

ORDINANCE NO. 12679
(New Series)

(O. 79-266)
REVISED

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5,
DIVISION ONE OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 75.0109(a)(5); AMENDING
DIVISION TWO BY AMENDING SECTION 75.0202
RELATING TO PARATRANSIT CODE.

JUN 19 1979

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

Section 1. That Chapter VII, Article 5, Division One of
the San Diego Municipal Code be and it is hereby amended by
amending Section 75.0109(a)(5) to read as follows:

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) [No amendment to this subsection.]

(2) [No amendment to this subsection.]

(3) [No amendment to this subsection.]

(4) [No amendment to this subsection.]

(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) [No amendment to this subsection.]

Section 2. That Chapter VII, Article 5, Division Two of the San Diego Municipal Code be and it is hereby amended by amending Section 75.0202 to read as follows:

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 a 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.

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 K. Riess, Deputy

JKR:lco:504

~~4/20/79~~

Revised 5/29/79

Or.Dept.:T&LU Comm. Chrmn.

Old Language: Strike-out
New Language: Underlined

O. 79-266

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5, DIVISION ONE OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 75.0109(a)(5); AND BY AMENDING DIVISION TWO BY AMENDING SECTION 75.0202 RELATING TO PARATRANSIT CODE.

SEC. 75.0109 SUSPENSION AND REVOCATION OF PERMIT

(a) Permits may be suspended or revoked by the City Manager at any time in case:

(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.

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 public hearing, the City Council by resolution shall ~~after a hearing before the Transportation and Land Use Committee,~~ establish ~~just and reasonable~~ a maximum rates of fare for exclusive ride and group ride hire to taxicabs. A permit holder ~~shall~~ may petition the City Council for any desired change in the maximum taxicab rates for exclusive ride and group ride hire.

~~(b) For exclusive ride and group ride service the permit holder and/or driver shall charge the rate set by the City Council and shall use a taximeter to record the fare.~~

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(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.

~~(e)~~ (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 a 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 ~~perfect~~ such proper condition so that said taximeter will, at all times, correctly and accurately indicate the ~~correct~~ 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.

(d) (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 will 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.

~~(e)~~ (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.

~~(f)~~ (g) It shall be unlawful for any permit holder and/or driver, of a taxicab to demand of a passenger a charge for hire ~~either~~ greater than the current ~~applicable~~ maximum rate approved by the City Council and on file with the City Clerk or fixed route rate filed with the City Manager.

~~(g)~~ (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 ~~current-authorized~~ operator's rates to be charged for hire of the vehicle.

~~(h)~~ (i) For shared ride service the permit holder and/or driver of a taxicab shall charge a zone fare rate ~~in accordance with such~~ no greater than the maximum rates as established by the City Council by resolution. ~~after a hearing before the Transportation and Land Use Committee.~~

~~(j)~~ (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.

~~(j)~~ (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.

~~(h)~~ (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.

City of San Diego, California

COUNCIL POLICY

SUBJECT	POLICY NUMBER	Rev.	PAGE
		EFFECTIVE DATE	
TAXICABS - PERMITS	500-2		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.

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City of San Diego, California

COUNCIL POLICY

SUBJECT	POLICY NUMBER	Rev.	PAGE
		EFFECTIVE DATE	
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.

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JUN 19 1979

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<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"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Barbara Burridge, 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

JUN 4 1979

JUN 19 1979

, 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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Barbara Burridge, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

12679

JUN 19 1979 Adopted

YADWIKENYX

City of San Diego
12th floor
202 C St.
San Diego, CA 92101

Attn: Barbara Berridge

RECEIVED
CITY OF SAN DIEGO
JUL 20 11:04
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

PARATRANSIT CODE

(over)

ORDINANCE NO. 12679

(New Series)

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5, DIVISION ONE OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 75.0108(A)(5); AMENDING DIVISION TWO BY AMENDING SECTION 75.0202 RELATING TO PARATRANSIT CODE. BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VII, Article 5, Division One of the San Diego Municipal Code be and it is hereby amended by amending Section 75.0108(a)(5) to read as follows:

SEC. 75.0108 SUSPENSION AND REVOCATION OF PERMIT

(a) Permits may be suspended or revoked by the City Manager at any time in case:

- (1) (No amendment to this subsection.)
- (2) (No amendment to this subsection.)
- (3) (No amendment to this subsection.)
- (4) (No amendment to this subsection.)

(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) (No amendment to this subsection.)

Section 2. That Chapter VII, Article 5, Division Two of the San Diego Municipal Code be and it is hereby amended by amending Section 75.0202 to read as follows:

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) The City Council by resolution shall, after a hearing before the Transportation and Land Use Committee, establish a maximum rate of fare for exclusive ride and group ride hire of taxicabs. A permit holder shall petition the City Council for any desired change in taxicab rates for exclusive ride and group ride hire.

I, Paula J. Santonocito, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. 12679
(New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to-wit:

July 3, 1979

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 11th day of July, 1979.

Paula J. Santonocito
(Signature)

22 1/2" - \$ 136.58

... shall be deemed to be a permit holder or driver of a taxicab in the City of San Diego...
... with a maximum capacity to transport more than one passenger...
... of a certificate of insurance...
... operator with respect to the vehicle...
... wherever the vehicle is required to stop...
... the rate for hire of the vehicle...
... shall be provided for the vehicle...
... fire-insurance...
... The taximeter shall also be of a type and design approved by the City Manager...
... occupied or engaged by a passenger...
... the mileage rate...
... with standing at the discretion of the passenger...
... who has engaged such taxicab...
... will further operating a taxicab...
... operation as that said taximeter...
... and other times...
... in operation by an inspector of the City Manager...
... floor and such inspector or police officer...
... cause to be investigated...
... any tampering in said taximeter...
... to remove or cause to be removed...
... such taximeter from the streets...
... taximeter shall have been...
... being returned to service...
... and taximeter must be inspected and approved...
... (c) It shall be unlawful for any driver of a taxicab...
... the vehicle in a position which causes...
... other attached devices...
... the flag into a position which causes...
... when the vehicle is not actually employed...
... flag or other device into a...
... (d) The taximeter shall be so placed...
... reading dial showing the maximum amount...
... and readily discernible...
... (e) It shall be unlawful for any permit holder...
... a taxicab to demand of a passenger...
... the current maximum rate...
... with the City Clerk...
... (f) There shall be displayed in the...
... each taxicab...
... in a container of type and design...
... City of Police, a card showing...
... rate for hire of the vehicle...
... (g) For shared ride service...
... a taxicab shall charge a...
... maximum rates as established...
... after a hearing before...
... (h) For fixed route service...
... a taxicab shall charge a...
... City Manager...
... (i) If a permit holder...
... charged for fixed route...
... with the City Manager...
... shall be effective...
... (j) No permit holder...
... route services...
... as aforesaid and duly displayed...
... Section 2. This Ordinance shall take effect...
... introduced on June 4, 1974...
... Passed and adopted by the Council of The City of San Diego on June 10, 1974...
... ATTEST: PETER WILSON, Mayor of The City of San Diego, California...
... CHARLES G. ANGELO, City Clerk of The City of San Diego, California...
... (SEAL) Passed July 2, 1974... 02-582