

11936

O. 77-65

ORDINANCE NO.
(New Series)

OCT 27 1976

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 2, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 72.0201 THROUGH 72.0216 AND SECTION 72.0218, AND ADDING NEW SECTION 72.0219, ALL RELATING TO AUTOMOBILES FOR HIRE.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Chapter VII, Article 2, Division 2, of the San Diego Municipal Code be and it is hereby amended by amending Sections 72.0201 through 72.0216 and Section 72.0218, and by adding new Section 72.0219, to read as follows:

DIVISION 2

-- AUTOMOBILES FOR HIRE

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operating permit from the City Manager of The City of San Diego or his designated representative, which permit has not been revoked, suspended or otherwise cancelled or terminated by operation of law or otherwise.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.

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:

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(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.

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(5) Such other relevant facts as the City Manager may deem advisable or necessary.

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,

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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.

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

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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.

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

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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.

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. MICROFILMED

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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 no 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.

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.

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(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.

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.

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,

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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.

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.

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.

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(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.

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.

SEC. 72.0214 MAINTENANCE

(a) The Police Department of The City of San Diego shall have the right, at any time after displaying proper

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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.

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.

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(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.

SEC. 72.0216 DRIVER--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.

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(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, 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 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

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appeal is taken within ten (10) days, the action of the Chief of Police shall be final.

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.

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 |

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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.

Section 2. 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


C. M. Fitzpatrick
Senior Chief Deputy

CMF:vl:504
9/23/76

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MAY 12 1978

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Passed and adopted by the Council of The City of San Diego on OCT 27 1976
 by the following vote:

| Councilmen | Yeas | Nays | Excused | Absent |
|---------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Gil Johnson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Maureen F. O'Connor | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Lee Hubbard | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Leon L. Williams | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Floyd L. Morrow | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Tom Gade | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jim Ellis | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jess D. Haro | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Pete Wilson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

(Seal)

By Kathleen Martinez, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 13 1976

OCT 27 1976

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

RECORDED
 CITY OF SAN DIEGO
 1976 OCT -1 PM 3:44
 SAN DIEGO, CALIF.

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|---|---|
| Office of the City Clerk, San Diego, California | |
| Ordinance Number | 11936 Adopted OCT 27 1976 |

hw

ATTORNEY(S)

San Diego, City of
202 C St., 12th Floor
San Diego, CA 92101
Attn: Kathleen Martinez

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AUTOS FOR HIRE

ORDINANCE NO. 11936

(New Series)

AN ORDINANCE AMENDING CHAPTER VII ARTICLE 2, DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 72.0201 THROUGH 72.0216 AND SECTION 72.0218, AND ADDING NEW SECTION 72.0219, ALL RELATING TO AUTOMOBILES FOR HIRE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VII, Article 2, Division 2, of the San Diego Municipal Code be and it is hereby amended by amending Sections 72.0201 through 72.0216 and Section 72.0218, and by adding new Section 72.0219, to read as follows:

**DIVISION 2
AUTOMOBILES FOR HIRE**

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.

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 automobiles 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.

PATRICIA M. DUTRA

I, Patricia M. Dutra hereby certify that the San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; and the

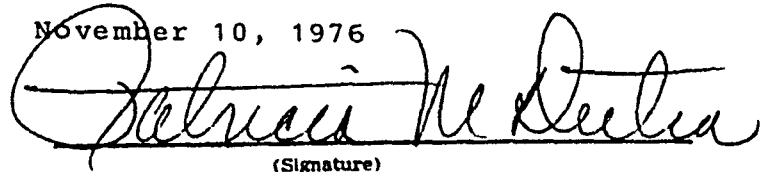
ORDINANCE NO. 11936

is a true and correct copy of which this certificate is annexed and was published in said newspaper on

November 10, 1976

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

November 10, 1976



(Signature)

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These 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 complied with all of the requirements of this Division necessary to be met prior to the commencement of the operation of the automobile for hire.

With each permit issued, the City Manager shall issue a modillion of a distinctive design. The permit holder shall cause the modillion to be fixed to the outside left rear portion of the automobile for hire for which the permit is issued. The modillion shall be in a position in plain view from the rear of the automobile. Modillions which are lost or detached 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 shall cause the modillion from the disabled or unsafe automobile for hire to be removed and the modillion to be placed on the spare automobile for hire. This period shall not exceed thirty (30) days; provided, however, that this section shall not be construed or deemed to replace any provisions in this Division for the permanent replacement of an automobile for hire for which a permit has been previously issued. The permit holder must inform the Police Department when a spare automobile for hire is in use and the location of the disabled vehicle.

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 file a document with the City Manager indicating said change, 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 and are posted and duly displayed as provided in Section 72.0212 of this Division.

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

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

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

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 firm, partnership, trust, or other entity, wherein control is evidenced by shares of stock or other evidence of ownership (including but not necessarily limited to a partnership, a joint venture, a joint stock company, or a trust), and the majority interest in said entity is transferred to another person or entity, said transfer, whether voluntary, by operation of law or otherwise shall be made only upon the written approval of the City Manager. The application for the transfer of a permit shall certify that the holder of said permit has notified the City Manager 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 herein, the City Manager shall cause an investigation to be made regarding the transfer in accordance with the provisions of Section 72.0202 hereof. If the investigation for which a permit is granted hereunder is discontinued, the permit granted shall be automatically cancelled.

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 the greater number of automobiles for hire than those sold or transferred. If said owner has complied with all the provisions of this Division, the City Manager shall issue such permit or permits.

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 or destroyed by one 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 the greater number of automobiles for hire than those so destroyed. If the owner has complied with all the provisions of this Division, the City Manager shall issue such permit or permits.

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SUSPENSION AND REVOCATION OF PERMIT
 (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.

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.

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.

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.

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.

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.

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 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.

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 necessary for passengers to load or unload.
 (f) It shall be unlawful for any person, either as owner or driver, to approach and touch passengers upon the street or to solicit passengers to board any automobile for hire.

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to do so from the Chief of Police of the City of San Diego. It shall be unlawful for any person to employ as a driver or operator of any automobile for hire without such permit first obtained 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 since 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, 22331, and/or 22332 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 reasons 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 Council for a hearing, the date of 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.

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.

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:

| | For bodily injuries to or death of persons injured or killed. | For loss or damage to any one property. | Minimum amount of liability insurance required by law. |
|--|---|---|--|
| For bodily injuries to or death of one person | \$100,000 | \$50,000 | \$50,000 |
| For bodily injuries to or death of two persons | 150,000 | 75,000 | 75,000 |
| For bodily injuries to or death of three persons | 200,000 | 100,000 | 100,000 |
| For bodily injuries to or death of four persons | 250,000 | 125,000 | 125,000 |
| For bodily injuries to or death of five persons | 300,000 | 150,000 | 150,000 |
| For bodily injuries to or death of six persons | 350,000 | 175,000 | 175,000 |
| For bodily injuries to or death of seven persons | 400,000 | 200,000 | 200,000 |
| For bodily injuries to or death of eight persons | 450,000 | 225,000 | 225,000 |
| For bodily injuries to or death of nine persons | 500,000 | 250,000 | 250,000 |
| For bodily injuries to or death of ten persons | 550,000 | 275,000 | 275,000 |
| For bodily injuries to or death of eleven persons | 600,000 | 300,000 | 300,000 |
| For bodily injuries to or death of twelve persons | 650,000 | 325,000 | 325,000 |
| For bodily injuries to or death of thirteen persons | 700,000 | 350,000 | 350,000 |
| For bodily injuries to or death of fourteen persons | 750,000 | 375,000 | 375,000 |
| For bodily injuries to or death of fifteen persons | 800,000 | 400,000 | 400,000 |
| For bodily injuries to or death of sixteen persons | 850,000 | 425,000 | 425,000 |
| For bodily injuries to or death of seventeen persons | 900,000 | 450,000 | 450,000 |
| For bodily injuries to or death of eighteen persons | 950,000 | 475,000 | 475,000 |
| For bodily injuries to or death of nineteen persons | 1,000,000 | 500,000 | 500,000 |
| For bodily injuries to or death of twenty persons | 1,050,000 | 525,000 | 525,000 |
| For bodily injuries to or death of twenty-one persons | 1,100,000 | 550,000 | 550,000 |
| For bodily injuries to or death of twenty-two persons | 1,150,000 | 575,000 | 575,000 |
| For bodily injuries to or death of twenty-three persons | 1,200,000 | 600,000 | 600,000 |
| For bodily injuries to or death of twenty-four persons | 1,250,000 | 625,000 | 625,000 |
| For bodily injuries to or death of twenty-five persons | 1,300,000 | 650,000 | 650,000 |
| For bodily injuries to or death of twenty-six persons | 1,350,000 | 675,000 | 675,000 |
| For bodily injuries to or death of twenty-seven persons | 1,400,000 | 700,000 | 700,000 |
| For bodily injuries to or death of twenty-eight persons | 1,450,000 | 725,000 | 725,000 |
| For bodily injuries to or death of twenty-nine persons | 1,500,000 | 750,000 | 750,000 |
| For bodily injuries to or death of thirty persons | 1,550,000 | 775,000 | 775,000 |
| For bodily injuries to or death of thirty-one persons | 1,600,000 | 800,000 | 800,000 |
| For bodily injuries to or death of thirty-two persons | 1,650,000 | 825,000 | 825,000 |
| For bodily injuries to or death of thirty-three persons | 1,700,000 | 850,000 | 850,000 |
| For bodily injuries to or death of thirty-four persons | 1,750,000 | 875,000 | 875,000 |
| For bodily injuries to or death of thirty-five persons | 1,800,000 | 900,000 | 900,000 |
| For bodily injuries to or death of thirty-six persons | 1,850,000 | 925,000 | 925,000 |
| For bodily injuries to or death of thirty-seven persons | 1,900,000 | 950,000 | 950,000 |
| For bodily injuries to or death of thirty-eight persons | 1,950,000 | 975,000 | 975,000 |
| For bodily injuries to or death of thirty-nine persons | 2,000,000 | 1,000,000 | 1,000,000 |
| For bodily injuries to or death of forty persons | 2,050,000 | 1,025,000 | 1,025,000 |
| For bodily injuries to or death of forty-one persons | 2,100,000 | 1,050,000 | 1,050,000 |
| For bodily injuries to or death of forty-two persons | 2,150,000 | 1,075,000 | 1,075,000 |
| For bodily injuries to or death of forty-three persons | 2,200,000 | 1,100,000 | 1,100,000 |
| For bodily injuries to or death of forty-four persons | 2,250,000 | 1,125,000 | 1,125,000 |
| For bodily injuries to or death of forty-five persons | 2,300,000 | 1,150,000 | 1,150,000 |
| For bodily injuries to or death of forty-six persons | 2,350,000 | 1,175,000 | 1,175,000 |
| For bodily injuries to or death of forty-seven persons | 2,400,000 | 1,200,000 | 1,200,000 |
| For bodily injuries to or death of forty-eight persons | 2,450,000 | 1,225,000 | 1,225,000 |
| For bodily injuries to or death of forty-nine persons | 2,500,000 | 1,250,000 | 1,250,000 |
| For bodily injuries to or death of fifty persons | 2,550,000 | 1,275,000 | 1,275,000 |
| For bodily injuries to or death of fifty-one persons | 2,600,000 | 1,300,000 | 1,300,000 |
| For bodily injuries to or death of fifty-two persons | 2,650,000 | 1,325,000 | 1,325,000 |
| For bodily injuries to or death of fifty-three persons | 2,700,000 | 1,350,000 | 1,350,000 |
| For bodily injuries to or death of fifty-four persons | 2,750,000 | 1,375,000 | 1,375,000 |
| For bodily injuries to or death of fifty-five persons | 2,800,000 | 1,400,000 | 1,400,000 |
| For bodily injuries to or death of fifty-six persons | 2,850,000 | 1,425,000 | 1,425,000 |
| For bodily injuries to or death of fifty-seven persons | 2,900,000 | 1,450,000 | 1,450,000 |
| For bodily injuries to or death of fifty-eight persons | 2,950,000 | 1,475,000 | 1,475,000 |
| For bodily injuries to or death of fifty-nine persons | 3,000,000 | 1,500,000 | 1,500,000 |
| For bodily injuries to or death of sixty persons | 3,050,000 | 1,525,000 | 1,525,000 |
| For bodily injuries to or death of sixty-one persons | 3,100,000 | 1,550,000 | 1,550,000 |
| For bodily injuries to or death of sixty-two persons | 3,150,000 | 1,575,000 | 1,575,000 |
| For bodily injuries to or death of sixty-three persons | 3,200,000 | 1,600,000 | 1,600,000 |
| For bodily injuries to or death of sixty-four persons | 3,250,000 | 1,625,000 | 1,625,000 |
| For bodily injuries to or death of sixty-five persons | 3,300,000 | 1,650,000 | 1,650,000 |
| For bodily injuries to or death of sixty-six persons | 3,350,000 | 1,675,000 | 1,675,000 |
| For bodily injuries to or death of sixty-seven persons | 3,400,000 | 1,700,000 | 1,700,000 |
| For bodily injuries to or death of sixty-eight persons | 3,450,000 | 1,725,000 | 1,725,000 |
| For bodily injuries to or death of sixty-nine persons | 3,500,000 | 1,750,000 | 1,750,000 |
| For bodily injuries to or death of seventy persons | 3,550,000 | 1,775,000 | 1,775,000 |
| For bodily injuries to or death of seventy-one persons | 3,600,000 | 1,800,000 | 1,800,000 |
| For bodily injuries to or death of seventy-two persons | 3,650,000 | 1,825,000 | 1,825,000 |
| For bodily injuries to or death of seventy-three persons | 3,700,000 | 1,850,000 | 1,850,000 |
| For bodily injuries to or death of seventy-four persons | 3,750,000 | 1,875,000 | 1,875,000 |
| For bodily injuries to or death of seventy-five persons | 3,800,000 | 1,900,000 | 1,900,000 |
| For bodily injuries to or death of seventy-six persons | 3,850,000 | 1,925,000 | 1,925,000 |
| For bodily injuries to or death of seventy-seven persons | 3,900,000 | 1,950,000 | 1,950,000 |
| For bodily injuries to or death of seventy-eight persons | 3,950,000 | 1,975,000 | 1,975,000 |
| For bodily injuries to or death of seventy-nine persons | 4,000,000 | 2,000,000 | 2,000,000 |
| For bodily injuries to or death of eighty persons | 4,050,000 | 2,025,000 | 2,025,000 |
| For bodily injuries to or death of eighty-one persons | 4,100,000 | 2,050,000 | 2,050,000 |
| For bodily injuries to or death of eighty-two persons | 4,150,000 | 2,075,000 | 2,075,000 |
| For bodily injuries to or death of eighty-three persons | 4,200,000 | 2,100,000 | 2,100,000 |
| For bodily injuries to or death of eighty-four persons | 4,250,000 | 2,125,000 | 2,125,000 |
| For bodily injuries to or death of eighty-five persons | 4,300,000 | 2,150,000 | 2,150,000 |
| For bodily injuries to or death of eighty-six persons | 4,350,000 | 2,175,000 | 2,175,000 |
| For bodily injuries to or death of eighty-seven persons | 4,400,000 | 2,200,000 | 2,200,000 |
| For bodily injuries to or death of eighty-eight persons | 4,450,000 | 2,225,000 | 2,225,000 |
| For bodily injuries to or death of eighty-nine persons | 4,500,000 | 2,250,000 | 2,250,000 |
| For bodily injuries to or death of ninety persons | 4,550,000 | 2,275,000 | 2,275,000 |
| For bodily injuries to or death of ninety-one persons | 4,600,000 | 2,300,000 | 2,300,000 |
| For bodily injuries to or death of ninety-two persons | 4,650,000 | 2,325,000 | 2,325,000 |
| For bodily injuries to or death of ninety-three persons | 4,700,000 | 2,350,000 | 2,350,000 |
| For bodily injuries to or death of ninety-four persons | 4,750,000 | 2,375,000 | 2,375,000 |
| For bodily injuries to or death of ninety-five persons | 4,800,000 | 2,400,000 | 2,400,000 |
| For bodily injuries to or death of ninety-six persons | 4,850,000 | 2,425,000 | 2,425,000 |
| For bodily injuries to or death of ninety-seven persons | 4,900,000 | 2,450,000 | 2,450,000 |
| For bodily injuries to or death of ninety-eight persons | 4,950,000 | 2,475,000 | 2,475,000 |
| For bodily injuries to or death of ninety-nine persons | 5,000,000 | 2,500,000 | 2,500,000 |
| For bodily injuries to or death of one hundred persons | 5,050,000 | 2,525,000 | 2,525,000 |

SEC. 72.0219 - TRANSFER OF EXISTING CERTIFICATES

Persons who hold certificates of public convenience and necessity for automobiles for hire on the effective date of this ordinance may, if they so desire, obtain operating permits for automobiles 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. Such transfer may be effective by applying to the City Manager for said permits, and the City Manager shall issue an operating permit for each automobile or automobiles for hire provided the person applying therefor has met all of the requirements of this Division.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on October 13, 1976.
Passed and adopted by the Council of The City of San Diego on October 27, 1976.

AUTHENTICATED BY:
PETE WILSON,
 Mayor of The City of San Diego,
 California.
EDWARD NIELSEN,
 City Clerk of The City of San Diego,
 California.

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