

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 13-229

WHEREAS, Transportation Code Section 1124(a) states that beginning in fiscal year 2010-11, and at least every other fiscal year thereafter, the SFMTA Board shall hold a hearing to determine, in its sole discretion, whether the taxi fares and gate fees then in effect should be increased, decreased or remain unchanged; and,

WHEREAS, The SFMTA commissioned an independent study by a consultant to determine whether there should be a change in various rates, fees and fares related to the taxi industry; and

WHEREAS, SFMTA staff has reviewed the consultant's report and has brought to the SFMTA Board recommendations based on that report; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors amends Transportation Code, Division II, Article 1100 to raise the taxi gate fee cap by \$9.75 as of April 15, 2014; authorize a cancellation fee of up to \$10 to taxi passengers who cancel reserved rides or who are not present when the driver arrives, and, following issuance of regulations by the Director of Transportation, permit drivers to charge a flat rate of up to \$11, rather than the metered rate, for shared taxi trips; and be it .

FURTHER RESOLVED, That the Board of Directors shall reconsider the increase in the gate fee cap in February, 2014.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 15, 2013.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency

FILE NO.

RESOLUTION NO.

[Taxi Rates and Fees]

**Resolution amending Article 1100 of Division II of the Transportation Code to raise the taxi gate fee cap by up to \$9.75 on April 15, 2014, permit taxi companies to charge a cancellation fee of up to \$10 to taxi passengers who cancel reserved rides or are not present when the driver arrives, and permit drivers to charge a flat rate of up to \$11, rather than the metered rate, for shared taxi trips.**

NOTE: Additions are single-underline Times New Roman;  
deletions are ~~strike-through Times New Roman~~.

The Municipal Transportation Agency Board of Directors of the City and County of San Francisco enacts the following regulations:

Section 1. Article 1100 of Division II of the Transportation Code is hereby amended by amending Section 1124, to read as follows:

**SEC. 1124. FEES, RATES AND CHARGES.**

(a) Beginning in fiscal year 2010-2011 and at least every other fiscal year thereafter, the SFMTA Board shall hold a hearing to determine, in its sole discretion, whether the rates of fare and cap on gate fees then in effect should be increased, decreased or remain unchanged.

(b) Taxi Fares.

(1) The fare for Taxis and Ramp Taxis shall be as follows: \$3.50 for the first fifth of a mile or "flag"; \$0.55 for each additional fifth of a mile or fraction thereof; and \$0.55 for each one minute of waiting or traffic delay time.

(2) Out-of-Town Trips. Drivers are authorized to collect 150 percent of the metered rate for out-of-town trips exceeding 15 miles beyond City limits. For trips exceeding 15 miles from San Francisco International Airport and not terminating within the City limits of San Francisco, the fare will be 150 percent of the metered rate except for those trips originating at the San Francisco International Airport with a destination

across the Golden Gate or Bay Bridges the 15-mile limit will apply from the City limits of San Francisco as set forth above. For taxicab trips originating at San Francisco International Airport that incur an airport trip fee, the taxicab driver may collect \$2.00 of that trip fee from the passenger upon receipt of cab fare from the passenger.

(3) Bridge Tolls. Drivers are authorized to collect bridge tolls in advance from passengers whose destination requires the crossing of a toll bridge, regardless of the direction in which the toll is collected.

(4) Cleaning Fee. Drivers are authorized to collect a cleaning fee of up to \$100 from any passenger who permanently stains the interior of the vehicle or who renders the vehicle temporarily unfit for for-hire passengers because of spillage of any substance such that the vehicle must be taken out of service and cleaned.

(5) Credit Card Processing Fees. A Driver may elect to establish his or her own account for credit card payment processing with any merchant account service that conforms to PCI DSS standards and provides an electronic or paper receipt clearly indicating that the payment was made for San Francisco taxicab fare, the date, the fare amount and a toll-free number for passenger and Driver payment inquiries to the merchant account holder or its customer service representative; provided, however, that a Driver must allow a passenger to choose to pay the fare using any available payment system, at the passenger's option. No Color Scheme may retaliate against a Driver for electing, or not electing, to establish his or her own credit card processing account.

(6) Cancellation Fee. A cancellation fee of up to \$10 may be charged to any consenting customer who arranges a trip via a smartphone application or telephone call, has placed a credit card number on file, and either cancels the trip after any established grace period has elapsed, or is not present when the Driver arrives at the location specified by the customer for pick up. Customer consent for imposition of a cancellation fee may be obtained prior to or at the time of the trip booking, but only after the customer is informed of the circumstances upon which the fee will be imposed, including any applicable grace period. A cancellation fee may

not be imposed if the Driver arrives at the location specified by the customer for pick up in excess of 25 minutes after the Color Scheme accepted the trip booking.

(7) Flat Rate for Combined Trips. Following the issuance of cab sharing regulations by the Director of Transportation, a driver may charge a flat rate of up to \$11 per person where two or more passengers are taking a trip whose origin or destination are different, and who are sharing the taxi for a portion of their combined trips instead of charging the metered rate. The flat rate may only be used with the advance consent of all affected passengers. Revenue for flat rate trips must be recorded on the Taximeter.

(c) Gate Fees.

(1) Cap on Gate Fees. A Color Scheme Permit Holder or a Medallion Holder may not charge Drivers a mean gate fee that exceeds ~~\$106.25~~ \$96.50 for a shift of 10 hours or longer. The cap shall be prorated at ~~\$10.62~~ \$9.65 per hour for shifts shorter than 10 hours. The mean gate fee shall be determined by adding together the gate fees charged by the company for all available shifts during one week and dividing that total by the number of available shifts during the week. For purposes of this subsection, a Color Scheme Permit Holder is responsible for all gate fees that are assessed for use of any Gas and Gates Medallion that is affiliated with the Color Scheme. The Medallion Holder is responsible for all gate fees charged for the use of his or her Medallion if it is not operated as a Gas and Gates Medallion.

(2) Gate Fee Surcharge For Low Emission Vehicles. Notwithstanding subsection 1122(c)(1), a Color Scheme may collect a surcharge of \$7.50 on any gate fee charged for use of a low emission vehicle, subject to the requirements of this subsection. The surcharge shall be for a shift of ten hours or longer, and shall be prorated at \$0.75 per hour for shifts shorter than ten hours. The surcharge shall be in addition to the company's basic gate fee and any other surcharges, increases, or adjustments to the gate fee cap authorized by the City, and may be collected for the life of the vehicle.

(3) Definition of "Low Emission Vehicle." For purposes of this subsection, "low emission vehicle" means a Taxi or Ramp Taxi approved by the SFMTA that is rated as SULEV (Super Ultra Low Emission Vehicle) or better by the California Air Resources Board. "Low emission vehicle" shall also include a vehicle that is rated as ULEV (Ultra Low Emission Vehicle) if that vehicle was approved by the Taxi Commission and placed into service as a San Francisco Taxi or Ramp Taxi prior to March 1, 2009.

(d) Oversized Luggage Fee. A Driver is entitled to charge an additional amount not to exceed \$1 for each piece of luggage that cannot be conveyed either in the passenger compartment of the vehicle or in the vehicle's trunk with the trunk-lid closed. Each passenger shall be entitled to have conveyed without charge such valise or small package as can be conveniently carried within the vehicle. Other than the charges authorized by this subsection, no charge shall be made by the driver for loading or unloading baggage.

(e) Deduction for Time While Disabled. In the event that a taxicab breaks down while conveying for hire any passenger or passengers, the Driver may not charge any passenger for the time during which the vehicle is disabled.

(f) Credit Cards. Drivers must accept major credit cards (including at a minimum Visa, MasterCard, American Express and Discover), as payment of taxi fare. This section shall be strictly enforced.

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment.

Section 4. Scope of Ordinance. In enacting this ordinance, the San Francisco Municipal Transportation Agency Board of Directors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, letters, punctuation marks, charts, diagrams, or any other constituent parts of the Transportation Code that

are explicitly shown in this ordinance as additions or deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section 5. Operative Date. The portion of Section 1 of this ordinance that amends Section 1124(c) of Division II of the Transportation Code to raise the cap on the mean gate fee to \$106.25 for a shift of 10 hours or longer, prorated at \$10.62 per hour for shifts shorter than 10 hours, shall become operative on April 15, 2014.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By: \_\_\_\_\_  
Mariam M. Morley  
Deputy City Attorney

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 15, 2013.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency