license to operate as a taxicab in this city prior to the effective date of this Article.

(b) No taxicab shall be operated until the taximeter thereon has been inspected, tested, approved and sealed by the State of California, Department of Weights and Measures, and thereafter so maintained in a manner satisfactory to the representative of the City Manager.

(c) Each taxicab shall bear on the outside an identification marker of the type and design and in the place prescribed by the City Manager, and also be equipped with a device which shall plainly indicate to a person outside the taxicab whether the taximeter is in operation or is not in operation.

(d) All taxicabs must be and conform to a color scheme approved by the City Manager, and the Council may refuse a certificate to every person whose color scheme, trade name and/or insignia imitates that of any permittee in such manner as to deceive the public. Each taxicab shall be assigned a side or body number by the certificate holder. The side or body number so assigned shall be painted in numerals or decals no less than four inches high in places sufficient so that the side or body number may be seen from the rear, and either side of the taxicab.

(e) Each taxicab licensed to operate in this city shall have located in a convenient place in the driver's compartment and in view of the passengers therein a container of type and design approved by the Chief of Police. Said container shall contain a card provided by the Sheriff of the County of San Diego, visible to passengers, bearing the following information;

- (1) The number of the license of the driver thereof.
- (2) The name and business address of said driver.
- (3) The name of the company employing said driver.
- (4) A small photograph of said driver.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0104 FINANCIAL RECORDS AND REPORTING RECORDS

Every person engaged in the business of operating any taxicab within the City of San Diego under a certificate of public convenience and necessity granted by the Council of The City of San Diego shall maintain financial records in accordance with good accounting practices, and maintain reporting records in a form and at intervals which shall be determined from time to time by the City Manager. Such financial and reporting records shall be made available to the City Manager upon demand at any reasonable time.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0105 MAINTENANCE

(a) Before a certificate is issued to any owner the taxicab or taxicabs for which such certificate or certificates are requested shall deliver such taxicab or taxicabs to a place designated by the City Manager for inspection and the City Manager shall designate agents to inspect such taxicab or taxicabs, their equipment and taximeters to ascertain whether such taxicab or taxicabs comply with the provisions of this Division.

(b) The Chief of Police of The City of San Diego shall have the right at any time after displaying proper identification, to enter into or upon any certificated taxicab for the purpose of ascertaining whether or not any of the provisions of this Division are being violated.

(c) Any taxicab which is found, after any such inspection, to be unsafe or in any way unsuitable for taxicab service may be immediately ordered out of service, and before again being placed in service shall be placed in a safe condition.

(d) The interior and exterior of any taxicab shall be cleaned and well maintained and meet California Vehicle Code safety standards at all times when in operation.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0106 OPERATING REGULATIONS

(a) Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to his destination safely and expeditiously.

(b) Every driver shall, upon request of a passenger, give a receipt upon payment of the fare.

(c) All disputes as to fares shall be determined by the officer in charge of the police station nearest to the place where the dispute is had. It shall be unlawful for any person to fail or refuse to comply with such determination by the police officer.

(d) It shall be unlawful for any person to refuse to pay the lawful fare of taxicab after employing or hiring the same.

(e) No driver of any taxicab shall seek employment by repeatedly and persistently driving his vehicle to and fro in a short space in front of, or by otherwise interfering with the proper and orderly access to or egress from, any theater, hall, hotel, public resort, railway or ferry station, or other place of public gathering; or, by leaving his vehicle, or otherwise approach and solicit patronage by pedestrians upon the sidewalk, in any theater, hall, hotel, public resort, railway or ferry station, or other place of public gathering; but such driver may solicit employment by driving through any public street or place without stops, other than those due to obstruction of traffic and at such speed as not to interfere with or impede traffic and may pass and re-pass before any theater, hall, hotel, public resort, railway or ferry station or other place of public gathering; providing that after passing such public place he shall not turn and re-pass until he shall have gone a distance of two blocks upon the streets and highways of the City of San Diego. No person shall solicit passengers for such vehicles other than the driver thereof when sitting upon the driver's seat of the vehicle; provided, however, the Chief of Police or his representative may authorize a dispatcher to solicit passengers and assist in loading passengers at such times and places as, in his discretion, public service and traffic conditions require.

(f) No driver of any taxicab shall transport any larger number of persons, including the driver, than the manufacturer's rated seating capacity for the vehicle.

(g) No driver of any taxicab shall stop, park, or otherwise leave standing his taxicab on the same side of the street in any block in which two taxicabs are already stopped, parked, or otherwise standing, or within one hundred (100) feet of any other taxicab, or within fifteen (15) feet of any fire plug except as modified in Section 72.0108 of this Division.

(h) The driver of any taxicab shall promptly obey all lawful orders or instructions of any police officer or fireman.

(i) It shall be unlawful for the driver or operator of any taxicab to allow the taxicab to remain standing in any established taxicab stand unless the driver or operator shall remain within twelve (12) feet of any portion of the established cab zone, whether the zone be a single or multiple zone, unless said driver or operator is actually engaged in assisting passengers to load or unload or is actually engaged in answering his telephone.

(j) It shall be unlawful for the driver or operator of any taxicab to refuse a prospective fare or to take any action to actively discourage a prospective fare, unless it shall be readily apparent that the prospective fare is a hazard to the driver or operator.

(k) Additional Passenger. No driver, once a passenger has occupied his taxicab, shall permit any other passenger to occupy or ride in the taxicab unless the passenger first employing the taxicab shall consent to the acceptance of the additional passenger. No charge shall be made for an additional passenger except when the additional passenger rides beyond the previous passenger's destination and then, only for the additional distance so traveled.

(l) City Map. Each driver shall carry in the taxicab a current map of the City of San Diego. Upon request, he shall provide the map for the passenger. Before leaving the taxicab, the passenger shall return the map to the driver.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0107 DRIVERS - LICENSES

(a) No person shall drive or operate any taxicab unless such person has a taxicab driver's identification card issued by the Sheriff of the County of San Diego.

(b) No person shall employ as a driver or operator any person who has not been issued a taxicab driver's identification card by the Sheriff of the County of San Diego.
(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0108 STANDS

(a) The City Council of The City of San Diego may by resolution locate and designate taxicab stands for one or more taxicabs, which stands when so established shall be appropriately designated "Taxis Only."

(b) Each taxicab stand established hereunder shall be in operation twenty-four (24) hours of every day, unless otherwise specified by the City Manager.

(c) It shall be unlawful for the owner, driver or operator of any taxicab to allow said taxicab to remain stopped, parked, or otherwise standing in the Central Traffic District except in a regularly established taxicab stand; provided, however, that taxicabs may stop or stand in any available parking space when actually loading or unloading passengers; provided, further, that between the hours of 10:00 p.m. and 6:00 a.m. of the following day taxicabs may stop, park or stand in any place where parking of vehicles is otherwise permitted.
(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0109 STANDS - CHANGE OF LOCATION

Any individual, partnership, association, corporation or other organization owning or operating any taxicab or taxicabs within the City of San Diego who petition said City requesting that a new taxicab stand be established, or that the location of an existing taxicab stand be changed to another location, shall, prior to the filing of such petition with said city, pay to the City Treasurer the sum of Fifty Dollars (\$50.00).

Said Treasurer shall thereupon issue his receipt for said fee and shall designate upon said petition that said fee has been paid.

No action of any kind shall be taken upon such petition by the Council or any officer of said City, without the payment of said fee.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0110 PUBLIC LIABILITY

It shall be unlawful to operate a taxicab unless there shall be filed with The City of San Diego, a policy of insurance executed and delivered by a company authorized to carry on an insurance business in the State of California, the financial responsibility of which company shall theretofore have been approved by the City Manager, by the terms of which said insurance company assumes responsibility for injuries to persons or property caused by the operation of said vehicle in the minimum amounts set from time to time by resolution of the City Council.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 4-6-77 by Ord. 12051 N.S.)

DIVISION 2**AUTOMOBILES FOR HIRE**

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.02 TAXICABS - RATES OF FARE

(Amended 5-28-53 by Ord. 5617 N.S.)

(Amended 2-7-56 by Ord. 6853 N.S.)

(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0201 OPERATING PERMITS

No person shall engage in the business of operating any automobile for hire within the City of San Diego without first having obtained an operating permit from the City Manager of The City of San Diego or his designated representative, which permit has not been revoked, suspended or otherwise cancelled or terminated by operation of law or otherwise. A separate permit is required for each automobile for hire operated.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0202 APPLICATION

(a) All persons applying to the City Manager for a permit for the operation of one or more automobiles for hire shall file with the City Manager a sworn application therefor on forms provided by the City Manager stating as follows:

(1) The name and address of the owner or person applying.

(2) The number of vehicles actually owned and the number of vehicles actually operated by such on the date of application, if any.

(3) The number of vehicles for which permits are desired.

(4) The intended make, type, year of manufacture and passenger seating capacity of each automobile for hire for which application for a permit is made.

(5) The rates of fare which applicant proposes to charge for automobile for hire services.

- (6) Such other information as the City Manager may in his discretion require.
- (b) Before any application is acted upon, the City Manager shall cause an investigation to be made and shall make a written report on the following:
- (1) The financial responsibility and experience of the applicant.
 - (2) The number, kind and type of equipment to be used.
 - (3) The effect which such additional automobiles for hire may have upon traffic congestion and parking.
 - (4) Whether the additional automobile for hire will result in a greater hazard to the public.
 - (5) Such other relevant facts as the City Manager may deem advisable or necessary.
- (Added 8-27-75 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0203 ISSUANCE OF PERMIT

The City Manager shall, in his discretion, determine the number of permits, if any, to be granted to any applicant or applicants and shall issue the permits subject to such conditions as the City Council may deem advisable or necessary in the public interest.

No permit shall be issued to any person who shall not have fully complied with all of the requirements of this Division necessary to be complied with before the commencement of the operation of the proposed service.

With each permit issued, the City Manager shall issue a numbered medallion of a distinctive design. The permit holder shall cause the medallion to be fixed to the outside left rear portion of the automobile for hire for which the permit is issued. The medallion shall be fixed in a position, in plain view, from the rear of the automobile for hire. Medallions which are lost or defaced by accident, etc., shall be reported to and replaced by the City Manager.

Each permit holder may utilize one spare automobile for hire, and in the event that an automobile for hire for which a permit has been issued becomes disabled or unsafe for use, said permit holder will transfer the medallion from the disabled or unsafe automobile for hire for a period not to exceed thirty (30) days; provided, however, that this section shall not be construed or deemed to replace those requirements in this Division for the permanent replacement of an automobile for hire for which a permit has been previously issued. Each permit holder must inform the Police Department when a spare automobile for hire is in use and the location of the disabled vehicle.

(Added 8-27-55 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0204 RATES OF FARES

(a) Within thirty (30) calendar days following the issuance of a permit by the City Manager, each permittee shall file a document with the City Manager reflecting the rates of fare being charged by said permittee for automobile-for-hire services. Thereafter, each permittee shall within thirty (30) days following the first day of each calendar year file a document with the City Manager reflecting the rates of fare being charged by said permittee for automobile-for-hire services.

(b) If a permittee desires to change the rates of fare being charged for automobile-for-hire services during any calendar year, he shall first file a document with the City Manager indicating said changes and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permittee shall charge any rate of fare for automobile-for-hire services unless said rates are on file with the City Manager as aforesaid and duly displayed as provided in Section 72.0212 of this Division.

(d) The rates of fare information called for in Sections 72.0202(a) (6), 72.0204(a) and 72.0212 of this Division shall clearly set forth a method of charging the passenger on a:

- (i) per capita,
- (ii) per hour,
- (iii) per mile, or
- (iv) per event

basis which shall clearly provide the passenger with the alternatives available (if any). A permittee may set forth more than one alternative as provided above.

(Added 8-27-75 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0205 TRANSFER OR CANCELLATION OF PERMIT

Each permit issued pursuant to the provisions of this Division is separate and distinct and shall be transferable from the person to whom issued or by whom renewed to another person only upon the written approval of the City Manager; provided, however, that where a permit is issued pursuant to the provisions of this Division to a form of legal entity wherein control is evidenced by shares of stock or such other evidence of ownership (including but not necessarily limited to a corporation, a partnership, a joint venture, a joint stock company, or a business trust) and the majority interest in said entity is transferred from that entity to another person or entity, said transfer, whether voluntary, by operation of law or otherwise shall be made only upon the approval of the City Manager. The application for the transfer of said permit shall certify that the holder of said permit has notified the proposed transferee of the requirements

of this section pertaining to the transfer of said permit, and whenever such application for a transfer of permit is made as provided for herein, the City Manager shall cause an investigation to be made regarding the transferee in accordance with the provisions of Section 72.0202 hereof. If the service for which a permit is granted hereunder is discontinued, the permit granted shall be automatically cancelled.

(Added 8-27-75 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0206 REISSUE OF PERMITS

Whenever an owner sells or transfers title to an automobile or automobiles for hire for which a permit or permits have been granted and within thirty (30) days after such sale or transfer purchases other automobiles for hire, the City Manager shall, as a matter of right, upon written application to the City Manager within thirty (30) days of such purchase, issue a new permit or permits for the operation of no greater number of automobiles for hire than those sold or transferred, provided said owner has complied with all the provisions of this Division.

(Added 8-27-75 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0207 DESTRUCTION OF AUTOMOBILES FOR HIRE

Any owner whose automobile or automobiles for hire, for which a permit or permits have been granted, have been destroyed involuntarily or who voluntarily destroys any automobile or automobiles for hire, will, as a matter of right, upon written application to the City Manager within thirty (30) days after such destruction, be issued a new permit or permits for the operation of not greater number of automobiles for hire than those so destroyed, and upon satisfactory evidence presented to the City Manager of such destruction, and provided further that the owner has complied with all the provisions of this Division.

(Added 8-27-75 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0208 SUSPENSION AND REVOCATION OF PERMIT

Permits may be suspended or revoked by the City Manager at any time in cases:

(a) The City Manager finds the owner's past record to be unsatisfactory in any particular not disclosed in the application.

(b) The owner fails to operate the automobiles for hire in accordance with the provisions of this Division.

(c) The owner shall cease to operate any automobile for hire for a period of thirty (30) consecutive days without having obtained permission for cessation of such operation from the City Manager.

(d) The automobile or automobiles for hire are operated at a rate of fare other than those filed with the City Manager and displayed in permittee's vehicle.

(e) For any other reason which the City Manager may deem warrants suspension or revocation, including but not limited to conviction of a felony.

(Added 8-27-75 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0209 SURRENDER OF PERMIT

Permits which shall have been suspended or revoked by the City Manager shall, forthwith, be surrendered to the City Clerk, and the operation of any automobile or automobiles for hire covered by such permits shall cease. Any owner who shall permanently retire any automobile or automobiles for hire from automobile-for-hire service and not replace the same within thirty (30) days thereof, shall immediately surrender any permit or permits granted for the operation of such automobile or automobiles for hire, to the City Clerk and said owner may not secure additional permits for the operation of any automobile or automobiles for hire without having first made application thereof, in the manner provided in this Division.

(Added 8-27-75 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0210 RIGHT OF APPEAL TO COUNCIL - DENIAL, SUSPENSION, REVOCATION OF PERMIT

When an operating permit authorized under the provisions of this Division is denied, suspended or revoked, the applicant may, within ten (10) days of such action, appeal to the City Council by filing a petition therefor with the City Clerk. Such denial, suspension or revocation shall be final if an appeal is not filed in accordance herewith.

(Added 8-27-75 by Ord. 11670 N.S.)
(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0211 PROCEDURE UPON APPEAL

When an appeal is filed in accordance with Section 72.0210, the City Clerk shall cause the matter to be set for a hearing before the Council on a regular Council meeting docket within fourteen (14) days after such filing, or any later date as the applicant and City Clerk agree,

or as the Council may order. The decision of the Council shall be the final administrative remedy in such appeals.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0212 IDENTIFICATION, MAPS AND RATES OF FARE

(a) Identification Cards

1. There shall be displayed in the passenger compartment of each automobile for hire in full view of the passengers a card not less than four inches by six inches in size, which shall have plainly printed thereon the name of the permittee, or the fictitious name under which said permittee operates, the business address and telephone number of said permittee and the business address and telephone number of the San Diego Police Department.

(b) Map

There shall be carried either on the person of the driver, or in each automobile for hire, a map of the City of San Diego, which shall be displayed to any passenger upon request.

(c) Rates of Fare

The rates of fare which permittee is charging for automobile-for-hire services shall be clearly displayed in the passenger compartment.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0213 EQUIPMENT

Each automobile for hire licensed to operate in this city shall have located in a convenient place in the driver's compartment and in view of the passengers therein a container of type and design approved by the Chief of Police. Said container shall contain a card provided by the Chief of Police bearing the following information:

(a) The number of the license of the driver thereof.

(b) The name and the business address of said driver.

(c) The name of the company employing said driver.

(d) A small photograph of said driver.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0214 MAINTENANCE

(a) The Police Department of The City of San Diego shall have the right, at any time after displaying proper identification, to enter into or upon any certificated automobile for hire for the purpose of ascertaining whether or not any of the provisions of this Division are being violated.

(b) Any automobile for hire which is found, after any such inspection, to be unsafe or in any way unsuitable for automobile-for-hire service may be immediately ordered out of service, and before being returned to service shall have had all unsafe or unsuitable conditions corrected and shall have been inspected by the Police Department.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0215 OPERATING REGULATIONS

(a) Every driver shall upon demand give a correct receipt upon payment of the correct fare.

(b) All disputes as to fares shall be determined by the ~~officer-in-charge of the Police Station~~ nearest to the place where the dispute is had.

(c) It shall be unlawful for any person to refuse to pay the lawful fare of any automobile for hire after employing or hiring the same.

(d) The driver of any automobile for hire shall promptly obey all lawful orders or instructions of any police officer or fireman.

(e) It shall be unlawful for any automobile for hire to remain standing on any public street in the City of San Diego, except when enabling passengers to load or unload.

(f) It shall be unlawful for any person, either as owner, driver or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or street railway loading point.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0216 DRIVERS - LICENSES

(a) It shall be unlawful for any person to drive or operate any automobile for hire without such person first obtaining a permit in writing to do so from the Chief of Police of The City of San Diego.

(b) It shall be unlawful for any person to employ as a driver or operator of any automobile for hire without such person first obtaining a permit in writing to do so from the Chief of Police of The City of San Diego.

(c) Said permit shall be filed with the City Treasurer as part of the application for license.

(d) No permit shall be issued to any of the following persons:

(1) Any person under the age of 18 years.

(2) Any person who has been convicted of a felony or who has been convicted of either driving a vehicle upon the highway while under the influence of an intoxicating liquor or

under the influence of narcotics or reckless driving, unless two years have elapsed since his discharge from a penal institution or after having been placed upon probation during which period of time his record is good.

(e) The Chief of Police may revoke or refuse to renew an operator's license if the driver or applicant has since the granting of his permit:

- (1) Been convicted of a felony;
- (2) Shall have had his State Driver's license revoked or suspended;
- (3) Been convicted of driving while under the influence of intoxicating liquors;
- (4) Been convicted of driving while under the influence of narcotics;
- (5) During any continuous six (6) month period he shall have had three (3) or more convictions of any of offenses set forth in Sections 23102, 23103, 23104, 23105, 22350, 22351, and/or 22352 of the Vehicle Code of the State of California, and amendments thereto, or any combination of either or any of said offenses;

(6) When, for any reason, including, or other than, the above, in the opinion of the Chief of Police, the applicant is unfit to drive an automobile for hire.

(f) Any person whose operator's permit shall have been denied, revoked or renewal refused by the Chief of Police may within ten (10) days after receipt of notice thereof appeal to the Public Services & Safety Committee of the City Council for a hearing thereon by filing a notice thereof with the City Clerk. If no appeal is taken within ten (10) days, the action of the Chief of Police shall be final. The City Clerk shall immediately transmit a copy of said notice to the Committee Consultant who shall place the matter on the Committee docket for a hearing within a reasonable time. The decision of the Committee in this regard shall be final unless a hearing is set before the Council pursuant to Section 22.0101, Rule 4.

(Added 8-27-75 by Ord. 11670 N.S.)
 (Amended 10-27-76 by Ord. 11936 N.S.)
 (Amended 1-19-77 by Ord. 11998 N.S.)

SEC. 72.0217 EXCEPTIONS TO PROVISIONS

The provisions of this Division shall not apply to any vehicle operated by any person or transportation company under the jurisdiction of the Public Utilities Commission of the State of California.

(Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0218 PUBLIC LIABILITY

It shall be unlawful to operate an automobile for hire unless there shall be filed with The City of San Diego, a policy of insurance executed and delivered by a company authorized to carry on an insurance business in the State of California, the financial responsibility of which company shall theretofore have been approved by the City Manager, by the terms of which said insurance company assumes responsibility for injuries to persons or property caused by the operation of said vehicle in the following amount, to-wit:

Kind of Equipment (Passenger Seating Capacity)	For bodily injuries to or death of one person	For bodily injuries to or death of all persons injured or killed, in any one accident (subject to a maximum of \$100,000 for bodily injuries to or death of one person)	For loss or damage, in any one acci- dent, to property of others (ex- cluding cargo)	Minimum for Single Limit Coverage
7 passengers, or less - - -	\$100,000	\$300,000	\$50,000	\$350,000
8 to 12 passengers, incl.	100,000	350,000	50,000	400,000
13 to 20 passengers, incl.	100,000	450,000	50,000	500,000
21 to 30 passengers, incl.	100,000	500,000	50,000	550,000
31 to 40 passengers, incl.	100,000	600,000	50,000	650,000
41 passengers or more - - -	100,000	700,000	50,000	750,000

(Added 8-27-75 by Ord. 11670 N.S.)
 (Amended 10-27-76 by Ord. 11936 N.S.)

SEC. 72.0219 TRANSFER OF EXISTING CERTIFICATES

Persons who hold certificates of public convenience and necessity for automobile(s) for hire on the effective date of this ordinance may, if they so desire, obtain operating permits for automobile(s) for hire from the City Manager within sixty (60) days of the effective date of this ordinance without any charge or fee being paid therefor. Said transfer may be effective by applying to the City Manager for said transfer, and the City Manager shall issue an operating permit or permits for automobile or automobiles for hire provided the person applying therefor has met all of the requirements of this Division.

(Added 10-27-76 by Ord. 11936 N.S.)

DIVISION 3
SIGHT-SEEING VEHICLES
 (Added 8-27-75 by Ord. 11670 N.S.)

SEC. 72.03 TAXICABS – TAXICAB SPECIFICATIONS AND EQUIPMENT

(Amended 4-3-52 by Ord. 5145 N.S.)
 (Amended 2-7-56 by Ord. 6853 N.S.)
 (Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.03.1 TAXICAB – FINANCIAL RECORDS AND REPORTING RECORDS

(Added 5-10-73 by Ord. 11061 N.S.)
 (Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.0301 OPERATING PERMITS

No person shall engage in the business of operating any sight-seeing vehicle within the City of San Diego without first having obtained an operating permit from the City Manager of The City of San Diego or his designated representative, which permit has not been revoked, suspended or otherwise cancelled or terminated by operation of law or otherwise. A separate permit is required for each vehicle operated.

(Added 8-27-75 by Ord. 11670 N.S.)
 (Amended 10-27-76 by Ord. 11937 N.S.)

SEC. 72.0302 APPLICATION

All persons applying to the City Manager for a permit for the operation of one or more sight-seeing vehicles shall file with the City Manager a sworn application therefor on forms provided by the City Manager stating as follows:

- (1) The name and address of the owner or person applying.
- (2) The number of vehicles actually owned and the number of vehicles actually operated by such on the date of application, if any.
- (3) The number of vehicles for which permits are desired.
- (4) The intended make, type, year of manufacture and passenger seating capacity of each sight-seeing vehicle for which application for a permit is made.
- (5) The rates of fare which applicant proposes to charge for sight-seeing services.
- (6) Such other information as the City Manager may in his discretion require.

Before any application is acted upon the City Manager shall cause an investigation to be made and shall report his findings, in writing, on the following:

- (a) The financial responsibility and experience of the applicant.
 - (b) The number, kind and type of equipment to be used.
 - (c) The effect which such additional sight-seeing vehicle service may have upon traffic congestion and parking.
 - (d) Whether the additional sight-seeing service will result in a greater hazard to the public.
 - (e) Such other relevant facts as the City Manager may deem advisable or necessary.
- (Added 8-27-75 by Ord. 11670 N.S.)
 (Amended 10-27-76 by Ord. 11937 N.S.)

SEC. 72.0303 ISSUANCE OF PERMIT

The City Manager shall, in his discretion, determine the number of permits, if any, to be granted to any applicant or applicants and shall issue the permits subject to such conditions as the City Council may deem advisable or necessary in the public interest.

No permit shall be issued to any person who shall not have fully complied with all of the requirements of this Division necessary to be complied with before the commencement of the operation of the proposed service.

With each permit issued, the City Manager shall issue a numbered medallion of a distinctive design. The permit holder shall cause the medallion to be fixed to the outside left rear portion of the sight-seeing vehicle for which the permit is issued. The medallion shall be fixed in a position, in plain view, from the rear of the sight-seeing vehicle. Medallions which are lost or defaced by accident, etc., shall be reported to and replaced by the City Manager.

Each permit holder may utilize one spare sight-seeing vehicle and in the event that a sight-seeing vehicle for which a permit has been issued becomes disabled or unsafe for use, said permit holder will transfer the medallion from the disabled or unsafe sight-seeing vehicle for a period not to exceed thirty (30) days; provided, however, that this section shall not be construed or deemed to replace those requirements in this Division for the permanent replacement of a sight-seeing vehicle for which a permit has been previously issued. Each permit holder must inform the Police Department when a spare sight-seeing vehicle is in use and the location of the disabled vehicle.

(Added 8-27-75 by Ord. 11670 N.S.)
 (Amended 10-27-76 by Ord. 11937 N.S.)

SEC. 72.0304 TRANSFER OR CANCELLATION OF PERMIT

Each permit issued pursuant to the provisions of this Division is separate and distinct and shall be transferable from the person to whom issued or by whom renewed to another person only upon the written approval of the City Manager; provided, however, that where a permit is issued pursuant to the provisions of this Division to a form of legal entity wherein control is evidenced by shares of stock or such other evidence of ownership (including but not necessarily limited to a corporation, a partnership, a joint venture, a joint stock company, or a business trust) and the majority interest in said entity is transferred from that entity to another person or entity, said transfer, whether voluntary, by operation of law or otherwise shall be made only upon the approval of the City Manager. The application for the transfer of said permit shall certify that the holder of said permit has notified the proposed transferee of the requirements of this section pertaining to the transfer of said permit, and whenever such application for a transfer of permit is made as provided for herein, the City Manager shall cause an investigation to be made regarding the transferee in accordance with the provisions of Section 72.0302 hereof. If the service for which a permit is granted hereunder is discontinued, the permit granted shall be automatically cancelled.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 10-27-76 by Ord. 11937 N.S.)

SEC. 72.0305 REISSUE OF PERMITS

Whenever an owner sells or transfers title to a sight-seeing vehicle or vehicles for which a permit or permits have been granted and within thirty (30) days after such sale or transfer purchases other sight-seeing vehicles, the City Manager shall, as a matter of right, upon written application to the City Manager within thirty (30) days of such purchase, issue a new permit or permits for the operation of no greater number of sight-seeing vehicles than those sold or transferred, provided said owner has complied with all the provisions of this Division.

(Old Sec. 72.0305 - ISSUANCE OF CERTIFICATE - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered to 72.0303 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0305 - REISSUE OF PERMITS - Added 10-27-76 by Ord. 11937 N.S. formerly contained in Sec. 72.0307.)

SEC. 72.0306 DESTRUCTION OF VEHICLE

Any owner whose sight-seeing vehicle(s) for which a permit or permits have been granted, have been destroyed involuntarily or who voluntarily destroys any such vehicle, will, as a matter of right, upon written application to the City Manager within thirty (30) days after such destruction, be issued a new permit or permits for the operation of no greater number of sight-seeing vehicles than those so destroyed, and upon satisfactory evidence presented to the City Manager of such destruction, and provided further that the owner has complied with all the provisions of this Division.

(Old Sec. 72.0306 - CANCELLATION OF CERTIFICATE - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered to 72.0304 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0306 - DESTRUCTION OF VEHICLE - Added 10-27-76 by Ord. 11937 N.S. formerly contained in Sec. 72.0308.)

SEC. 72.0307 SUSPENSION AND REVOCATION OF PERMIT

Permits may be suspended or revoked by the City Manager at any time in cases:

(a) The City Manager finds the owner's past record to be unsatisfactory in any particular not disclosed in the application.

(b) The owner fails to operate the sight-seeing vehicle in accordance with the provisions of this Division.

(c) The owner shall cease to operate any sight-seeing vehicle for a period of thirty (30) consecutive days without having obtained permission for cessation of such operation from the City Manager.

(d) The owner has not duly posted the rates of fare charged for sight-seeing services.

(e) For any other reason which the City Manager may deem warrants suspension or revocation.

(Old Sec. 72.0307 - REISSUE OF CERTIFICATES - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered to 72.0305 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0307 - SUSPENSION AND REVOCATION OF PERMIT - Added 10-27-76 by Ord. 11937 N.S. formerly contained in Sec. 72.0308.)

SEC. 72.0308 SURRENDER OF PERMIT

Permits which shall have been suspended or revoked by the City Manager shall, forthwith, be surrendered to the City Clerk, and the operation of any sight-seeing vehicle covered by such permit shall cease. Any owner who shall permanently retire any sight-seeing vehicle from service and not replace the same within thirty (30) days thereof, shall immediately surrender any permit or permits granted for the operation of such vehicle to the City Clerk and said owner may not secure additional permits for the operation of any sight-seeing vehicle without having first made application thereof, in the manner provided in this Division.

(Old Sec. 72.0308 - DESTRUCTION OF VEHICLE - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0308 - SURRENDER OF PERMIT - Added 10-27-76 by Ord. 11937 N.S. formerly contained in Sec. 72.0311.)

SEC. 72.0309 RIGHT OF APPEAL TO COUNCIL – DENIAL, SUSPENSION, REVOCATION OF PERMIT

When an operating permit authorized under the provisions of this Division is denied, suspended or revoked, the applicant may, within ten (10) days of such action, appeal to the City Council by filing a petition therefor with the City Clerk. Such denial, suspension or revocation shall be final if an appeal is not filed in accordance herewith.

(Old Sec. 72.0309 - SUSPENSION AND REVOCATION OF CERTIFICATE - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0309 - RIGHT OF APPEAL TO COUNCIL - DENIAL, SUSPENSION, REVOCATION OF PERMIT - Added 10-27-76 by Ord. 11937 N.S. formerly contained in Sec. 72.0307.)

SEC. 72.0310 PROCEDURE UPON APPEAL

When an appeal is filed in accordance with Section 72.0309, the City Clerk shall cause the matter to be set for a hearing before the Council on a regular Council meeting docket within fourteen (14) days after such filing, or any later date as the applicant and City Clerk agree, or as the Council may order. The decision of the Council shall be the final administrative remedy in such appeals.

(Added 8-27-75 by Ord. 11670 N.S.)

(Amended 10-27-76 by Ord. 11937 N.S.)

SEC. 72.0311 EQUIPMENT

Each sight-seeing vehicle licensed to operate in this city shall have located in a convenient place in the driver's compartment and in view of the passengers therein a container of type and design approved by the Chief of Police. Said container shall contain a card provided by the Chief of Police bearing the following information:

- (a) The number of the license of the driver thereof.
- (b) The name and the business address of said driver.
- (c) The name of the company employing said driver.
- (d) A small photograph of said driver.
- (e) The current rates of fare which permittee is charging for sight-seeing services which shall clearly set forth the rates of fare on a:

- (i) per capita,
- (ii) per hour,
- (iii) per mile, or
- (iv) per event

basis which shall clearly provide the passenger with the alternatives available (if any). A permittee may set forth more than one alternative as provided above.

(Old Sec. 72.0311 - SURRENDER OF CERTIFICATE - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered 10-27-76 by Ord. 11670 N.S.)

(New Sec. 72.0311 - EQUIPMENT - Added 10-27-76 by Ord. 11937 N.S. formerly Sec. 72.0312.)

SEC. 72.0312 MAINTENANCE

(a) The Police Department of The City of San Diego shall have the right, at any time after displaying proper identification, to enter into or upon any certificated sight-seeing vehicle for the purpose of ascertaining whether or not any of the provisions of this Division are being violated.

(b) Any sight-seeing vehicle which is found, after any such inspection, to be unsafe or in any way unsuitable for sight-seeing vehicle service may be immediately ordered out of service, and before being returned to service shall have had all unsafe or unsuitable conditions corrected and shall have been inspected by the Police Department.

(Old Sec. 72.0312 - EQUIPMENT - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0312 - MAINTENANCE - Added 10-27-76 by Ord. 11937 N.S. formerly Sec. 72.0313.)

SEC. 72.0313 OPERATING REGULATIONS

(a) It shall be unlawful for any sight-seeing vehicle to remain standing on any public street in the City of San Diego, except when enabling passengers to load or unload.

(b) It shall be unlawful for any person, either as owner, driver or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or street railway loading point.

(Old Sec. 72.0313 - MAINTENANCE - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0313 - OPERATING REGULATIONS - Added 10-27-76 by Ord. 11937 N.S. formerly Sec. 72.0314.)

SEC. 72.0314 DRIVERS – LICENSES

(a) It shall be unlawful for any person to drive or operate any sight-seeing vehicle without such person first obtaining a permit in writing to do so from the Chief of Police of The City

of San Diego.

(b) It shall be unlawful for any person to employ as a driver or operator of any sight-seeing vehicle without such person first obtaining a permit in writing to do so from the Chief of Police of The City of San Diego.

(c) Said permit shall be filed with the City Treasurer as part of the application for license.

(d) No permit shall be issued to any of the following persons:

(1) Any person under the age of 18 years.

(2) Any person who has been convicted of a felony or who has been convicted of either driving a vehicle upon the highway while under the influence of an intoxicating liquor or under the influence of narcotics or reckless driving, unless two years have elapsed since his discharge from a penal institution or after having been placed upon probation during which period of time his record is good.

(e) The Chief of Police may revoke or refuse to renew an operator's license if the driver or applicant has since the granting of his permit:

(1) Been convicted of a felony;

(2) Shall have had his State driver's license revoked or suspended;

(3) Been convicted of driving while under the influence of intoxicating liquors;

(4) Been convicted of driving while under the influence of narcotics;

(5) During any continuous six (6) month period he shall have had three (3) or more convictions of any of the offenses set forth in Sections 23102, 23103, 23104, 23105, 22350, 22351 and/or 22352 of the Vehicle Code of the State of California, and amendments thereto, or any combination of either or any of said offenses;

(6) When, for any reason, including, or other than, the above, in the opinion of the Chief of Police, the applicant is unfit to drive a sight-seeing vehicle.

(f) Any person whose operator's permit shall have been denied, revoked or renewal refused by the Chief of Police may within ten (10) days after receipt of notice thereof appeal to the Council for a hearing thereon which said hearing shall be granted; and the decision of the Council in this regard shall be final. If no appeal is taken within ten (10) days, the action of the Chief of Police shall be final.

(Old Sec. 72.0314 - OPERATING REGULATIONS - Added 8-27-76 by Ord. 11670 N.S.; amended and renumbered to Sec. 72.0313.)

(New Sec. 72.0314 - DRIVERS - LICENSES - Added 10-27-76 by Ord. 11937 N.S. formerly Sec. 72.0315.)

SEC. 72.0315 EXCEPTIONS TO PROVISIONS

The provisions of this Division shall not apply to any vehicle operated by any person or transportation company under the jurisdiction of the Public Utilities Commission of the State of California.

(Old Sec. 72.0315 - DRIVERS - LICENSES - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0315 - EXCEPTIONS TO PROVISIONS - Added 10-27-76 by Ord. 11937 N.S. formerly Sec. 72.0316.)

SEC. 72.0316 PUBLIC LIABILITY

It shall be unlawful to operate a sight-seeing vehicle unless there shall be filed with The City of San Diego a policy of insurance executed and delivered by a company authorized to carry on an insurance business in the State of California, the financial responsibility of which company shall theretofore have been approved by the City Manager, by the Terms of which said insurance company assumes responsibility for injuries to persons or property caused by the operation of said vehicle in the following amount, to-wit:

Kind of Equipment (Passenger Seating Capacity)	For bodily injuries to or death of one person	For bodily injuries to or death of all persons injured or killed, in any one accident (subject to a maximum of \$100,000 for bodily injuries to or death of one person)		For loss or damage, in any one acci- dent, to property of others (ex- cluding cargo)	Minimum for Single Limit Coverage
7 passengers, or less - - -	\$100,000	\$300,000	\$50,000	\$350,000	
8 to 12 passengers, incl. -	100,000	350,000	50,000	400,000	
13 to 20 passengers, incl. -	100,000	450,000	50,000	500,000	
21 to 30 passengers, incl. -	100,000	500,000	50,000	550,000	
31 to 40 passengers, incl. -	100,000	600,000	50,000	650,000	
41 passengers or more - - -	100,000	700,000	50,000	750,000	

(Old Sec. 72.0316 - EXCEPTIONS TO PROVISIONS - Added 8-27-75 by Ord. 11670 N.S.; renumbered 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0316 - PUBLIC LIABILITY - Added 10-27-76 by Ord. 11937 N.S. formerly Sec. 72.0317.)

SEC. 72.0317 TRANSFER OF EXISTING CERTIFICATES

Persons who hold certificates of public convenience and necessity for sight-seeing vehicles on the effective date of this ordinance may, if they so desire, obtain operating permits for sight-seeing vehicles from the City Manager within sixty (60) days of the effective date of this ordinance without any charge paid therefor. Said transfer may be effective by applying to the City Manager for said transfer, and the City Manager shall issue an operating permit or permits for sight-seeing vehicles provided the person applying therefor has met all of the requirements of this Division.

(Old Sec. 72.0317 - PUBLIC LIABILITY - Added 8-27-75 by Ord. 11670 N.S.; amended and renumbered 10-27-76 by Ord. 11937 N.S.)

(New Sec. 72.0317 - TRANSFER OF EXISTING CERTIFICATES - Added 10-27-76 by Ord. 11937 N.S. formerly Sec. 72.0318.)

SEC. 72.0318 TRANSFER OF EXISTING CERTIFICATES

(Added 8-27-75 by Ord. 11670 N.S.)

(Repealed by renumbering to Sec. 72.0317 10-27-76 by Ord. 11937 N.S.)

SEC. 72.04 TAXICABS - MAINTENANCE

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 2424 N.S. adopted 4-21-42.)

(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.05 TAXICABS - OPERATING REGULATIONS

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 2424 N.S. adopted 4-21-42.)

(Amended 1-13-53 by Ord. 5443 N.S.)

(Amended 2-7-56 by Ord. 6853 N.S.)

(Amended 3-10-60 by Ord. 8256 N.S.)

(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.06 TAXICAB DRIVERS: LICENSES

(Amended 6-11-53 by Ord. 5644 N.S.)

(Amended 2-7-56 by Ord. 6853 N.S.)

(Amended 11-5-68 by Ord. 9900 N.S.)

(Amended 5-10-73 by Ord. 11062 N.S.; effective 7-1-73.)

(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.07 TAXICAB STANDS

(Amended 2-7-56 by Ord. 6853 N.S.)

(Amended 3-10-60 by Ord. 8255 N.S.)

(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.08 TAXICAB STANDS - CHANGE OF LOCATION

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 2892 N.S., adopted 10-3-44.)

(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.09 TAXICABS AND AUTOMOBILES FOR HIRE - PUBLIC LIABILITY

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 2424 N.S., adopted 4-21-42.)

(Amended 4-17-58 by Ord. 7833 N.S.)

(Amended 10-14-65 by Ord. 9303 N.S.)

(Amended 5-10-73 by Ord. 11061 N.S.)

(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.10 AUTOMOBILES FOR HIRE - CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)

(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.11 AUTOMOBILE FOR HIRE – APPLICATION

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.12 AUTOMOBILES FOR HIRE – RESOLUTION BY COUNCIL

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.13 AUTOMOBILE FOR HIRE – PUBLIC HEARINGS

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 3118 N.S., adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.14 AUTOMOBILE FOR HIRE – ISSUANCE OF CERTIFICATE

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)
(Amended 1-27-70 by Ord. 10218 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.15 AUTOMOBILE FOR HIRE – CANCELLATION OF CERTIFICATE

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.16 AUTOMOBILE FOR HIRE – REISSUE OF CERTIFICATES

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.17 AUTOMOBILES FOR HIRE – DESTRUCTION OF AUTOMOBILES FOR HIRE

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.18 AUTOMOBILES FOR HIRE – SUSPENSION AND REVOCATION OF CERTIFICATE

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)
(Amended 1-27-70 by Ord. 10218 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.19 AUTOMOBILES FOR HIRE – USE OF CERTIFICATE

(Incorp. 1-22-52 by Ord. 5046 N.S. contained in Ord. 3118 N.S., adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.20 AUTOMOBILES FOR HIRE – SURRENDER OF CERTIFICATE

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 3118 N.S. adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.21 AUTOMOBILES FOR HIRE – RATES OF FARE

(Amended 2-2-61 by Ord. 8431 N.S.)
(Amended 5-30-74 by Ord. 11328 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.22 AUTOMOBILES FOR HIRE – EQUIPMENT

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 3118 N.S. adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.23 AUTOMOBILES FOR HIRE – MAINTENANCE

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 3118 N.S. adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.24 AUTOMOBILES FOR HIRE – OPERATING REGULATIONS

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 3118 adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.25 AUTOMOBILES FOR HIRE – DRIVERS – LICENSES

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 3118 N.S. adopted 1-9-46.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

SEC. 72.26 AUTOMOBILES FOR HIRE – PUBLIC LIABILITY

(Incorp. 1-22-52 by Ord. 5046 N.S., contained in Ord. 3118 N.S. adopted 1-9-46.)
(Repealed 4-17-58 by Ord. 7833 N.S.)

SEC. 72.27 AUTOMOBILES FOR HIRE, EXCEPTIONS TO PROVISIONS

(Incorp. 1-22-52 by Ord. 5046 N.S. - contained in Ord. 3118 N.S. adopted 1-9-46.)
(Amended 7-9-68 by Ord. 9840 N.S.)
(Repealed 8-27-75 by Ord. 11670 N.S.)

Appendix D
REVISED CITY OF SAN DIEGO PARATRANSIT ORDINANCE



THE CITY OF
SAN DIEGO

THE CITY OF SAN DIEGO MUNICIPAL CODE

PARATRANSIT VEHICLE CODE

CHAPTER VII

PUBLIC UTILITIES AND TRANSPORTATION

ARTICLE 5

PARATRANSIT CODE

DIVISION ONE

GENERAL REGULATIONS

SEC. 75.0101 DEFINITIONS

The following words and phrases, wherever used in this Chapter, shall be construed as defined in this section, unless from the context a different meaning is intended,

or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases.

(a) "Paratransit Vehicle" shall mean every vehicle, other than mass transit vehicles or vehicles involved in an organized car pool not available to the general public, which is operated for any fare or compensation and used for the transportation of passengers over the public streets of the City of San Diego, irrespective of whether such operations extend beyond the boundary limits of said City. Such paratransit vehicles shall include taxicabs, vehicles for hire, jitney vehicles, non-emergency medical vehicles and sight-seeing vehicles. A paratransit vehicle may do business in the City of San Diego only under the authority of the Public Utilities Commission of the State of California or as specified in this Article.

(b) "Vehicle" is a device by which any person or property may be propelled, moved, or drawn upon a street, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

(c) "Taxicab" shall mean every vehicle other than a vehicle for hire, a jitney vehicle, a non-emergency medical vehicle or a sight-seeing vehicle which:

(1) Transports passengers or parcels or both over the public streets of the City of San Diego;

(2) Is made available for hire on call or demand through "cruising," at taxi stands, by telephone or along a defined fixed route as authorized in the discretion of the City Manager.

(d) "Vehicle for Hire" shall mean every vehicle which:

(1) Transports passengers or parcels or both over the public streets of the City of San Diego;

(2) Is routed at the direction of the hiring passenger;

(3) Is prearranged for hire but is not made available through cruising; and

(4) Is hired by and at the service of a person for the benefit of himself or a specified group.

(e) "Jitney" shall mean every vehicle which:

(1) Transports passengers or parcels or both over the public streets of the City of San Diego;

(2) Follows a fixed route of travel between specified points with the fare based on a per capita charge established in its permit in the discretion of the City Manager; and

(3) Is made available to embarking passengers at specified locations along its route on a variable schedule.

(f) "Sight-Seeing Vehicle" shall mean every vehicle which:

(1) Transports passengers for sight-seeing purposes of showing points of interest over the public streets of the City of San Diego; and

(2) Charges a fee or compensation therefor regardless of whether any fee or compensation is paid to the driver of such sight-seeing vehicle, either by the passenger or by the owner or the person who employs the driver or contracts with the driver or charters such sight-seeing vehicle with a driver to transport or convey any passenger, and irrespective of whether or not such driver receives any fee or compensation for his services as driver.

(g) "Non-Emergency Medical Vehicle" shall mean every vehicle which:

(1) transports physically and/or mentally disabled persons who require supervision and/or specialized transportation equipment, and such persons' attendants, over the public streets of the City of San Diego.

(h) "Street" shall mean any place commonly used for the purpose of public travel.

(i) "Owner" shall mean the person, partnership, association, firm or corporation having beneficial ownership of any passenger-carrying vehicle and holding the right to use the vehicle for his/her or its own advantage.

(j) "Compensation" shall mean, as used in this Article, and include any money, thing of value, payment, consideration, reward, tip, donation, gratuity or profit paid to, accepted, or received by the driver of any vehicle in exchange for transportation of a person, or persons, whether paid upon solicitation, demand or contract, or voluntarily, or intended as a gratuity or donation.

(k) "Taximeter" shall mean any instrument, appliance, device, or machine by which the charge for hire of a passenger-carrying vehicle is calculated, either for distance traveled or time consumed, or a combination of both, and upon which such charge is indicated by figures.

(l) "Cruising" means the movement over the public streets of a taxicab in search of or solicitation of prospective passengers; except, the term does not include either the travel of a taxicab proceeding to answer a call for service received by telephone or radio from an intended passenger or the travel of such a vehicle, having discharged a passenger or passengers, returning to the owner's place of business or to its established point of departure.

(m) "Permit" shall mean the license under which a person, firm, partnership, association or corporation may operate as a business a paratransit vehicle.

(n) "Permit Holder" shall mean any person or persons operating a business under a paratransit vehicle permit.

(o) "Individual Owner-Driver" shall mean a person, self-employed, who engages in the business of operating

a single taxicab, as its owner and driver. The term includes all permit holders who hold no more than one such permit for one taxicab only.

(p) "Driver's Identification Card" means that license, issued pursuant to this Article, that permits a person to drive a paratransit vehicle within the City of San Diego.

(q) "Association" shall mean an unincorporated society or group of persons united for some purpose related to the operation of paratransit vehicles. This term includes a cooperative association.

(r) "Employ" as used in this Article includes any form of agreement or contract under which the driver may operate the permit holder's paratransit vehicle.

(s) "Driver" shall mean every person operating any paratransit vehicle as defined in subsection (a).

(t) "Doing Business" shall mean accepting or soliciting passengers for hire in the City of San Diego.

(u) "Group Ride" shall mean shared use of a taxicab where a group of related passengers enter at the same point of origin and disembark at the same destination and pay a single fare for the trip.

(v) "Shared Ride" shall mean non-exclusive use of a taxicab by two or more unrelated passengers, traveling between different points of origin and/or destination, and traveling in the same general direction.

(w) "Exclusive Ride" shall mean exclusive use of a taxicab by one or more related passengers at a time.

SEC. 75.0102 OPERATING PERMITS

No person shall engage in the business of operating any paratransit vehicle within the City of San Diego without first having obtained an operating permit from the City Manager of the City of San Diego or his designated representative, which permit has not been revoked, suspended or otherwise cancelled or termination by operation of law or otherwise. A separate permit is required for each paratransit vehicle operated.

SEC. 75.0103 APPLICATION OR TRANSFER

(a) All persons applying to the City Manager for a permit or for the transfer of a permit for the operation of one or more paratransit vehicles shall file with the City Clerk a sworn application therefor on forms provided by the City Clerk stating as follows:

- (1) The name and address of the owner or person applying;
- (2) The number of vehicles actually owned and the number of vehicles actually operated by such owner on the date of application, if any;
- (3) Financial references and data sufficient to establish applicant's financial responsibility;
- (4) The number of vehicle(s) for which a permit(s) is desired;
- (5) The intended make, type, year of manufacture and passenger seating capacity of each vehicle for which application for a permit is made;

(6) The rates of fare which applicant proposes to charge for paratransit services;

(7) A description of the proposed color scheme, insignia, trade style and/or any other distinguishing characteristics of the proposed vehicle design; and

(8) Where the application is for a limited permit, a detailed description of the geographical area in which the applicant proposes to operate, and (if applicable) a statement setting forth the period of time in which said permit shall be in existence; and

(9) Such other information as the City Manager may in his discretion require. The applicant will also submit, with the application, a nonrefundable filing fee to be determined by the City Manager in order to recover the cost of processing such applications.

(b) Before any application is acted upon, the City Manager shall cause an investigation to be made and shall make a written report on the following:

(1) The financial responsibility and past experience in the service proposed of applicant for a permit;

(2) The number, kind and type of equipment to be used; and

(3) Such other relevant facts as the City Manager may deem advisable or necessary.

SEC. 75.0104 ISSUANCE OF PERMIT

(a) The City Council shall, in its discretion, determine the total number of paratransit permits to be granted.

(b) The City Manager shall determine the number of permits to be granted to any applicant or applicants and issue permits to any applicant or applicants subject to such conditions as the City Council may deem advisable or necessary in the public interest and upon payment of a regulatory fee to be determined by the City Manager.

(c) Such permits shall be issued for a period of one year and be renewable annually upon payment of a regulatory fee to be determined by the City Manager.

(d) No permit shall be issued to any person who shall not have fully complied with all of the requirements of this Article necessary to be complied with before the commencement of the operation of the proposed service.

(e) When the permit has been granted, and upon determination by the City Manager that the color scheme and paratransit vehicle are sufficiently distinctive as not to cause confusion with other paratransit vehicles already operating, and that the paratransit vehicle, after appropriate inspection, meets the requirements of this Article, the City Manager will issue for each paratransit vehicle a numbered medallion to be fixed to the outside left rear portion of the paratransit vehicle for which the permit is issued, in plain view from the rear of the paratransit

vehicle. Loss or destruction or defacing of the medallion shall be reported to the Traffic Division of the Police Department.

(f) Each permit holder may utilize one spare paratransit vehicle and in the event that a paratransit vehicle for which a permit has been issued becomes disabled or unsafe for use, the holder may transfer the medallion from the disabled or unsafe paratransit vehicle to the spare paratransit vehicle which must have been duly inspected by the Taxicab Inspector and approved prior to the transfer, for a period not to exceed thirty (30) days; provided, however, that this section shall not be construed or deemed to replace those provisions in this Article for the permanent replacement of a paratransit vehicle for which a permit has been previously issued. Each permit holder must inform the Police Department when a spare paratransit vehicle is in use and the location of the disabled vehicle.

(g) The privilege of engaging in the business of operating a paratransit vehicle in the City of San Diego granted in the permit is personal to the permit holder, who must be the owner of the paratransit vehicle. The rights and the requirements and responsibilities which attach to the permit remain with the holder at all times the paratransit vehicle is operated in the City of San Diego under the authority of the permit. These rights, requirements and responsibilities, which include but are not limited to the requirements of this Article, will remain unaffected

by any agreement or contractual arrangement between the permit holder and those persons who operate paratransit vehicles, irrespective of the form or characterization of the agreement under which the driver operates the paratransit vehicle.

(h) Permit holder shall, in the case of any change in his business address or telephone, notify the City Manager in writing of such change within 48 hours of the effective date of the change.

SEC. 75.0105 TRANSFER OF PERMIT

(a) Each permit issued pursuant to the provisions of this section is separate and distinct and shall be transferable from the permit holder to another person or entity upon the approval of the City Manager. The transferability of permits may be limited by policy of the City Council, established by resolution, concerning the minimum number of permits to be held by individual owner-drivers.

(b) In the event that the permit holder is a corporation, partnership or legal entity other than a natural person, prior approval of the City Manager shall be required for any transfer or acquisition of majority ownership or control of that corporation, partnership or legal entity to a person or group of persons acting in concert, none of whom already owns or controls a majority interest. Any such acquisition or transfer occurring without prior approval of the City Manager shall constitute a failure to comply with a provision of this ordinance.

(c) The application for the transfer of a permit shall certify that the holder of said permit has notified the proposed transferee of the requirements of this Section pertaining to the transfer of said permit. Whenever such application for a transfer of permit is made, the City Manager shall cause an investigation to be made into the character, fitness, financial responsibility and experience of the applicant to engage in the business of operating a paratransit vehicle within the City of San Diego.

SEC. 75.0106 REISSUE OF PERMIT

Upon approval of a transfer of a paratransit vehicle permit by the City Manager, the City Manager within thirty (30) days of such transfer, shall issue a new permit for the operation of no greater number of paratransit vehicles than those transferred, and provided said owner has complied with all the provisions of this section.

SEC. 75.0107 LIMITED PERMITS

(a) The City Manager may issue limited permits which shall be limited in duration of time and/or limited to a specific geographical area of the City. The issuance of said limited permit shall require submission of all relevant information as set forth in Sec. 75.0103 subsections (1) through (9), and shall state specifically the appropriate time limitations and/or the geographical limitations. In addition to the requirement set forth hereinabove, services operating pursuant to a limited permit shall:

Appendix D (continued)

(1) Commence operations at the specified date approved by the City Manager and cease operations at the ending date approved by the City Manager.

(2) Pick up passengers only in the specified geographical area of the City approved by the City Manager and shall not pick up passengers under any circumstances in the City outside said specified geographical area.

(3) Be allowed to transport passengers from said specified geographical area to points within said area or to points without said area.

(4) Prominently display on the vehicle the geographical area of the City in which the driver is authorized to pick up passengers.

(5) Be subject to each and every provision relating to the operation of a paratransit vehicle as if granted a regular permit for the operation of a paratransit vehicle.

SEC. 75.0108 DESTRUCTION OF PARATRANSIT VEHICLES

Whenever a paratransit vehicle operating under a permit is destroyed, voluntarily or involuntarily, is sold, or its beneficial ownership is otherwise transferred, the permit holder may obtain a transfer of the permit to a replacement vehicle. The purchase of the replacement vehicle must be within thirty (30) days of the destruction, sale or transfer of ownership, and written application to

the City Manager for transfer of the permit must be made within ten (10) days after purchase; the City Manager shall, as a matter of owner right, transfer the permit, provided that the owner has complied with and the paratransit vehicle is in conformance with all the provisions of this Article.

SEC. 75.0109 SUSPENSION AND REVOCATION OF PERMIT

(a) Permits may be suspended or revoked by the City Manager at any time in case:

(1) The City Manager finds the permit holder's past record to be unsatisfactory with respect to satisfying the provisions of this Article.

(2) The permit holder fails to comply with the applicable provisions of this Article.

(3) The drivers of the paratransit vehicle or vehicles fail to act in accordance with those provisions of this Article which govern driver actions.

(4) The owner shall cease to operate any paratransit vehicle for a period of thirty (30) consecutive days without having obtained written permission for cessation of such operation from the City Manager. It is the intent of this section that the City Manager, in granting such permission, gives due consideration to the operating situation of the permit holder on a case-by-case basis.

(5) The paratransit vehicle or vehicles are operated at a rate of fare other than those fares on file with the City Manager or at a rate of fare greater than the maximum set for taxicab rates of fare, if the

paratransit vehicle operated is a taxicab.

(6) The permit holder fails to begin operating the paratransit vehicle for which the permit is first issued within ninety (90) days after the permit is issued.

SEC. 75.0110 REVOCATION PROCESS OF PERMIT AND DRIVER'S IDENTIFICATION CARD

(a) Upon a finding by the City Manager that a permit holder falls within the provisions of Section 75.0109, the permit holder shall be notified that his/her permit has been revoked or suspended and the manner in which such action may be appealed.

(b) Upon a finding by the City Manager that a paratransit vehicle driver falls within the provisions of Sections 75.0114(h)(1) through (7), (j)(1) through (6), the driver shall be notified that his/her driver's identification card has been revoked or suspended and the manner in which such action may be appealed.

(c) The permit holder or driver shall be notified each time a complaint against him/her has been filed, or each time the Chief of Police has noted an incident of non-compliance with the provisions of this Article. The Chief of Police shall cause each complaint to be investigated.

(d) Upon the investigation and determination of three valid complaints and/or incidents of noncompliance, the

permit holder or driver shall receive a Notice of Adverse Action and shall appear for an informal hearing before the Chief of Police.

(e) Following a Notice of Adverse Action, receipt of one additional valid complaint or incident of noncompliance with this section shall cause the permit to be revoked. The permit holder or driver shall be notified by registered mail that his/her permit or driver's identification card has been revoked and the manner in which such action may be appealed.

SEC. 75.0111 SURRENDER OF PERMIT

When a permit or permits shall have been suspended or revoked, the operation of any paratransit vehicle or vehicles authorized by such permit(s) shall cease, and their permits(s) and medallions(s) surrendered immediately to the City Manager. When any permit holder permanently retires any paratransit vehicle or vehicles from service, and does not replace them within thirty (30) days and/or does not apply for permit transfer as specified in Section 75.0105 above, the permit for each such retired paratransit vehicle shall be considered abandoned, and will be void; the permit holder shall immediately surrender each related permit and medallion to the City Manager. Such abandoned permits may not be restored by any means other than through application as for new permits in the manner provided in this Article.

SEC. 75.0112 RIGHT OF APPEAL FROM DENIAL, SUSPENSION OR
REVOCATION OF PERMIT OR DRIVER'S IDENTIFICATION
CARD

(a) The permit holder or driver shall be notified that he/she may file with the City Manager written appeal within ten (10) days after receipt of the notice of revocation, suspension or denial. Contained in the appeal the permit holder or driver shall set forth the reasons why such action is not proper.

(b) If no appeal is filed within the proper time, the permit or driver's identification card shall be considered revoked, suspended or denied and shall be surrendered.

(c) Once an appeal is filed the revocation or suspension of the permit or driver's identification card shall be stayed pending the final determination of the appeal.

SEC. 75.0113 PROCEDURE UPON APPEAL

(a) When an appeal is filed, the City Manager shall cause the appeal to be assigned to a Hearing Officer, who shall schedule the hearing before him/her.

(b) Further appeal rights shall be available through the Transportation and Land Use Committee. Subject to the permanent rules of the Council, the decision of the Council Committee shall be the final administrative remedy.

SEC. 75.0114 DRIVER'S IDENTIFICATION CARDS

(a) No person shall drive or operate any taxicab under the authority of a permit granted under this Article unless such person has and displays a taxicab driver's identification card obtained through the Sheriff of the County of San Diego.

(b) No person shall drive or operate any paratransit vehicle (except taxicab) under the authority of a permit granted under this Article unless such person has and displays a paratransit vehicle driver's identification card issued by the Chief of Police of the City of San Diego.

(c) No permit holder shall employ as a taxicab driver or operator any person who has not obtained a taxicab driver's identification card through the Sheriff of the County of San Diego.

(d) No permit holder shall employ as a driver or operator any person whose privilege to operate a taxicab within the City of San Diego has been revoked, denied or suspended.

(e) No permit holder shall employ as a paratransit vehicle driver or operator (other than a taxicab) any person who has not been issued a paratransit vehicle driver's identification card by the Chief of Police of the City of San Diego.

(f) No permit holder shall employ as a driver or operator any person whose privilege to operate a paratransit vehicle within the City of San Diego has been revoked, denied or suspended.

(g) A taxicab driver may drive for more than one taxicab permit holder. The taxicab driver must, however, have on file with and accepted by the Sheriff of the County of San Diego a separate application, on forms provided by the Sheriff, for each permit holder with whom he has a current driving agreement. A driver may have on file with the

Appendix D (continued)

Sheriff a maximum of four (4) such applications at any one time. It shall be illegal for a taxicab driver to accept or solicit passengers for hire in the City of San Diego while operating the taxicab of any permit holder for whom the driver does not have such an application on file with the Sheriff.

(h) Notwithstanding a driver's possession of a valid taxicab driver identification card, the Chief of Police may for due cause, determined after notice and hearing on the matter, deny, revoke, or suspend the driver's privilege to operate a taxicab in the City of San Diego. The following will constitute cause for such denial, revocation or suspension:

(1) Any circumstance which would, under the terms of the applicable ordinance of the County of San Diego, furnish grounds for the initial denial, or subsequent revocation or suspension or refusal to renew the driver's identification card by the Sheriff.

(2) Violation by the driver of any of the provisions of this Article.

(3) Revocation or suspension of his/her State Driver's License.

(4) Conviction of assault, battery, resisting arrest, or any felony involving force and violence.

(5) Conviction of crime involving moral turpitude that would require that a person register under Section 290 of the California Penal Code.

Appendix D (continued)

(6) Conviction of driving under the influence of intoxicating liquors and/or narcotics while operating a paratransit vehicle.

(7) Any person whose driving record shows a violation point count as specified in Sections 12810 and 12810.5 of the California Vehicle Code. For the purposes of this paragraph, a plea or verdict of guilty, a finding of guilty by a court, a plea of nolo contendere, or a forfeiture of bail is deemed a conviction.

(i) No paratransit vehicle driver's identification card shall be issued by the Chief of Police to any of the following persons:

(1) Any person under age of 18 years.

(2) Any person who has been convicted of a felony, or who has been convicted of either driving a vehicle upon the highway under the influence of an intoxicating liquor or under the influence of narcotics or reckless driving, unless two (2) years have elapsed since his discharge from a penal institution or after having been placed upon probation during which period of time his record is good.

(j) The Chief of Police may for due cause, determined after notice and hearing on the matter, may revoke, suspend or refuse to renew driver's identification card. The following will constitute cause for such revocation or suspension:

(1) Violation by the driver of any of the provisions of this Article.

Appendix D (continued)

(2) Revocation or suspension of his/her State Driver's License.

(3) Conviction of assault, battery, resisting arrest, or any felony involving force and violence.

(4) Conviction of a crime involving moral turpitude that would require that a person register under Section 290 of the California Penal Code.

(5) Conviction of driving under the influence of intoxicating liquors and/or narcotics while operating a paratransit vehicle.

(6) Any person whose driving record shows a violation point count as specified in Sections 12810 or 12810.5 of the California Vehicle Code. For the purposes of this paragraph, a plea or verdict of guilty, a finding of guilty by a court, a plea of nolo contendere, or a forfeiture of bail is deemed a conviction.

SEC. 75.0115 EQUIPMENT

(a) Identification Cards

There shall be displayed in the passenger compartment of each paratransit vehicle in full view of the passengers a card not less than four inches by six inches in size, which shall have plainly printed thereon the name of the permit holder, or the fictitious name under which said permit holder operates, the business address and telephone number of said permit holder and the business address and telephone number of the San Diego Police Department.

(b) Map

There shall be carried either on the person of the driver, or in each paratransit vehicle, a map of the City of San Diego, which shall be displayed to any passenger upon request.

(c) Rates of Fare

The rates of fare charged for paratransit vehicle services shall be clearly displayed in the passenger compartment.

(d) Driver's Identification Card

Each paratransit vehicle licensed to operate in this city shall have located in a convenient place in the driver's compartment and in view of the passengers therein a container of type and design approved by the Chief of Police. Said container shall contain a card provided by the Sheriff of the County of San Diego, or the Chief of Police, visible to passengers, bearing the following information:

- (1) The number of the license of the driver thereof;
- (2) The name and business address of the driver;
- (3) The name of the company employing said driver;
- (4) A small photograph of said driver.

(e) Each paratransit vehicle shall be equipped with a rearview mirror affixed to the right side of the vehicle, as an addition to those rearview mirrors otherwise required by the California Vehicle Code.

SEC. 75.0116 MAINTENANCE

(a) Before a permit is issued to any owner, the paratransit vehicle for which such permit is requested shall be delivered to a place designated by the City Manager for inspection. The City Manager shall designate agents to inspect such paratransit vehicles and its' equipment to ascertain whether such paratransit vehicle complies with the provisions of this Article.

(b) The Chief of Police of the City of San Diego shall have the right at any time after displaying proper identification, to enter into or upon any permitted paratransit vehicle for the purpose of ascertaining whether or not any of the provisions of this Article are being violated.

(c) Any paratransit vehicle which is found, after any such inspection, to be unsafe or in any way unsuitable for paratransit service may be immediately ordered out of service, and before again being placed in service shall be placed in a safe condition, inspected and approved by the Chief of Police.

(d) The interior and exterior of any paratransit vehicle shall be cleaned and well maintained and meet California Vehicle Code requirements and the requirements of this Article at all times when in operation.

SEC. 75.0117 OPERATING REGULATIONS

(a) Every driver shall, upon request of a passenger, give a receipt upon payment of the fare. The receipt shall

accurately show the date, the starting and ending locations for the trip, the amount of the fare, company name and the name and signature of the driver.

(b) All disputes as to fares shall be determined by the police supervisor most readily available to the place where the dispute is had. It shall be unlawful for any person to fail or refuse to comply with such determination by the police supervisor.

(c) It shall be unlawful for any person to refuse to pay the lawful fare of a paratransit vehicle after employing or hiring the same.

(d) The driver of any paratransit vehicle shall promptly obey all lawful orders or instructions of any police officer or fireman.

(e) No driver of any paratransit vehicle shall transport any larger number of persons, including the driver, than the manufacturer's rated seating capacity for the vehicle.

SEC. 75.0118 PUBLIC LIABILITY

It shall be unlawful to operate a paratransit vehicle unless there shall be filed with the City of San Diego, a policy of insurance executed and delivered by a company authorized to carry on an insurance business in the State of California, the financial responsibility of which company shall theretofore have been approved by the City Manager, by the terms of which said insurance company assumes responsibility for injuries to persons or property caused by the operation of said vehicle in an amount determined by

the City Manager and filed with the City Clerk. A permit holder may obtain a certificate of self-insurance for a specified amount approved by Council pursuant to the applicable provisions of the California Vehicle Code.

SEC. 75.0119 FINANCIAL RECORDS AND REPORTING RECORDS

Every person engaged in the business of operating any paratransit vehicle within the City of San Diego under a permit granted by the City Manager shall maintain financial records in accordance with good accounting practices, and maintain reporting records in a form and at intervals which shall be determined from time to time by the City Manager. Such financial and reporting records shall be made available to the City Manager upon demand at any reasonable time.

SEC. 75.0120 EXCEPTION TO PROVISIONS

The provisions of this Article shall not apply to any vehicle operated by any person or transportation company under the jurisdiction of the Public Utilities Commission of the State of California, the Metropolitan Transit Development Board, and San Diego Transit Corporation.

DIVISION TWO

TAXICABS

SEC. 75.0201 TYPES OF SERVICE

(a) A taxicab is authorized to provide the following types of services:

- (1) Exclusive ride;
- (2) Group ride;
- (3) Shared ride;

(4) Fixed route service;

A permit holder who wishes to provide a fixed route service shall:

(a) Apply to the City Manager for authorization to serve a defined route;

(b) Such application shall be in writing and describe the proposed fixed route and fare to be charged;

(c) Upon approval of a fixed route by the City Manager the permit holder shall display a representation of the route on each side of the taxicab in letters large enough to be easily read by potential customers;

(d) If a permit holder wishes to alter his/her approved fixed route he/she must apply in writing to the City Manager representing approval to alter the route.

SEC. 75.0202 RATES OF FARE

Rates of fare for taxicabs shall be set in accordance with the type of service that the taxicab is providing.

(a) After a noticed and open public hearing the City Council by resolution shall establish a maximum rate of fare for exclusive ride and group ride hire of taxicabs. A permit holder may petition the City Council for any desired change in the maximum taxicab rate for exclusive ride and group ride hire.

(b) Each permit holder shall file with the City Manager the rates of fare that he/she will charge for both exclusive ride and shared ride service which shall not exceed the maximum rate set by the City Council pursuant to Section 75.0202(a). Each permit holder shall set the taximeter for the rate that he/she will charge, have the taximeter sealed and inspected, and prominently post rates on each side of the taxicab in block letters of not less than one inch in height and in a location where rates can be easily read by prospective passengers.

(c) If a permit holder desires to change his/her rates of fare, he/she shall file with the City Manager the new rates, re-set the taximeter, have the taximeter sealed and inspected, and post the revised rates on each side of the taxicab as provided in subsection (b) of this section.

(d) It shall be unlawful for a permit holder or driver to operate any taxicab in the City of San Diego unless the vehicle is equipped with a taximeter designed to calculate fares upon the basis of a combination of mileage traveled and time elapsed. When operative with respect to fare indication, the fare-indicating mechanism shall be actuated by the mileage mechanism whenever the vehicle is in motion at such a speed that the rate of mileage revenue equals or exceeds the time rate, and may be actuated by the time mechanism whenever the vehicle speed is less than this and when the vehicle is not in motion. Means shall be provided for the vehicle operator to render the time mechanism either operative or inoperative with respect to the fare-indicating

mechanism. The taximeter shall also be of a style and design approved by the City Manager of said City, or his representative. Waiting time shall include all time when taxicab occupied or engaged by a passenger is not in motion or is traveling at a speed which is slow enough for the time rate to exceed the mileage rate; waiting time will also include the time consumed while standing at the direction of the passenger or person who has engaged such taxicab. It shall be the duty of every permit holder operating a taxicab to keep such taximeter in such proper condition so that said taximeter will, at all times, correctly and accurately indicate the charge for the distance traveled and waiting time. The taximeter shall be at all times subject to inspection by an inspector of the City Manager, or any peace officer, and such inspector or peace officer is hereby authorized at his instance or upon complaint of any person to investigate or cause to be investigated such taximeter, and upon discovery of any inaccuracy in said taximeter, or if the taximeter is unsealed, to remove or cause to be removed the vehicle equipped with such taximeter from the streets of the City of San Diego until the taximeter shall have been correctly adjusted and sealed; before being returned to service, the vehicle and taximeter must be inspected and approved by the Chief of Police, or his designated representative.

(e) It shall be unlawful for any driver of a taxicab while carrying exclusive or group ride passengers to display the flag or device attached to the taximeter in such a position as to denote that the vehicle is for hire, or is not employed, or to have the flag or other attached device in such a position as to prevent the taximeter from operating; and it shall be unlawful for any driver to throw the flag into a position which causes the taximeter to record when the vehicle is not actually employed, or to fail to throw the flag or other device into a nonrecording position at the termination of each and every service.

(f) The taximeter shall be so placed in the taxicab that the reading dial showing the amount of fare to be charged shall be well lighted and readily discernible by the passenger riding in such taxicab.

(g) It shall be unlawful for any permit holder and/or driver, of a taxicab to demand of a passenger a charge for hire greater than the current maximum rate approved by the City Council and on file with the City Clerk or fixed route rate filed with the City Manager.

(h) There shall be displayed in the passenger compartment of each taxicab, well lighted and readily discernible by the passenger, in a container of type and design approved by the Chief of Police, a card showing the operator's rates to be charged for hire of the vehicle.

(i) For shared ride service the permit holder and/or driver of a taxicab shall charge a zone fare rate no greater than the maximum rates as established by the City Council by resolution.

(j) For fixed route service the permit holder and/or driver of a taxicab shall charge a per capita fare in accordance with such rates as the permit holder has filed in writing with the City Manager. Such rates shall be filed at the time a permit holder submits a description and map of a requested fixed route.

(k) If a permit holder desires to change the rates of fare being charged for fixed route service he/she shall first file a document with the City Manager indicating said changes and no change shall be effective until fourteen (14) days following the filing of said change.

(l) No permit holder shall charge any rate of fare for fixed route services unless said rates are on file with the City Manager as aforesaid and duly displayed on two doors, either side of the taxicab in letters of a size easily read.

SEC. 75.0203 EQUIPMENT AND SPECIFICATIONS

(a) No vehicle shall be granted a permit unless it conforms with all the provisions of this Article.

(b) No taxicab shall be operated until the taximeter thereon has been inspected, tested, approved and sealed by the State of California, Department of Weights and Measures, and thereafter so maintained in a manner satisfactory to the representative of the City Manager.

(c) Each taxicab shall bear on the outside a medallion issued by and in the place prescribed by the City Manager, and also be equipped with a device which shall plainly indicate to a person outside the taxicab whether the taximeter is in operation or is not in operation.

(d) All taxicabs must be and conform to a color scheme approved by the City Manager, and the City Manager may refuse a permit to every person whose color scheme, trade name and/or insignia imitates that of any permittee in such manner as to deceive the public. Each taxicab shall be assigned a side or body number by the permit holder. The trade name and side or body number so assigned shall be painted in numerals or decals no less than four inches high in sufficient locations that the side or body number may be seen from the rear side of the taxicab. The trade name shall be painted no less than three (3) inches high on each side of the vehicle.

(e) All taxicabs operating under authority of certificates granted by City Council or permit granted by the City Manager after October 31, 1976, shall be so equipped and operated that they may be dispatched by two-way radio communication in response to a telephone or other request for service by a prospective passenger. This requirement may be met by use of a radio telephone or a netted radio dispatch system.

(f) The radio dispatch capability described in paragraph (e) of this section must be provided so as to conform to the regulations of the Federal Communications Commission pertaining to Land Transportation Radio Services. Failure to conform to those regulations will additionally constitute a failure to meet the requirements of this section.

(e) It shall be unlawful for any driver of a taxicab while carrying exclusive or group ride passengers to display the flag or device attached to the taximeter in such a position as to denote that the vehicle is for hire, or is not employed, or to have the flag or other attached device in such a position as to prevent the taximeter from operating; and it shall be unlawful for any driver to throw the flag into a position which causes the taximeter to record when the vehicle is not actually employed, or to fail to throw the flag or other device into a nonrecording position at the termination of each and every service.

(f) The taximeter shall be so placed in the taxicab that the reading dial showing the amount of fare to be charged shall be well lighted and readily discernible by the passenger riding in such taxicab.

(g) It shall be unlawful for any permit holder and/or driver, of a taxicab to demand of a passenger a charge for hire greater than the current maximum rate approved by the City Council and on file with the City Clerk or fixed route rate filed with the City Manager.

(h) There shall be displayed in the passenger compartment of each taxicab, well lighted and readily discernible by the passenger, in a container of type and design approved by the Chief of Police, a card showing the operator's rates to be charged for hire of the vehicle.

SEC. 75.0204 OPERATING REGULATIONS

(a) Operating regulations shall be promulgated and adopted from time to time by resolution of the City Council. These resolutions will have the force of law and will be published and processed as though set forth in this ordinance.

(b) Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to his destination safely and expeditiously.

(c) It shall be unlawful for the driver or operator of any taxicab to refuse a prospective fare or to take any action to actively discourage a prospective fare, on the basis of race, creed, color, age, sex, national origin, handicap, or for any other reason, unless it shall be readily apparent that the prospective fare is a hazard to the driver or operator.

(d) No driver of any taxicab shall stop, park, or otherwise leave standing his taxicab on the same side of the street in any block in which two taxicabs are already stopped, parked, or otherwise standing, or within one hundred (100) feet of any other taxicab, or within fifteen (15) feet of any fire plug except as modified in Section 75.0205 of this Article.

(e) A taxicab driver may solicit employment by driving through any public street or place without stops, other than those due to obstruction of traffic, and at such speed as not to interfere with or impede traffic.

(f) It shall be unlawful, however, for the driver to seek employment by driving slowly in the vicinity of an entertainment center or transportation center or any other location of public gathering, in such a manner as to interfere with public access to or departure from that center or location, or so as to interfere with or impede traffic.

(g) It shall also be unlawful for a taxicab driver, having parked and left his taxicab, to solicit patronage among pedestrians on the sidewalk, or at any entertainment center, transportation center, or other location of public gathering, except to the extent allowed in paragraph (h). No person shall solicit passengers for a taxicab other than the driver thereof; provided, however, the Chief of Police may authorize a dispatcher to solicit passengers and assist in loading passengers at such times and places as, in his discretion, public service and traffic conditions require.

(h) It shall be unlawful for the driver or operator of any taxicab to remain standing in any established taxicab stand or passenger loading zone unless the driver or operator shall remain within twelve (12) feet of his/her taxicab, unless said driver or operator is actually engaged in assisting passengers to load or unload.

(i) Additional Passenger. No driver, once a passenger has occupied his taxicab, shall permit any other passenger to occupy or ride in the taxicab unless the passenger first

employing the taxicab shall consent to the acceptance of the additional passenger, and consents to the operation of the taxicab on a shared ride basis. The driver shall then charge each passenger a zone fare as established by the City Council.

(j) It shall be unlawful for a taxicab to operate a fixed route service on other than that route(s) designated by the City Manager.

(k) All other operating regulations defined in Section 75.0117 apply.

SEC. 75.0205 STANDS

(a) The City Council of the City of San Diego may by resolution locate and designate taxicab stands for one or more taxicabs, which stands when so established shall be appropriately designated "Taxis Only." The operating regulations of Section 75.0204 shall apply to such stands and to taxicab stands established by the San Diego Unified Port District in areas under its jurisdiction within the City of San Diego.

(b) Each taxicab stand established hereunder shall be in operation twenty-four (24) hours of every day, unless otherwise specified by the City Manager.

(c) Any individual, partnership, association or other organization may petition said City requesting that a new taxicab stand be established, or that the location of an existing taxicab stand be changed to another location, shall,

Appendix D (continued)

prior to the filing of such petition with said City, pay to the City Treasurer a sum in the amount to be determined by the City Manager.

(d) Said Treasurer shall thereupon issue his receipt for said fee and shall designate upon said petition that said fee has been paid.

(e) No action of any kind shall be taken upon such petition by the Council or any officer of said City, without the payment of said fee.

DIVISION THREE

VEHICLES FOR HIRE

SEC. 75.0301 RATES OF FARE

(a) Within thirty (30) calendar days following the issuance of a permit by the City Manager, each permit holder shall file a document with the City Manager reflecting the rates of fare being charged by said permit holder for vehicles-for-hire services. Thereafter, each permit holder shall within thirty (30) days following the first day of each calendar year file a document with the City Manager reflecting the rates of fare being charged by said permit holder for vehicles-for-hire services.

(b) If a permit holder desires to change the rates of fare being charged for vehicles-for-hire services during any calendar year, he shall first file a document with the City Manager indicating said changes and no change shall be effective until fourteen (14) days following the filing of said change.

Appendix D (continued)

(c) No permit holder shall charge any rate of fare for vehicles-for-hire services unless said rates are on file with the City Manager as aforesaid and duly displayed.

(d) The rates of fare shall be established by prearranged contract on a per mile or per hour basis.

(e) The provisions of paragraph (d) of this section shall not apply to automobile-for-hire permits issued before December 1, 1978, as long as the permit is held by the person of record as of December 1, 1978. Once the permit is transferred the transferee shall conform to this section.

SEC. 75.0302 OPERATING REGULATIONS

(a) It shall be unlawful for any vehicle-for-hire to remain standing on any public street in the City of San Diego, except such reasonable time necessary when enabling passengers to load or unload.

(b) It shall be unlawful for any person, either as owner, driver or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport or street railway loading point.

(c) All other operating regulations defined in Section 75.0117 apply.

DIVISION FOUR

SIGHT-SEEING VEHICLES

SEC. 75.0401 RATES OF FARE

(a) Within thirty (30) calendar days following the issuance of a permit by the City Manager, each permit holder

Appendix D (continued)

shall file a document with the City Manager reflecting the rates of fare being charged by said permit holder for sight-seeing vehicle services. Thereafter, each permit holder shall within thirty (30) days following the first day of each calendar year file a document with the City Manager reflecting the rates of fare being charged by said permit holder for sight-seeing services.

(b) If a permit holder desires to change the rates of fare being charged for sight-seeing services during any calendar year, he shall first file a document with the City Manager indicating said changes and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for sight-seeing services unless said rates are on file with the City Manager as aforesaid and duly displayed.

(d) The rates of fare shall be established on a per capita or per event basis.

SEC. 75.0402 OPERATION REGULATIONS

(a) It shall be unlawful for any sight-seeing vehicle to remain standing on any public street in the City of San Diego, except such reasonable time necessary when enabling passengers to load or unload.

(b) It shall be unlawful for any person, either as owner, driver or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport, or street railway loading point.

(c) All other operating regulations defined in Section 75.0117 apply.

DIVISION FIVE

NON-EMERGENCY MEDICAL VEHICLES

SEC. 75.0501 RATES OF FARE

(a) Within thirty (30) calendar days following the issuance of a permit by the City Manager, each permit holder shall file a document with the City Manager reflecting the rates of fare being charged by said permit holder for non-emergency medical vehicle services. Thereafter, each permit holder shall within thirty (30) days following the first day of each calendar year file a document with the City Manager reflecting the rates of fare being charged by said permit holder for non-emergency medical vehicle services.

(b) If a permit holder desires to change the rates of fare being charged for non-emergency medical vehicle services during any calendar year, he shall first file a document with the City Manager indicating said changes and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for non-emergency medical vehicle services unless said rates are on file with the City Manager as aforesaid and duly displayed.

(d) The rates of fare shall be established on a per capita plus per mile basis.

SEC. 75.0502 OPERATING REGULATIONS

(a) It shall be unlawful for any non-emergency medical vehicle to remain standing on any public street in the City of San Diego, except when enabling passengers to load or unload.

(b) All other operating regulations defined in Section 75.0117 apply.

DIVISION SIX

JITNEY VEHICLES

SEC. 75.0601 RATES OF FARE

(a) Within thirty (30) calendar days following the issuance of a permit by the City Manager, each permit holder shall file a document with the City Manager reflecting the rates of fare being charged by said permit holder for jitney services. Thereafter, each permit holder shall within thirty (30) days following the first day of each calendar year file a document with the City Manager reflecting the rates of fare being charged by said permit holder for jitney services.

(b) If a permit holder desires to change the rates of fare being charged for jitney services during any calendar year, he shall first file a document with the City Manager indicating said changes and no change shall be effective until fourteen (14) days following the filing of said change.

(c) No permit holder shall charge any rate of fare for jitney services unless said rates are on file with the City Manager as aforesaid and duly displayed.

(d) The rates of fare shall be established on a per capita basis.

SEC. 75.0602 JITNEY ROUTES

A permit holder who wishes to provide a fixed route service shall:

(a) Apply to the City Manager for authorization to serve a defined route.

(b) Such application shall be in writing and describe the proposed fixed route and fare to be charged.

(c) Upon approval of a fixed route by the City Manager the permit holder shall display a representation of the route, the fare and the permit holder's trade name on each side, of the vehicle in letters large enough to be easily read by potential customers.

(d) If a permit holder wishes to alter his/her approved fixed route he/she must apply in writing to the City Manager requesting approval to alter the route.

SEC. 75.0603 OPERATING REGULATIONS

(a) It shall be unlawful for any jitney to remain standing on any public street in the City of San Diego, except when enabling passengers to load or unload.

(b) It shall be unlawful for any person, either as owner, driver or agent, to approach and solicit patronage upon the streets, sidewalks, in any theater, hall, hotel, public resort, railway or airport or street railway loading point.

Appendix D (continued)

(c) It shall be unlawful for a jitney vehicle to operate a fixed route service on other than that route(s) designated by the City Manager.

(d) All other operating regulations defined in Section 75.0117 apply.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
John M. Kaheny, Deputy

FORMER COUNTY OF SAN DIEGO TAXICAB ORDINANCE

CHAPTER 3

(Repealed and re-enacted by Ord. No. 3209 (N.S.) Eff. 7-17-68)
(Amended by Ord. No. 3377 (N.S.) Eff. 6-30-69) (Repealed and
re-enacted by Ord. No. 3905 (N.S.) Eff. 7-20-72)

TAXICABS AND TAXICAB OPERATORS

Sec. 21.301. DEFINITIONS. Whenever in this chapter the following terms are used, they shall have the meanings respectively ascribed to them in this section:

(a) TAXICAB. Taxicab means a motor-propelled passenger carrying vehicle for hire which is used for the transportation of passengers over and along the public streets, not over a defined route, but as to the route and destination in accordance with and at the direction of the passenger or person hiring such vehicle.

(b) OPERATOR. Operator means a person, firm, partnership or corporation engaged in the business of operating one or more taxicabs and carrying passengers in such taxicabs for hire within the unincorporated territory of the County.

(c) DRIVER. Driver means an individual who drives or is in actual physical control of a taxicab in which passengers are carried for hire within the unincorporated territory of the County.

(d) DOING BUSINESS. Doing business means accepting or soliciting passengers for hire in the unincorporated area of the County of San Diego. Doing business also includes discharging of a passenger for hire in the unincorporated area of the County if such passenger boarded the taxicab in a military installation lying wholly or partially in the unincorporated area of the County of San Diego.

(e) CERTIFICATE. Certificate means a certificate of public convenience and necessity.

(f) LICENSE. License means the operator annual license for all of the taxicabs operated by an operator and issued pursuant to this chapter.

(g) PERMIT. Permit means the annual permit issued for each taxicab licensed pursuant to this chapter.

(h) DRIVERS IDENTIFICATION CARD. Drivers identification card means the annual identification card issued to a taxicab driver pursuant to this Chapter.
(Amended by Ord. No. 4738 (N.S.) Eff. 9-9-76)

Sec. 21.302. (Repealed by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.303. TAXICABS - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FEE. The procedure to follow, except as otherwise provided herein, in obtaining a certificate of public convenience is that set forth in the Uniform Licensing Procedure Sections 16.101-16.115. The fee for a certificate of public convenience and necessity shall be a non-refundable fee of \$10. (Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.304. TAXICAB CERTIFICATE - ISSUANCE OR DENIAL. Upon receipt of the application forms the Sheriff shall conduct an investigation of the applicant and the proposed taxicab business and on the basis of such investigation shall issue or deny the certificate. The Sheriff shall consider the following in determining whether to issue or deny the certificate:

(a) The public need for additional taxicab service and the anticipated effect of such additional service upon traffic and parking in the area proposed to be served. If the applicant is at the time of application authorized by another public agency to provide public transportation service, the Sheriff shall determine the effect of such other service upon the proposed taxicab service and whether the proposed taxicab service is in conflict with any certificate or authorization issued to such applicant by the State of California. If the applicant's proposed taxicab business is in conflict with any certificate or authorization issued by the State of California, the Sheriff shall deny the certificate.

(b) The number of taxicabs for which a certificate is desired.

(c) Financial responsibility and experience of the applicant and whether the applicant is a fit and proper person to engage in the taxicab business.

(d) The type of equipment and color scheme the operator intends to use.

(e) Any other information which will aid the Sheriff in his decision.

Upon completion of his investigation, the Sheriff shall issue or deny the certificate. If the Sheriff denies the certificate, he shall set forth in writing the reasons for such denial and mail by certified or registered United States mail a copy of his denial to the applicant at the address given by applicant in the application for a certificate and to the Clerk of the Board of Supervisors. The applicant may appeal the Sheriff's decision in the manner provided in this chapter.

Sec. 21.305. TAXICAB CERTIFICATE, LICENSE - ADDITIONAL REASONS FOR REVOCATION OR SUSPENSION. In Addition to the reasons stated in the Uniform Licensing Procedure, the Issuing Officer may revoke or suspend a certificate or license in whole or in part for any of the following acts on the part of the certificate holder, his agents, representative or employees:

(a) The cessation of operation of taxicab or taxicabs for a total of thirty days in any six-month period without having prior approval from the Sheriff for such cessation. This provision does not apply to cessation of operation for a reasonable period of time due to regular maintenance of the vehicle.

(b) Charging or demanding from passengers fares exceeding those set forth in or authorized pursuant to this chapter for service rendered by such operator.

(c) With regard to any taxicab covered by a certificate, failure to replace a taxicab within thirty days of its removal from service.

(d) Knowingly making any false misleading or fraudulent statement of a material fact in the application for a certificate or the application for an operator's license.

(e) Violation of this chapter or any section thereof.
(Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.306. TAXICAB CERTIFICATE - TRANSFER, AMENDMENT.

(a) A certificate issued pursuant to this chapter is transferable from the holder to another person upon approval of the Sheriff. The applicant for transfer of a certificate shall make application to the Tax Collector on forms prescribed by the Sheriff and pay a nonrefundable fee of \$10 to the Tax Collector at the time of application. The Tax Collector shall forward the completed application form to the Sheriff. The Sheriff shall conduct an investigation of the proposed transferee by considering the matters set forth in paragraphs (b), (c), (d), and (e) of Section 21.304 of this chapter. The Sheriff shall upon completion of his investigation allow or deny the transfer. If the Sheriff denies the transfer he shall set forth in writing the reasons for such denial and mail by certified or registered United States mail a copy of his denial to the proposed transferor and transferee at the addresses given by the applicant for transfer in the application and to the Clerk of the Board of Supervisors. The applicant may appeal the Sheriff's decision in the manner provided in this chapter.



REVISED COUNTY OF SAN DIEGO TAXI ORDINANCE

CHAPTER 3

(Repealed and re-enacted by Ord. No. 3209 (N.S.) Eff. 7-17-68)
(Amended by Ord. No. 3377 (N.S.) Eff. 6-30-69) (Repealed and
re-enacted by Ord. No. 3905 (N.S.) Eff. 7-20-72)

TAXICABS AND TAXICAB OPERATORS

Sec. 21.301. DEFINITIONS. Whenever in this chapter the following terms are used, they shall have the meanings respectively ascribed to them in this section:

(a) TAXICAB. Taxicab means a motor-propelled passenger carrying vehicle for hire which is used for the transportation of passengers over and along the public streets, not over a defined route, but as to the route and destination in accordance with and at the direction of the passenger or person hiring such vehicle.

(b) OPERATOR. Operator means a person, firm, partnership or corporation engaged in the business of operating one or more taxicabs and carrying passengers in such taxicabs for hire within the unincorporated territory of the County.

(c) DRIVER. Driver means an individual who drives or is in actual physical control of a taxicab in which passengers are carried for hire within the unincorporated territory of the County.

(d) DOING BUSINESS. Doing business means accepting or soliciting passengers for hire in the unincorporated area of the County of San Diego. Doing business also includes discharging of a passenger for hire in the unincorporated area of the County if such passenger boarded the taxicab in a military installation lying wholly or partially in the unincorporated area of the County of San Diego.

(e) LICENSE. License means the operator annual license for all of the taxicabs operated by an operator and issued pursuant to this chapter.

(f) PERMIT. Permit means the annual permit issued for each taxicab licensed pursuant to this chapter.

(g) DRIVERS IDENTIFICATION CARD. Drivers identification card means the annual identification card issued to a taxicab driver pursuant to this chapter.

(h) POSTED RATE. Posted rate means the rate of charge registered with the Sheriff and posted within the taxicab vehicle. The posted rate indicates the rate of charge at which the taximeter has been set and inspected by the Sealer of Weights and Measures.

(Amended by Ord. No. 4738 (N.S.) Eff. 9-9-76) (Amended by
Ord. No. 5307 (N.S.) Eff. 12-21-78)

Sec. 21.302. (Repealed by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.303. (Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78)
(Repealed by Ord. No. 5307 (N.S.) Eff. 12-21-78)

Sec. 21.304. TAXICAB OPERATOR LICENSE - ISSUANCE OR DENIAL. Upon receipt of the application forms the Sheriff shall conduct an investigation of the applicant and the proposed taxicab business and on the basis of such investigation shall issue or deny the license. The Sheriff shall consider the following in determining whether to issue or deny the license:

(a) Financial responsibility and experience of the applicant and whether the applicant is a fit and proper person to engage in the taxicab business.

(b) Any other information which will aid the Sheriff in his decision.

Upon completion of his investigation, the Sheriff shall issue or deny the operator license. If the Sheriff denies the license, he shall set forth in writing the reasons for such denial and mail by certified or registered United States mail a copy of his denial to the applicant at the address given by applicant in the application for a license and to the Clerk of the Board of Supervisors. The applicant may appeal the Sheriff's decision in the manner provided in this chapter.
(Amended by Ord. No. 5307 (N.S.) Eff. 12-21-78)

Sec. 21.305. TAXICAB OPERATOR LICENSE - ADDITIONAL REASONS FOR REVOCATION OR SUSPENSION. In addition to the reasons stated in the Uniform Licensing Procedure, the Issuing Officer may revoke or suspend a license in whole or in part for any of the following acts on the part of the license holder, his agents, representatives or employees:

(a) Charging or demanding from passengers fares exceeding the posted rate.

(b) Knowingly making any false, misleading or fraudulent statement of a material fact in the application for an operator's license.

(c) Violation of this chapter or any section thereof.

(d) Operation of a taxicab by an individual that has not been issued a valid driver's identification card pursuant to Section 21.313 of this chapter.
(Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78) (Amended by Ord. No. 5307 (N.S.) Eff. 12-21-78)

Sec. 21.306. (Amended by Ord. No. 5290 (N.S.) Eff. 11-30-78)
(Repealed by Ord. No. 5307 (N.S.) Eff. 12-21-78)


(b) A certificate issued pursuant to this chapter may, upon proper application, be amended by the Sheriff Issuing Officer to increase or decrease the number of taxicabs covered by the certificate. Application for such increase or decrease shall be filed with the Sheriff Issuing Officer. Upon receipt of such application the Sheriff Issuing Officer shall conduct an investigation and consider the matters set forth in paragraph (a) of Section 21.304 of this chapter. If the Sheriff Issuing Officer allows such amendment he shall issue an amended certificate and notify the Tax Collector. In the event the number of authorized taxicabs is increased, the operator shall pay to the Tax Collector Issuing Officer the required permit fees before such amended certificate is effective. If the Sheriff Issuing Officer denies the amendment he shall set forth in writing the reasons for such denial and mail a copy of such denial to the applicant and to the Clerk of the Board of Supervisors. The holder of the certificate may appeal the Sheriff's Issuing Officer's decision in the manner provided in this chapter the Uniform Licensing Procedure.

Section 8. Section 21.307 of the County Code of Regulatory Ordinances is hereby amended to read as follows:

Sec. 21.307. TAXICABS - OPERATOR LICENSE. The procedure to follow, except as otherwise herein provided, in obtaining a license is that set forth in the Uniform Licensing Ordinance Sections 16.101-16.115. Except for the first license after issuance of a certificate, an operator possessing a valid certificate shall obtain a taxicab license each year between January 1 and June 30 or the first working day thereafter by making application to the Issuing Officer and by paying the fees for such license. Applications for the first license after issuance of the certificate shall be made at the time of such issuance.

The applicant shall present with his application evidence of liability insurance, which shall comply with the provisions of this chapter.

Sec. 21.308. TAXICAB OPERATOR LICENSE - INSPECTION OF VEHICLE. As a condition to the granting of a taxicab operator license, the applicant shall submit his taxicab or taxicabs, at a place designated by the Sheriff, for inspection by the Sheriff. The inspection shall include but not be limited to those items mentioned in the provisions of this chapter relating to the condition of vehicles to be used for taxicabs. In lieu of such inspection, the Sheriff may in his discretion use evidence of other inspections conducted by the State of California or by municipalities within the County of San Diego with regard to any vehicle which is the subject of the application.

Reproduced from
best available copy. 

Section 9. Section 21.309 of the County Code of Regulatory Ordinances is hereby amended to read as follows:

Sec. 21.309. TAXICABS - LICENSE FEES. An applicant for an operator's license shall pay to the ~~Tax-Collector~~ Issuing Officer an annual license fee of \$50 plus \$5 per year per taxicab permit for the first 10 taxicabs and \$2 per year per taxicab permit for each taxicab in excess of 10, which fee shall be paid at the time of application for the license. ~~Operator-licenses issued-subsequent-to-the-first-day-of-October, the first-day of-January-and-the-first-day-of-April-shall-be-issued-at-a prorated-reduction-of-\$12.50-per-quarter.~~

Sec. 21.310. (Repealed by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.311. TAXICABS - CONDITION OF VEHICLE.

(a) The operator shall maintain his taxicabs in such a manner that passengers or pedestrians or vehicles or other property in the vicinity of the operation of such taxicab shall not be exposed to any hazard from any defective equipment or malfunction of equipment in or on the taxicab.

(b) No vehicle designed to accommodate more than eight (8) persons excluding the driver shall be used as a taxicab.

(c) Each taxicab as a condition precedent to being licensed and a permit issued therefor and as a condition precedent to retaining such license and permit shall at all times have:

- 1) Headlights properly functioning and adusted.
- 2) Brake lights properly functioning.
- 3) Turn indicators properly functioning.
- 4) Parking brake properly adjusted and functioning.
- 5) Tail lights properly functioning.
- 6) Seat belts properly installed and available for each passenger.
- 7) Tires that have adequate tread, are safe and properly inflated.
- 8) Steering mechanism properly adjusted and safely operating.
- 9) Any equipment required by statute or ordinance which equipment shall be maintained in good working order.

(d) The operator shall cause the inside of each taxicab to be thoroughly cleaned once every 24 hours and shall cause the inside of each taxicab to be cleaned with a disinfectant solution once each week.

Sec. 21.312. TAXICABS - DRIVER'S IDENTIFICATION CARD.

(a) It shall be unlawful for any person to drive any taxicab doing business in the unincorporated area of the County of San Diego without first obtaining a taxicab driver's identification card from the Issuing Officer.

(b) Pending completion of the Issuing Officer's investigation of the applicant driver, a temporary identification card may be granted for a period not to exceed sixty days.

(c) No identification card shall be issued to any of the following persons:

- 1) Any person under the age of 18 years.
- 2) Any person who does not possess a valid State of California vehicle operator's license.
- 3) Any person who has been convicted of a crime, the nature of which indicates the applicant's unfitness to operate a taxicab in a safe and lawful manner, including, but not limited to, the following:
 - A. Any of the offenses described under penal Code Section 290;
 - B. Any of the offenses requiring registration for violation of the Uniform Controlled Substances Act pursuant to Health and Safety Code Section 11590;
 unless 12 months have elapsed from said conviction during which period the applicant's record is good.

4) Any person who is addicted to any substance prohibited by the Uniform Controlled Substances Act (Health and Safety Code Section 11000 et seq.) unless enrolled and successfully participating in a methadone maintenance program approved under Welfare and Institutions Code Sections 4351 or 4352.

2) Assault or battery or any form thereof

unless twelve (12) months shall have elapsed from said conviction during which period the applicant's record is good.

(e) For the purposes of this section, a plea or verdict of guilty, a finding of guilty by a court in a trial without a jury, a plea of nolo contendere, or a forfeiture of bail is deemed a conviction.

(f) The Issuing Officer may photograph and fingerprint every applicant and forward fingerprints to the California Bureau of Identification for search. A photograph of the applicant shall be affixed to the driver's identification card.

(g) The Issuing Officer or his representative may examine each applicant for an identification card as to such applicant's knowledge of the provisions of this chapter, traffic regulations and geography of the County, and if the results of the investigation mentioned in paragraph (b) above are satisfactory, the Issuing Officer shall approve the application and issue a driver's identification card to said applicant. (Amended by Ord. No. 4622 (N.S.) Eff. 1-15-76) (Amended by Ord. No. 4738 (N.S.) Eff. 9-9-76) (Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.313. TAXICABS - DRIVER'S IDENTIFICATION CARD - FEE; TERM; AND RENEWAL.

(a) The fee for a taxicab driver's identification card shall be \$15.00, non-refundable and paid to the Sheriff at the time of application. If the card is issued it shall be valid for one calendar year from the date of issuance, unless sooner revoked. No period of suspension shall extend the term of such card.

(b) The identification card may be renewed within the 30 days prior to its expiration date by making application to the Sheriff. All provisions of the ordinance relating to an application for an original identification card shall apply to the application for renewal.

(Amended by Ord. No. 4622 (N.S.) Eff. 1-15-76) (Amended by Ord. No. 4729 (N.S.) Eff. 8-13-76) (Amended by Ord. No. 4738 (N.S.) Eff. 9-9-76)

Sec. 21.314. EMPLOYMENT OF DRIVER - NOTICE. Once a week every operator shall notify the Sheriff of the name and taxicab driver's identification card number of each driver who becomes employed by such operator and each driver formerly employed by such operator and who leaves the operator's employment.

Sec. 21.315. TAXICABS - DRIVER'S IDENTIFICATION CARD - ADDITIONAL REASONS FOR REVOCATION, SUSPENSION, DENIAL OF APPLICATION. In addition to the reasons stated in the Uniform Licensing Procedure and subsections 21.312 (c) or (d), any person who is found by the Issuing Officer not to be a fit or proper person for the safe and lawful operation of a taxicab, may have his identification card suspended or revoked or his application for driver's identification card denied by the Issuing Officer. No suspension shall be longer than six (6) months duration. (Amended by Ord. No. 4313 (N.S.) Eff. 6-20-74) (Amended by Ord. No. 4622 (N.S.) Eff. 1-15-76) (Amended by Ord. No. 4729 (N.S.) Eff. 8-13-76) Amended by Ord. No. 4738 (N.S.) Eff. 9-9-76) (Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.316. INSURANCE REQUIRED.

(a) It shall be unlawful to operate any taxicab within the unincorporated area of the County of San Diego unless there shall be filed with the Sheriff evidence of insurance coverage by a company authorized to carry on insurance business in the State of California. The evidence of insurance required before a taxicab operator's license can be issued shall insure the public against any loss or damage for which the operator is legally liable that may result to any person or property from the operation of any taxicab used by the taxicab operator.

(b) Such insurance shall cover all of the taxicabs of each operator and shall have the same renewal date for each vehicle covered. For each taxicab covered by such insurance, the maximum amount of recovery shall not be less than the following sums:

(1) For the injury to any one person or the death of any one person in any one accident, \$100,000.

(2) For the injury to two or more persons or the death of two or more persons or the injury to one person or more and the death on one person or more in any one accident, \$300,000.

(3) For the injury or destruction of property in any one accident, \$50,000.

(c) The contract for such insurance coverage shall contain a provision that the Sheriff shall be notified at least 10 days prior to the effective date of a total or partial cancellation or other termination of such insurance.

Sec. 21.317. TAXICABS - OPERATION, COLOR, TRADEMARK OR INSIGNIA.

(a) The operator shall have his taxicab or taxicabs painted a distinctive color or colors approved by the Sheriff and shall have permanently affixed to such taxicab or taxicabs a sign or mark indicating the name of the taxicab company or operator and the number of the taxicab, if more than one taxicab is operated by such operator. No color, name, trademark or combination thereof shall be used if such color, name, trademark or combination thereof would reasonably deceive the public as to the identity of the operator of the taxicab.

(b) It shall be unlawful for any owner or operator to knowingly remove any identification or to knowingly paint or affix to any taxicab a color, name, mark or number or combination thereof with the intention to deceive the public as to the identity of the operator of such taxicab or deceive the public as to the vehicle not being a taxicab.

Sec. 21.318. TAXICABS - CONDITION, TAXIMETER.

(a) Every taxicab shall have installed therein a taximeter or other measuring instrument for the purpose of gauging or indicating the amount of the authorized fare for the distance traveled or waiting time or for the purpose of determining the authorized fare to be collected from passengers. The taximeter shall be sealed at all points and connections which, if manipulated, could affect its correct reading and recording. The use of any inaccurate taximeter or other measuring device is prohibited and it shall be the duty of the operator of any taxicab to which there is attached any taximeter or other measuring instrument to at all times keep said taximeter or other measuring instrument accurate. Upon the finding by the Sheriff of any inaccuracy in a taximeter, or the meter being unsealed, the Sheriff shall suspend the vehicle permit and order the removal of the affected vehicle from the streets of the unincorporated area of the County until such time as the taximeter shall have been correctly adjusted and/or sealed.

(b) Every taximeter or other measuring instrument used for the purpose of gauging or indicating the amount of the authorized fare for the distance traveled or waiting time or for the purpose of determining the authorized fare to be collected from passengers shall be inspected at least annually by the County Sealer of Weights and Measures and shall be subject to inspection at all times by the Sheriff or his

authorized representative. The Sheriff may at any time detail deputies to inspect any or all taximeters or other measuring instruments so used when in his opinion such instruments are inaccurate. A deputy sheriff shall immediately investigate and report to the Sheriff upon the complaint of any person that the fare charged is more than the legal fare. The Sheriff shall cause the taximeter or other measuring instrument upon the taxicab complained of to be inspected. The Sheriff shall revoke the certificate, license and permit insofar as applicable to a taxicab belonging to any person, firm, or corporation who knowingly maintains in or upon such taxicabs any taximeter or other measuring instrument which registers charges in excess of the legal fare and who collects such charges.

Sec. 21.319. TAXICABS - OPERATIONS, FARES.

(a) Fares for services rendered by the taxicab operator shall be at rates established by this chapter or at such rates as may be established by resolution adopted by the Board of Supervisors.

(b) Pending the establishment of rates for taxicabs by resolution adopted by the Board of Supervisors, the taxicab fare shall be \$0.50 for the first 1/4 mile and \$0.10 for each additional 1/4 mile and \$0.16 for each two minutes of waiting time.

(c) If a taxicab licensed by the County is also licensed by an incorporated city within the County of San Diego or by any other public agency, including any branch of the United States armed forces, and such city or public agency has established a fare rate schedule, the schedule so established for use within the boundaries of such public agency or city may be used for such taxicab in lieu of the fares set by or under this ordinance except that no flat or unmetered rate may be used while doing business in the unincorporated area of the County of San Diego.

(d) The rate schedule shall be conspicuously posted on the interior of all taxicabs.

(e) A taximeter shall indicate the authorized fare for hire by means of figures in dollars and cents. Such figures under all conditions shall be easily readable by persons in the passenger compartment of the taxicab.

(f) It shall be unlawful for a passenger who has engaged taxicab service of a taxicab operator to refuse to pay the fare for such service.

(g) The taxicab operator or driver shall not request of a passenger a fare in excess of that authorized by or enacted pursuant to this code. Such a demand by any taxicab operator or driver shall be grounds for the Sheriff to suspend or revoke the operator's certificate, license and permit and taxicab driver's identification card.

(h) All disputes as to fares shall be determined by the deputy in charge of the nearest Sheriff's office to the place where the dispute is had. It shall be unlawful for any person to fail or refuse to comply with the determination of the deputy.

Sec. 21.320. TAXICABS - DRIVER'S DUTIES.

(a) The Taxicab driver, when operating a taxicab within the unincorporated area of the County of San Diego shall comply with all of the traffic regulations of the State of California and the County of San Diego.

(b) Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to his destination safely and expeditiously.

(c) Every driver shall, upon the request of a passenger, give a receipt upon payment of the fare. The receipt shall indicate the beginning and ending points of the trip, the fare charged, the date, the taxicab operator's name, and the taxicab number, and shall be signed by the driver.

(d) No person shall solicit passengers for taxicabs other than the driver thereof, and then only when sitting upon the driver's seat of the vehicle, provided, however, that the Sheriff or his representative may authorize a dispatcher to solicit passengers as a system of loading of passengers at such times and places as in the Sheriff's discretion public service and traffic conditions require.

(e) No driver of any taxicab shall transport any larger number of persons including the driver than the manufacturer's rated seating capacity for the vehicle. Nor shall any driver carry any luggage exceeding the vehicle's storage volume or load-carrying capacity regardless of the number of passengers occupying the vehicle.

(f) The driver of any vehicle regulated by this code shall promptly obey all lawful orders or instructions of any peace officer, deputy sheriff, highway patrolman or fireman.

(g) It shall be unlawful for the driver or operator of any taxicab to allow the taxicab to remain standing in any established taxicab stand unless the driver or operator shall remain within twelve feet of any portion of the established cab zone, whether the zone be single or multiple zone, unless said driver or operator is actually engaged in assisting passengers to load or unload or is actually engaged in answering his telephone.

(h) The taxicab driver or operator shall not solicit passengers by driving back and forth in a space of less than 400 feet.

(i) No taxicab driver may knowingly pick up any person who has summoned a taxicab of a competitive taxicab company, and which person is unaware that the driver offering services is not representing the taxicab company which such person summoned.

(j) No taxicab driver shall carry in any taxicab which is engaged by a passenger any additional passenger unless the passenger who first engaged the taxicab consents to such carrying of additional passengers.

(k) No taxicab driver shall use or authorize the use of any taxicab for an illegal purpose.

(l) Each taxicab driver shall be responsible for affixing in a conspicuous place inside of his taxicab his driver's identification card complete with photo, and the permit issued for such cab.

(m) It shall be unlawful for the driver or operator of any taxicab to refuse a prospective passenger or to take any action to actively discourage a prospective passenger unless the taxicab driver believes that the prospective passenger may constitute a hazard to such driver.

(n) It shall be unlawful for the driver or operator of any taxicab to refuse a prospective passenger or to take any action to actively discourage a prospective passenger on the basis of race, creed, color, age, sex, handicap, or national origin.

(o) Violation of any of the provisions of this section shall constitute grounds for the immediate suspension or revocation of the driver's identification card. (Amended by Ord. No. 4313 (N.S.) Eff. 6-20-74) (Amended by Ord. No. 4956 (N.S.) Eff. 8-25-77)

Sec. 21.321. (Amended by Ord. No. 4198 (N.S.) Eff. 1-19-74) (Repealed by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.322. VIOLATIONS - A MISDEMEANOR. In addition to any other penalty provided herein, any person violating any of the provisions or failing to comply with any of the requirements of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the County Jail for a period of no more than six (6) months or by both such fine and imprisonment.

All sanctions provided for herein shall be cumulative and not exclusive. (Added by Ord. No. 4122 (N.S.) Eff. 6-26-73)

Sec. 21.307. TAXICABS - OPERATOR LICENSE. The procedure to follow, except as otherwise herein provided, in obtaining a license is that set forth in the Uniform Licensing Procedure Sections 16.101-16.115.

The applicant shall present with his application evidence of liability insurance, which shall comply with the provisions of this chapter. (Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78) (Amended by Ord. No. 5290(N.S.) Eff. 11-30-78)

Sec. 21.308. TAXICAB OPERATOR LICENSE - INSPECTION OF VEHICLE. As a condition to the granting of a taxicab operator license, the applicant shall submit his taxicab or taxicabs, at a place designated by the Sheriff, for inspection by the Sheriff. The inspection shall include but not be limited to those items mentioned in the provisions of this chapter relating to the condition of vehicles to be used for taxicabs. In lieu of such inspection, the Sheriff may in his discretion use evidence of other inspections conducted by the State of California or by municipalities within the County of San Diego with regard to any vehicle which is the subject of the application.

Sec. 21.309. TAXICABS - LICENSE FEES. An applicant for an operator's license shall pay to the Issuing Officer an annual license fee of \$50 plus \$5 per year per taxicab permit for the first 10 taxicabs and \$2 per year per taxicab permit for each taxicab in excess of 10, which fee shall be paid at the time of application for the license. (Amended by Ord. No. 5290 (N.S.) Eff. 11-30-78)

Sec. 21.310. (Repealed by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.311. TAXICABS - CONDITION OF VEHICLE.

(a) The operator shall maintain his taxicabs in such a manner that passengers or pedestrians or vehicles or other property in the vicinity of the operation of such taxicab shall not be exposed to any hazard from any defective equipment or malfunction of equipment in or on the taxicab.

(b) No vehicle designed to accommodate more than eight (8) persons excluding the driver shall be used as a taxicab.

(c) Each taxicab as a condition precedent to being licensed and a permit issued therefor and as a condition precedent to retaining such license and permit shall at all times have:

- 1) Headlights properly functioning and adusted.
- 2) Brake lights properly functioning.
- 3) Turn indicators properly functioning.
- 4) Parking brake properly adjusted and functioning.
- 5) Tail lights properly functioning.
- 6) Seat belts properly installed and available for each passenger.
- 7) Tires that have adequate tread, are safe and properly inflated.
- 8) Steering mechanism properly adjusted and safely operating.
- 9) Any equipment required by statute or ordinance which equipment shall be maintained in good working order.

(d) The operator shall cause the inside of each taxicab to be thoroughly cleaned once every 24 hours and shall cause the inside of each taxicab to be cleaned with a disinfectant solution once each week.

Sec. 21.312. TAXICABS - DRIVER'S IDENTIFICATION CARD.

(a) It shall be unlawful for any person to drive any taxicab doing business in the unincorporated area of the County of San Diego without first obtaining a taxicab driver's identification card from the Issuing Officer.

(b) Pending completion of the Issuing Officer's investigation of the applicant driver, a temporary identification card may be granted for a period not to exceed sixty days.

(c) No identification card shall be issued to any of the following persons:

- 1) Any person under the age of 18 years.
- 2) Any person who does not possess a valid State of California vehicle operator's license.
- 3) Any person who has been convicted of a crime, the nature of which indicates the applicant's unfitness to operate a taxicab in a safe and lawful manner, including, but not limited to, the following:
 - A. Any of the offenses described under penal Code Section 290;
 - B. Any of the offenses requiring registration for violation of the Uniform Controlled Substances Act pursuant to Health and Safety Code Section 11590;

unless 12 months have elapsed from said conviction during which period the applicant's record is good.

- 4) Any person who is addicted to any substance prohibited by the Uniform Controlled Substances Act (Health and Safety Code Section 11000 et seq.) unless enrolled and successfully participating in a methadone maintenance program approved under Welfare and Institutions Code Sections 4351 or 4352.

(d) The Issuing Officer may deny an application for an identification card to any person who has been convicted of a crime, the nature of which indicates the applicant's unfitness to operate a taxicab in a safe and lawful manner, including but not limited to, the following:

- 1) Vehicle Code section 23101 through and including 23106;

2) Assault or battery or any form thereof

unless twelve (12) months shall have elapsed from said conviction during which period the applicant's record is good.

(e) For the purposes of this section, a plea or verdict of guilty, a finding of guilty by a court in a trial without a jury, a plea of nolo contendere, or a forfeiture of bail is deemed a conviction.

(f) The Issuing Officer may photograph and fingerprint every applicant and forward fingerprints to the California Bureau of Identification for search. A photograph of the applicant shall be affixed to the driver's identification card.

(g) The Issuing Officer or his representative may examine each applicant for an identification card as to such applicant's knowledge of the provisions of this chapter, traffic regulations and geography of the County, and if the results of the investigation mentioned in paragraph (b) above are satisfactory, the Issuing Officer shall approve the application and issue a driver's identification card to said applicant. (Amended by Ord. No. 4622 (N.S.) Eff. 1-15-76) (Amended by Ord. No. 4738 (N.S.) Eff. 9-9-76) (Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.313. TAXICABS - DRIVER'S IDENTIFICATION CARD - FEE; TERM; AND RENEWAL.

(a) The fee for a taxicab driver's identification card shall be \$15.00, non-refundable and paid to the Sheriff at the time of application. If the card is issued it shall be valid for one calendar year from the date of issuance, unless sooner revoked. No period of suspension shall extend the term of such card.

(b) The identification card may be renewed within the 30 days prior to its expiration date by making application to the Sheriff. All provisions of the ordinance relating to an application for an original identification card shall apply to the application for renewal.

(Amended by Ord. No. 4622 (N.S.) Eff. 1-15-76) (Amended by Ord. No. 4729 (N.S.) Eff. 8-13-76) (Amended by Ord. No. 4738 (N.S.) Eff. 9-9-76)

Sec. 21.314. EMPLOYMENT OF DRIVER - NOTICE. Once a week every operator shall notify the Sheriff of the name and taxicab driver's identification card number of each driver who becomes employed by such operator and each driver formerly employed by such operator and who leaves the operator's employment.

Sec. 21.315. TAXICABS - DRIVER'S IDENTIFICATION CARD - ADDITIONAL REASONS FOR REVOCATION, SUSPENSION, DENIAL OF APPLICATION. In addition to the reasons stated in the Uniform Licensing Procedure and subsections 21.312 (c) or (d), any person who is found by the Issuing Officer not to be a fit or proper person for the safe and lawful operation of a taxicab, may have his identification card suspended or revoked or his application for driver's identification card denied by the Issuing Officer. No suspension shall be longer than six (6) months duration. (Amended by Ord. No. 4313 (N.S.) Eff. 6-20-74) (Amended by Ord. No. 4622 (N.S.) Eff. 1-15-76) (Amended by Ord. No. 4729 (N.S.) Eff. 8-13-76) Amended by Ord. No. 4738 (N.S.) Eff. 9-9-76) (Amended by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.316. INSURANCE REQUIRED.

(a) It shall be unlawful to operate any taxicab within the unincorporated area of the County of San Diego unless there shall be filed with the Sheriff evidence of insurance coverage by a company authorized to carry on insurance business in the State of California. The evidence of insurance required before a taxicab operator's license can be issued shall insure the public against any loss or damage for which the operator is legally liable that may result to any person or property from the operation of any taxicab used by the taxicab operator.

(b) Such insurance shall cover all of the taxicabs of each operator and shall have the same renewal date for each vehicle covered. For each taxicab covered by such insurance, the maximum amount of recovery shall not be less than the following sums:

(1) For the injury to any one person or the death of any one person in any one accident, \$100,000.

(2) For the injury to two or more persons or the death of two or more persons or the injury to one person or more and the death on one person or more in any one accident, \$300,000.

(3) For the injury or destruction of property in any one accident, \$50,000.

(c) The contract for such insurance coverage shall contain a provision that the Sheriff shall be notified at least 10 days prior to the effective date of a total or partial cancellation or other termination of such insurance.

Sec. 21.317. TAXICABS - OPERATION, COLOR, TRADEMARK OR INSIGNIA.

(a) The operator shall have his taxicab or taxicabs painted a distinctive color or colors approved by the Sheriff and shall have permanently affixed to such taxicab or taxicabs a sign or mark indicating the name of the taxicab company or operator and the number of the taxicab, if more than one taxicab is operated by such operator. No color, name, trademark or combination thereof shall be used if such color, name, trademark or combination thereof would reasonably deceive the public as to the identity of the operator of the taxicab.

(b) It shall be unlawful for any owner or operator to knowingly remove any identification or to knowingly paint or affix to any taxicab a color, name, mark or number or combination thereof with the intention to deceive the public as to the identity of the operator of such taxicab or deceive the public as to the vehicle not being a taxicab.

Sec. 21.318. TAXICABS - CONDITION, TAXIMETER.

(a) Every taxicab shall have installed therein a taximeter or other measuring instrument for the purpose of gauging or indicating the amount of the authorized fare for the distance traveled or waiting time or for the purpose of determining the authorized fare to be collected from passengers. The taximeter shall be sealed at all points and connections which, if manipulated, could affect its correct reading and recording. The use of any inaccurate taximeter or other measuring device is prohibited and it shall be the duty of the operator of any taxicab to which there is attached any taximeter or other measuring instrument to at all times keep said taximeter or other measuring instrument accurate. Upon the finding by the Sheriff of any inaccuracy in a taximeter, or the meter being unsealed, the Sheriff shall suspend the vehicle permit and order the removal of the affected vehicle from the streets of the unincorporated area of the County until such time as the taximeter shall have been correctly adjusted and/or sealed.

(b) Every taximeter or other measuring instrument used for the purpose of gauging or indicating the amount of the authorized fare for the distance traveled or waiting time or for the purpose of determining the authorized fare to be collected from passengers shall be inspected at least annually by the County Sealer of Weights and Measures and shall be subject to inspection at all times by the Sheriff or his authorized representative. The Sheriff may at any time detail deputies to inspect any or all taximeters or other measuring

instruments so used when in his opinion such instruments are inaccurate. A deputy sheriff shall immediately investigate and report to the Sheriff upon the complaint of any person that the fare charged is more than the legal fare. The Sheriff shall cause the taximeter or other measuring instrument upon the taxicab complained of to be inspected. The Sheriff shall revoke the certificate, license and permit insofar as applicable to a taxicab belonging to any person, firm, or corporation who knowingly maintains in or upon such taxicabs any taximeter or other measuring instrument which registers charges in excess of the legal fare and who collects such charges.

Sec. 21.319. TAXICABS - OPERATIONS, FARES.

(a) Fares for services rendered by the taxicab operator shall be at rates posted in the cab.

(b) At the time of filing an application or whenever a new rate is established, every taxicab operator operating in the unincorporated area of the County shall file with the Sheriff a true and correct statement of the rates to be charged for the transportation of passengers in all taxicabs operated by said operator. Rates shall be established for a period of not less than six (6) months.

(c) The rate schedule shall be conspicuously posted on the interior of all taxicabs as follows:

- (1) Flag drop rate--dollars and cents
- (2) Travel charge rate--dollars and cents per mile
- (3) Time charge rate--dollars and cents per minute

(d) A taximeter shall indicate the authorized fare for hire by means of figures in dollars and cents. Such figures under all conditions shall be easily readable by persons in the passenger compartment of the taxicab.

(e) It shall be unlawful for a passenger who has engaged taxicab service of a taxicab operator to refuse to pay the fare for such service.

(f) The taxicab operator or driver shall not request of a passenger a fare in excess of the posted rate. Such a demand by any taxicab operator or driver shall be grounds for the Sheriff to suspend or revoke the operator's license and permit and taxicab driver's identification card.

(g) All disputes as to fares shall be determined by the deputy in charge of the nearest Sheriff's office to the place where the dispute is had. It shall be unlawful for any person to fail or refuse to comply with the determination of the deputy.

(h) All taxicabs with the same color and trademark identification and/or which have the same dispatch number shall charge the same rates.

(i) Every taxicab operator, driver, and dispatcher shall state the rates in effect in any telephone or personal inquiry.

(Amended by Ord. No. 5307 (N.S.) Eff. 12-21-78)

Sec. 21.320. TAXICABS - DRIVER'S DUTIES.

(a) The Taxicab driver, when operating a taxicab within the unincorporated area of the County of San Diego shall comply with all of the traffic regulations of the State of California and the County of San Diego.

(b) Any driver employed to transport passengers to a definite point shall take the most direct route possible that will carry the passenger to his destination safely and expeditiously.

(c) Every driver shall, upon the request of a passenger, give a receipt upon payment of the fare. The receipt shall indicate the beginning and ending points of the trip, the fare charged, the date, the taxicab operator's name, and the taxicab number, and shall be signed by the driver.

(d) No person shall solicit passengers for taxicabs other than the driver thereof, and then only when sitting upon the driver's seat of the vehicle, provided, however, that the Sheriff or his representative may authorize a dispatcher to solicit passengers as a system of loading of passengers at such times and places as in the Sheriff's discretion public service and traffic conditions require.

(e) No driver of any taxicab shall transport any larger number of persons including the driver than the manufacturer's rated seating capacity for the vehicle. Nor shall any driver carry any luggage exceeding the vehicle's storage volume or load-carrying capacity regardless of the number of passengers occupying the vehicle.

(f) The driver of any vehicle regulated by this code shall promptly obey all lawful orders or instructions of any peace officer, deputy sheriff, highway patrolman or fireman.

(g) It shall be unlawful for the driver or operator of any taxicab to allow the taxicab to remain standing in any established taxicab stand unless the driver or operator shall remain within twelve feet of any portion of the established cab zone, whether the zone be single or multiple zone, unless said driver or operator is actually engaged in assisting passengers to load or unload or is actually engaged in answering his telephone.

(h) The taxicab driver or operator shall not solicit passengers by driving back and forth in a space of less than 400 feet.

(i) No taxicab driver may knowingly pick up any person who has summoned a taxicab of a competitive taxicab company, and which person is unaware that the driver offering services is not representing the taxicab company which such person summoned.

(j) No taxicab driver shall carry in any taxicab which is engaged by a passenger any additional passenger unless the passenger who first engaged the taxicab consents to such carrying of additional passengers.

(k) No taxicab driver shall use or authorize the use of any taxicab for an illegal purpose.

(l) Each taxicab driver shall be responsible for affixing in a conspicuous place inside of his taxicab his driver's identification card complete with photo, and the permit issued for such cab.

(m) It shall be unlawful for the driver or operator of any taxicab to refuse a prospective passenger or to take any action to actively discourage a prospective passenger unless the taxicab driver believes that the prospective passenger may constitute a hazard to such driver.

(n) It shall be unlawful for the driver or operator of any taxicab to refuse a prospective passenger or to take any action to actively discourage a prospective passenger on the basis of race, creed, color, age, sex, handicap, or national origin.

(o) Violation of any of the provisions of this section shall constitute grounds for the immediate suspension or revocation of the driver's identification card. (Amended by Ord. No. 4313 (N.S.) Eff. 6-20-74) (Amended by Ord. No. 4956 (N.S.) Eff. 8-25-77)

Sec. 21.321. (Amended by Ord. No. 4198 (N.S.) Eff. 1-19-74) (Repealed by Ord. No. 5200 (N.S.) Eff. 8-10-78)

Sec. 21.322. VIOLATIONS - A MISDEMEANOR. In addition to any other penalty provided herein, any person violating any of the provisions or failing to comply with any of the requirements of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the County Jail for a period of no more than six (6) months or by both such fine and imprisonment.

All sanctions provided for herein shall be cumulative and not exclusive. (Added by Ord. No. 4122 (N.S.) Eff. 6-26-73)

CITY OF SAN DIEGO

PROCEDURE FOR PROCESSING PARATRANSIT VEHICLE PERMITS

- (1) Complete application form and return it to the City Clerk's Office - 12 Floor, City Administration Building, 202 C Street. (Taxicab applicants have already completed this step)
- (2) Processing of the application will begin when an applicant's name reaches the top of the waiting list. A letter will be sent to the applicant to verify information on the original application form. The updated information is to be sent to the Paratransit Office - 8th Floor, City Administration Building, 202 C Street, and an application processing fee of \$100.00 is to be paid to the City Treasurer - 3rd Floor, City Operations Building, 1222 First Avenue. This fee is to be paid and the updated application returned within ten (10) days of applicant's receipt of the letter from the Paratransit Office.

Failure to pay the processing fee or to return the updated application within ten (10) days will result in the applicant's name being dropped from the list.

- (3) The City will check an applicant's references and conduct a background check. This will take two (2) to three (3) weeks.
- (4) Upon completion of background and reference check the applicant will be notified by mail of the results.
- (5) Upon approval of an application the applicant will have twenty (20) days to pay his/her business license tax of \$25.00 and the regulatory fee (prorated quarterly) - to the City Treasurer.

The permit will be revoked if these fees are not paid within twenty (20) days following applicant's receipt of the letter of approval.

The applicant will have ninety (90) days to put his/her vehicle into service. If the vehicle is not in service within ninety (90) days the permit will be revoked.

- (6) Applicant should have his/her insurance company send a "Certificate of Insurance" to the Paratransit Office, City Administration Building, MS 8A, 202 C Street, San Diego, CA 92101.

THE SCHEDULE OF REQUIRED INSURANCE:

<u>Kind of Equipment (Passenger Seating Capacity)</u>	<u>For bodily injuries to or death of one person</u>	<u>For bodily injuries to or death of all persons injured or killed, in any one accident (subject to a maximum of \$100,000 for bodily injuries to or death of one person)</u>	<u>For loss or damage, in any one acci- dent, to property of others (ex- cluding cargo)</u>	<u>Minimum for Single Limit Coverage</u>
7 passengers, or less---	\$100,000	\$300,000	\$50,000	\$350,000
8 to 12 passengers, incl.	100,000	350,000	50,000	400,000
13 to 20 passengers, incl.	100,000	450,000	50,000	500,000
21 to 30 passengers, incl.	100,000	500,000	50,000	550,000
31 to 40 passengers, incl.	100,000	600,000	50,000	650,000
41 passengers or more---	100,000	700,000	50,000	750,000

- (7) Applicant should contact the San Diego Police Department's Taxicab Inspectors - Officer Haas or Officer Murphy at 236-6189 to make an appointment to discuss his/her color scheme for the taxicab.
- (8) If you intend to operate a paratransit vehicle other than under your own name you will need a fictitious name filing. See County Clerk, Room 1001, County Courthouse.
- (9) Install radio, taximeter and paint vehicle. Taximeter needs to be checked and sealed by the Department of Weights & Measures, Mr. John Meyer - 565-5781 - call for an appointment.
- (10) Upon completion of the above steps the final step is to make an appointment with a Taxicab Inspector, Officer Haas or Officer Murphy, at 236-6189 to have your vehicle inspected.

A copy of the Paratransit Code is enclosed - please read it carefully. If you have any questions contact the Paratransit Office.

EMB:ph

Enclosure

Appendix H
CITY OF SAN DIEGO TAXI RATE FILING FORM



THE CITY OF
SAN DIEGO

CITY ADMINISTRATION BUILDING • 202 C STREET • SAN DIEGO, CALIF. 92101

FINANCIAL
MANAGEMENT
DEPARTMENT
236-6060

Dear Taxicab Operator:

Municipal Code Section 75.0202 requires that taxicab operators file their rates of fare with the City Manager (Paratransit Office).

Please complete and return the form below to:

Paratransit Office, MS 8A
City of San Diego
202 C Street
San Diego, CA 92101

RATES OF FARE

PERMIT(S) HOLDER NAME _____
Please Print
TAXICAB COMPANY NAME _____

EXCLUSIVE RIDE RATES:

_____ flagdrop for _____ of mile
_____ per mile
_____ waiting time

SHARED RIDE RATES:

_____ for initial zone
_____ each additional zone

Signature of Permit(s) Holder

Appendix I

MONTHLY REPORT OF TAXICAB OPERATIONS TO THE

CITY OF SAN DIEGO FOR THE MONTH OF _____, 19 _____

Submitted by: _____
(Name under which corporation, partnership, or individual is doing business.) PLEASE PRINT

Address: _____

Phone: _____ Check here if operating under a taxicab cooperative.

Instructions: This report shall be submitted within 15 days after the end of each month to the following address:

Paratransit Office
City of San Diego
Mail Station 8A
202 C Street
San Diego, CA 92101

(Failure to submit this report may result in suspension or revocation of your certificate.)

OPERATING DATA

- | | |
|--|----------------------------|
| 1. Paid Taxi Trips _____ | 5. Other Revenues _____ |
| 2. Taxicab Miles _____ | (include lease fees) _____ |
| 3. Paid Miles _____ | *6. Gasoline Cost _____ |
| 4. Revenues from Taxi Operations _____ | *7. Gas Gallons Used _____ |

* Multicertificated Companies Only

Please list any important changes since last monthly report regarding type of cab(s) or operation: (It is your responsibility to keep the City informed of any change of address or phone number.)

I hereby certify to the best of my knowledge and belief, that the information in the above schedule is true and correct.

Date

Signature

Appendix J

SAN DIEGO UNIFIED PORT DISTRICT
APPLICATION
GROUND TRANSPORTATION SERVICES PERMIT
SAN DIEGO INTERNATIONAL AIRPORT
For Calendar Year 19 _____

Business Name _____

Name of Applicant _____
(if individual)

Address _____ Tel. No. _____

City _____ Zip Code _____

Type of Permit: Taxicab Vehicle for Hire Hotel Courtesy

The fee is \$25.00 per vehicle, including each spare vehicle, per calendar year.

Number of Regular Permits _____ @ \$25.00 = \$ _____

Number of Spare Permits _____ @ \$25.00 = \$ _____

Total _____ \$ _____

Vehicle Description (Attach list if more than one vehicle):

Make _____; Model _____; Year _____; CA License No. _____

Under what other governmental authorization do you operate?

a. City of San Diego Permit Number _____

b. California Public Utilities Commission Permit Number _____

c. Other (Describe) _____ Permit Number _____

} ATTACH
COPY

In the event the Port Director of District grants the permit applied for, the permit shall be placed on each vehicle at the right bottom corner of the windshield. No vehicles shall be operated for such services without first obtaining and displaying the necessary permit. A permit will be re-issued without charge upon written request for any vehicle which has been permanently replaced by another vehicle.

Ground Transportation Services Permit shall be nonexclusive and nonpreferential and shall not be assigned or transferred in any manner whatsoever. Any permit granted shall expire at the end of the calendar year shown above.

Applicant shall use only such portions of the Airport as directed from time to time by the Port Director of the District.

Applicant shall comply with all rules and regulations which are now in effect (see reverse side) or may hereafter be adopted by the Board of Port Commissioners of the District.

Dated: _____

Signature

Permit Nos. Issued

Title

Appendix K

SAN DIEGO REGION TAXICAB SURVEY
RESIDENT

No. 02695

The taxi companies and your local and regional governments are conducting a survey to improve the quality of taxi service in the San Diego Region. Please complete this questionnaire to help us provide you with better service. Thank you.

	<p>1. What is the zip code of your residence?</p> <p>_____</p>	<p>9. Check <u>all</u> of the following that apply to you.</p> <p>Member of the armed forces <input type="checkbox"/></p> <p>Student <input type="checkbox"/></p> <p>Retired <input type="checkbox"/></p> <p>Handicapped <input type="checkbox"/></p> <p>Employed <input type="checkbox"/></p> <p>Unemployed <input type="checkbox"/></p> <p>Homemaker <input type="checkbox"/></p>	<p>35</p> <p>36</p>
<p>15</p>	<p>2. In a month's time, how many times do you ride in taxicabs in the San Diego Region?</p> <p><input type="checkbox"/> One or less</p> <p><input type="checkbox"/> 2 to 5</p> <p><input type="checkbox"/> 6 to 10</p> <p><input type="checkbox"/> More than 10</p>	<p>10. What is your age?</p> <p>_____</p>	<p>37</p>
<p>16</p>	<p>3. In a month's time, how many times do you ride buses in the San Diego Region?</p> <p><input type="checkbox"/> One or less</p> <p><input type="checkbox"/> 2 to 5</p> <p><input type="checkbox"/> 6 to 10</p> <p><input type="checkbox"/> More than 10</p>	<p>11. What is your annual household income?</p> <p>\$5,000 or less <input type="checkbox"/></p> <p>\$5,001 - 7,000 <input type="checkbox"/></p> <p>\$7,001 - 10,000 <input type="checkbox"/></p> <p>\$10,001 - 15,000 <input type="checkbox"/></p> <p>\$15,001 - 25,000 <input type="checkbox"/></p> <p>More than \$25,000 <input type="checkbox"/></p>	<p>38</p>
<p>17</p>	<p>4. Where did you come from?</p> <p><input type="checkbox"/> Home</p> <p><input type="checkbox"/> Work</p> <p><input type="checkbox"/> School</p> <p><input type="checkbox"/> Shopping</p> <p><input type="checkbox"/> Medical</p> <p><input type="checkbox"/> Personal Business (Library, Church, etc.)</p> <p><input type="checkbox"/> Recreational or Social Activity</p> <p><input type="checkbox"/> Trip (Personal or Business from Out-of-Town)</p> <p><input type="checkbox"/> Other (Specify) _____</p>	<p>12. If it meant the fare would be reduced, would you share a ride with someone you didn't know?</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>39</p>
<p>18</p>	<p>5. Where are you going?</p> <p><input type="checkbox"/> Home</p> <p><input type="checkbox"/> Work</p> <p><input type="checkbox"/> School</p> <p><input type="checkbox"/> Shopping</p> <p><input type="checkbox"/> Medical</p> <p><input type="checkbox"/> Personal Business (Library, Church, etc.)</p> <p><input type="checkbox"/> Recreational or Social Activity</p> <p><input type="checkbox"/> Trip (Personal or Business, Out-of-Town)</p> <p><input type="checkbox"/> Other (Specify) _____</p>	<p>13. After calling for the taxi, how long did you wait for it to arrive?</p> <p>_____ Minutes</p>	<p>40</p>
<p>19</p>	<p>6. If you did not use the taxi for this trip, what alternative would you have chosen?</p> <p><input type="checkbox"/> Bus</p> <p><input type="checkbox"/> Rental Car</p> <p><input type="checkbox"/> Walking</p> <p><input type="checkbox"/> Private automobile (driver)</p> <p><input type="checkbox"/> Private automobile (passenger)</p> <p><input type="checkbox"/> Social Service Agency Vehicle</p> <p><input type="checkbox"/> Not take trip</p> <p><input type="checkbox"/> Other (Specify) _____</p>	<p>14. How do you rate the taxicab service in the San Diego Region?</p> <p>Excellent <input type="checkbox"/></p> <p>Good <input type="checkbox"/></p> <p>Average <input type="checkbox"/></p> <p>Poor <input type="checkbox"/></p>	<p>41</p>
<p>20</p>	<p>7. Do you have a driver's license?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p>15. Check the <u>reasons</u> you chose the taxicab for your trip.</p> <p>Convenience <input type="checkbox"/></p> <p>Cleanliness <input type="checkbox"/></p> <p>Efficiency of service <input type="checkbox"/></p> <p>Unfamiliar with area <input type="checkbox"/></p> <p>Familiarity with service <input type="checkbox"/></p> <p>Safety <input type="checkbox"/></p> <p>Only transportation available <input type="checkbox"/></p> <p>Other (Specify) _____</p>	<p>42</p> <p>43</p>
<p>22</p>	<p>8. How many vehicles in operating condition do you have in your household?</p> <p><input type="checkbox"/> None</p> <p><input type="checkbox"/> One</p> <p><input type="checkbox"/> Two</p> <p><input type="checkbox"/> Three or more</p>	<p>16. Check the <u>improvements</u> you would like to see in the taxicab service.</p> <p>Improve response time <input type="checkbox"/></p> <p>Reduce fares <input type="checkbox"/></p> <p>Improve quality of service <input type="checkbox"/></p> <p>Improve equipment <input type="checkbox"/></p> <p>Other (Specify) _____</p>	<p>44</p> <p>45</p>
		<p>17. May we contact you for follow up questions?</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If YES, please list your name and phone number.</p> <p>_____</p> <p>Thank you.</p>	<p>46</p>

Appendix K (cont.)

SAN DIEGO REGION TAXICAB SURVEY
VISITOR

The taxi companies and the local and regional governments are conducting a survey to improve the quality of taxi service in the San Diego Region. Please complete this questionnaire to help us provide you with better service. Thank you.

1 <input type="checkbox"/>			
1C <input type="checkbox"/>	1. What city are you from? _____	9. Check <u>all</u> of the following that apply to you. Member of the armed forces <input type="checkbox"/> Student <input type="checkbox"/> Retired <input type="checkbox"/> Handicapped <input type="checkbox"/> Employed <input type="checkbox"/> Unemployed <input type="checkbox"/> Homemaker <input type="checkbox"/>	23 <input type="checkbox"/> 26 <input type="checkbox"/>
12 <input type="checkbox"/>	2. Why are you in the San Diego Region? <input type="radio"/> Business <input type="radio"/> Vacation <input type="radio"/> Military <input type="radio"/> Convention <input type="radio"/> Visit relatives or friends <input type="radio"/> Family emergency <input type="radio"/> Medical <input type="radio"/> Other (Specify) _____	10. What is your age? _____	30 <input type="checkbox"/>
13 <input type="checkbox"/>	3. How many days have you stayed or will you be staying in the San Diego Region? _____	11. What is your annual household income? \$5,000 or less <input type="radio"/> \$5,001 - 7,000 <input type="radio"/> \$7,001 - 10,000 <input type="radio"/> \$10,001 - 15,000 <input type="radio"/> \$15,001 - 25,000 <input type="radio"/> More than \$25,000 <input type="radio"/>	32 <input type="checkbox"/>
17 <input type="checkbox"/>	4. Where did you come from? <input type="radio"/> Accomodations <input type="radio"/> Work <input type="radio"/> School <input type="radio"/> Shopping <input type="radio"/> Medical <input type="radio"/> Personal Business (Library, Church, etc.) <input type="radio"/> Recreational or Social Activity <input type="radio"/> Trip (Personal or Business from Out-of-Town) <input type="radio"/> Other (Specify) _____	12. If it meant the fare would be reduced, would you share a ride with someone you didn't know? Yes <input type="radio"/> No <input type="radio"/>	33 <input type="checkbox"/>
18 <input type="checkbox"/>	5. Where are you going? <input type="radio"/> Accomodations <input type="radio"/> Work <input type="radio"/> School <input type="radio"/> Shopping <input type="radio"/> Medical <input type="radio"/> Personal Business (Library, Church, etc.) <input type="radio"/> Recreational or Social Activity <input type="radio"/> Trip (Personal Or Business, Out-of-Town) <input type="radio"/> Other (Specify) _____	13. After calling for the taxi, how long did you wait for it to arrive? _____ Minutes	34 <input type="checkbox"/>
19 <input type="checkbox"/>	6. If you did not use the taxi for this trip, what alternative would you have chosen? <input type="radio"/> Bus <input type="radio"/> Rental car <input type="radio"/> Walking <input type="radio"/> Private automobile (Driver) <input type="radio"/> Private automobile (Passenger) <input type="radio"/> Not take trip <input type="radio"/> Other (specify) _____	14. How do you rate the taxicab service in the San Diego Region? Excellent <input type="radio"/> Good <input type="radio"/> Average <input type="radio"/> Poor <input type="radio"/>	36 <input type="checkbox"/>
20 <input type="checkbox"/>	7. Do you have a driver's license? <input type="radio"/> Yes <input type="radio"/> No	15. Check the <u>reasons</u> you chose the taxicab for your trip. Convenience <input type="radio"/> Cleanliness <input type="radio"/> Efficiency of service <input type="radio"/> Unfamiliar with area <input type="radio"/> Familiarity with service <input type="radio"/> Safety <input type="radio"/> Only transportation available <input type="radio"/> Other (Specify) _____	37 <input type="checkbox"/> 41 <input type="checkbox"/>
21 <input type="checkbox"/>	8. Could you have rented a car for your stay in the San Diego Region? <input type="radio"/> Yes <input type="radio"/> No	16. Check the <u>improvements</u> you would like to see in the taxicab service. Improve response time <input type="radio"/> Reduce fares <input type="radio"/> Improve quality of service <input type="radio"/> Improve equipment <input type="radio"/> Other (Specify) _____	45 <input type="checkbox"/> 48 <input type="checkbox"/>

Appendix L

City of San Diego, California

COUNCIL POLICY

SUBJECT	POLICY NUMBER	Rev.	PAGE
		EFFECTIVE DATE	
TAXICABS - PERMITS	500-2	12/11/78	1 of 2

BACKGROUND

Regulation of taxicab service is in the interest of providing the citizens of San Diego with a local transportation service of good quality. Toward attainment of that goal, the City finds it desirable to regulate taxicab permit issuance to provide for the public safety.

PURPOSE

To establish a policy with guidelines for the issuance of taxicab permits which includes a consideration of public safety and levels of taxicab service to the public.

POLICY

It is the policy of the City Council that:

1. The present number of taxicab permits shall be increased. Additional permits shall be issued at the rate of fifteen (15) per month, commencing in July 1979. A review and evaluation of the impact of the issuance of additional certificates will be conducted in December 1979. One permit will be issued to each person on the permit application list in order according to the date and time of their application on file with the City Clerk. Following the receipt of one permit, an applicant who has requested more than one permit would have his/her name placed at the end of the list with the number requested to be noted.
2. No permits shall be issued nor transfer authorized to any one person, company, business, corporation, or other entity if such issuance or transfer would cause that entity to hold or control over 50% of the outstanding permits; provided, however, that this limitation shall not apply to the transfer of the permits presently held by Yellow Cab Company of San Diego.
3. All permit holders must agree to provide or participate in radio dispatch capability and service.

City of San Diego, California

COUNCIL POLICY

Rev.

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
TAXICABS - PERMITS	500-2		2 of 2

IMPLEMENTING PROCEDURE

The following procedure is to be observed in the issuance of taxicab permits, as directed by the above policy:

1. Cab Company or individual requests permit(s).
2. Upon receipt of request, the City Manager shall investigate the background and business experience of the applicant and make a determination as to the capability of the applicant to operate a taxicab business. If the applicant is determined to be qualified, the City Manager shall issue a permit. If the applicant is determined not to be qualified, the City Manager shall deny the permit. The applicant shall have a right to appeal the Manager's decision in accordance with San Diego Municipal Code Section 75.0112.

LIMITED CERTIFICATES

This policy is not intended to govern the issuance of limited permits as authorized by Section 75.0107 of the San Diego Municipal Code.

1. Evaluation of the effect of the issuance of limited certificates will be conducted in December 1974. The permit will be issued to one person or the person responsible for the operation, according to the date and time of license application on file with the City Clerk. Each time the permit is renewed, the permit shall be placed at the end of the list with the other permits to be issued.
2. No permits shall be issued for transient activities of the permit company, individual, partnership or other entity. Such issuance of transient permits shall be subject to the control over the continuing permit application however that such limitation shall not apply to the issuance of limited certificates, which shall be issued to the City.
3. All permit holders shall agree to provide the participants in such activities, safety and service.

CITY OF SAN DIEGO, CALIFORNIA			
COUNCIL POLICY		Rev.	
SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
TAXICABS - CERTIFICATES OF CONVENIENCE AND NECESSITY	500-2	12/19/78	1 OF 2
<p><u>BACKGROUND</u></p> <p>Regulation of taxicab service is in the interest of providing the citizens of San Diego with a local transportation service of good quality. Toward attainment of that goal, the City finds it desirable to regulate taxicab certificate issuance to set minimum levels of service.</p> <p><u>PURPOSE</u></p> <p>To establish a policy with guidelines for the issuance of taxicab certificates of public convenience and necessity which includes a consideration of levels of taxicab service to the public.</p> <p><u>POLICY</u></p> <p>It is the policy of the City Council that:</p> <ol style="list-style-type: none"> 1. The present number of 411 taxicab certificates will be increased in 1979. Additional certificates will be issued at the rate of six per month for a period of one year, commencing in January 1979. A review and evaluation of the impact of the issuance of additional certificates will be conducted in July 1979. One certificate will be issued to each person on the certificate application list in order according to the date and time of their application on file with the City Clerk. Following the receipt of one certificate, an applicant who has requested more than one certificate would have his/her name placed at the end of the list with the number requested to be noted. 2. No certificates shall be issued nor transfer authorized to any one person, company, business, corporation, or other entity if such issuance or transfer would cause that entity to hold or control over 50% of the outstanding certificates; provided, however, that this limitation shall not apply to the transfer of the certificates presently held by Yellow Cab Company of San Diego. 3. All certificate holders must agree to provide or participate in radio dispatch capability and service. 			

CITY OF SAN DIEGO, CALIFORNIA

COUNCIL POLICY

Rev.

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
TAXICABS - CERTIFICATES OF CONVENIENCE AND NECESSITY	500-2	12/19/78	2 OF 2

IMPLEMENTING PROCEDURE

The following procedure is to be observed in the issuance of taxicab certificates, as directed by the above policy:

1. Cab Company or individual requests certificates.
2. Upon receipt of request, the City Manager shall investigate and review the key operating statistics, including certificate utilization ratios, levels of service for operating companies, and other information as required by the Municipal Code.
3. The City Manager shall then report his findings to the Council.
4. The Council will then determine, at a public hearing, if the issuance of the certificates is warranted.

LIMITED CERTIFICATES

This policy is not intended to govern the issuance of limited certificates of public convenience and necessity as authorized by Section 72.0101(m) of the San Diego Municipal Code.

Adopted by Resolution No. 172292 8/21/62
 Amended by Resolution No. 216590 8/11/76
 Amended by Resolution No. 217293 12/15/76
 Amended by Resolution No. 222474 12/19/78

CITY OF SAN DIEGO, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
TAXICAB RATES OF FARE	500-5	8/11/76	1 OF 3

BACKGROUND

Regulation of taxicab rates within the City of San Diego is in the interest of the citizens of San Diego. It is imperative that rates be established at reasonable levels for the citizens of San Diego, while at the same time providing a flow of revenue sufficient to cover the operator's cost of providing the service plus a return in line with the annual money cost of capital investment in taxicabs and pertinent facilities.

PURPOSE

To establish guidelines for the review and adjustment of taxicab rates of fare on an annual basis.

POLICY

It shall be the policy of the City Council that all taxicab operations within the City of San Diego be reviewed on an annual basis, at the beginning of the calendar year, for the purpose of determining if an adjustment of rates of fare is required.

IMPLEMENTING PROCEDURE

The following procedure should be adhered to in implementing the above policy:

1. All operators will maintain the following documentation, as a necessary prerequisite to the annual rate of review:
 - A. Tripsheets: A tripsheet shall be prepared for each shift of operation of a taxicab, showing "from" and "to" destination, metered charge for each trip, and the total miles and paid miles for each shift. In case there are any supplementary or additive charges in connection with any trip, space shall be provided for showing an explanation of the reason for such added charge. After summarization of the financial and statistical data on each tripsheet and transference to a summary sheet, individual tripsheets shall be kept open for inspection for six months before destroying.
 - B. Monthly Reports: Each operator, on or before the 15th day of the month, shall provide a summary of the prior month's operations to the City's Transportation Department showing the following quantities and amounts:

a) Operating Statistics

Paid Trips
Taxicab Miles
Paid Miles

No. _____
No. _____
No. _____

CITY OF SAN DIEGO, CALIFORNIA
COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
TAXICAB RATES OF FARE	500-5	8/11/76	2 OF 3

IMPLEMENTING PROCEDURE (Continued)

1. B. a) (Continued)

Revenue - Taxicab Operations	\$	_____
Other Revenues	\$	_____
Gasoline Cost	\$	_____
Gas - Gallons Used	No.	_____

b) Computed Unit Revenues and Gasoline Costs

Taxicab Revenue Per Paid Trip	\$	_____
Paid Miles Per Trip	No.	_____
Taxicab Miles Per Trip	No.	_____
Gallons of Gas Per Trip	No.	_____
Taxicab Miles Per Gallon	No.	_____
Gasoline Cost Per Gallon	\$	_____

C. Annual Reports: Each operator shall prepare and file an annual report of operations within sixty days after the first day of the calendar year, on a form provided by the City Manager's office, showing the annual number of trips, paid miles, total miles, revenues, expenses, total investment in plant and equipment, operating ratio, certificate utilization, and rate of return.

2. An annual review will be held. All of the necessary documents prerequisite to the review must be submitted by the operators, to the City Manager, no later than March 1 of each calendar year. It will consist of reviewing all submitted documents of the taxi industry, then applying the rate making criteria. The City Manager's findings and recommendations shall be completed within 60 days of date of submission, no later than May 1, and shall be placed on the docket of the first City Council meeting thereafter. Final Council action is to be taken on rate adjustments no later than July 1. The following rate making criteria will be used in the review:

A. Operating Ratio: The operating ratio is the ratio derived by dividing the operating expenses, plus depreciation and taxes, (exclusive of interest on other than rolling stock, but including reasonable interest cost on rolling stock), by the revenue. An operating ratio of approximately 96% shall be considered reasonable. In addition to the operating ratio, consideration will be given to the return on rate base in establishing rate levels.

B. Rate Base: The rate base consists of the operator's investment in plant and equipment, less accumulated depreciation, plus an allowance. The working cash allowance is a judgement allowance and consists of items like: incorporation fees, initial license fees, and one week's wages representing money which a new operator would have to advance

CITY OF SAN DIEGO, CALIFORNIA

COUNCIL POLICY

SUBJECT	POLICY NUMBER	EFFECTIVE DATE	PAGE
TAXICAB RATES OF FARE	500-5	8/11/76	3 OF 3

IMPLEMENTING PROCEDURE (Continued)

2. B. (Continued)

before revenues start flowing in to offset expenses. No allowance is included for "goodwill" or for mark-up on sale or transfer of property.

- C. Rate of Return: The rate of return permitted for taxicab operation is in lieu of the annual interest cost which the operator pays on any borrowed capital and includes a margin to cover dividends on stockholders investment. The rate of return has to be sufficient to cover the operator's cost-of-money which cost includes interest on indebtedness and dividends on owner's equity or risk capital.
- D. Revenue and Expense Summary: For a recent 12-month period, including operating ratio and rate of return.
- E. Revenue and Expense Projection: For a current or forward looking 12-month period, including operating ratio and rate of return, company by company and total.
- F. Comparative Taxicab Rates: For 1, 2, 3, and 4 mile trips in the following cities: Bakersfield, Coronado, Chula Vista, El Cajon, El Centro, Escondido, Fresno, La Mesa, Las Vegas, Los Angeles, Oceanside, Oakland, Palm Springs, Phoenix, Reno, Sacramento, San Bernardino, San Francisco, Santa Ana, Santa Barbara, Yuma, and San Diego under present and proposed rates.

Comparable taxicab rates should be applied only after an in-depth study of economic conditions, restrictive regulations, topography, and other influences affecting the industry.

3. Failure of an operator to submit necessary documents prerequisite to the review, may subject that operator to suspension of certification until such time as the necessary required information is forthcoming.

Adopted by Resolution No. 216591 8/11/76

REPORT OF NEW TECHNOLOGY

The work performed under this contract, while not leading to any new inventions or patents, has provided new information on the background and implementation of taxicab regulatory and administrative revisions. These research findings will be useful to other communities throughout the United States in the planning of improved transportation services.