



SunLine Services Group  
June 26, 2019  
12:00 p.m.

## AGENDA

**Regular Board of Directors Meeting  
Board Room  
32-505 Harry Oliver Trail  
Thousand Palms, CA 92276**

In compliance with the Brown Act and Government Code Section 54957.5, agenda materials distributed 72 hours prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to the meeting at SunLine Transit Agency's Administration Building, 32505 Harry Oliver Trail, Thousand Palms, CA 92276 and on the Agency's website, [www.sunline.org](http://www.sunline.org).

In compliance with the Americans with Disabilities Act, Government Code Section 54954.2, and the Federal Transit Administration Title VI, please contact the Clerk of the Board at (760) 343-3456 if special assistance is needed to participate in a Board meeting, including accessibility and translation services.

Notification of at least 48 hours prior to the meeting time will assist staff in assuring reasonable arrangements can be made to provide assistance at the meeting.

### ITEM

### RECOMMENDATION

- |                                                        |                       |
|--------------------------------------------------------|-----------------------|
| 1. CALL TO ORDER                                       |                       |
| 2. FLAG SALUTE                                         |                       |
| 3. ROLL CALL                                           |                       |
| 4. PRESENTATIONS                                       |                       |
| 5. FINALIZATION OF AGENDA                              |                       |
| 6. APPROVAL OF MINUTES –<br>MAY 22, 2019 BOARD MEETING | APPROVE<br>(PAGE 3-4) |
| 7. PUBLIC COMMENTS                                     | RECEIVE COMMENTS      |

### NON AGENDA ITEMS

Members of the public may address the Board regarding any item within the subject matter jurisdiction of the Board; however, no action may be taken on off-agenda items unless authorized. Comments shall be limited to matters not listed on the agenda. Members of the public may comment on any matter listed on the agenda at the time that the Board considers that matter. Each person's presentation is limited to a maximum of three (3) minutes.

<b><u>ITEM</u></b>	<b><u>RECOMMENDATION</u></b>
<b>8. BOARD MEMBER COMMENTS</b>	<b>RECEIVE COMMENTS</b>
<b>9. CONSENT CALENDAR</b>	<b>RECEIVE &amp; FILE</b>
<p>All items on the Consent Calendar will be approved by one motion, and there will be no discussion of individual items unless a Board Member requests a specific item be pulled from the calendar for separate discussion. The public may comment on any item.</p>	
9a) Checks \$1,000 and Over Report for April 2019	(PAGE 5-6)
9b) Monthly Budget Variance Report for April 2019	(PAGE 7-9)
9c) Taxi Trip Data for May 2019	(PAGE 10-11)
9d) Metric (Taxi Expense vs Taxi Revenue) April 2019	(PAGE 12-13)
<b>10. FIRST READING OF SUNLINE SERVICES GROUP ORDINANCE NO. 2019-01</b> (Kathleen Kelly, Chair of Taxi Committee; Staff: Michal Brock, Taxi Administrator & Chad Herrington, Legal Counsel)	<b>APPROVE</b> (PAGE 14-77)
<b>11. TAXICAB REGULATIONS OF THE SUNLINE REGULATORY ADMINISTRATION</b> (Kathleen Kelly, Chair of Taxi Committee; Staff: Michal Brock, Taxi Administrator & Chad Herrington, Legal Counsel)	<b>APPROVE</b> (PAGE 78-144)
<b>12. RESOLUTION NO. 087 SETTING FEES</b> (Kathleen Kelly, Chair of Taxi Committee; Staff: Michal Brock, Taxi Administrator)	<b>APPROVE</b> (PAGE 145-154)
<b>13. SUNLINE REGULATORY ADMINISTRATION DRAFT FY 20 BUDGET</b> (Kathleen Kelly, Chair of Taxi Committee; Staff: Luis Garcia, Deputy Chief Financial Officer)	<b>APPROVE</b> (PAGE 155-167)
<b>14. GENERAL COUNSEL</b>	
<b>15. NEXT MEETING DATE</b> July 24, 2019 12 p.m. – Board Room 32-505 Harry Oliver Trail Thousand Palms, CA 92276	
<b>16. ADJOURN</b>	

## MINUTES

### SunLine Services Group Board of Directors Meeting May 22, 2019

A regular meeting of the SunLine Services Group Board of Directors was held at 12:01 p.m. on Wednesday, May 22, 2019 in the Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

#### 1. CALL TO ORDER

The meeting was called to order at 12:01 p.m. by Chairperson Kathleen Kelly.

#### 2. FLAG SALUTE

Board Member Gregory led the pledge of allegiance.

#### 3. ROLL CALL

##### Members Present:

Kathleen Kelly, Chair, SunLine Agency Board Member, City of Palm Desert  
Robert Radi, Vice-Chair, SunLine Agency Board Member, City of La Quinta  
Raymond Gregory, SunLine Agency Board Member, City of Cathedral City  
Russell Betts, SunLine Agency Board Member, City of Desert Hot Springs  
Ty Peabody, SunLine Agency Board Member, City of Indian Wells  
Glenn Miller, SunLine Agency Board Member (Alternate), City of Indio  
Lisa Middleton, SunLine Agency Board Member, City of Palm Springs  
Pat Cooper, SunLine Agency Board Member (Alternate), County of Riverside  
Megan Beaman Jacinto, SunLine Agency Board Member, City of Coachella

##### Members Absent:

G. Dana Hobart, SunLine Agency Board Member, City of Rancho Mirage

#### 4. PRESENTATIONS

None.

#### 5. FINALIZATION OF AGENDA

No changes to the agenda.

#### 6. APPROVAL OF MINUTES – APRIL 24, 2019 BOARD MEETING

SunLine Services Group Board Member Peabody moved to approve the minutes of the April 24, 2019 Board meeting. The motion was seconded by SunLine Services Group Board Member Radi. The motion was approved by a unanimous vote of 9 yes; 0 no; 0 abstain

**7. PUBLIC COMMENTS**

None.

**8. BOARD MEMBER COMMENTS**

None.

**9. CONSENT CALENDAR**

- 9a) Checks \$1,000 and Over Report for March 2019
- 9b) Monthly Budget Variance Report for March 2019
- 9c) Taxi Trip Data for April 2019
- 9d) Metric (Taxi Expense vs Taxi Revenue) March 2019

SunLine Services Group Board Member Betts moved to approve the consent calendar. The motion was seconded by SunLine Services Group Board Member Radi. The consent calendar was approved by a unanimous vote of 9 yes; 0 no; 0 abstain

**10. SUNLINE REGULATORY ADMINISTRATION DRAFT FY 20 BUDGET**

The FY 20 budget for the SunLine Regulatory Administration was presented in draft format for the Board's discussion. Board members were notified that approval on this item will occur at the June Board Meeting.

**11. GENERAL COUNSEL**

None.

**12. NEXT REGULAR BOARD MEETING DATE**

June 26, 2019 at 12:00 p.m.  
SunLine Transit Agency Board Room  
32-505 Harry Oliver Trail  
Thousand Palms, CA 92276

**13. MEETING ADJOURNMENT**

The SunLine Services Group meeting was adjourned at 12:11 p.m.

Respectfully Submitted,

Brittney B. Sowell  
Clerk of the Board

**SunLine Services Group**  
**CONSENT CALENDAR**

DATE: June 26, 2019

**RECEIVE & FILE**

TO: Taxi Committee  
Board of Directors

RE: SSG/SRA Checks \$1,000 and Over Report for April 2019

Summary:

The checks \$1,000 and over report lists all of the checks processed at the Agency with a value of over \$1,000 for a given month. Items identified in bold font represent "pass through" payments that were, or will be, reimbursed to SunLine under the provisions of specific grants or contracts. Items identified with underlines represent "shared" payments with SunLine and specific vendors/employees.

- For the month of April, the largest payment issued represents reimbursements made to Sunline Transit Agency (STA) for SunLine Regulatory Administration (SRA) employees paid through the regular payroll process. Additionally, it includes payments made to STA for allocations of overhead costs for SRA operations.

Recommendation:

Receive and file.

**SunLine Regulatory Administration  
Checks \$1,000 and Over  
For the month of April 2019**

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

<b>Vendor Filed As Name</b>	<b>Description</b>	<b>Check #</b>	<b>Payment Date</b>	<b>Payment Amount</b>
SUNLINE TRANSIT AGENCY	Payroll Liabilities 4/5/19 and SRA Overhead Apr 2019	90612	04/12/2019	7,606.51
BURKE, WILLIAMS & SORENSEN, LLP	Mar 2019 Legal Services	90614	04/24/2019	4,776.00
SUNLINE TRANSIT AGENCY	Payroll Liabilities 4/19/19	90620	04/24/2019	4,591.22
<b>Total Checks Over \$1,000</b>	\$16,973.73			
<b>Total Checks Under \$1,000</b>	\$1,418.55			
<b>Total Checks</b>	\$18,392.28			

**SunLine Services Group**  
**CONSENT CALENDAR**

DATE: June 26, 2019

**RECEIVE & FILE**

TO: Taxi Committee  
Board of Directors

RE: Monthly Budget Variance Report for April 2019

Summary:

The budget variance report compares revenues and expenses to the respective line item budgets. The report identifies current monthly revenues and expenses as well as year to date (YTD) values. The current monthly budget values are calculated by taking 1/12<sup>th</sup> of the annual budget and the YTD budget values are calculated by dividing the yearly budget by the number of months progressed through the fiscal year.

- As of April 30, 2019, the organization's revenues are \$11,515 over budget or 7.4% above the YTD budget. Expenditures are \$44,102 under budget or 16.9% below the YTD budget.
- The net YTD operating gain (loss) after expenses is (\$51,109).

Recommendation:

Receive and file.

SunLine Regulatory Administration  
Budget Variance Report  
April 2019

Description	FY 19 Total Budget	Current Month			Year to Date			
		Actual	Budget	Favorable (Unfavorable)	YTD Actual	FY 19 YTD Budget	Favorable (Unfavorable)	Percentage Remaining
<b>Revenues:</b>								
Meter Readings	46,347	0	3,862	(3,862)	46,512	38,623	7,889	-0.4%
Taxi Business Permit	58,327	11,668	4,861	6,807	46,672	48,606	(1,934)	20.0%
Revenue Fines	3,000	100	250	(150)	788	2,500	(1,713)	73.8%
New Driver Permit Revenue	9,000	45	750	(705)	2,970	7,500	(4,530)	67.0%
Driver Transfer Revenue	1,000	0	83	(83)	1,000	833	167	0.0%
Driver Renewal Revenue	10,000	125	833	(708)	3,125	8,333	(5,208)	68.8%
Driver Permit Reinstatement/Replacement	25	0	2	(2)	10	21	(11)	60.0%
Vehicle Permit Revenue	58,242	10,815	4,854	5,962	65,390	48,535	16,855	-12.3%
<b>Total Revenue</b>	<b>185,941</b>	<b>22,753</b>	<b>15,495</b>	<b>7,258</b>	<b>166,466</b>	<b>154,951</b>	<b>11,515</b>	<b>10.5%</b>
<b>Expenses:</b>								
Salaries and Wages	112,555	7,343	9,380	2,037	93,661	93,796	135	16.8%
Fringe Benefits	70,138	4,440	5,845	1,404	42,556	58,448	15,892	39.3%
Services	96,000	4,495	8,000	3,505	57,991	80,000	22,009	39.6%
Supplies and Materials	5,219	379	435	56	2,093	4,349	2,256	59.9%
Utilities	4,816	401	401	0	4,013	4,013	0	16.7%
Casualty and Liability	17,774	1,481	1,481	0	14,812	14,812	0	16.7%
Taxes and Fees	20	0	2	2	25	17	(8)	-25.1%
Miscellaneous	7,490	853	624	(229)	2,423	6,242	3,818	67.6%
<b>Total Expenses</b>	<b>314,012</b>	<b>19,393</b>	<b>26,168</b>	<b>6,775</b>	<b>217,575</b>	<b>261,677</b>	<b>44,102</b>	<b>30.7%</b>
<b>Total Operating Surplus (Deficit)</b>	<b>\$ (128,071)</b>	<b>\$ 3,360</b>			<b>\$ (51,109)</b>			



## Budget Variance Analysis - SunLine Regulatory Administration

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### **Revenue - Favorable**

- Taxi revenues are favorable due to collected vehicle permit revenues. Taxi franchises pay the full year's vehicle permits during the peak months of October through April.
- As of January 2019, SunLine Regulatory administration will no longer be collecting a meter reading revenue, instead it will be collecting a Taxi Business Permit fee.

### **Salaries and Wages - Favorable**

- Salaries and wages are within an acceptable range of the budgeted amount.

### **Fringe Benefits - Favorable**

- Fringe benefit savings are within an acceptable range of the budgeted amount.

### **Services - Favorable**

- Service expenditures have been lower than projected for legal and auditing services.

### **Supplies and Materials - Favorable**

- The favorable variance is mainly attributed to savings in office supply costs, and repair part expenses.

### **Utilities - Favorable**

- Utility expenses are within an acceptable range of the budget.

### **Casualty and Liability - Favorable**

- Casualty and liability expenses are within an acceptable range of the budget.

### **Taxes and Fees - Unfavorable**

- Unfavorable balance is attributed to increased use of support vehicles.

### **Miscellaneous - Favorable**

- The favorable balance is mainly attributed to savings in travel and training expenses.  
Travel & training savings can be attributed to different times at which training sessions are attended.

**SunLine Transit Agency**  
**CONSENT CALENDAR**

DATE: June 26, 2019

**RECEIVE & FILE**

TO: Taxi Committee  
Board of Directors

RE: Taxi Trip Data May 2019

Summary:

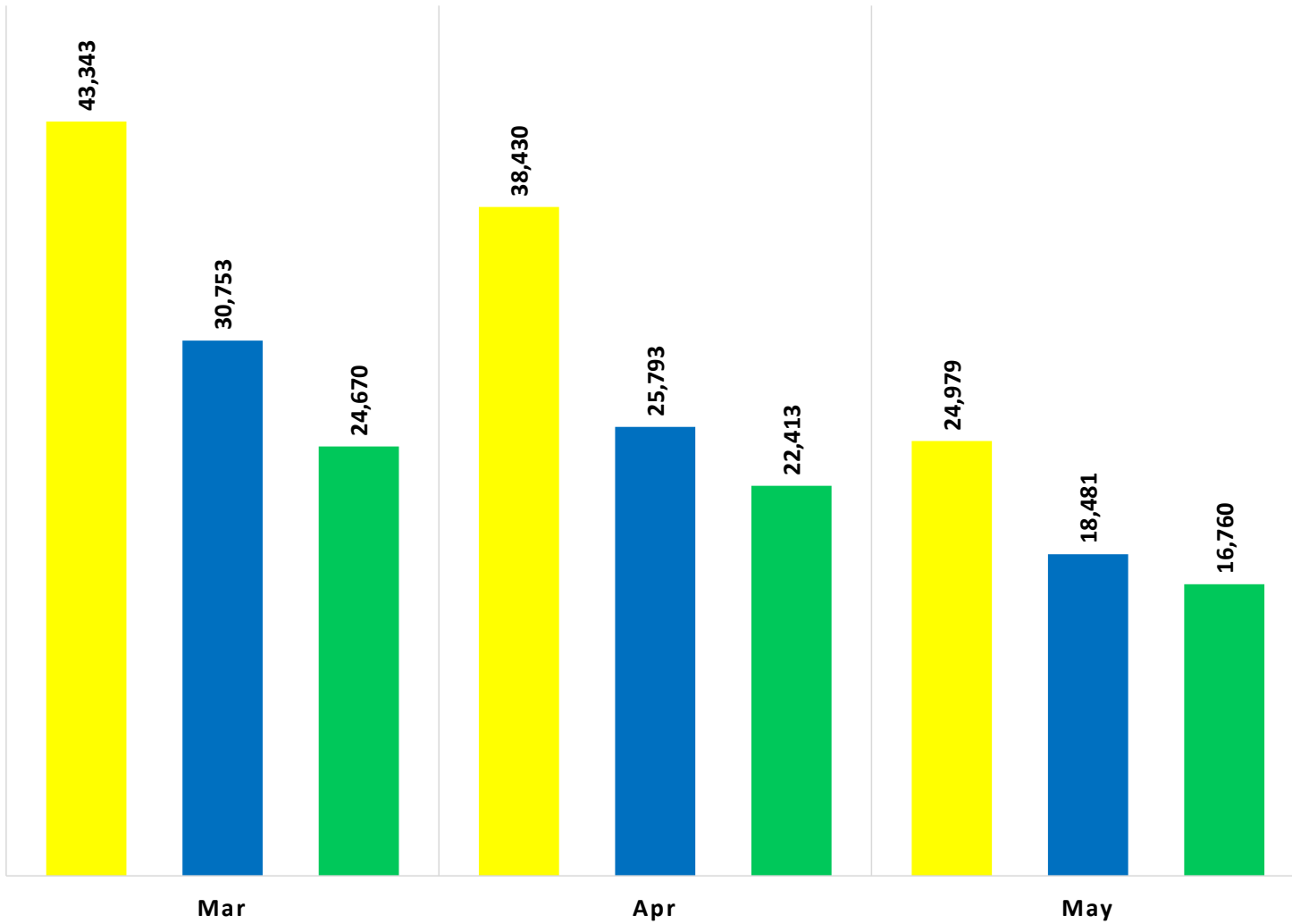
The attached report summarizes the total number of taxi trips generated in the Coachella Valley for the most recent three month period. A second graph shows the total taxi trips for the current fiscal year compared to the two previous fiscal years. TNC operations continue to negatively impact taxicab ridership in our jurisdiction. There have been 66,089 fewer taxi trips to date in FY19 than for the same period in FY18 and 1,721 fewer taxi trips in May 2019 compared to May 2018.

Recommendation:

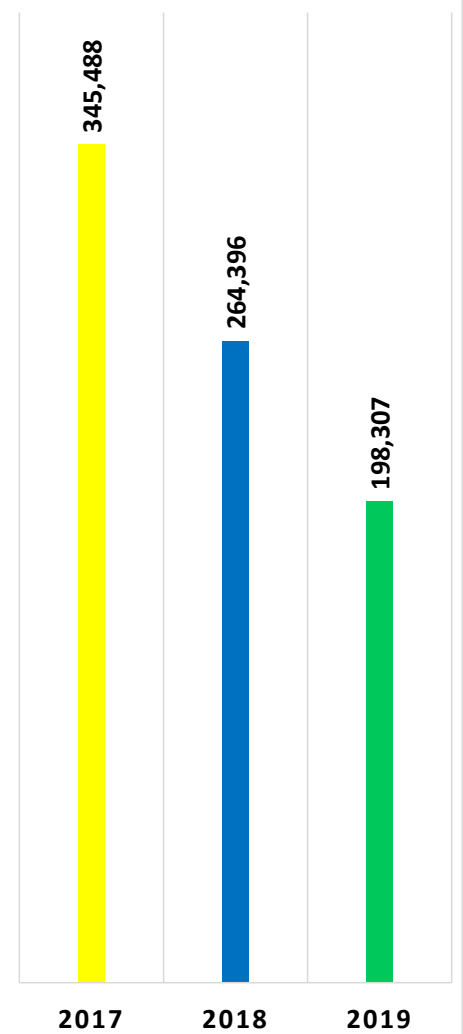
Receive and file.

### Number of Taxi Trips - May 2019

2017 2018 2019



### Year to Date No. of Taxi Trips



Measures the total number taxi trips taken year to date for FY 2017, 2018 and 2019

**SunLine Transit Agency**  
**CONSENT CALENDAR**

DATE: June 26, 2019

**RECEIVE & FILE**

TO: Taxi Committee  
Board of Directors

RE: Metric (Taxi Expense vs Taxi Revenue) April 2019

Summary:

The graph displays revenue and expenses for the current month and two previous months. Revenues are generated by taxi business permit fees, vehicle permit fees and driver permit fees. Expenses display the total operational costs for SunLine Services Group.

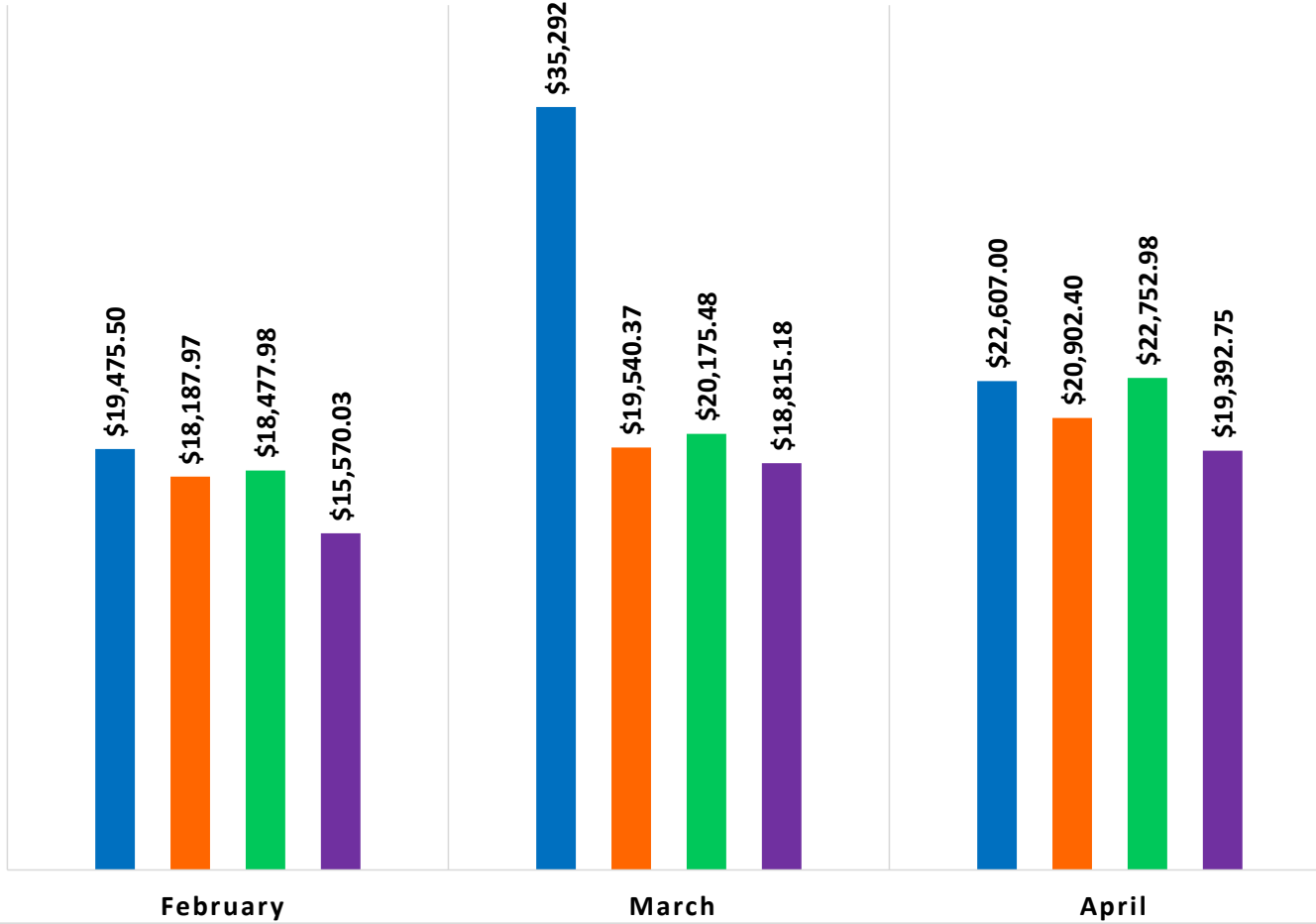
- Variance graph displays the total variance between revenue and expense occurring to date, for the current fiscal year.
- Expenses for the current fiscal year are greater than revenue by \$51,108.66
- To date SSG has incurred \$54,653.39 in legal service fees. The increased legal service fees were anticipated due to AB1069 and implementing a new taxi ordinance and taxi regulations.
- The FY19 budget was approved at a \$128,071 deficit due to uncollectable revenues through the decline in ridership. Use of previous years' operating fund reserves required to cover deficit.

Recommendation:

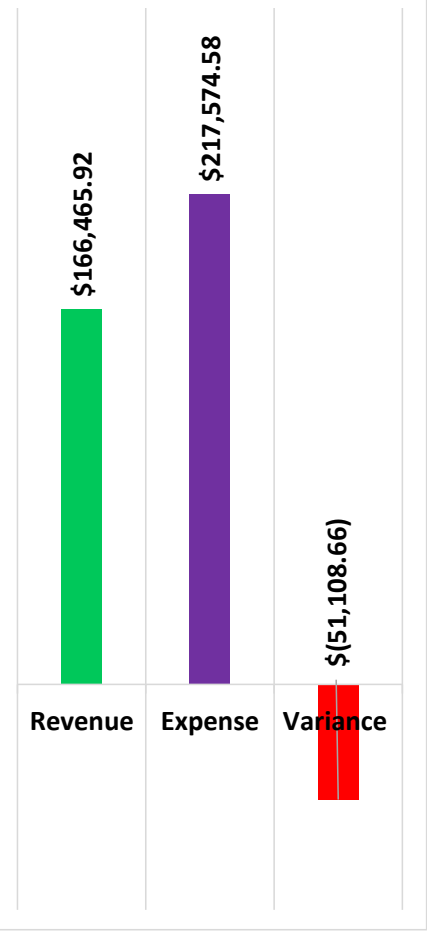
Receive and file.

### Revenue vs. Expense - April 2019

■ Rev FY18 ■ Exp FY18 ■ Rev FY19 ■ Exp FY19



### Variance FYTD - April 2019



The graph measures Revenues vs Expenses for FY18 and FY19

## SunLine Services Group

**DATE:** June 26, 2019 **ACTION**

**TO:** Taxi Committee  
Board of Directors

**FROM:** Michal Brock, Taxi Administrator  
Chad Herrington, Legal Counsel

**RE:** First Reading of SunLine Services Group (SSG) Ordinance  
No. 2019-01

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### Recommendation

Recommend the Board of Directors approve the first reading of the proposed SSG Ordinance No. 2019-01 to supersede all previous ordinances and amendments.

### Background

SunLine Regulatory Administration (SRA) staff worked in conjunction with the taxicab businesses in 2018 to create an ordinance that would comply with the bare minimum legal requirements of AB1069 that went into effect January 1, 2019, with the understanding that there would likely be changes as we all navigated through this new paradigm of taxicab regulation.

As a result, SRA staff has again worked in a joint effort with the taxicab businesses and General Counsel to make clarifying additions and changes, as reflected in the proposed Ordinance No. 2019-01.

The proposed Ordinance No. 2019-01 changes are as follows:

- Permits delivery of notice or requests by electronic mail;
- Permits request(s) for taxicab business financial and performance documents for industry reporting, evaluation, and analysis purposes;
- Requires fingerprint based criminal history checks for individuals that hold interest in a taxicab business;
- Establish annual business and vehicles permit issuance and expiration procedures to be based on the SSG fiscal year and prorated fees accordingly;
- New Business Permit Application and Annual Business Permit Application fee;
- Additional Business Permit Requirements;
  - Verification of participation in the California DMV Pull Notice Program as required in Government Code Section 53075.5.;
  - Evidence of California Department of Motor Vehicle Registration;
  - Taxicab company distinctive appearance;

- Operation and maintenance of at least one (1) wheelchair-accessible van in each taxicab company fleet;
- Evidence of individual driver insurance coverage;
- Driver Permit and Transfer Requirements;
- Taxicab Vehicle Permit Requirements;
- Vehicle Inspection Requirements;
- Establishment of Taxicab Business Distinct Appearance;
- Taxicab Business Service Advertising Requirements;
- Additional Driver Standards and Appearance;
  - Transport and Assistance Service Requirements;
  - Dispatch Service Requirement;
  - Collision Reporting Requirement;
- Special Event taxicab service requirement;
- Changes the maximum flag drop/base rate to \$4.00 and maximum wait time rate to \$24.00 per hour;
- Permits Taxi Administrator to conduct investigation, audits, or field investigations to enforce provisions within ordinance and regulations.

### **Financial Impact**

The proposed Ordinance No. 2019-01 will have no financial impact to the FY20 SSG budget.

**ORDINANCE NO. ~~2018~~2019-01**  
**AN ORDINANCE OF SUNLINE SERVICES GROUP**  
**SUPERSEDING ORDINANCE ~~2016~~ 2018-01**

WHEREAS, Government Code Section 53075.5 requires every city and county to protect the public health, safety and welfare by adopting an ordinance concerning the provision of taxicab services, to provide a policy for entry into the business of providing taxicab services, to establish maximum rates for the provision of such services, and for such other matters as determined by the legislative body; and,

WHEREAS, the County of Riverside and the Coachella Valley cities comprising the joint powers agency known as SunLine ~~Services Group (SSG)~~ Transit Agency (STA) desire to provide for the orderly, efficient, and safe operation of taxicab services within the Coachella Valley; and,

WHEREAS, members of STA have delegated the authority to regulate the safe operation of taxicab services to SunLine Services Group (SSG).

WHEREAS, to modernize the regulation of taxicab transportation services and in order for taxicabs to better compete with all for hire modes of transportation the State amended Government Code Section 53075.5 through Assembly Bill 1069 and Assembly Bill 939; and,

WHEREAS, SSG intends to adopt procedures compliant with Assembly Bill 1069 and Assembly Bill 939 for the regulation of taxicab transportation services in the Coachella Valley.

NOW, THEREFORE, the Board of Directors of SSG does ordain as follows:

**SECTION 1: ADOPTION OF TAXICAB SERVICE ORDINANCE.**

SSG hereby adopts this ordinance regulating taxicabs within the jurisdictional boundaries of SSG, superseding and replacing Ordinance ~~2016~~2018-01, as attached hereto as Exhibit A.

**SECTION 2: SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance of SSG. The Board of Directors of SSG hereby declares that it would have passed this ordinance, and each section, subsection, clause, sentence or phrase thereof, irrespective of the fact that any one or more other sections, subsections, clauses, sentences, or phrases may be declared invalid or unconstitutional.



**SECTION 3: EFFECTIVE DATE.**

This ordinance shall take effect thirty (30) days from its passage by the Board of Directors of SSG.

**SECTION 4: PUBLICATION.**

The Clerk of the Board is authorized and directed to cause this ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the jurisdictional boundaries of SSG in accordance with Government Code Section 36933(a) or, to cause this ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 36933(c).

INTRODUCED at the regular meeting of the Board of Directors of SunLine Services Group on the \_\_\_\_\_ day of June, 2019.

APPROVED AND ADOPTED by the Board of Directors of SunLine Services Group at a regular meeting held on \_\_\_\_\_ day of July, 2019.

\_\_\_\_\_  
Kathleen Kelly  
Chairperson of the Board

ATTEST:

\_\_\_\_\_  
Brittney Sowell  
Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Eric S. Vail  
General Counsel

**EXHIBIT A**

**CHAPTER ONE**

**ARTICLE I**

**PERMITTING OF TAXICAB BUSINESSES AND DRIVERS**

- 1.010 Purpose
- 1.015 Definitions and Statutory References
- 1.020 Taxi Administrator
- 1.025 Delivery of Notices or Requests
- 1.030 Business Permit Required
- 1.035 Business Permit Renewal
- 1.040 Insurance Required
- 1.045 Driver Permit Required
- 1.050 Driver Permit Renewal and Transfer
- 1.055 Rates Vehicle Permit Required
- 1.060 Vehicle Permit Renewal
- 1.065 Vehicle Inspections
- 1.070 Rates
- 1.075 Mandatory Controlled Substance and Alcohol Testing Program
- 1.065080 Denial, Revocation, or Suspension of Permits
- 1.070085 Appeal Hearings
- 1.075090 Advance Deposit Hardship Waiver
- 1.080095 Administrative Citation
- 1.085200 Fines and Penalties
- 1.090205 Late Payment Charges
- 1.095210 Recovery of Administrative Citation Costs
- 1.200215 Airports

**ARTICLE II**

**OPERATING REQUIREMENTS**

- 2.010 Taxicab Businesses Distinct Appearance
- 2.015 Advertisements
- 2.020 Driver Standards and Appearance
- 2.045025 Special Events
- 2.030 Taxi Administrator
- 2.020035 Fines and Penalties

## **CHAPTER ONE**

### **ARTICLE I**

#### **PERMITTING OF TAXICAB BUSINESSES AND DRIVERS**

##### **Section 1.010 Purpose**

State law requires every city or county to adopt an ordinance or resolution in regards to taxicab transportation services, which include, among others, a policy for entry into the business, establishment of registration rates, and mandatory controlled substance and alcohol testing programs. In October 2017, Assembly Bill 1069 was enacted to modernize the regulation of taxicab transportation services in order for taxicabs to better compete with all for hire modes of transportation. In September, 2018, Assembly Bill 939 was subsequently enacted imposing additional duties on local governments related to taxicab transportation services. This ordinance establishes a permitting process and regulatory structure consistent with the requirements of ~~new~~ state law.

##### **Section 1.015 Definitions and Statutory References**

As used in this ~~Section~~Chapter:

- A. "AB 1069" means Assembly Bill 1069 *Local government: taxicab transportation services* as codified in Government Code Sections 53075.5, 53075.51, 53075.52 and 53075.53.
- B. "AB 939" means Assembly Bill 939 *Local government: taxicab transportation services* amending Government Code Sections 53075.5, 53075.51, and 53075.52.
- C. "Advertisement" means the dissemination in any newspaper, circular, form letter, brochure, business card, telephone directory (including the yellow and/or white pages) or similar publication, display, sign, internet, phone and/or tablet "app", radio broadcast, telecast of by other electronic means, information designed to promote the use of a Taxicab Business' services.
- D. "Alternative Fuel Vehicle" means vehicles and engines that are designed for alternative fuels including but not limited to hydrogen, natural gas, propane; alcohols such as ethanol, methanol, and butanol; vegetable and waste-derived oils; and electricity.
- E. "Board" or "Board of Directors" means the Board of Directors of SunLine Services Group.
- F. "Business" means any person, firm, association, corporation, partnership or other entity that is established to operate or lease one or more taxicabs

within the jurisdictional boundaries of SSG that is issued a permit by the Taxi Administrator pursuant to this ordinance.

G. "Business Permit" means the permit issued by SSG to a business authorizing the business to operate taxicab services in the jurisdictional boundaries of SSG.

H. "Business Permit Fee" means the fees charged for issuance of the business permit.

I. "Business Permit Application Fee" means the fees charged for the review of an application for a Business Permit prior to issuance.

J. "Control Person" means any person, firm, association, corporation, partnership, owner, investor, shareholder, officer and director that has or have a majority interest in the Taxicab Business.

~~I.~~K. "Driver" means an individual natural person who drives or is allowed to drive a taxicab under the name of a business. This includes, but is not limited to: full time, regularly employed drivers; casual intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to a business or who drive or operate a taxicab at the direction of or with the consent of a business.

L. "Engaged With a Passenger" means ongoing interactions between the Driver and passenger during the course and scope of providing taxicab service to the passenger.

~~J.~~M. "Jurisdictional Boundaries of SSG" means the territory within the jurisdictional boundaries of the cities of Desert Hot Springs, Palm Springs, Cathedral City, Rancho Mirage, Palm Desert, Indian Wells, La Quinta, Indio, Coachella, and the unincorporated area of Riverside County that is within the territorial boundaries of the Palm Springs and Desert Sands Unified School District, and that portion of the Coachella Valley Unified School District located within Riverside County, as such boundaries may be adjusted from time to time as allowed for under the law.

~~K.~~N. "Permittee" means any business including any owners, investors, shareholders, partners, officers, directors and representatives acting on its behalf or driver that has been issued a permit pursuant to the Article I.

O. ~~K.~~ "Rate- "Prorated" means a pro rata distribution based on the date of business, driver or vehicle permit issuance.

P. "Pull Notice Program" as referred to in Vehicle Code Section 1808.1 shall mean a process for the purpose of providing the employer with a report

showing the Driver's current public record by the Department of Motor Vehicles and any subsequent convictions, failures to appear, accidents, driver's license suspensions, driver's license revocations, or any other actions taken against the driving privilege or certificate, added to the driver's record while the employer's notification request remains valid and uncanceled.

L.Q. "~~Per Mile or Mileage Rate~~" means the charge to a taxicab passenger calculated and based on distance traveled by the taxicab vehicle.

M.R. "SSG" means the joint powers authority established by Riverside County and Coachella Valley cities charged with the duties, obligations and responsibilities to implement and enforce this ordinance and any related ordinance and any regulations promulgated pursuant thereto as directed by the SSG Board.

N.S. "Substantially Located" shall have the same meaning as defined within Government Code Section 53075.5.

O.T. "Taxicab" means every automobile or motor propelled vehicle, designed for carrying not more than eight persons, excluding the driver, where the driver's seat may be separated from the passenger's compartment by a glass or other partition used for the transportation of passengers for hire over the public streets in the jurisdictional boundaries of SSG, and not over a defined route, irrespective of whether the operations extend beyond the jurisdictional boundaries, in circumstances where the vehicle is routed under the direction of the passenger of the person hiring the same.

P.U. "Taxi Administrator" means the General Manager of SSG or his/her designee.

V. "Vehicle Permit" means a valid permit issued by SSG, authorizing a particular vehicle to be operated as a Taxicab.

W. "Vehicle Permit Fee" means a non-transferable authorization to drive or operate a vehicle as an authorized Taxicab transportation service within the jurisdictional boundaries of SSG, whether as owner, lesser, lessee, or otherwise.

As used in this Chapter, any citation or reference to a California code or statute is intended to include any subsequent amendments enacted by the state thereto.

## **Section 1.020      Taxi Administrator**

A. The Taxi Administrator shall be authorized to carry out the permitting and regulation of Businesses and Drivers under this Chapter, and to enforce the provisions of this Chapter in compliance with California Government

Code sections 53075.5 and 53075.51. The Taxi Administrator is authorized to promulgate and adopt regulations and procedures necessary to implement all provisions of this Chapter.

B. The Taxi Administrator shall be authorized to conduct investigations, audits or field inspections in order to enforce the provisions of this Chapter and regulations.

**Section 1.025      Delivery of Notices or Requests**

A. All notices or requests referred to in this ordinance shall be delivered to the Administrative Office of SSG. All notices or requests referred to in the ordinance of SSG to any business or individual shall be delivered to the address of record for the business or individual.

B. Notices or requests referred to in this ordinance may be delivered through electronic mail to the address provided in the application for a Business, Driver or Vehicle Permit.

B-C. Delivery of any notice or request shall be effective as follows:

1. Immediately if given by personal delivery or electronic mail;
2. One (1) day after delivery if delivered by an overnight delivery service; and
3. Three (3) days after delivery if delivered by U.S. Mail.

**Section 1.030      Business Permit Required**

A. It is unlawful for any business to operate a Taxicab or Taxicabs without first having been issued a Business Permit from SSG if the Business is substantially located within the Jurisdictional Boundaries of SSG.

B. A Business Permit may be obtained from SSG as provided below. The Permit shall state the name of the Taxicab ~~company~~Business, location of principal operation, and the date of issuance. If the Taxicab ~~company~~Business and the Driver are the same person, he or she shall apply for and obtain from SSG both a Business Permit and a Driver permit.

C. An applicant for a Business Permit shall complete an application form which shall contain the following information:

1. Name of Business as recorded in formation documents filed with the California Secretary of State or fictitious business name as registered with Riverside County;

2. Name, job title, and function of all owners, investors, shareholders, partners, officers, directors and representatives acting on the business' behalf~~Business' behalf~~ and provide such information as is required to evaluate the legitimacy of the company's business structure, qualifications, corporate stability, financial stability and capability;
3. Fingerprint based criminal history check of all owners, investors, shareholders or partners that hold an interest in the Taxicab Business;
- ~~3.4.~~ Address of principal place of business from which the Business conducts its activities;
- ~~4.5.~~ Address of all locations from which the Business conducts its activities;
6. Electronic mail address for the purpose of providing notice or requests.
- ~~5.7.~~ Before any Business Permit is issued, the applicant shall procure and maintain, at its cost, comprehensive general liability and property damage insurance, against all claims for injuries against persons or damages to property which may arise from or in connection with the operation of Taxicabs by the applicant, its agents, representatives, employees, or subcontractors and the owner of the vehicle;
- ~~6.8.~~ A list of the Vehicle Identification Numbers ("VIN") of the Taxicabs ("vehicle identification list") which have annually passed a vehicle safety inspection at a facility certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair. The list shall include vehicle number, license plate number, and SSG permit number;
- ~~7.9.~~ A current list of all Drivers authorized to operate any vehicle on the required vehicle identification list;
10. Evidence of valid and current California Department of Motor Vehicle Registration for each Taxicab listed in the vehicle identification list;
- ~~8.11.~~ Verification of safety and education program as required by Government Code Section 53075.5;
- ~~9.12.~~ Verification of disabled access education program as required by Government Code Section 53075.5;

13. Verification of participation in the Pull-Notice Program pursuant to Section 1808.1 of the California Vehicle Code;

~~10.14.~~ Each applicant shall submit information establishing the total number of prearranged and non-prearranged trips that originate within the Jurisdictional Boundaries of SSG accounting for the largest share of the ~~business'~~Business' total number of trips over the applicable time period pursuant Government Code Section 53075.5; and,

~~11.15.~~ Each applicant shall provide SSG an address of an office or terminal where documents supporting the factual matters specified in Government Code Section 53075.5 may be inspected by SSG upon request.

D. The Business Permit shall be valid for a period of one (1) year, beginning July 1<sup>st</sup> of each year and expiring June 30<sup>th</sup> or until suspended, revoked or surrendered. Requirements to approve and maintain the permit include:

1. Taxicab Business shall have a distinctive appearance and shall have a standard monogram, insignia, or logo which is permanently affixed to each vehicle and indicates that the vehicle is offered for the use of transportation of passengers for hire;

~~1.2.~~ Maintenance of a year-round computerized dispatch system capable of providing performance reports as required by Government Code Section 53075.5 and the Taxi Administrator;

3. At least one (1) wheelchair-accessible van that meets federal standards as provided in Title 49, Subtitle A, Part 38 of the Code of Federal Regulations ready and available as may be requested in its fleet;

~~2.4.~~ Proof of insurance per section 1.040;

~~3.5.~~ Compliance with the maximum rates established per section 1.055070;

~~4.6.~~ Implementation of mandatory controlled substance and alcohol testing program per section 1.060075;

~~5.7.~~ Maintenance of safety education and training program;

~~6.8.~~ Maintenance of disabled access education and training program; and,



9. Maintenance of current and valid California Department of Motor Vehicles Registration for each Taxicab listed in the vehicle identification list;

10. Continuous participation in the Pull Notice Program per Vehicle Code Section 1808.1; and,

7.11. Compliance with all operational requirements in Article II of this Chapter.

E. Each Taxicab Business shall at all times maintain accurate and complete accounts of all revenues and income arising out of its Taxicab operations, a list of vehicles in use, a list of all Drivers of the company, any complaints by patrons and any other information SSG may require to verify compliance with the ordinance of SSG. The Taxicab Business' books, accounts and records pertaining to compliance with the ordinance of SSG shall at all reasonable times be open to inspection, examination and audit by the authorized officers, employees and agents of SSG. The refusal of a Taxicab Business to provide the required records for inspection shall be deemed a violation of the ordinance of SSG and cause for termination of the Taxicab Business permit. Any proprietary data provided to SSG shall be maintained confidential to the extent permitted by law.

E.F. At the time the application for a Business Permit is received, the applicant shall pay a Business Permit Application Fee as established and amended from time to time by resolution of the Board. Fees shall be due and payable before ~~receipt of the business permit. The Board may establish a procedure for a payment of the business permit fee in installments~~ a Business Permit application is processed. Prorated fees will be based on the date of Business Permit approval.

G. At the time ~~the application for~~ a Business Permit ~~application~~ is received, it will be reviewed for accuracy and compliance within ten (10) days. The applicant will receive a deficiency notice should the application and documents be lacking and/or incomplete. The applicant shall have thirty (30) days from the date of deficiency notice to remedy and re-submit application deficiencies. Applications that have not met the minimum requirements for a Business Permit within sixty (60) days will be denied. A new Business Permit application must be submitted for consideration, thereafter.

F.H. At the time a Business Permit Application is approved, the applicant shall pay a Taxicab Vehicle Permit Fee. A Permittee with a hybrid or Alternative Fuel Vehicle shall pay an alternative fuel ~~taxicab vehicle fee~~ Vehicle Permit Fee. Taxicab Vehicle Permit Fees shall be due and payable before issuance of a Business Permit. The Taxicab Vehicle Permit Fee and Alternative Fuel ~~taxicab vehicle~~ Vehicle Permit Fee may be adjusted by

resolution of the Board. The Board may establish a procedure for payment of the Taxicab Vehicle Permit Fee in installments.

I. The Board may establish a procedure for a payment of the Business Permit Fee in installments.

~~G.J.~~ The rights of appeal provided for by Section 1.070085 are available to a Business in the event that his or her Business Permit is denied based on the provisions of this Chapter.

K. In the event a Taxicab Business or any Control Person transfers 50% or more of its interest in the Business therein, the Taxicab Business' Permit cannot be sold or transferred in part or in whole, by assignment, trust, mortgage, lease, sublease, pledge or other hypothecation without prior written consent of the Board.

### **Section 1.035 Business Permit Renewal**

A. Sixty (60) days prior to the expiration of a Business Permit, the Business may apply to SSG for a renewal thereof for an additional year. A Business shall be entitled to a one (1) year renewal of the Business Permit provided that:

1. The Business submits a Business Permit renewal application;

~~1.2.~~ The Business pays the business permit annual renewal application fee;

3. The Business pays the Business Permit Fee;

~~2.4.~~ The Business pays the applicable Taxicab Vehicle Permit Fee;

~~3.5.~~ The Business shows that it continues to be substantially located within the Jurisdictional Boundaries of SSG as defined in Government Code Section 53075.5;

~~4.6.~~ The Business continues to comply with all provisions of Section 1.030.

B. The rights of appeal provided for by Section 1.070085 are available to a Business in the event that renewal of his or her Business Permit is denied based on the provisions of this Chapter.

### **Section 1.040 Insurance Required**

A. The insurance policies required under this Chapter shall consist of and contain or be endorsed to contain the following provisions:

1. General Liability and Automotive Liability Coverage:
  - a. SSG, its member entities, their officers, officials, employees, and volunteers are to be covered as insureds for liability related to:
    - i. Activities performed by or on behalf of the Business;
    - ii. Premises owned, occupied, or used by the Business; and,
    - iii. Automobiles owned or leased by the Business.
  - b. The Permittee shall also carry Workers' Compensation Insurance in accordance with State of California Workers' Compensation laws.
  - c. The coverage shall contain no special limitations on the scope of protection afforded to SSG, its member entities, their officers, officials, employees, agents, representatives, or volunteers.
  - d. The business' insurance shall be primary insurance as respects SSG, its member entities, their officers, officials, employees, agents, representatives and volunteers, any insurance or self-insurance maintained by SSG, its member entities, their officers, officials, employees, agents, representatives or volunteers shall be in excess of the Permittee's insurance and shall not contribute with it.
  - e. Any failure to comply with reporting provisions of the policy shall not affect coverage provided to SSG, its member entities, their officers, officials, employees and agents.
  - f. Permittee's insurance shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of the insurer's liability.
2. All Coverage:
  - a. Each insurance policy required by this Section shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to SSG.

- b. Permittee shall furnish SSG with a certificate of insurance and any applicable policies and endorsements affecting the coverage required hereunder. The policies and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. At SSG's option, endorsements and any certificates of insurance required by SSG shall be on forms provided or approved by SSG. All endorsements and certificates are to be received and approved by SSG prior to the operation of any Taxicab by the Permittee in the Jurisdictional Boundaries of SSG. SSG reserves the right to require complete certified copies of all insurance policies, including endorsements affecting the coverage required by this ordinance, at any time and shall include, but not limited to, the obligation to indemnify, hold harmless, release and defend SSG.
- c. Business Permittee shall include all individual Drivers employed ~~or retained by or subcontracted~~ by Permittee, agents, contractors, other sub-operators as may be permitted by SSG, as insureds under its policies or shall furnish separate certificates and endorsements for each sub-operator. All coverage for such sub-operators shall be subject to all of the requirements stated herein.
- d. The procuring of such insurance or the delivery or endorsements and certificates evidencing the same shall not be construed as a limitation of the Permittee's obligation to indemnify, hold harmless, release and defend SSG, its member entities, their officers, officials, employees, agents, representatives, and volunteers from and against any and all liability, claims, suits, costs, expenses, fines, judgments, settlements, charges or penalties, including reasonable attorney's fees, regardless of the merit or outcome of the same arising out of, or in any manner connected with, any or all of the operations or services authorized conducted or permitted under this ordinance.
- e. The amount of insurance required hereunder shall be as follows:
  - i. For injury or death in any one accident or occurrence, three hundred fifty thousand dollars (\$350,000.00);
  - ii. For the injury or destruction of property in any one accident or occurrence, three hundred fifty thousand dollars (\$350,000.00);

- iii. For combined single limits of liability for primary bodily injury and primary property damage, three hundred fifty thousand dollars (\$350,000.00);
  - iv. For employer's liability, with limits of three hundred fifty thousand dollars (\$350,000.00).
- f. It shall be the responsibility of all Permittees to provide and maintain insurance coverage in compliance with the provisions of this ordinance to cover each and every driver that operates a vehicle as a Taxicab. The Permittee shall further ensure that appropriate certificates of insurance reflecting the coverage are on file with SSG at all times.
3. Insurance required by this Section shall be satisfactory only if issued by companies having at least an A- Best Insurance Rating or equivalent, and are admitted to do business in California. All applicants are required to comply with this Section prior to the issuance of any Business Permit.
4. Permittees are responsible to ensure compliance with all of the foregoing insurance requirements and regulatory provisions related to such requirements. Responsibility on the part of the Permittee includes ensuring that any vehicle owner whose vehicle is operated under the Business Permittee's name maintains insurance and provides SSG with proof of the same at all times that each vehicle is operated. Failures to comply with the foregoing insurance requirements which affect the Business as a whole shall result in immediate suspension of the permit. Failure to comply with the foregoing insurance requirements three (3) times within a calendar year constitutes grounds for revocation of the permit.

B. Permittees shall maintain on file with SSG evidence of its insurance coverage meeting all the requirements as indicated in this Section. The Permittee shall provide SSG with verbal notice within 24 hours in the event of any change in insurance coverage and written notification of any insurance change within three (3) calendar days after the change.

**Section 1.045      Driver Permit Required**

- A. It is unlawful for any person to drive a Taxicab without having first obtained a Driver permit from SSG. A Driver permit may be obtained as provided below.
- B. An applicant for a Driver permit shall complete an application which shall contain the following information:

1. Applicant's full name, residence, address and age;
  2. A listing of all equivalent permits which have been issued to the applicant by any governmental agency;
  3. Applicant's height, weight, gender and color of eyes and hair;
  4. The number and expiration date of the applicant's California driver's license;
  5. Proof of insurance as insureds under an employer's policies as required by Section 1.040;
  - ~~5.6.~~ All moving violations within the last 3 years, including dates of violations and the jurisdiction where each violation occurred;
  - ~~6.7.~~ Authorization for SSG, or its agents or employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant; and
  - ~~7.8.~~ The name of the Business with whom the applicant is employed or who has given the applicant an offer of employment within the meaning of Government Code Section 53075.5.
- C. At the time the applicant submits an application for a Driver permit, the applicant shall do all of the following:
1. ~~1. Provide SSG with a copy of the~~ Submit to a fingerprint based criminal history check ~~conducted by the business~~ pursuant to Government Code Section 53075.5;
  2. ~~2.~~ Provide SSG with a copy of the results of the drug and alcohol test as conducted by the Business pursuant to Government Code Section 53075.5 and Section 1.~~060075~~ of this ordinance;
  3. Provide SSG with a copy of the Department of Motor Vehicles Pull Notice Program enrollment, as defined in Vehicle Code Section 1808.1; and
  - ~~3.4.~~ Payment of Driver permit fee as established and amended from time to time by resolution of the Board. The Driver permit fee shall be due and payable before receipt of the driver permit.
- D. The Taxi Administrator may accept the submission of a permitted Business' Driver application that provides all the information required in subsections B and C above in lieu of the Driver application provided by SSG.

- E. The Driver permit shall state the name of the employer.
- F. In the event of denial, revocation or suspension of a Driver permit, the applicant may within ten (10) days of notification of denial apply to SSG for a hearing on the denial in accordance with the procedures set forth in Section 1.~~070-085~~.
- G. The Driver permit shall be valid for a period of one (1) year or until suspended, revoked or surrendered. Termination of the Driver's California driver's license shall constitute grounds for revocation of the Driver permit authorized hereunder.
- H. Upon termination of employment within the meaning of Government Code Section 53075.5 the permit shall become void. In such case, the Driver shall immediately return the Driver permit to SSG. Upon return of the Driver permit, the Driver may re-apply for a Driver permit, provided that the Driver complies with the requirements for issuance of a Driver permit under this Section.

**Section 1.050      Driver Permit Renewal and Transfer**

- A. Prior to the expiration of a Driver permit, the Driver may apply to SSG for a renewal thereof for an additional year. A Driver shall be entitled to a one (1) year renewal of the Driver permit provided that:
  - 1. The Driver pays a permit renewal fee as established and amended from time to time by resolution of the Board;
  - 2. The Driver submits to permit-renewal controlled substances and alcohol testing as provided by Government Code Section 53075.5;
  - 3. The results of controlled substances and alcohol testing indicate that the Driver has not been using a controlled substance as specified in Part 40 (commencing with Section 40.1) of Title 49 of the Code of Federal Regulations;
  - 4. The results of such testing indicate that the Driver has a breath concentration of less than 0.02 percent on an alcohol screening test; and,
  - 5. The Driver has not been convicted of any of the crimes, including but not limited to, those crimes enumerated in Section 1.~~065080~~ during the preceding year.
- B. A Driver may request a transfer of his/her Driver Permit to another Permittee provided the Driver has submitted the following:

1. A Driver permit application signed by an authorized representative of the prospective Permittee;
  2. A Driver permit transfer fee; and
  3. SSG Driver permit to be transferred;
- C. Driver shall not operate a Taxicab until the transfer permit is obtained and in possession of the Driver pursuant to this Section.
- D. A transferred Driver permit shall expire on the same date as the original Driver Permit and shall not exceed the Driver's permit period.
- E. If the Driver permit has expired or terminated and is not renewed or transferred within thirty (30) business days of the expiration or termination, the Driver shall be required to re-apply as a new applicant for issuance of a Driver permit and shall pay all fees associated therewith.
- B-F. The rights of appeal provided for by Section 1.070085 are available to a Driver in the event that renewal of his or her Driver permit is denied based on the provisions of this Chapter.

**Section 1.055**      **Vehicle Permit Required**

- A. It is unlawful for any Taxicab to operate without first having been issued a Vehicle Permit from SSG, unless otherwise authorized by Government Code section 53075.5. At all times while providing Taxicab service, the Vehicle Permit must be affixed to the lower left rear windshield of the vehicle.
- B. A Vehicle Permit may be issued provided that the vehicle has successfully completed a safety and cosmetic inspection conducted by a facility certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair in accordance with the vehicle safety standards.
- C. The Vehicle Permit shall be valid for a period of one (1) year, beginning July 1<sup>st</sup> of each year and expiring June 30<sup>th</sup> or until suspended, revoked or surrendered.
- D. Permittees shall pay the Vehicle Permit Fee for each vehicle that is issued a Vehicle Permit.
- E. If a vehicle is permanently taken out of service with a balance due to SSG of the Vehicle Permit Fee for the year, such fee shall become immediately due and payable.



F. If a Taxicab Business' Business Permit is suspended or terminated pursuant to section 1.080, all corresponding Vehicle Permits shall also be suspended. Owners of all vehicles with a suspended Vehicle Permit shall present vehicles to SSG for out of service Taximeter readings immediately upon suspension or termination of a Taxicab Business or expiration, suspension or termination of the Vehicle Permit sticker. The owner of the vehicle shall have thirty (30) days to register the vehicle with an existing and valid Taxicab Business permit holder. If the owner fails to register the vehicle within such thirty (30) day period, the vehicle shall be presented to SSG for removal of the Vehicle Permit sticker (if such sticker has not already been surrendered) and the balance of the Vehicle Permit Fee owing to SSG for the vehicle shall be immediately due and payable. SSG shall pursue collection of the Vehicle Permit Fee from either the Taxicab Business or the owner of the vehicle and no Vehicle Permit sticker shall be issued to the vehicle regardless of its ownership until the Vehicle Permit Fee owing to SSG shall have been paid.

#### **Section 1.060 Vehicle Permit Renewal**

A. Prior to the expiration of a Vehicle Permit, the Permittee may apply to SSG for a renewal thereof for an additional year. A Vehicle Permit may be entitled to a one (1) year renewal provided that:

1. Payment of the Vehicle Permit Fee as established and amended from time to time by resolution of the Board is received; and
2. All requirements for initial issuance of a Vehicle Permit are maintained as provided in Section 1.055.

B. The rights of appeal provided for by Section 1.085 are available in the event that renewal of a Vehicle Permit is denied based on the provisions of this Chapter.

#### **Section 1.065 Vehicle Inspections**

A. Prior to obtaining a Taxicab Business Permit, an applicant shall first present each vehicle to be used as a Taxicab to a facility certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair, and SSG, for a vehicle safety and cosmetic inspection. Any vehicle(s) that a Taxicab Business proposes to add to its fleet shall also be presented to a facility certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair, and SSG, for successful completion of a vehicle safety and cosmetic inspection prior to operation as a Taxicab. The Taxicab Administrator shall maintain a list which reflects the VIN of each vehicle that successfully completes the vehicle safety inspection. A

record of the VIN of each vehicle that fails the vehicle safety inspection shall also be maintained by SSG.

B. In addition to the initial vehicle safety and cosmetic inspection, each vehicle shall be required to pass additional inspections at the following times:

1. Every twelve (12) months from the date the vehicle is first licensed as a Taxicab;

2. After every incident resulting in cosmetic or greater damages; and,

3. At any time upon written request by the Taxi Administrator.

C. Failure to present a vehicle for inspection under this ordinance within three (3) days of the date upon which a request under Section 1.025 is delivered or within three (3) days after inspection is due shall result in the issuance of a penalty in accordance with Section 1.080. Further failure to present a vehicle for inspection under this ordinance within ten (10) days of the date upon which a written request is delivered or inspection is due shall result in the vehicle being declared presumed unfit to operate as a Taxicab, an administrative citation shall be issued to that effect, and the vehicle shall be read out of service.

D. It is unlawful to operate a Taxicab vehicle in an unsafe operating condition, including but not limited to a condition that violates the vehicle safety inspection standards of SSG. All Taxicab Businesses are responsible to ensure that their vehicles are maintained in a safe operating condition at all times that they are in service. An incident that results in any cosmetic or greater damage shall be reported to SSG.

### **Section 1.070 Rates**

A. No Permittee operating in the Jurisdictional Boundaries of SSG may charge a rate in excess of the maximum rate of \$12.00 Per Mile, \$4.00 drop fee/base rate, and \$24.00 per hour for traffic delay or as established waiting time. Maximum rates may be adjusted by resolution of the Board.

B. A Permittee may charge a rate that is less than the maximum rate set by SSG. Permittees may set fares or charge a flat rate as made permissible by Government Code Section 53075.5. MaximumNo other fees or rates may be adjusted annuallycharged by resolution of the Boarda Permittee except as permitted by law.

C. ~~B.~~—The Board may from time to time establish maximum flat rates for special events or fixed routes.

- D. ~~C.~~—A Permittee may use any type of device or technology approved by the Division of Measurement Standards to calculate fares as provided for in Government Code Section 53075.5.
- E. ~~D.~~—The Permittee shall disclose fares, fees or rates to the customer as provided for in Government Code Section 53075.5.
- F. ~~E.~~—The Permittee shall notify the passenger of applicable rates prior to the passenger accepting the ride for walk up rides and street hails as provided for in Government Code Section 53075.5.

**Section 1.060075 Mandatory Controlled Substance and Alcohol Testing Program**

- A. Each Permittee shall maintain a mandatory controlled substance and alcohol testing certification program conforming to all requirements as set forth in California Government Code Section 53075.5 and Part 40 (commencing with Section 40.1) of Title 49 of the Code of Federal Regulations.
- B. Each Business shall maintain a written drug and alcohol policy as required by Government Code Section 53075.5 and proof that the Business has implemented a drug and alcohol certification program covering all of its drivers.
- C. No Business shall permit a Driver who refuses to submit to such tests to operate or continue to operate a Taxicab.
- D. In the case of self-employed independent Driver within the meaning of Government Code Section 53075.5, the test results shall be reported directly to SSG. In all other cases, the test results shall be reported to the Business who has employed or made an offer of employment to the Driver within the meaning of Government Code Section 53075.5.
- E. Results of all tests provided for in this Section are confidential and shall not be released to the public without the written consent of the Driver, except as provided by law.

**Section 1.065080 Denial, Revocation, or Suspension of Permits**

- A. In addition to any other reason provided for in this Chapter, a permit may be denied, suspended or revoked when it has been determined that the Business, including any owners, investors, shareholders, partners, officers, directors, and representatives acting on its behalf:
  1. Has not complied with the applicable provisions of Article I; or
  2. Has not complied with the applicable provisions of the regulations;  
or

- 2.3. Has failed to cure any item listed in a sixty (60) day warning for failure to comply with any requirements of permit issuance; or
- 3.4. Has been issued three (3) sixty (60) day warnings of failure to comply with any requirements of this Chapter within a period of twelve (12) months; or
- 4.5. Has knowingly made a false statement of fact in an application for such permit; or
- 5.6. Has any outstanding balance owed to SSG; or
- 6.7. Has charged rates or fares exceeding the maximum rates other than those permitted by Section 1.~~055070~~.

B. Business and Driver Criminal Conduct

1. A permit may be denied, suspended or revoked when it has been determined that the Business, including any owners, investors, shareholders, partners, officers, directors, and representatives acting on its behalf or Driver has been convicted of any of the following crimes within the timeframes set forth below, whether committed in the State of California or elsewhere. A conviction within the meaning of this Section means a plea or verdict of guilty or a conviction following a plea of nolo contendere:
  - a. Any conviction regardless of the time elapsed, in any state, of any of the following or their equivalent:
    - i. Any crime (apart from adult same-sex consensual sexual behavior) which requires the applicant to register as a sex offender under California Penal Code §290 shall require denial or revocation; or
    - ii. Any felony involving actual or threatened violence against persons, including, but not limited to, assault, battery, robbery or the use of a firearm or other weapon against a person.
  - b. Any conviction (felony or misdemeanor) within the past seven (7) years of any crime involving theft or dishonesty, including, but not limited to, burglary, theft, shoplifting or other crime related to fraud or intentional dishonesty; or
  - c. Any conviction (felony or misdemeanor) within the past seven (7) years of any crime involving the sale, possession or transportation of narcotics or other controlled substances; or

- d. Any conviction (misdemeanor or felony) within the past three (3) years of any crime involving pandering or prostitution.
    2. In addition to the crimes listed above, no Driver permit shall be granted to an applicant who has been convicted of three (3) or more moving violations within three years previous to submission of the application. Any permit previously granted shall be revoked for any Driver who has been convicted of three (3) or more moving violations within three (3) years.
    3. In addition, if an applicant has been convicted of, or pled nolo contendere at any time within the past seven (7) years, to a violation related to driving under the influence of alcohol or drugs, the applicant shall be disqualified and the application shall be denied. If after issuance of a permit to a Driver, the Driver is convicted of, or pleads nolo contendere to, a violation related to driving under the influence of alcohol or drugs, the Driver's permit shall be revoked.
- C. ~~D.~~—In addition to the foregoing, a Driver permit may be suspended, revoked or denied in the event that:
  1. A driver is involved in an accident due to a medical condition that prevents the Driver from safely operating a vehicle, or;
  2. A medical condition that prevents a Driver from safely operating a vehicle otherwise comes to SSG's attention. Any Driver whose permit has been suspended, revoked or denied due to a prohibitive medical condition as described above, shall be entitled to a permit upon certification by a medical doctor that the condition is correctable, has been corrected and will continue to be corrected.
- D. ~~E.~~—In addition to the above, any Driver permit may be suspended or revoked for any crime which is substantially related to the qualifications, functions, or duties of a Driver which include, but are not limited to, the following: reckless driving; wet reckless driving; murder; rape; vehicular manslaughter; a violation of California Vehicle Code Sections 20001, 20002, or 20003 or any corresponding substitute Sections; robbery; a violation of California Penal Code Section 314 or any corresponding substitute Section; pandering; crimes related to the use, sale, possession, or transportation of narcotics or intoxicating liquors; assault; battery; or indecent exposure.
- E. ~~F.~~—Any Driver permit may also be suspended for and during the period that the payment of any citation remains outstanding after all appeal periods have been exhausted.

- F. ~~G.~~—From the time of the revocation or suspension of a Driver permit granted under the provisions of this Chapter, it is unlawful for any person whose Driver's permit has been suspended or revoked to operate or drive a Taxicab within the Jurisdictional Boundaries of SSG until a new permit has been procured or the period of suspension has expired. It is also unlawful for any person to drive or operate within the Jurisdictional Boundaries of SSG any Taxicab during the period of time that a permit has been revoked, terminated or suspended.
- G. ~~H.~~—In the event the Permittee appeals any denial, suspension, or revocation of a permit issued under this Section, the appeal procedures of Section 1.~~070085~~ shall apply.

**Section 1.~~070085~~ Appeal Hearings**

- A. Any person aggrieved by any determination under the provisions of this Chapter shall be entitled to appeal that decision as provided herein. Any recipient of an administrative citation may contest that there was a regulatory violation or that he or she is the responsible party.
- B. A request for hearing must be made within ten (10) days following the delivery of notice of the decision of the Taxi Administrator which is challenged by delivery of the request for hearing at the administrative offices of SSG together with:
  - 1. An advance deposit of any fine or a notice of request for an advance hardship waiver pursuant to Section 1.~~075095~~; and
  - 2. Payment of an appeal fee as established by resolution of the Board of Directors.
- C. Upon satisfaction of the foregoing, SSG shall set a hearing within thirty (30) days of delivery of the request for hearing, or as soon thereafter as reasonably practical. The Taxi Administrator shall appoint a hearing officer.
  - 1. If the appeal is of: (1) a decision to deny, suspend, revoke or terminate a permit; or (2) an administrative fine or penalty imposed pursuant to an administrative citation in excess of \$2,000.00, the Taxi Administrator shall refer the matter to the administrative hearing officer under contract with SunLine, or a retired judge or an administrative law judge with the California State Office of Administrative Law Judges.
  - 2. If the appeal is of a decision to impose a(n) administrative fine(s) or penalty(ies) pursuant to an administrative citation whose total is

less than \$2,000.00, the Taxi Administrator shall refer the matter to an employee who shall serve as the hearing officer.

- D. SSG shall notify the appealing party of the time and date for the hearing, which notice shall be delivered at least fifteen (15) days prior to the hearing.
- E. The hearing officer shall conduct an administrative hearing. The administrative hearing allows SSG and the appealing party to be represented by an attorney, to present evidence related to the alleged violations, to cross examine witnesses who have testified, and to argue their positions. The administrative hearing shall be informal and technical rules of evidence, including but not limited to, the hearsay rule, shall not apply. Oral testimony received at the hearing shall be taken only on oath, affirmation, or penalty of perjury. The right to cross examine witnesses shall not preclude the introduction and consideration of written statements whether made under oath or not. The proceedings shall be recorded or otherwise preserved. It is the intent of SSG that the hearing officer allow wide latitude in introduction of evidence and the holdings and discussions concerning informality of hearings and relaxed rules of evidence set forth in *Mohilef v. Janovici* (1986) 56 Cal.App.4<sup>th</sup> 310 apply to the fullest extent to all the hearings conducted under this ordinance.
- F. If the appealing party fails to appear, the hearing officer may conduct the hearing in the party's absence and/or may render a decision to dismiss the matter.
- G. After consideration of the evidence presented by all parties, the hearing officer shall render written decision which sets forth a statement of the case, any relevant findings of fact to support the decision and administrative enforcement order. If the hearing officer finds one or more of the alleged violations has been committed, he or she may suspend, revoke, or terminate any permit and/or impose administrative monetary penalties in accordance with the limits set forth in this ordinance. In determining whether to suspend or revoke any permit or to impose administrative monetary penalties, the hearing officer shall take into consideration the gravity of the violation, the entire record of the party requesting the hearing, and the harm threatened to the public by the violation.
- H. The decision of the hearing officer shall be final and the party requesting the hearing shall be notified in writing of the decision of the hearing officer. Such decision shall be delivered within fifteen (15) days from the date the hearing is concluded.
- I. Any review of a decision by the hearing officer brought pursuant to an administrative citation shall be governed by the provisions of Government

Code Section 53069.4. Review of any other final decision under this ordinance shall be governed by Code of Civil Procedure Section 1094.5, *et seq.*

- J. With the exception of the conviction of a crime which requires registration as a sex offender under California Penal Code Section 290, in any case where a Driver permit is denied due to a criminal conviction, the applicant shall be entitled to apply the Driver permit application fee towards the appeal fee from such denial. In the event that a Driver permit is granted on such appeal, the applicant shall pay the Driver permit fee in full prior to issuance of a permit.

**Section 1.~~075~~090 Advance Deposit Hardship Waiver**

- A. Any person who intends to request a hearing to contest that there was a regulatory violation or that he or she is the responsible party and who is financially unable to make the advance deposit of the fine under Section 1.~~070~~085, may file a request for an advance deposit hardship waiver.
- B. The request shall be filed with the SSG on an advance deposit hardship waiver application form within ten (10) days of the date of the administrative citation.
- C. The requirement of depositing the full amount of the fine as described in subsection A above shall be stayed unless or until the SSG makes a determination not to issue the advance deposit hardship waiver.
- D. SSG may waive the requirement of an advance deposit set forth in Section 1.~~070~~085 and issue the advance deposit hardship waiver only if the cited party submits a sworn affidavit, together with any supporting documents or materials demonstrating the person's actual financial inability to deposit with SSG the full amount of the fine in advance of the hearing.

**Section 1.~~080~~095 Administrative Citation**

- A. Whenever an enforcement officer charged with the enforcement of any regulation determines that a violation has occurred, the enforcement officer shall have the authority to issue an administrative citation to any person responsible for the violation. In instances in which a Driver is cited for a violation, the Business may also be cited.
- B. Each administrative citation shall contain the following information:
  - 1. The date of the violation;
  - 2. The address or a definite description of the location where the violation occurred;



3. The section of the regulation violated and a description of the violation;
4. The amount of the fine for the violation;
5. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
6. An order prohibiting the continuation or repeated occurrence of the violation described in the administrative citation;
7. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained; and
8. The name and signature of the citing enforcement officer.

**Section 1.085200 Fines and Penalties**

- A. The minimum fine for violation of Article I of this Chapter shall be one thousand dollars (\$1,000.00).
- B. The minimum fine for operating a Taxicab without a valid permit(s) to operate issued by SSG shall be five thousand dollars (\$5,000.00).
- C. The fine shall be paid to SSG within thirty (30) days from the date of the administrative citation.
- D. If the fine is challenged by an administrative hearing as set forth in Section 1.070085 and the hearing officer determines that the administrative citation shall be upheld, then the fine amount on deposit with SSG shall be retained by SSG.
- E. If after a hearing under Section 1.070085, the hearing officer determines that the administrative citation should be upheld and the fine has not been deposited pursuant to an advance deposit hardship waiver, the fine shall be due within thirty (30) days of the date of the decision of the hearing officer is deposited in the mail. Failure to pay the fine within such period shall result in the suspension of the Driver permit of the Driver until such time as payment is made.
- F. If after a hearing under Section 1.070085 the hearing officer determines that the administrative citation should be canceled and the fine was deposited with SSG, then SSG shall promptly refund the amount of the deposited fine, together with interest at the rate of five percent (5%) per annum for the period of time that the fine amount was held by SSG.

- G. Payment of a fine under this Chapter shall not excuse or discharge any continuation or repeated occurrence of the regulatory violation that is the subject of the administrative citation.

**Section 1.~~090~~205 Late Payment Charges**

- A. Any person who fails to pay to SSG any fine imposed pursuant to the provisions of the ordinance of SSG on or before the date that fine is due also shall be liable for the payment of any applicable late payment charges set forth in the schedule of fines. In addition, the permit of the Driver involved may be suspended pending payment.

**Section 1.~~095~~210 Recovery of Administrative Citation Costs**

- A. SSG may collect any past due administrative citation fine or late payment charge by use of all available legal means. SSG also may recover its collection costs, including any reasonable attorneys' fees.

**Section 1.~~200~~215 Airports**

- A. Nothing in this Chapter shall prevent Palm Springs Regional Airport or any other publicly owned airport from regulation of taxicab access or from charging access/permit fees.

## ARTICLE II

### OPERATING REQUIREMENTS

#### **Section 2.010**      **Taxicab Businesses Distinct Appearance**

- A. All Taxicabs operating under a Taxicab Business permit shall be of distinctive appearance such as is in common usage in this country for Taxicabs and shall have a standard monogram, insignia, or logo which is permanently affixed to each vehicle and clearly indicates that the vehicle is offered for the use of transportation of passengers for hire.
- B. No Taxicab Business permit shall be granted to any Person and/or company whose name, monogram, logo or insignia to be used on its Taxicabs is in conflict with, or imitates, any monogram, name, logo or insignia used by another Taxicab Business within the Jurisdictional Boundaries of SSG in such a manner as to be misleading to, or which would tend to deceive or defraud the public.
- C. No Taxicab Business shall be entitled to utilize the name or telephone number of any previously operating Taxicab Business unless the assuming company has paid all fines, Business permit fees, vehicle permit fees, and administrative penalties due to SSG from the previous Taxicab Business and otherwise complied with the requirements for issuance of a Taxicab Business permit under the ordinance of SSG. In any case where an administrative or other form of proceeding is pending against the previous Taxicab Business, no transfer of the name shall occur unless and until SSG is provided with adequate monetary assurance of payment of any anticipated monetary penalty. Assurance may be in the form of a bond or undertaking.

#### **Section 2.015**      **Advertisements**

- A. No Taxicab Business, Driver or any other person shall place or cause to be placed any advertisement which:
1. Is misleading to, or would tend to deceive or defraud the public;
  2. Uses a name(s) other than the name(s) registered with SSG for which a valid taxicab business permit has been issued without first obtaining written consent of SSG; or
  3. Uses a name, monogram, logo or insignia which is in conflict with or imitates any monogram, logo or insignia used by any other person operating in the Jurisdiction Boundaries of SSG.

#### **Section 2.020**      **Driver Standards and Appearance**

- A. All drivers shall have in his or her immediate possession a valid California driver's license and a Driver permit issued by SSG while in charge of or driving a Taxicab and shall present either upon request.
- B. All Drivers shall be at least 18 years old.
- C. All Drivers shall have the ability to read signs, labels, work schedules, rate cards, information cards, maps and simple instructions in English, to understand and follow verbal directions in English, to write simple instructions in English and to speak English sufficiently to communicate clearly with the public at large.
- ~~C.D.~~ No Driver shall be afflicted with either a physical or mental incapacity or ailment that would preclude him or her from safely operating a Taxicab and performing the duties normal to such profession.
- ~~D.E.~~ All Drivers shall be well groomed and dressed in a neat and clean fashion at all times while on duty. At a minimum, attire shall include a collared shirt or blouse covering the shoulders, knee length shorts or skirt or long pants and closed toe shoes. T-shirts, spaghetti or strapless shirts, open toe shoes, flip flops, sweatpants and sandals are prohibited. A Driver shall wear an identification badge at all times while on duty. At a minimum, the shirt, blouse or identification badge worn by the Driver must bear the Driver's name and companyBusiness logo.
- ~~E.F.~~ All Drivers shall provide prompt, efficient service and be courteous at all times to the general public, the business community, all other Taxicab Drivers and SSG or local government administrators/officers. Smoking and the use of profanity is prohibited. Disputes with the general public, the business community, other taxicab drivers and those in charge of taxicab stands on private property shall be resolved in a professional manner with a goal of maintaining a favorable public image for the taxicab industry.
- G. No Driver shall refuse to transport wheelchairs, packages, luggage and animals as follows:
1. Any passenger's wheelchair, which can be folded and placed in either the passenger vehicle or trunk compartment of the Taxicab;
  2. Groceries or packages when accompanied by a passenger;
  3. Personal luggage, possessions or small pets in appropriate carriers.
  4. Any passenger's service animal or intentionally interfere with the use of service animal by harassing or obstructing the user of his or

her service animal as defined by the Americans with Disabilities Act (ADA).

H. All Drivers shall assist a passenger in and out of a Taxicab when requested, provided the driver is not required to lift the passenger.

I. All Drivers shall assist a passenger by placing luggage, packages and wheelchairs in and out of the taxicab when requested.

J. No Driver shall refuse a dispatch call or other request for Taxicab service to transport any passengers who present themselves in a sober and orderly manner and for a lawful purpose.

~~F.~~K. All Drivers shall be adequately rested, and shall not operate a Taxicab for more than ten (10) consecutive hours, nor for more than ten (10) hours spread over a total of fifteen (15) consecutive hours. Thereafter, no Driver shall drive a Taxicab until eight consecutive hours have elapsed.

~~G.~~L. All Drivers shall not engage in conduct or verbally threaten to engage in conduct which is dangerous or violent such that the safety of the traveling public, SSG employees or agents, taxicab drivers or other persons, is implicated.

~~H.~~M. All Drivers shall not engage in argumentative or discourteous conduct toward the public, a passenger, other taxicab drivers or other persons while on call to provide taxicab service or in the course of providing such service.

~~I.~~N. All Drivers shall not have been convicted of any of the crimes within the timeframes as set forth in Section 1.~~065080~~ of this Chapter, whether committed in the State of California or elsewhere. A conviction within the meaning of this Section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

O. In the event that a Driver is involved in a collision with another vehicle, a fixed object or a pedestrian, that results in injury and/or renders any vehicle inoperable, the Driver and/or the Permittee shall complete and submit to SSG a written SSG approved Collision/Injury Report within twenty four (24) hours of the incident.

## **Section 2.~~045025~~ Special Events**

A. As a matter of public safety and efficiency, during certain designated events where there is expected to be heavy concentration of customers seeking taxicab service, no passenger appointments will be allowed for pick-ups from the event. The designated events to which this regulation applies include:

1. The Coachella Valley Music and Arts Festival;
2. The Stagecoach Festival; and,
3. Any other event for which Permittees are provided written notice no less than thirty (30) days before the event.

**Section 2.030**      **Taxi Administrator**

- A. The Taxi Administrator or his/her designee may adopt, by ordinance, operating requirements for Taxicab ~~companies~~Businesses and Taxicab Drivers that do not relate to permitting or business licensing pursuant to Government Code Section 53075.51.

**Section 2.020035**      **Fines and Penalties**

- A. The minimum fine for violation of Article II of this Chapter shall be one hundred dollars (\$100.00).

**ORDINANCE NO. 2019-01  
AN ORDINANCE OF SUNLINE SERVICES GROUP  
SUPERSEDING ORDINANCE 2018-01**

WHEREAS, Government Code Section 53075.5 requires every city and county to protect the public health, safety and welfare by adopting an ordinance concerning the provision of taxicab services, to provide a policy for entry into the business of providing taxicab services, to establish maximum rates for the provision of such services, and for such other matters as determined by the legislative body; and,

WHEREAS, the County of Riverside and the Coachella Valley cities comprising the joint powers agency known as SunLine Transit Agency (STA) desire to provide for the orderly, efficient, and safe operation of taxicab services within the Coachella Valley; and,

WHEREAS, members of STA have delegated the authority to regulate the safe operation of taxicab services to SunLine Services Group (SSG).

WHEREAS, to modernize the regulation of taxicab transportation services and in order for taxicabs to better compete with all for hire modes of transportation the State amended Government Code Section 53075.5 through Assembly Bill 1069 and Assembly Bill 939; and,

WHEREAS, SSG intends to adopt procedures compliant with Assembly Bill 1069 and Assembly Bill 939 for the regulation of taxicab transportation services in the Coachella Valley.

NOW, THEREFORE, the Board of Directors of SSG does ordain as follows:

**SECTION 1: ADOPTION OF TAXICAB SERVICE ORDINANCE.**

SSG hereby adopts this ordinance regulating taxicabs within the jurisdictional boundaries of SSG, superseding and replacing Ordinance 2018-01, as attached hereto as Exhibit A.

**SECTION 2: SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance of SSG. The Board of Directors of SSG hereby declares that it would have passed this ordinance, and each section, subsection, clause, sentence or phrase thereof, irrespective of the fact that any one or more other sections, subsections, clauses, sentences, or phrases may be declared invalid or unconstitutional.

**SECTION 3: EFFECTIVE DATE.**

This ordinance shall take effect thirty (30) days from its passage by the Board of Directors of SSG.

**SECTION 4: PUBLICATION.**

The Clerk of the Board is authorized and directed to cause this ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the jurisdictional boundaries of SSG in accordance with Government Code Section 36933(a) or, to cause this ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 36933(c).

INTRODUCED at the regular meeting of the Board of Directors of SunLine Services Group on the \_\_\_\_ day of June, 2019.

APPROVED AND ADOPTED by the Board of Directors of SunLine Services Group at a regular meeting held on \_\_\_\_ day of July, 2019.

\_\_\_\_\_  
Kathleen Kelly  
Chairperson of the Board

ATTEST:

\_\_\_\_\_  
Brittney Sowell  
Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
Eric S. Vail  
General Counsel



**EXHIBIT A**

**CHAPTER ONE**

**ARTICLE I**

**PERMITTING OF TAXICAB BUSINESSES AND DRIVERS**

- 1.010 Purpose
- 1.015 Definitions and Statutory References
- 1.020 Taxi Administrator
- 1.025 Delivery of Notices or Requests
- 1.030 Business Permit Required
- 1.035 Business Permit Renewal
- 1.040 Insurance Required
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- 1.050 Driver Permit Renewal and Transfer
- 1.055 Vehicle Permit Required
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- 1.065 Vehicle Inspections
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- 1.080 Denial, Revocation, or Suspension of Permits
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**OPERATING REQUIREMENTS**

- 2.010 Taxicab Businesses Distinct Appearance
- 2.015 Advertisements
- 2.020 Driver Standards and Appearance
- 2.025 Special Events
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- 2.035 Fines and Penalties

## **CHAPTER ONE**

### **ARTICLE I**

#### **PERMITTING OF TAXICAB BUSINESSES AND DRIVERS**

##### **Section 1.010      Purpose**

State law requires every city or county to adopt an ordinance or resolution in regards to taxicab transportation services, which include, among others, a policy for entry into the business, establishment of registration rates, and mandatory controlled substance and alcohol testing programs. In October 2017, Assembly Bill 1069 was enacted to modernize the regulation of taxicab transportation services in order for taxicabs to better compete with all for hire modes of transportation. In September, 2018, Assembly Bill 939 was subsequently enacted imposing additional duties on local governments related to taxicab transportation services. This ordinance establishes a permitting process and regulatory structure consistent with the requirements of state law.

##### **Section 1.015      Definitions and Statutory References**

As used in this Chapter:

- A. "AB 1069" means Assembly Bill 1069 *Local government: taxicab transportation services* as codified in Government Code Sections 53075.5, 53075.51, 53075.52 and 53075.53.
- B. "AB 939" means Assembly Bill 939 *Local government: taxicab transportation services* amending Government Code Sections 53075.5, 53075.51, and 53075.52.
- C. "Advertisement" means the dissemination in any newspaper, circular, form letter, brochure, business card, telephone directory (including the yellow and/or white pages) or similar publication, display, sign, internet, phone and/or tablet "app", radio broadcast, telecast of by other electronic means, information designed to promote the use of a Taxicab Business' services.
- D. "Alternative Fuel Vehicle" means vehicles and engines that are designed for alternative fuels including but not limited to hydrogen, natural gas, propane; alcohols such as ethanol, methanol, and butanol; vegetable and waste-derived oils; and electricity.
- E. "Board" or "Board of Directors" means the Board of Directors of SunLine Services Group.
- F. "Business" means any person, firm, association, corporation, partnership or other entity that is established to operate or lease one or more taxicabs

within the jurisdictional boundaries of SSG that is issued a permit by the Taxi Administrator pursuant to this ordinance.

- G. "Business Permit" means the permit issued by SSG to a business authorizing the business to operate taxicab services in the jurisdictional boundaries of SSG.
- H. "Business Permit Fee" means the fees charged for issuance of the business permit.
- I. "Business Permit Application Fee" means the fees charged for the review of an application for a Business Permit prior to issuance.
- J. "Control Person" means any person, firm, association, corporation, partnership, owner, investor, shareholder, officer and director that have a majority interest in the Taxicab Business.
- K. "Driver" means an individual natural person who drives or is allowed to drive a taxicab under the name of a business. This includes, but is not limited to: full time, regularly employed drivers; casual intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to a business or who drive or operate a taxicab at the direction of or with the consent of a business.
- L. "Engaged With a Passenger" means ongoing interactions between the Driver and passenger during the course and scope of providing taxicab service to the passenger.
- M. "Jurisdictional Boundaries of SSG" means the territory within the jurisdictional boundaries of the cities of Desert Hot Springs, Palm Springs, Cathedral City, Rancho Mirage, Palm Desert, Indian Wells, La Quinta, Indio, Coachella, and the unincorporated area of Riverside County that is within the territorial boundaries of the Palm Springs and Desert Sands Unified School District, and that portion of the Coachella Valley Unified School District located within Riverside County, as such boundaries may be adjusted from time to time as allowed for under the law.
- N. "Permittee" means any business including any owners, investors, shareholders, partners, officers, directors and representatives acting on its behalf or driver that has been issued a permit pursuant to the Article I.
- O. "Prorated" means a pro rata distribution based on the date of business, driver or vehicle permit issuance.
- P. "Pull Notice Program" as referred to in Vehicle Code Section 1808.1 shall mean a process for the purpose of providing the employer with a report

showing the Driver's current public record by the Department of Motor Vehicles and any subsequent convictions, failures to appear, accidents, driver's license suspensions, driver's license revocations, or any other actions taken against the driving privilege or certificate, added to the driver's record while the employer's notification request remains valid and uncanceled.

- Q. "Per Mile" means the charge to a taxicab passenger calculated and based on distance traveled by the taxicab vehicle.
- R. "SSG" means the joint powers authority established by Riverside County and Coachella Valley cities charged with the duties, obligations and responsibilities to implement and enforce this ordinance and any related ordinance and any regulations promulgated pursuant thereto as directed by the SSG Board.
- S. "Substantially Located" shall have the same meaning as defined within Government Code Section 53075.5.
- T. "Taxicab" means every automobile or motor propelled vehicle, designed for carrying not more than eight persons, excluding the driver, where the driver's seat may be separated from the passenger's compartment by a glass or other partition used for the transportation of passengers for hire over the public streets in the jurisdictional boundaries of SSG, and not over a defined route, irrespective of whether the operations extend beyond the jurisdictional boundaries, in circumstances where the vehicle is routed under the direction of the passenger of the person hiring the same.
- U. "Taxi Administrator" means the General Manager of SSG or his/her designee.
- V. "Vehicle Permit" means a valid permit issued by SSG, authorizing a particular vehicle to be operated as a Taxicab.
- W. "Vehicle Permit Fee" means a non-transferable authorization to drive or operate a vehicle as an authorized Taxicab transportation service within the jurisdictional boundaries of SSG, whether as owner, lesser, lessee, or otherwise.

As used in this Chapter, any citation or reference to a California code or statute is intended to include any subsequent amendments enacted by the state thereto.

**Section 1.020      Taxi Administrator**

- A. The Taxi Administrator shall be authorized to carry out the permitting and regulation of Businesses and Drivers under this Chapter, and to enforce the provisions of this Chapter in compliance with California Government

Code sections 53075.5 and 53075.51. The Taxi Administrator is authorized to promulgate and adopt regulations and procedures necessary to implement all provisions of this Chapter.

- B. The Taxi Administrator shall be authorized to conduct investigations, audits or field inspections in order to enforce the provisions of this Chapter and regulations.

**Section 1.025      Delivery of Notices or Requests**

- A. All notices or requests referred to in this ordinance shall be delivered to the Administrative Office of SSG. All notices or requests referred to in the ordinance of SSG to any business or individual shall be delivered to the address of record for the business or individual.
- B. Notices or requests referred to in this ordinance may be delivered through electronic mail to the address provided in the application for a Business, Driver or Vehicle Permit.
- C. Delivery of any notice or request shall be effective as follows:
  - 1. Immediately if given by personal delivery or electronic mail;
  - 2. One (1) day after delivery if delivered by an overnight delivery service; and
  - 3. Three (3) days after delivery if delivered by U.S. Mail.

**Section 1.030      Business Permit Required**

- A. It is unlawful for any business to operate a Taxicab or Taxicabs without first having been issued a Business Permit from SSG if the Business is substantially located within the Jurisdictional Boundaries of SSG.
- B. A Business Permit may be obtained from SSG as provided below. The Permit shall state the name of the Taxicab Business, location of principal operation, and the date of issuance. If the Taxicab Business and the Driver are the same person, he or she shall apply for and obtain from SSG both a Business Permit and a Driver permit.
- C. An applicant for a Business Permit shall complete an application form which shall contain the following information:
  - 1. Name of Business as recorded in formation documents filed with the California Secretary of State or fictitious business name as registered with Riverside County;

2. Name, job title, and function of all owners, investors, shareholders, partners, officers, directors and representatives acting on the Business' behalf and provide such information as is required to evaluate the legitimacy of the company's business structure, qualifications, corporate stability, financial stability and capability;
3. Fingerprint based criminal history check of all owners, investors, shareholders or partners that hold an interest in the Taxicab Business;
4. Address of principal place of business from which the Business conducts its activities;
5. Address of all locations from which the Business conducts its activities;
6. Electronic mail address for the purpose of providing notice or requests.
7. Before any Business Permit is issued, the applicant shall procure and maintain, at its cost, comprehensive general liability and property damage insurance, against all claims for injuries against persons or damages to property which may arise from or in connection with the operation of Taxicabs by the applicant, its agents, representatives, employees, or subcontractors and the owner of the vehicle;
8. A list of the Vehicle Identification Numbers ("VIN") of the Taxicabs ("vehicle identification list") which have annually passed a vehicle safety inspection at a facility certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair. The list shall include vehicle number, license plate number, and SSG permit number;
9. A current list of all Drivers authorized to operate any vehicle on the required vehicle identification list;
10. Evidence of valid and current California Department of Motor Vehicle Registration for each Taxicab listed in the vehicle identification list;
11. Verification of safety and education program as required by Government Code Section 53075.5;
12. Verification of disabled access education program as required by Government Code Section 53075.5;

13. Verification of participation in the Pull-Notice Program pursuant to Section 1808.1 of the California Vehicle Code;
  14. Each applicant shall submit information establishing the total number of prearranged and non-prearranged trips that originate within the Jurisdictional Boundaries of SSG accounting for the largest share of the Business' total number of trips over the applicable time period pursuant Government Code Section 53075.5; and,
  15. Each applicant shall provide SSG an address of an office or terminal where documents supporting the factual matters specified in Government Code Section 53075.5 may be inspected by SSG upon request.
- D. The Business Permit shall be valid for a period of one (1) year, beginning July 1<sup>st</sup> of each year and expiring June 30<sup>th</sup> or until suspended, revoked or surrendered. Requirements to approve and maintain the permit include:
1. Taxicab Business shall have a distinctive appearance and shall have a standard monogram, insignia, or logo which is permanently affixed to each vehicle and indicates that the vehicle is offered for the use of transportation of passengers for hire;
  2. Maintenance of a year-round computerized dispatch system capable of providing performance reports as required by Government Code Section 53075.5 and the Taxi Administrator;
  3. At least one (1) wheelchair-accessible van that meets federal standards as provided in Title 49, Subtitle A, Part 38 of the Code of Federal Regulations ready and available as may be requested in its fleet;
  4. Proof of insurance per section 1.040;
  5. Compliance with the maximum rates established per section 1.070;
  6. Implementation of mandatory controlled substance and alcohol testing program per section 1.075;
  7. Maintenance of safety education and training program;
  8. Maintenance of disabled access education and training program;
  9. Maintenance of current and valid California Department of Motor Vehicles Registration for each Taxicab listed in the vehicle identification list;

10. Continuous participation in the Pull Notice Program per Vehicle Code Section 1808.1; and,
  11. Compliance with all operational requirements in Article II of this Chapter.
- E. Each Taxicab Business shall at all times maintain accurate and complete accounts of all revenues and income arising out of its Taxicab operations, a list of vehicles in use, a list of all Drivers of the company, any complaints by patrons and any other information SSG may require to verify compliance with the ordinance of SSG. The Taxicab Business' books, accounts and records pertaining to compliance with the ordinance of SSG shall at all reasonable times be open to inspection, examination and audit by the authorized officers, employees and agents of SSG. The refusal of a Taxicab Business to provide the required records for inspection shall be deemed a violation of the ordinance of SSG and cause for termination of the Taxicab Business permit. Any proprietary data provided to SSG shall be maintained confidential to the extent permitted by law.
- F. At the time the application for a Business Permit is received, the applicant shall pay a Business Permit Application Fee as established and amended from time to time by resolution of the Board. Fees shall be due and payable before a Business Permit application is processed. Prorated fees will be based on the date of Business Permit approval.
- G. At the time the application for a Business Permit is received, it will be reviewed for accuracy and compliance within ten (10) days. The applicant will receive a deficiency notice should the application and documents be lacking and/or incomplete. The applicant shall have thirty (30) days from the date of deficiency notice to remedy and re-submit application deficiencies. Applications that have not met the minimum requirements for a Business Permit within sixty (60) days will be denied. A new Business Permit application must be submitted for consideration, thereafter.
- H. At the time a Business Permit Application is approved, the applicant shall pay a Taxicab Vehicle Permit Fee. A Permittee with a hybrid or Alternative Fuel Vehicle shall pay an alternative fuel Vehicle Permit Fee. Taxicab Vehicle Permit Fees shall be due and payable before issuance of a Business Permit. The Taxicab Vehicle Permit Fee and Alternative Fuel Vehicle Permit Fee may be adjusted by resolution of the Board. The Board may establish a procedure for payment of the Taxicab Vehicle Permit Fee in installments.
- I. The Board may establish a procedure for a payment of the Business Permit Fee in installments.



- J. The rights of appeal provided for by Section 1.085 are available to a Business in the event that his or her Business Permit is denied based on the provisions of this Chapter.
- K. In the event a Taxicab Business or any Control Person transfers 50% or more of its interest in the Business therein, the Taxicab Business' Permit cannot be sold or transferred in part or in whole, by assignment, trust, mortgage, lease, sublease, pledge or other hypothecation without prior written consent of the Board.

**Section 1.035      Business Permit Renewal**

- A. Sixty (60) days prior to the expiration of a Business Permit the Business may apply to SSG for a renewal thereof for an additional year. A Business shall be entitled to a one (1) year renewal of the Business Permit provided that:
  - 1. The Business submits a Business Permit renewal application;
  - 2. The Business pays the annual renewal application fee;
  - 3. The Business pays the Business Permit Fee;
  - 4. The Business pays the applicable Taxicab Vehicle Permit Fee;
  - 5. The Business shows that it continues to be substantially located within the Jurisdictional Boundaries of SSG as defined in Government Code Section 53075.5;
  - 6. The Business continues to comply with all provisions of Section 1.030.
- B. The rights of appeal provided for by Section 1.085 are available to a Business in the event that renewal of his or her Business Permit is denied based on the provisions of this Chapter.

**Section 1.040      Insurance Required**

- A. The insurance policies required under this Chapter shall consist of and contain or be endorsed to contain the following provisions:
  - 1. General Liability and Automotive Liability Coverage:
    - a. SSG, its member entities, their officers, officials, employees, and volunteers are to be covered as insureds for liability related to:
      - i. Activities performed by or on behalf of the Business;

- ii. Premises owned, occupied, or used by the Business;  
and,
  - iii. Automobiles owned or leased by the Business.
- b. The Permittee shall also carry Workers' Compensation Insurance in accordance with State of California Workers' Compensation laws.
- c. The coverage shall contain no special limitations on the scope of protection afforded to SSG, its member entities, their officers, officials, employees, agents, representatives, or volunteers.
- d. The business' insurance shall be primary insurance as respects SSG, its member entities, their officers, officials, employees, agents, representatives and volunteers, any insurance or self-insurance maintained by SSG, its member entities, their officers, officials, employees, agents, representatives or volunteers shall be in excess of the Permittee's insurance and shall not contribute with it.
- e. Any failure to comply with reporting provisions of the policy shall not affect coverage provided to SSG, its member entities, their officers, officials, employees and agents.
- f. Permittee's insurance shall apply separately to each insured against whom a claim is made or a suit is brought, except with respect to the limits of the insurer's liability.

2. All Coverage:

- a. Each insurance policy required by this Section shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to SSG.
- b. Permittee shall furnish SSG with a certificate of insurance and any applicable policies and endorsements affecting the coverage required hereunder. The policies and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. At SSG's option, endorsements and any certificates of insurance required by SSG shall be on forms provided or approved by SSG. All endorsements and certificates are to be received and

approved by SSG prior to the operation of any Taxicab by the Permittee in the Jurisdictional Boundaries of SSG. SSG reserves the right to require complete certified copies of all insurance policies, including endorsements affecting the coverage required by this ordinance, at any time and shall include, but not limited to, the obligation to indemnify, hold harmless, release and defend SSG.

- c. Business Permittee shall include all individual Drivers employed by Permittee, agents, contractors, other sub-operators as may be permitted by SSG, as insureds under its policies or shall furnish separate certificates and endorsements for each sub-operator. All coverage for such sub-operators shall be subject to all of the requirements stated herein.
- d. The procuring of such insurance or the delivery or endorsements and certificates evidencing the same shall not be construed as a limitation of the Permittee's obligation to indemnify, hold harmless, release and defend SSG, its member entities, their officers, officials, employees, agents, representatives, and volunteers from and against any and all liability, claims, suits, costs, expenses, fines, judgments, settlements, charges or penalties, including reasonable attorney's fees, regardless of the merit or outcome of the same arising out of, or in any manner connected with, any or all of the operations or services authorized conducted or permitted under this ordinance.
- e. The amount of insurance required hereunder shall be as follows:
  - i. For injury or death in any one accident or occurrence, three hundred fifty thousand dollars (\$350,000.00);
  - ii. For the injury or destruction of property in any one accident or occurrence, three hundred fifty thousand dollars (\$350,000.00);
  - iii. For combined single limits of liability for primary bodily injury and primary property damage, three hundred fifty thousand dollars (\$350,000.00);
  - iv. For employer's liability, with limits of three hundred fifty thousand dollars (\$350,000.00).

- f. It shall be the responsibility of all Permittees to provide and maintain insurance coverage in compliance with the provisions of this ordinance to cover each and every driver that operates a vehicle as a Taxicab. The Permittee shall further ensure that appropriate certificates of insurance reflecting the coverage are on file with SSG at all times.
3. Insurance required by this Section shall be satisfactory only if issued by companies having at least an A- Best Insurance Rating or equivalent, and are admitted to do business in California. All applicants are required to comply with this Section prior to the issuance of any Business Permit.
  4. Permittees are responsible to ensure compliance with all of the foregoing insurance requirements and regulatory provisions related to such requirements. Responsibility on the part of the Permittee includes ensuring that any vehicle owner whose vehicle is operated under the Business Permittee's name maintains insurance and provides SSG with proof of the same at all times that each vehicle is operated. Failures to comply with the foregoing insurance requirements which affect the Business as a whole shall result in immediate suspension of the permit. Failure to comply with the foregoing insurance requirements three (3) times within a calendar year constitutes grounds for revocation of the permit.
- B. Permittees shall maintain on file with SSG evidence of its insurance coverage meeting all the requirements as indicated in this Section. The Permittee shall provide SSG with verbal notice within 24 hours in the event of any change in insurance coverage and written notification of any insurance change within three (3) calendar days after the change.

**Section 1.045      Driver Permit Required**

- A. It is unlawful for any person to drive a Taxicab without having first obtained a Driver permit from SSG. A Driver permit may be obtained as provided below.
- B. An applicant for a Driver permit shall complete an application which shall contain the following information:
  1. Applicant's full name, residence address and age;
  2. A listing of all equivalent permits which have been issued to the applicant by any governmental agency;
  3. Applicant's height, weight, gender and color of eyes and hair;

4. The number and expiration date of the applicant's California driver's license;
  5. Proof of insurance as insureds under an employer's policies as required by Section 1.040;
  6. All moving violations within the last 3 years, including dates of violations and the jurisdiction where each violation occurred;
  7. Authorization for SSG, or its agents or employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant; and
  8. The name of the Business with whom the applicant is employed or who has given the applicant an offer of employment within the meaning of Government Code Section 53075.5.
- C. At the time the applicant submits an application for a Driver permit, the applicant shall do all of the following:
1. Submit to a fingerprint based criminal history check pursuant to Government Code Section 53075.5;
  2. Provide SSG with a copy of the results of the drug and alcohol test as conducted by the Business pursuant to Government Code Section 53075.5 and Section 1.075 of this ordinance;
  3. Provide SSG with a copy of the Department of Motor Vehicles Pull Notice Program enrollment, as defined in Vehicle Code Section 1808.1; and
  4. Payment of Driver permit fee as established and amended from time to time by resolution of the Board. The Driver permit fee shall be due and payable before receipt of the driver permit.
- D. The Taxi Administrator may accept the submission of a permitted Business' Driver application that provides all the information required in subsections B and C above in lieu of the Driver application provided by SSG.
- E. The Driver permit shall state the name of the employer.
- F. In the event of denial, revocation or suspension of a Driver permit, the applicant may within ten (10) days of notification of denial apply to SSG for a hearing on the denial in accordance with the procedures set forth in Section 1.085.

- G. The Driver permit shall be valid for a period of one (1) year or until suspended, revoked or surrendered. Termination of the Driver's California driver's license shall constitute grounds for revocation of the Driver permit authorized hereunder.
- H. Upon termination of employment within the meaning of Government Code Section 53075.5 the permit shall become void. In such case, the Driver shall immediately return the Driver permit to SSG. Upon return of the Driver permit, the Driver may re-apply for a Driver permit, provided that the Driver complies with the requirements for issuance of a Driver permit under this Section.

**Section 1.050      Driver Permit Renewal and Transfer**

- A. Prior to the expiration of a Driver permit, the Driver may apply to SSG for a renewal thereof for an additional year. A Driver shall be entitled to a one (1) year renewal of the Driver permit provided that:
  - 1. The Driver pays a permit renewal fee as established and amended from time to time by resolution of the Board;
  - 2. The Driver submits to permit-renewal controlled substances and alcohol testing as provided by Government Code Section 53075.5;
  - 3. The results of controlled substances and alcohol testing indicate that the Driver has not been using a controlled substance as specified in Part 40 (commencing with Section 40.1) of Title 49 of the Code of Federal Regulations;
  - 4. The results of such testing indicate that the Driver has a breath concentration of less than 0.02 percent on an alcohol screening test; and,
  - 5. The Driver has not been convicted of any of the crimes, including but not limited to, those crimes enumerated in Section 1.080 during the preceding year.
- B. A Driver may request a transfer of his/her Driver Permit to another Permittee provided the Driver has submitted the following:
  - 1. A Driver permit application signed by an authorized representative of the prospective Permittee;
  - 2. A Driver permit transfer fee; and
  - 3. SSG Driver permit to be transferred;

- C. Driver shall not operate a Taxicab until the transfer permit is obtained and in possession of the Driver pursuant to this Section.
- D. A transferred Driver permit shall expire on the same date as the original Driver Permit and shall not exceed the Driver's permit period.
- E. If the Driver permit has expired or terminated and is not renewed or transferred within thirty (30) business days of the expiration or termination, the Driver shall be required to re-apply as a new applicant for issuance of a Driver permit and shall pay all fees associated therewith.
- F. The rights of appeal provided for by Section 1.085 are available to a Driver in the event that renewal of his or her Driver permit is denied based on the provisions of this Chapter.

**Section 1.055      Vehicle Permit Required**

- A. It is unlawful for any Taxicab to operate without first having been issued a Vehicle Permit from SSG, unless otherwise authorized by Government Code section 53075.5. At all times while providing Taxicab service, the Vehicle Permit must be affixed to the lower left rear windshield of the vehicle.
- B. A Vehicle Permit may be issued provided that the vehicle has successfully completed a safety and cosmetic inspection conducted by a facility certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair in accordance with the vehicle safety standards.
- C. The Vehicle Permit shall be valid for a period of one (1) year, beginning July 1<sup>st</sup> of each year and expiring June 30<sup>th</sup> or until suspended, revoked or surrendered.
- D. Permittees shall pay the Vehicle Permit Fee for each vehicle that is issued a Vehicle Permit.
- E. If a vehicle is permanently taken out of service with a balance due to SSG of the Vehicle Permit Fee for the year, such fee shall become immediately due and payable.
- F. If a Taxicab Business' Business Permit is suspended or terminated pursuant to section 1.080, all corresponding Vehicle Permits shall also be suspended. Owners of all vehicles with a suspended Vehicle Permit shall present vehicles to SSG for out of service Taximeter readings immediately upon suspension or termination of a Taxicab Business or expiration, suspension or termination of the Vehicle Permit sticker. The owner of the vehicle shall have thirty (30) days to register the vehicle with an existing

and valid Taxicab Business permit holder. If the owner fails to register the vehicle within such thirty (30) day period, the vehicle shall be presented to SSG for removal of the Vehicle Permit sticker (if such sticker has not already been surrendered) and the balance of the Vehicle Permit Fee owing to SSG for the vehicle shall be immediately due and payable. SSG shall pursue collection of the Vehicle Permit Fee from either the Taxicab Business or the owner of the vehicle and no Vehicle Permit sticker shall be issued to the vehicle regardless of its ownership until the Vehicle Permit Fee owing to SSG shall have been paid.

**Section 1.060      Vehicle Permit Renewal**

- A. Prior to the expiration of a Vehicle Permit, the Permittee may apply to SSG for a renewal thereof for an additional year. A Vehicle Permit may be entitled to a one (1) year renewal provided that:
  - 1. Payment of the Vehicle Permit Fee as established and amended from time to time by resolution of the Board is received; and
  - 2. All requirements for initial issuance of a Vehicle Permit are maintained as provided in Section 1.055.
- B. The rights of appeal provided for by Section 1.085 are available in the event that renewal of a Vehicle Permit is denied based on the provisions of this Chapter.

**Section 1.065      Vehicle Inspections**

- A. Prior to obtaining a Taxicab Business Permit, an applicant shall first present each vehicle to be used as a Taxicab to a facility certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair, and SSG, for a vehicle safety and cosmetic inspection. Any vehicle(s) that a Taxicab Business proposes to add to its fleet shall also be presented to a facility certified by the National Institute for Automotive Service Excellence or a facility registered with the Bureau of Automotive Repair, and SSG, for successful completion of a vehicle safety and cosmetic inspection prior to operation as a Taxicab. The Taxicab Administrator shall maintain a list which reflects the VIN of each vehicle that successfully completes the vehicle safety inspection. A record of the VIN of each vehicle that fails the vehicle safety inspection shall also be maintained by SSG.
- B. In addition to the initial vehicle safety and cosmetic inspection, each vehicle shall be required to pass additional inspections at the following times:



1. Every twelve (12) months from the date the vehicle is first licensed as a Taxicab;
  2. After every incident resulting in cosmetic or greater damages; and,
  3. At any time upon written request by the Taxi Administrator.
- C. Failure to present a vehicle for inspection under this ordinance within three (3) days of the date upon which a request under Section 1.025 is delivered or within three (3) days after inspection is due shall result in the issuance of a penalty in accordance with Section 1.080. Further failure to present a vehicle for inspection under this ordinance within ten (10) days of the date upon which a written request is delivered or inspection is due shall result in the vehicle being declared presumed unfit to operate as a Taxicab, an administrative citation shall be issued to that effect, and the vehicle shall be read out of service.
- D. It is unlawful to operate a Taxicab vehicle in an unsafe operating condition, including but not limited to a condition that violates the vehicle safety inspection standards of SSG. All Taxicab Businesses are responsible to ensure that their vehicles are maintained in a safe operating condition at all times that they are in service. An incident that results in any cosmetic or greater damage shall be reported to SSG.

**Section 1.070**      **Rates**

- A. No Permittee operating in the Jurisdictional Boundaries of SSG may charge a rate in excess of the maximum rate of \$12.00 Per Mile, \$4.00 drop fee/base rate, and \$24.00 per hour for traffic delay or waiting time. Maximum rates may be adjusted by resolution of the Board.
- B. A Permittee may charge a rate that is less than the maximum rate set by SSG. Permittees may set fares or charge a flat rate as made permissible by Government Code Section 53075.5. No other fees or rates may be charged by a Permittee except as permitted by law.
- C. The Board may from time to time establish maximum flat rates for special events or fixed routes.
- D. A Permittee may use any type of device or technology approved by the Division of Measurement Standards to calculate fares as provided for in Government Code Section 53075.5.
- E. The Permittee shall disclose fares, fees or rates to the customer as provided for in Government Code Section 53075.5.

- F. The Permittee shall notify the passenger of applicable rates prior to the passenger accepting the ride for walk up rides and street hails as provided for in Government Code Section 53075.5.

**Section 1.075 Mandatory Controlled Substance and Alcohol Testing Program**

- A. Each Permittee shall maintain a mandatory controlled substance and alcohol testing certification program conforming to all requirements as set forth in California Government Code Section 53075.5 and Part 40 (commencing with Section 40.1) of Title 49 of the Code of Federal Regulations.
- B. Each Business shall maintain a written drug and alcohol policy as required by Government Code Section 53075.5 and proof that the Business has implemented a drug and alcohol certification program covering all of its drivers.
- C. No Business shall permit a Driver who refuses to submit to such tests to operate or continue to operate a Taxicab.
- D. In the case of self-employed independent Driver within the meaning of Government Code Section 53075.5, the test results shall be reported directly to SSG. In all other cases, the test results shall be reported to the Business who has employed or made an offer of employment to the Driver within the meaning of Government Code Section 53075.5.
- E. Results of all tests provided for in this Section are confidential and shall not be released to the public without the written consent of the Driver, except as provided by law.

**Section 1.080 Denial, Revocation, or Suspension of Permits**

- A. In addition to any other reason provided for in this Chapter, a permit may be denied, suspended or revoked when it has been determined that the Business, including any owners, investors, shareholders, partners, officers, directors, and representatives acting on its behalf:
  - 1. Has not complied with the applicable provisions of Article I; or
  - 2. Has not complied with the applicable provisions of the regulations; or
  - 3. Has failed to cure any item listed in a sixty (60) day warning for failure to comply with any requirements of permit issuance; or
  - 4. Has been issued three (3) sixty (60) day warnings of failure to comply with any requirements of this Chapter within a period of twelve (12) months; or

5. Has knowingly made a false statement of fact in an application for such permit; or
6. Has any outstanding balance owed to SSG; or
7. Has charged rates or fares exceeding the maximum rates other than those permitted by Section 1.070.

**B. Business and Driver Criminal Conduct**

1. A permit may be denied, suspended or revoked when it has been determined that the Business, including any owners, investors, shareholders, partners, officers, directors, and representatives acting on its behalf or Driver has been convicted of any of the following crimes within the timeframes set forth below, whether committed in the State of California or elsewhere. A conviction within the meaning of this Section means a plea or verdict of guilty or a conviction following a plea of nolo contendere:
  - a. Any conviction regardless of the time elapsed, in any state, of any of the following or their equivalent:
    - i. Any crime (apart from adult same-sex consensual sexual behavior) which requires the applicant to register as a sex offender under California Penal Code §290 shall require denial or revocation; or
    - ii. Any felony involving actual or threatened violence against persons, including, but not limited to, assault, battery, robbery or the use of a firearm or other weapon against a person.
  - b. Any conviction (felony or misdemeanor) within the past seven (7) years of any crime involving theft or dishonesty, including, but not limited to, burglary, theft, shoplifting or other crime related to fraud or intentional dishonesty; or
  - c. Any conviction (felony or misdemeanor) within the past seven (7) years of any crime involving the sale, possession or transportation of narcotics or other controlled substances; or
  - d. Any conviction (misdemeanor or felony) within the past three (3) years of any crime involving pandering or prostitution.
2. In addition to the crimes listed above, no Driver permit shall be granted to an applicant who has been convicted of three (3) or more moving violations within three years previous to submission of

the application. Any permit previously granted shall be revoked for any Driver who has been convicted of three (3) or more moving violations within three (3) years.

3. In addition, if an applicant has been convicted of, or pled nolo contendere at any time within the past seven (7) years, to a violation related to driving under the influence of alcohol or drugs, the applicant shall be disqualified and the application shall be denied. If after issuance of a permit to a Driver, the Driver is convicted of, or pleas nolo contendere to, a violation related to driving under the influence of alcohol or drugs, the Driver's permit shall be revoked.
- C. In addition to the foregoing, a Driver permit may be suspended, revoked or denied in the event that:
1. A driver is involved in an accident due to a medical condition that prevents the Driver from safely operating a vehicle, or;
  2. A medical condition that prevents a Driver from safely operating a vehicle otherwise comes to SSG's attention. Any Driver whose permit has been suspended, revoked or denied due to a prohibitive medical condition as described above, shall be entitled to a permit upon certification by a medical doctor that the condition is correctable, has been corrected and will continue to be corrected.
- D. In addition to the above, any Driver permit may be suspended or revoked for any crime which is substantially related to the qualifications, functions, or duties of a Driver which include, but are not limited to, the following: reckless driving; wet reckless driving; murder; rape; vehicular manslaughter; a violation of California Vehicle Code Sections 20001, 20002, or 20003 or any corresponding substitute Sections; robbery; a violation of California Penal Code Section 314 or any corresponding substitute Section; pandering; crimes related to the use, sale, possession, or transportation of narcotics or intoxicating liquors; assault; battery; or indecent exposure.
- E. Any Driver permit may also be suspended for and during the period that the payment of any citation remains outstanding after all appeal periods have been exhausted.
- F. From the time of the revocation or suspension of a Driver permit granted under the provisions of this Chapter, it is unlawful for any person whose Driver's permit has been suspended or revoked to operate or drive a Taxicab within the Jurisdictional Boundaries of SSG until a new permit has been procured or the period of suspension has expired. It is also unlawful for any person to drive or operate within the Jurisdictional Boundaries of

SSG any Taxicab during the period of time that a permit has been revoked, terminated or suspended.

- G. In the event the Permittee appeals any denial, suspension, or revocation of a permit issued under this Section, the appeal procedures of Section 1.085 shall apply.

**Section 1.085      Appeal Hearings**

- A. Any person aggrieved by any determination under the provisions of this Chapter shall be entitled to appeal that decision as provided herein. Any recipient of an administrative citation may contest that there was a regulatory violation or that he or she is the responsible party.
- B. A request for hearing must be made within ten (10) days following the delivery of notice of the decision of the Taxi Administrator which is challenged by delivery of the request for hearing at the administrative offices of SSG together with:
  - 1. An advance deposit of any fine or a notice of request for an advance hardship waiver pursuant to Section 1.095; and
  - 2. Payment of an appeal fee as established by resolution of the Board of Directors.
- C. Upon satisfaction of the foregoing, SSG shall set a hearing within thirty (30) days of delivery of the request for hearing, or as soon thereafter as reasonably practical. The Taxi Administrator shall appoint a hearing officer.
  - 1. If the appeal is of: (1) a decision to deny, suspend, revoke or terminate a permit; or (2) an administrative fine or penalty imposed pursuant to an administrative citation in excess of \$2,000.00, the Taxi Administrator shall refer the matter to the administrative hearing officer under contract with SunLine, or a retired judge or an administrative law judge with the California State Office of Administrative Law Judges.
  - 2. If the appeal is of a decision to impose a(n) administrative fine(s) or penalty(ies) pursuant to an administrative citation whose total is less than \$2,000.00, the Taxi Administrator shall refer the matter to an employee who shall serve as the hearing officer.
- D. SSG shall notify the appealing party of the time and date for the hearing, which notice shall be delivered at least fifteen (15) days prior to the hearing.

- E. The hearing officer shall conduct an administrative hearing. The administrative hearing allows SSG and the appealing party to be represented by an attorney, to present evidence related to the alleged violations, to cross examine witnesses who have testified, and to argue their positions. The administrative hearing shall be informal and technical rules of evidence, including but not limited to, the hearsay rule, shall not apply. Oral testimony received at the hearing shall be taken only on oath, affirmation, or penalty of perjury. The right to cross examine witnesses shall not preclude the introduction and consideration of written statements whether made under oath or not. The proceedings shall be recorded or otherwise preserved. It is the intent of SSG that the hearing officer allow wide latitude in introduction of evidence and the holdings and discussions concerning informality of hearings and relaxed rules of evidence set forth in *Mohilef v. Janovici* (1986) 56 Cal.App.4<sup>th</sup> 310 apply to the fullest extent to all the hearings conducted under this ordinance.
- F. If the appealing party fails to appear, the hearing officer may conduct the hearing in the party's absence and/or may render a decision to dismiss the matter.
- G. After consideration of the evidence presented by all parties, the hearing officer shall render written decision which sets forth a statement of the case, any relevant findings of fact to support the decision and administrative enforcement order. If the hearing officer finds one or more of the alleged violations has been committed, he or she may suspend, revoke, or terminate any permit and/or impose administrative monetary penalties in accordance with the limits set forth in this ordinance. In determining whether to suspend or revoke any permit or to impose administrative monetary penalties, the hearing officer shall take into consideration the gravity of the violation, the entire record of the party requesting the hearing, and the harm threatened to the public by the violation.
- H. The decision of the hearing officer shall be final and the party requesting the hearing shall be notified in writing of the decision of the hearing officer. Such decision shall be delivered within fifteen (15) days from the date the hearing is concluded.
- I. Any review of a decision by the hearing officer brought pursuant to an administrative citation shall be governed by the provisions of Government Code Section 53069.4. Review of any other final decision under this ordinance shall be governed by Code of Civil Procedure Section 1094.5, *et seq.*
- J. With the exception of the conviction of a crime which requires registration as a sex offender under California Penal Code Section 290, in any case where a Driver permit is denied due to a criminal conviction, the applicant

shall be entitled to apply the Driver permit application fee towards the appeal fee from such denial. In the event that a Driver permit is granted on such appeal, the applicant shall pay the Driver permit fee in full prior to issuance of a permit.

**Section 1.090      Advance Deposit Hardship Waiver**

- A. Any person who intends to request a hearing to contest that there was a regulatory violation or that he or she is the responsible party and who is financially unable to make the advance deposit of the fine under Section 1.085, may file a request for an advance deposit hardship waiver.
- B. The request shall be filed with the SSG on an advance deposit hardship waiver application form within ten (10) days of the date of the administrative citation.
- C. The requirement of depositing the full amount of the fine as described in subsection A above shall be stayed unless or until the SSG makes a determination not to issue the advance deposit hardship waiver.
- D. SSG may waive the requirement of an advance deposit set forth in Section 1.085 and issue the advance deposit hardship waiver only if the cited party submits a sworn affidavit, together with any supporting documents or materials demonstrating the person's actual financial inability to deposit with SSG the full amount of the fine in advance of the hearing.

**Section 1.095      Administrative Citation**

- A. Whenever an enforcement officer charged with the enforcement of any regulation determines that a violation has occurred, the enforcement officer shall have the authority to issue an administrative citation to any person responsible for the violation. In instances in which a Driver is cited for a violation, the Business may also be cited.
- B. Each administrative citation shall contain the following information:
  - 1. The date of the violation;
  - 2. The address or a definite description of the location where the violation occurred;
  - 3. The section of the regulation violated and a description of the violation;
  - 4. The amount of the fine for the violation;

5. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
6. An order prohibiting the continuation or repeated occurrence of the violation described in the administrative citation;
7. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained; and
8. The name and signature of the citing enforcement officer.

**Section 1.200**      **Fines and Penalties**

- A. The minimum fine for violation of Article I of this Chapter shall be one thousand dollars (\$1,000.00).
- B. The minimum fine for operating a Taxicab without a valid permit(s) to operate issued by SSG shall be five thousand dollars (\$5,000.00).
- C. The fine shall be paid to SSG within thirty (30) days from the date of the administrative citation.
- D. If the fine is challenged by an administrative hearing as set forth in Section 1.085 and the hearing officer determines that the administrative citation shall be upheld, then the fine amount on deposit with SSG shall be retained by SSG.
- E. If after a hearing under Section 1.085, the hearing officer determines that the administrative citation should be upheld and the fine has not been deposited pursuant to an advance deposit hardship waiver, the fine shall be due within thirty (30) days of the date of the decision of the hearing officer is deposited in the mail. Failure to pay the fine within such period shall result in the suspension of the Driver permit of the Driver until such time as payment is made.
- F. If after a hearing under Section 1.085 the hearing officer determines that the administrative citation should be canceled and the fine was deposited with SSG, then SSG shall promptly refund the amount of the deposited fine, together with interest at the rate of five percent (5%) per annum for the period of time that the fine amount was held by SSG.
- G. Payment of a fine under this Chapter shall not excuse or discharge any continuation or repeated occurrence of the regulatory violation that is the subject of the administrative citation.

**Section 1.205**      **Late Payment Charges**



- A. Any person who fails to pay to SSG any fine imposed pursuant to the provisions of the ordinance of SSG on or before the date that fine is due also shall be liable for the payment of any applicable late payment charges set forth in the schedule of fines. In addition, the permit of the Driver involved may be suspended pending payment.

**Section 1.210      Recovery of Administrative Citation Costs**

- A. SSG may collect any past due administrative citation fine or late payment charge by use of all available legal means. SSG also may recover its collection costs, including any reasonable attorneys' fees.

**Section 1.215      Airports**

- A. Nothing in this Chapter shall prevent Palm Springs Regional Airport or any other publicly owned airport from regulation of taxicab access or from charging access/permit fees.

## ARTICLE II

### OPERATING REQUIREMENTS

#### **Section 2.010      Taxicab Businesses Distinct Appearance**

- A. All Taxicabs operating under a Taxicab Business permit shall be of distinctive appearance such as is in common usage in this country for Taxicabs and shall have a standard monogram, insignia, or logo which is permanently affixed to each vehicle and clearly indicates that the vehicle is offered for the use of transportation of passengers for hire.
- B. No Taxicab Business permit shall be granted to any Person and/or company whose name, monogram, logo or insignia to be used on its Taxicabs is in conflict with, or imitates, any monogram, name, logo or insignia used by another Taxicab Business within the Jurisdictional Boundaries of SSG in such a manner as to be misleading to, or which would tend to deceive or defraud the public.
- C. No Taxicab Business shall be entitled to utilize the name or telephone number of any previously operating Taxicab Business unless the assuming company has paid all fines, Business permit fees, vehicle permit fees, and administrative penalties due to SSG from the previous Taxicab Business and otherwise complied with the requirements for issuance of a Taxicab Business permit under the ordinance of SSG. In any case where an administrative or other form of proceeding is pending against the previous Taxicab Business, no transfer of the name shall occur unless and until SSG is provided with adequate monetary assurance of payment of any anticipated monetary penalty. Assurance may be in the form of a bond or undertaking.

#### **Section 2.015      Advertisements**

- A. No Taxicab Business, Driver or any other person shall place or cause to be placed any advertisement which:
  - 1. Is misleading to, or would tend to deceive or defraud the public;
  - 2. Uses a name(s) other than the name(s) registered with SSG for which a valid taxicab business permit has been issued without first obtaining written consent of SSG; or
  - 3. Uses a name, monogram, logo or insignia which is in conflict with or imitates any monogram, logo or insignia used by any other person operating in the Jurisdiction Boundaries of SSG.

#### **Section 2.020      Driver Standards and Appearance**

- A. All drivers shall have in his or her immediate possession a valid California driver's license and a Driver permit issued by SSG while in charge of or driving a Taxicab and shall present either upon request.
- B. All Drivers shall be at least 18 years old.
- C. All Drivers shall have the ability to read signs, labels, work schedules, rate cards, information cards, maps and simple instructions in English, to understand and follow verbal directions in English, to write simple instructions in English and to speak English sufficiently to communicate clearly with the public at large.
- D. No Driver shall be afflicted with either a physical or mental incapacity or ailment that would preclude him or her from safely operating a Taxicab and performing the duties normal to such profession.
- E. All Drivers shall be well groomed and dressed in a neat and clean fashion at all times while on duty. At a minimum, attire shall include a collared shirt or blouse covering the shoulders, knee length shorts or skirt or long pants and closed toe shoes. T-shirts, spaghetti or strapless shirts, open toe shoes, flip flops, sweatpants and sandals are prohibited. A Driver shall wear an identification badge at all times while on duty. At a minimum, the shirt, blouse or identification badge worn by the Driver must bear the Driver's name and Business logo.
- F. All Drivers shall provide prompt, efficient service and be courteous at all times to the general public, the business community, all other Taxicab Drivers and SSG or local government administrators/officers. Smoking and the use of profanity is prohibited. Disputes with the general public, the business community, other taxicab drivers and those in charge of taxicab stands on private property shall be resolved in a professional manner with a goal of maintaining a favorable public image for the taxicab industry.
- G. No Driver shall refuse to transport wheelchairs, packages, luggage and animals as follows:
  - 1. Any passenger's wheelchair, which can be folded and placed in either the passenger vehicle or trunk compartment of the Taxicab;
  - 2. Groceries or packages when accompanied by a passenger;
  - 3. Personal luggage, possessions or small pets in appropriate carriers.
  - 4. Any passenger's service animal or intentionally interfere with the use of service animal by harassing or obstructing the user of his or

her service animal as defined by the Americans with Disabilities Act (ADA).

- H. All Drivers shall assist a passenger in and out of a Taxicab when requested, provided the driver is not required to lift the passenger.
- I. All Drivers shall assist a passenger by placing luggage, packages and wheelchairs in and out of the taxicab when requested.
- J. No Driver shall refuse a dispatch call or other request for Taxicab service to transport any passengers who present themselves in a sober and orderly manner and for a lawful purpose.
- K. All Drivers shall be adequately rested, and shall not operate a Taxicab for more than ten (10) consecutive hours, nor for more than ten (10) hours spread over a total of fifteen (15) consecutive hours. Thereafter, no Driver shall drive a Taxicab until eight consecutive hours have elapsed.
- L. All Drivers shall not engage in conduct or verbally threaten to engage in conduct which is dangerous or violent such that the safety of the traveling public, SSG employees or agents, taxicab drivers or other persons, is implicated.
- M. All Drivers shall not engage in argumentative or discourteous conduct toward the public, a passenger, other taxicab drivers or other persons while on call to provide taxicab service or in the course of providing such service.
- N. All Drivers shall not have been convicted of any of the crimes within the timeframes as set forth in Section 1.080 of this Chapter, whether committed in the State of California or elsewhere. A conviction within the meaning of this Section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
- O. In the event that a Driver is involved in a collision with another vehicle, a fixed object or a pedestrian, that results in injury and/or renders any vehicle inoperable, the Driver and/or the Permittee shall complete and submit to SSG a written SSG approved Collision/Injury Report within twenty four (24) hours of the incident.

**Section 2.025      Special Events**

- A. As a matter of public safety and efficiency, during certain designated events where there is expected to be heavy concentration of customers seeking taxicab service, no passenger appointments will be allowed for pick-ups from the event. The designated events to which this regulation applies include:

1. The Coachella Valley Music and Arts Festival;
2. The Stagecoach Festival; and,
3. Any other event for which Permittees are provided written notice no less than thirty (30) days before the event.

**Section 2.030      Taxi Administrator**

- A. The Taxi Administrator or his/her designee may adopt, by ordinance, operating requirements for Taxicab Businesses and Taxicab Drivers that do not relate to permitting or business licensing pursuant to Government Code Section 53075.51.

**Section 2.035      Fines and Penalties**

- A. The minimum fine for violation of Article II of this Chapter shall be one hundred dollars (\$100.00).

## SunLine Services Group

**DATE:** June 26, 2019 **ACTION**

**TO:** Taxi Committee  
Board of Directors

**FROM:** Michal Brock, Taxi Administrator  
Chad Herrington, Legal Counsel

**RE:** Taxicab Regulations of the SunLine Regulatory Administration

---

### Recommendation

Recommend that the Board of Directors approve the proposed changes to the Taxicab Regulations of the SunLine Regulatory Administration.

### Background

The adoption of Taxi Ordinance No. 2018-01 and proposed adoption of Taxi Ordinance No. 2019-01 required significant changes to the Taxicab Regulations of the SunLine Regulatory Administration in order to implement the provisions within the new ordinance.

The proposed changes to the Taxicab Regulations of the SunLine Regulatory Administration are as follows:

- Added, removed and amended language to the Taxicab Regulations of the SunLine Regulatory Administration relating to following regulatory sections to conform to the updated California Government Code 53075.5, resulting from the passing of AB1069 and proposed SSG Ordinance No. 2019-01
  - Taxi Business Regulations
    - Elimination of the word “Franchise” and replaced with “Taxicab Business”;
    - Language added to allow Riverside County permitted taxicab businesses to operate provided services on a prearranged basis in SSG jurisdiction;
    - Elimination of minimum fleet size and trip count standards to maintain a franchise;
    - “Principal Place of Business” language added to enforce an office within SSG jurisdiction for records inspections only;
  - Dispatch System Requirements - Changes to taxicab business minimum dispatch system requirements that current systems in place do not have the functionality to perform;

- Taximeter Inspections;
- Driver Permits;
- Driver Standards and Appearance;
- Administrative Hearing and Appeals;
- Vehicle Inspections;
- Field Report;
- Vehicles Inspection Standards;
- Operations – Taximeter Use, Visible Identification, Rate Card, Routes and Passengers, Rates;
- Signage;
- Fee and Rate Review(s);
- Taxicab Vehicle Permits and Stickers;
- Taximeter Accuracy;
- Safety Education and Training Program;
- Disabled Access Education and Training Program.

### **Financial Impact**

The proposed revisions to the Taxicab Regulations of the SunLine Regulatory Administration will have no financial impact to the FY20 SSG Budget.

**TAXICAB REGULATIONS OF  
THE  
SUNLINE REGULATORY  
ADMINISTRATION**



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# TAXICAB REGULATIONS OF THE

## SUNLINE REGULATORY ADMINISTRATION

### (A DIVISION OF SUNLINE SERVICES GROUP)

#### R.1. PURPOSE

R.1.1 These regulations are promulgated pursuant to section 1.130020 of the Ordinance of SunLine Services Group (SSG), as now enacted or as may be amended from time to time, and are intended to implement the provisions of that Ordinance regulating taxicab service within the jurisdictionJurisdictional Boundaries of SSG, a Joint Powers Authority created by the nine cities of the Coachella Valley and the eastern portion of Riverside County. Each Taxicab FranchiseBusiness and its management, agents, employees, drivers, independent contractors and permitted users are individually and jointly responsible for complying with these Taxicab Regulations, any Ordinance regulating Taxicab services, any rule or regulation relating to the Palm Springs Airport, and any State of California or federal statute or administrative code relating to the operation of a Taxicab.

#### R.2. DESIGNATION OF REGULATORY ADMINISTRATOR

R.2.1 The CEO/General Manager of SunLine Services Group (SSG) hereby designates the SunLine Regulatory Administration (SRA) as the division of SSG charged with enforcement and implementation of the Ordinance of SSG, as now enacted or as may be amended, and all Regulations promulgated pursuant thereto.

#### R.1. FRANCHISE REQUIREMENTS

#### R.3. TAXICAB BUSINESS REGULATIONS

R.3.1 No person, firm, association, corporation, partnership or other entity shall dispatch, cause to be dispatched, operate, or cause to be operated, a taxicab within the jurisdictionJurisdictional Boundaries of SSG unless the responding vehicle has a valid Taxicab Vehicle Permit, issued by SSG or other recognized taxi regulatory agency within the County of Riverside. The driver of such vehicle has must have a valid Taxicab Driver's permit, and the Taxicab is operated pursuant to a Franchise Agreement entered into with SSGTaxicab Business permit issued by SSG, or valid Taxicab Business permit issued by a recognized taxi regulatory agency located within the County of Riverside.

R.1.1.1—R.3.2 Each Franchisee shall have a registered fictitious business name with the County of Riverside.

~~R.1.2 Each Franchise is required at all times to maintain in service a number of actively permitted vehicles no less than 75% nor more than 125% of the allocation under its Franchise Agreement. Each Franchise shall certify to SRA's satisfaction at least every six (6) months that no less than an average of eight (8) dispatched and non-dispatched trips per day per vehicle are generated by each vehicle authorized under the Franchise Agreement.~~

~~Each Franchise shall have a principal place of business located within the jurisdiction of SSG from which it conducts its activities as a Franchise. Each Franchise~~Taxicab Business must provide and maintain a year-round, 24- hour computerized dispatch system (System). The System must satisfy the following requirements:

R.3.2.1 System must track caller location, response time from the time customer calls until taxi pick up, and duration of trip. Customer calls means the time customer first called, not time of any callback.

~~R.1.2.1 System must track number of customer callbacks.~~

R.3.2.2 Pickup zones must separate the Coachella Valley into its respective communities so officials from each community can see the quality of ~~taxi~~Taxicab service they are receiving.

R.3.2.3 System must track calls by pickup zone by hour, day and zip code.

~~R.1.2.2~~ R.3.2.4 System must track ~~all requests for service including multiple requests; for instance, if a hotel/resort requests five (5) cabs, the system must reflect five (5) requests and show response times for each of the five (5) requests.~~

~~System must track number of calls in which customer was advised of report completed trips wait times of that exceed 20 minutes or more and declined to wait.~~

R.3.2.5 System must be capable of recognizing incoming telephone numbers ~~and be capable of using computerized voice response and dispatch when the number is a frequent caller such as a hotel, restaurant, or other frequent user of the Franchisee's taxi service.~~

R.3.2.6 System must be capable of providing credit card swiping, reading and verification of card, authorization of payment,

and printing of customer receipt within 60 seconds of being swiped.

~~R.1.2.3 System must be capable of tracking any lost articles by knowing only the date, time of day, and pickup and drop off locations.~~

R.3.2.7 System must be capable of tracking service refusals by an individual ~~taxi~~Taxicab and Driver. Customers waiting for service must be advised of current response times and given the option of calling another company.

R.3.2.8 All data collected by the System shall be maintained or accessed at the ~~principal place of business of office or terminal designated to SSG by the Franchise, which is located within the jurisdiction of SSG.~~Taxicab Business

R.3.2.9 Any changes made to the Dispatch System Vendor and/or Dispatch System Program Type must be presented to SRA for approval prior to implementation.

~~Franchisees are~~

~~R.3.3 Each Taxicab Business is~~ required to have ~~telephone or radio~~real time voice communication access to all their on-duty drivers.

~~Each Franchisee~~

~~R.3.4 Each Taxicab Business must be capable of tracking any lost articles by knowing only the date, time of day, and pick up and drop off locations.~~

~~R.3.5 Each Taxicab Business must be capable of investigating and reporting all trips that have not taken the shortest possible- route based on mileage calculation from pick up to drop off.~~

R.3.6 Each Taxicab Business must provide and maintain a Global Positioning System (GPS) system. The system must satisfy the following requirements:

R.3.6.1 GPS system must be capable of providing Drivers turn by turn directions and monitoring shortest route taken.

~~R.1.2.4 GPS system must be capable of reporting all trips that were greater than one percent (1%) out of route.~~

R.3.6.2 GPS system must be capable of capturing and reporting, for all vehicles in the fleet and individual Drivers, all trips for which the taxi meter was utilized.

~~R.1.3 The following are the minimum requirements to maintain a Franchise:~~

~~R.1.3.1~~ A Franchise Agreement awarded by SSG pursuant to Ordinance 1.030 and 1.080;

~~The Franchisee shall maintain on file with SRA evidence of its insurance coverage meeting all requirements of Section 1.050 of the Ordinance of SSG. The Franchisee shall provide SRA with verbal notice within 24 hours in the event of any change in insurance coverage and written notification of any insurance change within three (~~

~~R.1.3.2~~ ~~R.3~~) calendar days after the change;

~~R.1.3.3~~ The Franchisee shall maintain a Vehicle Identification List as described in Section 1.030(A) of the Ordinance of SSG and shall provide the list to SRA upon request.

~~(a)~~ All vehicles on the Franchisee's list of authorized vehicles shall meet the minimum vehicle standards and have successfully completed all required vehicle safety inspections as set forth in these Regulations;

~~(b)~~ Each Franchisee must maintain in operation at least two (2) wheelchair accessible vehicles that meet the Federal Americans with Disabilities Act (ADA) standards as part of its fleet.

~~The Franchisee, 7 Taxicab Businesses shall submit electronic taximeter reports for all vehicles on the Franchisee's Taxicab Business' Vehicle Identification List in accordance with Section R.4 of these Regulations and shall present vehicles for reading of their Taximeter as requested by SRA.~~

~~R.3.8 The Franchisee Taxicab Business shall maintain proof of current Department of Motor Vehicle registration for each vehicle it is authorized to operate and shall produce such proof of registration upon vehicle inspection or request;~~

~~R.1.3.4~~ The Franchisee shall maintain a business license applicable to its principal place of business.

~~R.1.3.5~~ Submission and successful passage of a criminal background check as to each individual or entity holding any interest in the use of the Franchisee's name as provided under section 1.00.080 of the Ordinance of SSG;

~~R.1.3.6~~ The Franchisee shall maintain proof of fictitious business name registration of the Franchisee's name with the County of Riverside.

~~R.1.3.7~~ The Franchisee shall maintain a Driver's List, which carries the names of every Taxicab Driver who has a Driver's Permit and is authorized by the Franchise to operate the vehicles authorized by

~~SSG to be operated under the terms of the Franchise. Each Driver on the Driver's List must meet the minimum standards of SSG for issuance of a Driver's Permit, must have completed the required screening, training and testing, and must have a current California driver's license and Taxicab Driver Permit issued by SRA;~~

#### ~~The Franchisee~~

~~**R.3.9** The Taxicab Business must maintain and adhere to a written complaint procedure that includes a log of all complaints received, date and time of complaint, response, date and time of response, results of investigation, action taken, and any written communication. All complaints received in writing must be responded to in writing within five (5) business days with, at a minimum, an acknowledgment of the complaint, the complaint status and expected time for resolution. All complaints received by telephone must be logged. All telephone complaints of conduct which could result in a citation under these Regulations or are of a serious nature must be responded to in writing. A summary of complaints lodged and action taken shall be submitted to the SRA when requested.~~

~~**R.1.3.8—R.3.10** The Franchisee must maintain a year-round, 24-hour computerized dispatch system in accordance with section R.3.3 of these regulations.~~

~~The Franchisee Taxicab Business must maintain a GPS system in place in accordance with section R.3.56 of these regulations.~~

~~**R.3.11** The Franchisee Taxicab Business must maintain an electronic data based recordkeeping and reporting system which captures and is capable of generating reports on the following subjects:~~

- ~~(a) All revenues, including fares paid, for four (4) year;years;~~
- ~~(b) All trips, including each call, times of dispatch/response total trips made by vehicle and driver, for one (1) year;~~
- ~~(c) All drivers' names and records, for four (4) year;years;~~
- ~~(d) All vehicle registration and maintenance for four (4) year;~~
- ~~(e) All customer complaints for four (4) year;years;~~
- ~~(f) All data necessary for monthly dispatch reports; and,~~

~~(a) Telephone customers' names and telephone numbers for customer satisfaction survey purposes.~~

**R.3.12** The Franchisee Taxicab Business shall make the following periodic reports to SRA:

- (a) A report of dispatch data on a monthly basis by the end of the business day on the first business day of the following month which includes reporting of customer wait time distribution, trips by zone served, trips per day per vehicle, and trip call completion;
- (b) A customer complaint report summarizing complaints lodged and action taken by the Franchisee Taxicab Business on a quarterly basis or upon request by SRA;
- ~~(b) A list of telephone customer's names and telephone numbers shall be submitted within 30 days of request by SRA for customer satisfaction survey purposes;~~
- (c) A current Drivers List that includes fist name, last name, driver license number, and company driver id number within the first week of every month;
- ~~(c) Monthly reports of the random drug and alcohol testing shall be filed with the SRA by the program administrator no later than the 20th day following the end of the previous monthly reporting period; and,~~
- (d) A current Vehicle Identification List that includes Taxicab number, license plate number, vehicle identification number, SSG permit number within the first week of every month.

~~**R.1.3.9** The Franchisee must maintain the SRA approved, distinctive color and numbering system in place at the time the Franchise Agreement was awarded which easily identifies the Franchise and the specific cab in the case of complaints or violations.~~

~~**R.1.3.10** The Franchisee must maintain a written vehicle safety program.~~

~~**R.1.3.11** The Franchisee must maintain a drug and alcohol testing program in place in accordance with section R.22 of these Taxicab Regulations.~~

## The Franchisee

**R.3.13 The Taxicab Business** must maintain a written disciplinary policy and training programs for new and existing Drivers with emphasis on dealing with diverse clientele and driving skills. The new driver training program must satisfy the following requirements:

- (a) State, [SRASSG](#), Palm Springs Airport and communities within the Coachella Valley's rules and regulations;
- (b) Geography, including map reading, major points of interest in Coachella Valley and familiarity with the Coachella Valley and surrounding area;
- (c) Driver safety and defensive driving;
- (d) Vehicle safety, maintenance and inspection checks;
- (e) Customer service and relations;
- (f) Sensitivity guidelines for disabled, frail and elderly passengers;
- (g) Behind the wheel driver training;
- (h) Accessible vehicle operation training for drivers of accessible vehicles; and,
- (i) Appearance and dress standards.

**R.3.14** The [Franchisee Taxicab Business](#) must have and enforce a policy prohibiting smoking in taxicabs by passengers or Drivers.

**R.3.15** The [Franchisee Taxicab Business](#) must maintain agreements with credit card agencies for accepting credit card payments for fares and gratuities.

### Franchisees

**R.3.16 Taxicab Businesses** shall be responsible for reimbursing overcharges to its customers immediately if the Driver is made aware of the overcharge at the time of rendering service and within twenty-four (24) hours if the [Franchisee Taxicab Business](#) is informed of an overcharge after the service was rendered.

~~**R.1.4** Upon the Franchisee's successful satisfaction of the conditions for approval listed above, SRA will issue a numbered Vehicle Inspection Sticker for each of the vehicles so approved. The Vehicle Inspection Sticker will be issued according to vehicle~~



identification number. The Vehicle Inspection Sticker must be affixed to the lower left rear windshield of the vehicle for which the sticker is issued.

~~R.1.5~~ A Franchisee may replace any of the vehicles for which a Vehicle Inspection Sticker has been issued with another vehicle upon satisfaction of the following conditions:

~~R.1.5.1~~—Surrender of the vehicle to SRA for removal of the Vehicle Inspection Sticker issued to the vehicle that is to be replaced;

~~Verification by the Franchisee that the vehicle to be replaced has been read permanently out of service and taken out of operation as a~~

~~R.1.5.2~~—R.3.17 Each Taxicab by SRA;

~~R.1.5.3~~—Submission of proof that the replacement vehicle has successfully completed a vehicle safety inspection.

~~R.1.6~~ Upon the Franchisee's satisfaction of the conditions stated above, SRA will strike the vehicle identification number of the vehicle to be replaced from the Franchisee Vehicle Identification List and add the vehicle identification number of the replacement vehicle to the Vehicle Identification List. SRA will issue a new Vehicle Inspection Sticker for the replacement vehicle which shall be valid for the term applicable to the Vehicle Permit of the replaced vehicle.

Each Franchisee Business must maintain a list of Drivers authorized by the Franchise Taxicab Business to operate the vehicles on the Franchisee's Taxicab Business' Vehicle Identification List. The Franchisee Taxicab Business shall update the Driver List on a monthly basis and shall supply to SRA, within the first week of each month or upon request of SRA, a current Driver List. The Franchisee Taxicab Business shall provide SSG with verbal/written notice within twenty-four (24) hour/thirty (30) days after the Franchisee Taxicab Business is aware that any Driver listed on the Driver List for a Franchisee Taxicab Business ceases to drive a Taxicab for the Franchise, and provide written notice to SRA within five (5) days. Taxicab Business.

R.3.18 A Franchise Taxicab Business may add additional Drivers to its Driver List provided that:

R.3.18.1 The Franchise Taxicab Business has submitted an intent to hire form ~~within~~ to SRA which identifies the Driver to be added as being employed or given a written offer of employment within the meaning of Government Code section 53075.5; and

R.3.18.2 The Driver to be added has been issued a Driver permit by SRA which states that the Driver is affiliated with the Franchise Taxicab Business; and,

R.3.18.3 The FranchiseTaxicab Business provides a certificate(s) of insurance reflecting that the Driver will be covered by the insurance maintained for any vehicle to be driven by the Driver under the FranchiseTaxicab Business as required by section 1.050040 of the Ordinance of SSG.

R.3.19 No FranchiseTaxicab Business shall allow any Driver to drive a Taxicab using the Franchisee'sTaxicab Business' name unless that person has a valid Driver permit issued by SRA which states that the Driver is affiliated with the FranchiseTaxicab Business.

R.3.20 The FranchiseAgreementTaxicab Business shall ensure that each Driver using the Taxicab Business' name submits to a fingerprint based criminal history check pursuant to Government Code Section 53075.5.

R.3.21 The Taxicab Business permit is valid for a period of five years from the date of its awardone year or until suspended or revoked and may be renewed for up to one (1) time for a period of up to five (5) yearsannually as set forth in the Franchise AgreementOrdinance of SSG.

R.1.7 ~~Providing false or inaccurate information in the Franchise proposal will result in denial or revocation of a Franchise.~~

#### R.4. TAXIMETER INSPECTIONS

R.4.1 No FranchiseTaxicab Business shall operate a Taxicab within the Jurisdictional Boundaries of SSG without having first submitted the vehicle to SRA ~~for an initial reading and sealing of the with a fully operational~~ taximeter in the vehicle for the purposes of enforcement of the Ordinance of SSG as now enacted or as may be amended. As used in these Regulations, "Taximeter" means a with current and intact seals, or any type of device or technology approved by the Division of Measurement Standards to calculate fares, including but not limited to a the use of Global Positioning System (GPS) based smartphone application approved by the California Department of Food and Agriculture, Division of Weights and Measures, that automatically calculates, at a predetermined rate or rates, metering, provided that the device or technology complies with Section 12500.5 of the Business and Professions Code and with all regulations established pursuant to Section 12107 of the Business and indicates the charge for hire of a vehicle, for distance traveled and waiting time and has the capability of printing aProfessions Code. The customer receiptshall not be charged a fare that exceeds the authorized fare.

R.4.2 A State certified taximeter technician will affix a seal to the taximeter of vehicles to be authorized for operation under the Ordinance of SSG provided that:

R.4.2.1 The vehicle is presented to SRA for the purpose of inspection of the taximeter to record the number appearing on the trip

counter of the meter indicating the number of passenger ~~boarding's boardings~~ as of the date of initial reading; and

R.4.2.2 The taximeter seal required of Riverside County Division of Weights and Measures ~~or an interim seal by a State certified taximeter technician is intact at the time of the initial reading.~~

#### Franchisees

R.4.3 Taxicab Businesses are responsible to ensure that ~~both the SRA taximeter seal and~~ the seal required of Riverside County Division of Weights and Measures ~~(or the interim seal by a State certified taximeter technician) are~~ is intact each time that a vehicle is presented to SRA for periodic meter readings and at all times that the vehicle is operating within the ~~jurisdiction~~ Jurisdictional Boundaries of SSG. In the event that ~~either an SRA or a~~ Riverside County Division of Weights and Measures taximeter seal is not intact upon presentation of the vehicle for meter readings or during the vehicles operation as a Taxicab, a penalty shall be imposed pursuant to section 1.~~255095~~ of the Ordinance of SSG, and the Vehicle Permit issued for the vehicle under which the vehicle is registered will be summarily suspended.

R.4.4 In instances in which a Taxicab is ~~in need of repair or is~~ taken out of service ~~or in need of repair that will cause the Taxicab to be out of service in excess of 30 days,~~ the following meter reading procedure shall be followed:

R.4.4.1 The vehicle shall be ~~presented~~ made available to SRA for a reading of the trip counter ~~before~~ at the time the vehicle is taken out of service.

R.4.4.2 Before the vehicle is placed back into service, it must be presented to SRA for a reading of the trip counter on the taximeter. A penalty of \$1,000.00 shall be imposed on the ~~Franchise~~ Taxicab Business in accordance with section 1.~~255065~~ of the Ordinance of SSG in the event that the vehicle is placed back into service without first being presented to SRA for a reading of the trip counter on the taximeter or if the reading on the trip counter is more than the reading taken at the time that the vehicle was taken out of service. If the ~~Franchise~~ Taxicab Business continues to place the vehicle in service after having been issued a citation, the Vehicle Permit for the vehicle shall be suspended until the ~~Franchise~~ Taxicab Business complies with this requirement. At the time the vehicle is presented for reading of the trip counter prior to return to service the taximeter must bear an intact seal from the Riverside County Weights and Measures Division ~~or an interim seal by a State certified taximeter technician.~~

## ~~R.2. DRIVER PERMITS~~

~~R.2.1 No person shall drive a taxicab within the jurisdiction of SSG without having first obtained either a temporary or a regular Driver Permit.~~

~~R.2.2 A temporary driver permit may be obtained from SRA provided that the prospective Driver has satisfied the following conditions:~~

- ~~R.2.2.1 Submitted a completed Driver Application Form along with the driver application fee;~~
- ~~R.2.2.2 Passed a pre-permit exam issued by SRA to test the applicant's familiarity with SSG ordinances and regulations relating to taxicabs and the applicant's familiarity with the Coachella Valley region and destinations therein;~~
- ~~R.2.2.3 Provided SRA with an H6 printout from the Department of Motor Vehicles covering the preceding ten (10) years, which was issued not more than thirty (30) days before it is presented to SSG;~~
- ~~R.2.2.4 Provided SRA with an intent to hire form signed by the applicant and the Franchise for whom the applicant intends to drive a Taxicab;~~
- ~~R.2.2.5 Provided SRA with proof of a negative test result in compliance with the controlled substance and alcohol testing requirements of Section 2 of the Ordinance of SSG;~~
- ~~R.2.2.6 Submitted to fingerprinting by SRA.~~

~~R.2.3 The Temporary Driver Permit shall be valid for a period not to exceed one hundred twenty (120) days and must be replaced by a regular Driver Permit within such one hundred twenty (120) days. In the event that the Department of Justice criminal background check is not completed within one hundred twenty (120) days of the grant of the temporary driver permit, the temporary driver permit may be extended for an additional sixty (60) days to allow for clearance upon request for an extension by the Driver to SRA, provided that, the Driver has successfully completed the Driver Certification and Training Program. If the Temporary Driver Permit is extended, the Driver shall bring the Temporary Driver Permit to SRA so that an extension sticker may be affixed to the Temporary Driver Permit.~~

~~R.2.4 All Driver Permits issued by SRA, including Temporary Driver Permits, shall be valid only for the Driver's operation of a taxicab for the Franchise indicated on the Driver Permit. No Driver may operate a Taxicab for a Franchise other than the Franchise listed on the Driver's Driver Permit.~~

~~R.2.5~~ A regular Driver Permit is valid for a period of one (1) year from the date of issuance, unless suspended, revoked or otherwise earlier terminated, and may be renewed for an additional one (1) year upon the Driver's satisfaction of the following:

~~R.2.5.1~~ Payment of the Driver Permit renewal fee;

~~R.2.5.2~~ Successful completion of SSG approved substance and alcohol testing procedures as outlined in Section Two of the Ordinance of SSG and the Regulations promulgated pursuant thereto, at the time of application for Driver Permit renewal; and,

~~R.2.5.3~~ Satisfaction of all other requirements relating to a Driver Permit as set forth in the Ordinance of SSG.

~~R.2.6~~ The Driver Permit of any Driver shall immediately become null and void upon termination of employment within the meaning of Government Code section 53075.5 or upon termination of permission by the Franchise to drive a Taxicab using the Franchisee's name. Upon termination, the Driver shall immediately surrender the Driver Permit to SRA. If the Driver receives a written offer of employment within the meaning of Government Code section 53075.5 from another Franchisee within five (5) business days from the date of termination from the prior Franchisee, the Driver may re-apply for a Driver Permit and a new Driver Permit indicating the new Franchisee's name will be issued to the Driver upon satisfaction of the following:

~~R.2.6.1~~ Payment of the Driver Permit transfer fee;

~~R.2.6.2~~ Successful completion of controlled substance and alcohol testing procedures as outlined in Ordinance No. 96(2) and the regulations promulgated pursuant thereto, Successful completion of SSG approved substance and alcohol testing procedures as outlined in Section Two of the Ordinance of SSG and the Regulations promulgated pursuant thereto at the time of application for Driver Permit transfer;

~~R.2.6.3~~ Provided SRA with an H6 printout from the Department of Motor Vehicles covering the preceding ten (10) years, which was issued not more than thirty (30) days before it is presented to SSG; and,

~~R.2.6.4~~ Satisfaction of all other requirements relating to a Driver Permit as set forth in the Ordinance of SSG.

~~R.2.7~~ If a Driver Permit has expired or terminated pursuant to the provisions of Section 5.6 above and not renewed or transferred within five (5) business days of the expiration or termination, the Driver shall be treated as a new applicant for purposes of issuance of a Driver Permit and shall pay all fees and charges associated therewith.

~~R.2.8~~ A Driver Permit applicant may request an administrative hearing pursuant to Section 1.256 of the Ordinance of SSG in the event of any permit denial.

~~R.2.9~~ All applicants will be finger-printed by the SRA. A copy of the fingerprints will be forwarded to the California State Department of Justice for a state and federal background check. If it is determined that the applicant has been convicted of any of the following crimes, the application will be rejected and any previously issued Driver Permit will be revoked. The crimes justifying denial or revocation of a permit include but are not limited to:

~~R.2.9.1~~ Reckless driving; wet reckless driving; murder; rape; vehicular manslaughter; a violation of California Vehicle Code sections 20001, 20002, or 20003 or any corresponding substitute sections (hit and run); robbery; a violation of California Penal Code section 314 or any corresponding substitute section (indecent exposure and lewd or obscene conduct); pandering; crimes related to the use, sale, possession, or transportation of narcotics or intoxicating liquors; assault; battery; or conviction of three (3) or more moving violations within three years previous to submission of the application.

~~R.2.10~~ Applicants with Failures to Appear on their DMV record will not be issued a Driver Permit until they have corrected the Failure to Appear and provided SRA with satisfactory proof of payment in accordance with DMV requirements. Drivers with Driver Permits will be given thirty (30) days to provide proof of payment concerning the Failure to Appear to SRA.

~~R.2.11~~ Providing false or inaccurate information in the Driver Permit Application will result in revocation of any previously issued permit. The Driver may request an Administrative Hearing regarding the revocation in accordance with Section 1.256 of the Ordinance of SSG.

### ~~R.3. DRIVER STANDARDS AND APPEARANCE~~

~~R.3.1~~ All Drivers shall have in his or her immediate possession a valid California Driver's License and a Taxicab Driver Permit issued by SRA while in charge of or driving a taxicab and shall present either upon request. A Driver shall only drive for the Franchisee shown on his or her Driver Permit.

~~R.3.2~~ All Drivers shall be at least 18 years of age.

~~R.3.3~~ All Drivers shall have the ability to read signs, labels, work schedules, rate cards, information cards, maps and simple instructions in English; to understand and follow oral directions in English; to write simple instructions in English; and to speak English

sufficiently to communicate clearly with the public. All Drivers are subject to passing an English proficiency test administered by SRA.

~~**R.3.4** No Driver shall be afflicted with either a physical or mental incapacity or ailment that would preclude him or her from safely operating a taxicab and performing the duties normal to such profession.~~

~~**R.3.5** All Drivers shall be well-groomed and dressed in a neat and clean fashion at all times while on duty. A Driver shall wear an SRA approved company uniform or common standard of dress. At a minimum, attire shall include a collared shirt or blouse covering the shoulders, knee-length shorts or skirt or long pants and closed toe shoes. T-shirts, spaghetti or strapless shirts, open toe shoes, flip-flops and sandals are prohibited. A Driver shall wear an identification badge at all times while on duty. At a minimum, the shirt, blouse or identification badge worn by the Driver must bear the Driver's name and company logo identifying the Franchise under which the Driver is authorized.~~

~~**R.3.6** All Drivers shall provide prompt, efficient service and be courteous at all times to the general public, the business community, all other taxicab drivers and to SRA or local government administrators/officers. Smoking and the use of profanity is prohibited. Disputes with the general public, the business community, other taxicab drivers and those in charge of taxicab stands on private property shall be resolved in a professional manner with a goal of maintaining a favorable public image for the Taxicab industry.~~

~~**R.3.7** No Driver shall refuse to transport wheelchairs, packages, luggage and animals as follows:~~

~~**R.3.7.1** A Driver shall not refuse to transport in the Taxicab any passenger's wheelchair, which can be folded and placed in either the passenger, driver or trunk compartment of a taxicab; groceries or packages when accompanied by a passenger; personal luggage, possessions, or small pets in carriers. The driver shall not be required to transport any article which would cause the taxicab to become damaged, stained or foul-smelling.~~

~~**R.3.7.2** A driver shall not refuse to transport in the taxicab any passenger's service animal without justification or intentionally interfere with the use of a service animal by harassing or obstructing the user or his or her service animal. The American with Disabilities Act (ADA) defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability.~~

~~**R.3.8** A driver shall assist a passenger in and out of a Taxicab when requested, provided the driver is not required to lift the passenger.~~

~~R.3.9~~ A driver shall assist a passenger by placing luggage, packages and wheelchairs in and out of the taxicab when requested.

~~R.3.10~~ A driver shall begin his or her shift with a minimum of \$20.00 in change and shall maintain such amount throughout the shift.

~~R.3.11~~ All drivers shall be adequately rested, and shall not operate a taxicab for more than 10 consecutive hours nor for more than 10 hours spread over a total of 15 consecutive hours. Thereafter, no driver shall drive a taxicab until eight consecutive hours have elapsed.

~~R.3.12~~ All drivers shall comply with the California Vehicle Code concerning cellular telephone use while driving a Taxicab.

~~R.3.13~~ No driver shall refuse a dispatch call or other request for taxicab service unless the driver has a legitimate fear for his or her safety or is otherwise engaged with a passenger.

~~R.3.14~~ drivers shall at all times drive or park the taxicab in a safe, careful, and prudent manner in compliance with all applicable City traffic regulations and in compliance with the California *Vehicle Code*.

~~R.3.15~~ In the event that a driver is involved in a collision with another vehicle, a fixed object, or a pedestrian, the driver shall complete a written Collision/Injury Report in form maintained by SRA within twenty-four (24) hours of the incident.

#### ~~R.4. — R.7. ADMINISTRATIVE HEARINGS AND APPEALS~~

~~R.4.1 Enforcement and Hearing Procedures.~~ Any administrative hearings and appeals pertaining to taxicab transportation services within the jurisdiction of SSG shall be in accordance with the provisions of the Ordinance of SSG and these Taxicab Regulations.

~~R.4.2 Administrative Hearings-In General.~~ General administrative hearings shall be conducted pursuant to section 1.256 of the Ordinance of SSG and these Taxicab Regulations.

~~R.4.2.1~~ If the Taxicab Administrator, in his or her discretion, deems it necessary to hold an administrative hearing pursuant to Section 1.110 or 1.256 of the Ordinance of SSG, as amended from time to time or the regulations adopted to implement it, or for a series of violations cited at the same time, the Applicant, Permittee or Franchisee involved shall be issued a written notice of an administrative hearing to be conducted by the Taxicab Administrator (or designee).



~~R.4.2.2~~ A Franchisee shall provide SRA with the name of the driver or other permittee involved in an alleged violation in cases in which a violation is observed but the identity of the driver or other permittee has not been identified by SRA. SRA may obtain such information by telephone from the Franchisee by providing the Franchisee with the date, approximate time, place and vehicle number involved in the alleged violation. If a Franchisee refuses to supply the name of the driver or other permittee involved, administrative enforcement may still proceed solely against the Franchisee. The failure to supply the name of the driver or other permittee involved shall constitute separate grounds for suspension or revocation of any permit or to impose administrative monetary penalties.

~~R.4.2.3~~ An Applicant, Permittee or Franchisee may request an administrative hearing within ten (10) days following delivery of a notice of decision which it intends to challenge by delivering a request for hearing at the administrative offices of SRA together with:

~~(a)~~ An advance deposit of any fine or notice of request for an Advance Hardship Waiver; and,

~~(b)~~ Payment of an Appeal Fee as established by resolution of the Board of Directors.

~~R.4.2.4~~ The hearing notice shall indicate the date, time and location of the administrative hearing and a description of the alleged violation(s). The hearing date shall be at least fifteen (15) days after the date the hearing notice is delivered to the party(s) subject to administrative enforcement.

~~R.4.2.5~~ Hearings requested by an Applicant, Permittee or Franchisee shall be set within thirty (30) days of delivery of the request for hearing.

~~R.4.2.6~~ **Discovery.** The Taxicab Administrator (or designee) may request the Applicant, Permittee or Franchisee produce any taxicab logs, dispatch logs, or other documents belonging or under the control of the Applicant, Permittee or Franchisee which are relevant to the alleged violations at the administrative hearing. Such request may be contained in the hearing notice or in a separate letter. The Applicant, Permittee or Franchisee shall be obligated to produce the requested items within ten (10) days of delivery of the request. The Applicant, Permittee or Franchisee shall be entitled to review and inspect any writing upon which SRA intends to rely or introduce at the hearing.

~~**R.4.2.7 Hearing Before Hearing Officer.** The hearing officer shall be selected in accordance with the Ordinance of SSG. The Applicant, Permittee or Franchisee may be represented by an attorney at the administrative hearing. The administrative hearing shall be informal and technical rules of evidence shall not apply. Oral testimony received at the hearing shall be taken only on oath, affirmation, or under penalty of perjury. The right to cross-examine witnesses shall not preclude the introduction and consideration of written statements whether made under oath or not. The administrative hearing shall be recorded or otherwise preserved. The manner of recording shall be selected by the hearing officer, by whatever means the hearing officer deems the most effective and efficient taking into consideration the nature of the evidence to be offered and available technology. Any party may request that a court reporter transcribe the proceedings by depositing, in full, the cost of such reporter. If a reporter is present at the hearing at the request of any party, any party shall be entitled to purchase a copy of the transcript from the reporter at the reporter's normal charge. The hearing shall be conducted by the hearing officer as follows:~~

~~(a) SRA shall first present evidence to support the allegations of those violations included in the hearing notice. The Applicant, Permittee or Franchisee may ask questions of SRA's witnesses pertaining to the testimony given;~~

~~(b) The Applicant, Permittee or Franchisee subject to administrative enforcement shall have an opportunity to present evidence pertaining to the alleged violations. SRA may ask questions of the Applicant, Permittee, or Franchisee's witnesses pertaining to the testimony given; and,~~

~~(c) SRA shall have an opportunity to rebut any evidence presented by the Applicant, Permittee or Franchisee.~~

~~**R.4.2.8 Failure to Appear.** If the Applicant, Permittee or Franchisee fails to appear at the hearing and, in the judgment of the hearing officer, the failure to appear is not reasonable, the hearing officer may conduct the hearing in the party's absence and/or may render a decision to dismiss the matter.~~

~~**R.4.2.9 Stipulation to Extend Deadlines.** The deadlines set forth in these Regulations may only be extended by mutual consent evidenced~~

by a written stipulation between the Taxicab Administrator and the Applicant, Permittee or Franchisee.

~~**R.4.2.10 Decision of the Hearing Officer.** After consideration of the evidence presented by all parties, the hearing officer will render a written decision which sets forth a statement of the case, any relevant findings of fact to support the decision and administrative enforcement order. If the Taxicab Administrator hearing officer finds one or more violations of the Ordinance of SSG or the regulations adopted to implement it, he or she may suspend or revoke any permit and impose administrative monetary penalties in accordance with the limits set forth in the Ordinance of SSG. In determining whether to suspend or revoke any permit or to impose administrative monetary penalties, the hearing officer will take into consideration the gravity of the violation, the entire record of the Applicant, Permittee or Franchisee involved and the harm threatened to the public by the violation.~~

~~**R.4.2.11** The decision of the hearing officer shall be final and the Applicant, Permittee or Franchisee, as applicable, shall be notified in writing of the decision. Such decision shall be delivered within fifteen (15) days from the date the hearing is concluded.~~

~~**R.4.2.12** Any review of a decision by the hearing officer brought pursuant to an administrative citation shall be governed by the provisions of *Government Code* section 53069.4. Review of any other final decision under the Ordinance of SSG shall be governed by *Code of Civil Procedure* section 1094.5, et seq.~~

~~**R.4.2.13** The respondent Applicant, Permittee or Franchisee shall have ten (10) days from the date of the notification of the hearing officer's decision to either accept the suspension or revocation of any permit and pay any administrative monetary penalty.~~

~~**R.4.3 Administrative Hearings-Suspension or Termination of Franchise Agreements.** Administrative hearings concerning a decision to suspend or terminate a Franchise Agreement, or to take any of the administrative actions enumerated by section 1.257 of the Ordinance of SSG shall, in addition to the provisions of section R.7.2 of these Regulations, be subject to the following:~~

~~**R.4.3.1** A notice of hearing regarding the suspension or termination of a Franchise Agreement shall be issued in accordance with Section 1.257 of the Ordinance of SSG.~~

~~**R.4.3.2 Public Hearing.** Administrative hearings concerning a decision to suspend or terminate a Franchise Agreement shall be open to the public and notice of the hearing shall be posted in accordance with the Regulations in place for notice of public meetings of SSG.~~

~~**R.4.3.3 Conduct of Hearing Before Hearing Officer.**~~

~~(a) SSG shall first present evidence to support the allegations of those violations included in the hearing notice. The Franchisee may ask questions of SRA's witnesses pertaining to the testimony given.~~

~~(b) The party subject to administrative enforcement shall have an opportunity to present evidence pertaining to the alleged violations. SSG may ask questions of the charged party's witnesses pertaining to the testimony given.~~

~~(c) SSG shall have an opportunity to rebut any evidence presented by the party subject to administrative enforcement.~~

~~**R.4.3.4 Decision of Hearing Officer.** After consideration of the evidence presented by all parties, the hearing officer will render a written decision which sets forth a statement of the case and any relevant findings of fact to support the decision. In determining whether to suspend or terminate the Franchise, the hearing officer shall take into consideration the gravity of the violation, the entire record of the Franchisee involved and any harm threatened to the public by the violation. If the hearing officer finds one or more violations of the Ordinance of SSG, the Regulations adopted to implement it, or the Franchise Agreement, he or she may suspend or revoke any permit and impose administrative monetary penalties in accordance with the limits set forth in the Ordinance of SSG.~~

~~**R.4.3.5** The decision of the hearing officer shall be in writing and shall be delivered to the Franchisee or to legal counsel representing the Franchisee within fifteen (15) days from the conclusion of the hearing.~~

~~**R.4.3.6** If the decision of the hearing officer is to suspend or terminate the Franchise, the hearing officer shall further determine whether the suspension or termination will continue to be in effect during any appeal by the Franchisee. If the hearing officer decides that continued suspension or termination is necessary for the protection of the public health, safety, or welfare, the suspension or~~

~~termination will be effective immediately upon delivery of the decision and shall remain in effect pending any appeal process.~~

~~**R.4.3.7**—A Franchisee may appeal the decision of the hearing officer held under section 1.257 of the Ordinance of SSG in accordance with the provisions of section 1.258 of the Ordinance of SSG and section R.7.4 of these Regulations. If no request for appeal hearing is delivered to SSG, the decision of the hearing officer shall become effective on the tenth (10th) day and shall be final.~~

~~**R.4.4 Appeals to Committee of the Board of Directors.** Appeals to a committee of the Board of Directors shall be conducted pursuant to section 1.258 of the Ordinance of SSG.~~

~~**R.4.4.1**—An appeal of the decision of the hearing officer may only be initiated by delivering a written request for appeal hearing within ten (10) days of the date of delivery of the notification of the decision of the hearing officer along with an Appeal Fee as established by resolution of the Board of Directors. The written request shall set forth the specific decision appealed from, the grounds for the appeal and the relief sought.~~

~~**R.4.4.2**—A hearing before the Appeal Committee shall be set within thirty (30) days of delivery of the request for hearing and shall be no less than fifteen (15) days after the date the notice of hearing is delivered to the Franchisee.~~

~~**R.4.4.3**—**Failure to Appear.** If the Franchisee unreasonably fails to appear at the appeal hearing in the judgment of the Appeal Committee, the Appeal Committee may conduct the hearing in the Franchisee's absence.~~

~~**R.4.4.4**—**Stipulation to Extend Deadlines.** The deadlines set forth in these Regulations with respect to appeal hearings may only be extended by mutual consent evidenced by written stipulation between the Taxicab Administrator and the Applicant, Permittee or Franchisee, or by order of the Appeal Committee.~~

~~**R.4.4.5**—The Appeal Committee shall conduct a hearing which allows SRA and the Franchisee to present arguments. The evidence considered at the appeal hearing shall be limited to the administrative record created in the underlying administrative hearing. However, the Appeal Committee, in its sole discretion, may request that any participant provide the Committee with additional evidence. The~~

~~Appeal Committee may suspend an appeal hearing in progress for the purpose of obtaining additional evidence so requested.~~

~~**R.4.4.6**—The Franchisee shall have the burden of establishing good cause why the decision appealed from should be altered, reversed or modified.~~

~~**R.4.4.7**—**Conduct of Hearing Before Appeal Committee.** The Appeal Committee shall select a chairperson to conduct the hearing. The Franchisee may be represented by an attorney at the appeal hearing. The appeal hearing shall be informal and technical rules of evidence shall not apply. The appeal hearing shall be recorded or otherwise preserved, in the manner selected by the Appeal Committee. Any party may request that a court reporter transcribe the proceedings by depositing, in full, the cost of such reporter. If a reporter is present at the hearing at the request of any party, any party shall be entitled to purchase a copy of the transcript from the reporter at the reporter's normal charge. The hearing shall be conducted by the chairperson as follows:~~

~~(a) —The Franchisee shall first present its arguments in support of its appeal, including the specific action appealed from, the grounds for the appeal and the relief sought.~~

~~(b) —SRA shall have an opportunity to present its response to the Franchisee's arguments.~~

~~(c) —The Franchisee shall have an opportunity to rebut the response by SRA.~~

~~(d) —The chairperson may limit the time allotted for each side to present its arguments.~~

~~**R.4.4.8**—SSG shall notify the Franchisee in writing of the decision of the Appeal Committee within fifteen (15) days of the date of the conclusion of the appeal hearing. The decision of the Appeal Committee shall be final. Any review of a decision of the Appeal Committee shall be by way of administrative mandate pursuant to *Code of Civil Procedure* section 1094.5.~~

## **5. VEHICLE INSPECTIONS**

**R.5.1** All Taxicabs operated by a Franchise Taxicab Business and Driver must have a valid, SRASSG issued Vehicle Inspection Permit sticker affixed at the lower left rear windshield of the vehicle.

R.5.2 No vehicle shall be registered under a ~~Franchise Agreement~~Taxicab Business permit until that vehicle has successfully completed a safety and cosmetic inspection conducted by an SRA-approved Automotive Service Excellence (ASE) ~~or Bureau of Automotive Repair~~ certified vehicle mechanic in accordance with the vehicle safety standards set forth in these regulations.

R.5.3 The SRA-approved mechanic shall complete a Vehicle Inspection Report for each vehicle presented for inspection which shall reflect the vehicle's compliance or non-compliance with the vehicle safety standards set forth in these regulations.

R.5.4 Upon successful completion of the safety inspection, vehicle must be presented to SRA to affix a Vehicle ~~Inspection~~Permit Sticker to the qualified vehicle.

R.5.5 In addition to any other required inspections, all Taxicabs operated within the ~~jurisdiction~~Jurisdictional Boundaries of SSG must submit to on the road inspections upon request by the Taxicab Administrator or by any member of the staff of SRA authorized by the Taxicab Administrator to conduct road inspections. Failure to submit to an inspection will result in revocation of the Vehicle ~~Inspection Sticker~~Permit sticker. The Taxicab Administrator or other authorized member of the staff of SRA will complete a road inspection field report at the time of inspection which will indicate, in their opinion what repairs, if any, need to be made to the vehicle.

~~R.4.5 If the road inspection field report indicates the need for repairs to a vehicle, the Franchisee is required to submit proof to SRA that the required repairs have been made to the vehicle within the time frame provided for in the field report.~~

~~R.4.6 In the event that repairs have not been made to a vehicle within the time frame provided for in the field report, the Vehicle Inspection Sticker will be voided until corrections have been made to the satisfaction of the SRA.~~

R.5.6 Any vehicle that fails to pass an initial vehicle safety inspection, upon payment of a re-inspection fee, may be presented for re-inspection for the purpose of determining if the defects have been corrected and if the vehicle otherwise complies with the vehicle safety inspection standards. Any vehicle that has been cited for a violation of the vehicle safety inspection standards may be presented for re-inspection upon payment of the re-inspection fee. ~~Vehicles shall be permitted one (1) re-inspection upon the failure of any initial, post-accident, requested or periodic inspection. Any vehicle that fails a re-inspection shall be presumed to be unfit to operate as a taxicab, shall be issued an administrative citation to that effect and shall be read permanently out of service.~~

R.5.7 Any vehicle taken out of service by SRA for any reason which continues to bear a toplight and Taxicab signage must display the "out of service" sign provided by SRA on the dashboard of the vehicle until such time as the toplight and Taxicab signage are removed from the vehicle or the vehicle is returned to service by SRA.

## R.6 FIELD REPORT

R.6.1 In addition to any other required inspections, all Taxicabs operated within the Jurisdictional Boundaries of SSG must submit to on the road inspections upon request by the Taxicab Administrator or by any member of the staff of SRA authorized by the Taxicab Administrator to conduct road inspections. Failure to submit to an inspection will result in revocation of the Vehicle Permit sticker. The Taxicab Administrator or other authorized member of the staff of SRA will complete a road inspection field report at the time of inspection which will indicate, in their opinion what repairs, if any, need to be made to the vehicle.

R.6.2 If the road inspection field report indicates the need for repairs to a vehicle, the Taxicab Business is required to submit proof to SRA that the required repairs have been made to the vehicle within the time frame provided for in the field report.

R.6.3 In the event that repairs have not been made to a vehicle within the time frame provided for in the field report, the Vehicle Permit sticker will be voided until corrections have been made to the satisfaction of the SRA.

## R.7. VEHICLE SAFETY INSPECTION STANDARDS

Vehicles must be in good operating order, free from known mechanical defects. ~~No vehicles in service shall be more than six (6) model years plus six (6) months of age, except that wheelchair-accessible vehicles and alternative fuel vehicles (electric vehicles and vehicles that accept non-petroleum fuels such as CNG, biodiesel, hydrogen and ethanol) may be up to eight (8) model years plus six (6) months of age.~~ The Taxicab vehicle standards incorporate herein by reference those of the California Vehicle Code (CVC), as now enacted or as may be amended. In addition, all Taxicabs must meet the following standards in order to pass the vehicle safety inspection for operation as a Taxicab within the ~~jurisdiction~~Jurisdictional Boundaries of SSG:

R.7.1 Battery. Vehicle must be equipped with proper size battery. Battery cables, etc., shall be corrosion free, and mounted correctly, with no frayed cables.

R.7.2 Belts. Belts shall be maintained in good operating condition, free of noticeable cracks and/or wear, and free of foreign matter such as oil, etc. All belts must be properly adjusted according to manufacturer's specifications.

### R.7.3 Body Condition.

R.7.3.1 No unrepaired body damage is permitted. Tears or rust holes in the vehicle body and/or loose pieces hanging from the vehicle body are not permitted. Front and rear fenders,



bumpers and light trim must ~~be~~ be securely fixed to the vehicle. Broken or damaged glass is not permitted.

**R.7.3.2** The exterior of the vehicle must be maintained in a clean, neat and attractive condition.

(a) Exterior advertising may be permitted based on review and approval of advertising by SRA consistent with the standards applicable to SunLine Bus Operations in order to maintain a professional appearance and reduce “sign blight”.

**R.7.3.3** Trunk lid must remain open and closed independently (without props) and only factory-compatible latches are permitted.

**R.7.3.4** Hubcaps are to be in place and consistent in appearance on each side.

**R.7.4 Brake System.** The brake system must operate sufficiently. Fluid leaks, locking of the wheels, need to pump brake pedal, or excessive noise are not acceptable. Brake pads and or shoes shall not exceed less than 1/16” inch wear thickness at any low point, and shall be properly adjusted, clean of foreign matter and shall have no cracks. Brake pedal must have proper pad on it and in good condition. Vehicles with Antilock Braking System (ABS) systems shall not have the A Check ABS@ light displayed on.

**R.7.4.1** Rotors and brake drums that are resurfaced or worn beyond the manufacturers acceptable discard distance are unacceptable. Rotors and drums shall be free of noticeable wear, cracks, scars and/or grooves. They shall be clean of any foreign matter such as brake fluid or oil and shall have no heat cracks and no rivet wear.

**R.7.4.2** Wheel cylinder and calipers, and dust covers shall be in good condition, with no noticeable wear, leaks or visible cracks, and may not be soaked with oil.

**R.7.5 Doors and Trunk.** Trunk or luggage area must be kept empty to allow maximum space for passenger luggage and belongings, except for car seats, a spare tire, emergency equipment, and a personal container belonging to the Driver that does not exceed one cubic foot in volume. All doors must have weather stripping in good condition with no pieces missing.

**R.7.6 Engine/Transmission.** The vehicle’s mechanical power/drive system must operate sufficiently.

**R.7.6.1** Engine must be in proper working order and should not miss, die or backfire during normal operation. Engine must not emit excessive smoke from either the engine or crankcase. If engine light comes on, problem must be repaired promptly. Engine must have proper air cleaner, smog equipment and vacuum hoses in place. Engine may not have any loose brackets, etc., or bad engine mounts.

**R.7.6.2** Engine, transmission, drive train or accessories must not emit loud noises. Transmission, radiator and engine shall have no noticeable leaks and shall have manufacturer's recommended fluid levels.

**R.7.6.3** All mechanical equipment must be clean and must be free and clear of grease and oil buildup.

**R.7.7 Exhaust System.** Exhaust system must be intact, with no holes or leaks, and must be mounted properly with proper catalytic converter.

**R.7.8 Fuel System.** All fuel tanks and lines must be routed to factory specifications and free of cracks, wear, kinks or leaks, and must be free from all foreign matter. All vehicles must have a fuel cap.

**R.7.9 Heating and Air Conditioning System.** Defroster, heater and air conditioner must operate and function properly all year round.

**R.7.10 Horn.** California Vehicle Code section ~~27000a~~, 27000(a), states: All vehicles must be equipped with a horn which must be audible during normal working conditions at a distance of not less than 200 feet.

**R.7.11 Interior Condition.** The interior of the vehicle must be maintained in a clean, neat and attractive condition.

**R.7.11.1** Passenger compartment, driver compartment, and trunk or luggage area must be clean and free of foreign matter, stains, offensive odors and litter.

**R.7.11.2** Seat upholstery must be clean and without worn areas. Interior walls and ceiling must be kept reasonably clean. No rips or tears are permitted. All repairs shall be done so as to reasonably match the existing interior.

**R.7.11.3** Door handles and doors must be intact and clean. Door handles and window knobs, both manual and electric, shall be

in proper working condition. All door panels must be mounted correctly.

**R.7.12 Lights.** All lighting equipment must meet manufacturer's specifications. Lights that are noticeably frosted from sand or weather elements are unacceptable. Cracks in lenses are unacceptable. Headlights must be operable on both high and low beams. Tail lights, parking lights, signal lights, brake lights, license plate lights and interior lights must all be operable.

**R.7.13 Mirrors.** Vehicle must be equipped with both side and rear view mirrors. Defective or damaged mirrors must be replaced.

**R.7.14 Odometer.** Odometer must operate in the manner intended.

**R.7.15 Paint and Markings.** Each FranchiseTaxicab Business must have an SRA approved, distinctive color and numbering system in place which easily identifies the FranchiseTaxicab Business and the specific cab-Taxicab.

**R.7.15.1** Paint may not be faded or deteriorated.

**R.7.15.2** Markings (company name, ~~radio service~~ phone number, vehicle number, and any approved logo) must be properly and professionally placed, and easy to read. Markings must be free of peeling or lifting and may not be faded or deteriorated.

**R.7.16 Seats.** Seats must be in proper working condition. Seats must be securely fastened. Protruding springs are not acceptable.

~~R.4.6.1 Franchises, when requested by calling customers, shall have the necessary required child car seats properly secured in their vehicles to accommodate passengers that are eight (8) years old or younger, or as specified by California Vehicle Code, as now enacted or as may be amended.~~

**R.7.17 Seat Belts.** Seat belts, must be installed, and readily available, and in good working condition.

**R.7.18 Child Restraint System and Safety Seats.** Vehicle must be equipped with ability to properly install a child passenger restraint system. All necessary child restraint and safety systems shall be provided by the passenger.

**R.7.19 Suspension System.** Any mechanical component of the steering system shall not show excessive wear. All upper and lower control arms, ball joints, tie rods, bushings, idle rods shall be free of cracks and excessive wear. Steering pumps, rack and pinions shall be clean and free of leaks and have no excessive play. Universal joints shall

not have excessive play in the driveshaft and shall be free of oil and grime. Struts and shock absorbers shall be in good working condition. All springs and coils shall conform to manufacturers' specifications. All suspension parts shall be maintained in good working order. All seals, bushings, and dust covers shall be free of dirt, grime, oil and excessive wear and free of cracks and tears. Steering gear, springs, shackles, universal joints, and shock absorbers must function adequately and be free of obvious defects and/or excessive wear. Steering wheels shall have no excessive play. If equipped with tilt wheel, it shall be free of wear.

#### **R.7.20 Taximeter and Meter Seals.**

~~R.4.6.2~~ ~~Style and design of all taximeters shall have the prior approval of the SRA.~~

~~R.4.6.3~~ ~~All taximeters shall have an intact SRA lead wire meter seal.~~

**R.7.20.1** Taximeters shall also be certified by County Weights and Measures or by a County/State-authorized device repairman. The date on the seal shall not be more than thirteen (13) months old. Any other type of device or technology approved by the Division of Measurement Standards to calculate fares, including the use of Global Positioning System metering, provided that the device or technology complies with Section 12500.5 of the Business and Professions Code and with all regulations established pursuant to Section 12107 of the Business and Professions Code must bear current and intact seals.

**R.7.20.2** 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 easily read by the passenger riding in Taxicab.

#### **R.7.21 Tires.**

**R.7.21.1** Tires with 1/32 or less of an inch tire tread are unacceptable and shall be replaced immediately. Tires that have obviously been run flat and have sidewall damage are not acceptable. Tires must be the same size on any one axle. Mixing bias and radial ply tires on the vehicle is unacceptable.

**R.7.21.2** Wear below the "tread wear indicator" limit is not acceptable.

**R.7.21.3** Cut(s) in sidewall are not acceptable.

[R.7.21.4](#) Separation of tread is not acceptable.

[R.7.21.5](#) Bumps or bubbles anywhere on tires are not acceptable.

[R.7.21.6](#) Metal or nails protruding from tires are not acceptable.

[R.7.21.7](#) Tires must be of equal appearance and size, i.e., all black wall or all white wall.

[R.7.21.8](#) Every vehicle must be equipped with a jack, tire tool, and spare tire (donut tires are acceptable as spare tires only).

[R.7.21.9](#) All lug nuts must be in place and secure.

[R.7.21.10](#) Vehicles equipped with electronic tire pressure sensors shall not have the tire pressure warning light illuminated.

## [R.7.22](#) **Windows**

[R.7.22.1](#) Cracks on any window which weakens the structural integrity of the window are not permitted and replacement is required.

[R.7.22.2](#) If a crack weakens the windshield in a manner that permits flex when pressure is applied, replacement is required.

[R.7.22.3](#) If cracks or chips interfere with the driver's vision, replacement is required. Frosting or separation of any window that causes impaired vision under any lighting conditions is unacceptable.

[R.7.22.4](#) Missing windshields and missing or inoperative windows must be replaced with equivalent to original.

[R.7.23](#) **Windshield Wipers.** Vehicle must be equipped with adequate windshield wipers, maintained in good operating condition all year round.

[R.7.24](#) **Top Lights.** Vehicle must be equipped with a top light that properly functions and operates in accordance with the provisions of the Ordinance of SSG and the Taxicab Regulations, [Section 10.1 through 10.1.3.](#)

[R.7.25](#) **Other.** Any other condition as observed by or known to the Vehicle Inspector that may reasonably and rationally affect the operating safety of the vehicle, the safety of passengers and/or pedestrians, or the vehicle's suitability to transport the public, is unacceptable.

## R.8. OPERATIONS-TAXIMETER USE

R.8.1 All Taxicab vehicles operating within the ~~jurisdiction~~Jurisdictional Boundaries of SSG must be equipped with a top light that contains the following ~~three~~components:component:

R.8.1.1 A dome light component which is that portion of the top light which is affixed to the roof of the vehicle. The dome light shall be wired to the taximeter so that it is lighted when the taxicab is vacant and extinguished when the meter is engaged.

R.8.2 The taximeter must be engaged whenever the ~~taxi~~Taxicab is in service with fare-paying passengers on board.

R.8.3 The taximeter display must be clearly visible to passengers in the Taxicab.

~~R.4.7~~R.8.4 The rates set in the taximeter ~~must be the same as the rates displayed on the exterior of the vehicle and~~ may not exceed the maximum rate set by ~~the SSG or the rate registered by the Franchise with SRA.~~

~~SRA will review Per Mile Rates once each year and amended from time to time to determine if rate changes are applicable, based on changes in fuel costs. Reviews will occur on or near June 15. If rate changes are authorized, scheduled taximeter recalibrations will start on or after July 1time.~~

## R.9. OPERATIONS-~~INFORMATION CARD~~ VISIBLE IDENTIFICATION

~~R.4.8~~ Each Franchisee shall be issued an Information Card for each vehicle authorized by SRA ~~to be included on the Franchisee's Vehicle Identification List.~~

~~R.4.9~~ The Information Card must be displayed in clear view of the passenger at all times that a Taxicab is in operation.

~~R.4.10~~ The Information Card will contain the following information:

~~R.4.10.1~~ Franchisee name;

~~R.4.10.2~~ Vehicle owner name if other than the Franchisee;

~~R.4.10.3~~ Franchisee's business address;

~~R.4.10.4~~ Franchisee's business telephone number;

~~R.4.10.5~~ Rate Schedule charged by the Franchise, including any surcharges.

R.9.1 The valid, SRASSG Driver permit issued to the operating Driver must be in plain view of all passengers at all times that the Taxicab is in operation.

~~R.4.11 Violation of Information Card regulations may result in a fine and/or suspension of the Vehicle Permit.~~

R.9.2 In addition to the ~~Information Card and~~ Driver Permit, the FranchiseTaxicab Business name and vehicle number shall be posted in raised characters and Grade 2 Braille on a permanent sign mounted inside the rear seating area of the Taxicab, forward of the right side door handle.

## R.10. OPERATIONS-RATE CARD

~~R.4.12 SRA will issue a rate card for each vehicle duly authorized to be included in the Franchisee Vehicle Identification List.~~

~~R.4.13 The rate card must be displayed in clear view of the passenger at all times that the Taxicab is in operation.~~

~~R.4.14 The rate card shall contain the following information:~~

~~R.4.14.1 The maximum base, per mile, hourly, and other rate set by SSG; and~~

~~R.4.14.2 The base, per mile, hourly or other applicable rate charged by the Franchisee.~~

A Franchisee

R.10.1 The Taxicab Business shall disclose fares, fees, or rates to the customer. A permitted Taxicab Business may satisfy this requirement by disclosing fares, fees, or rates on its Internet Web site, mobile telephone application, posted on the inside or outside of taxicab, or telephone orders upon request by the customer.

~~R.4.15~~ R.10.2 A Taxicab Business may change the rates charged by the FranchiseTaxicab Business provided that the new rates are within the maximum rates set by SSG and provided that the ~~Franchise has:~~

~~R.4.15.1 Submitted to SRA a new schedule of rates; and~~

Taxicab Business had the meters on each vehicle recalibrated to reflect the new rates to be charged by the ~~Franchise in accordance with section 4 hereof.~~ Taxicab Business.

~~R.4.16 Upon the Franchisee's satisfaction of the conditions listed above, SRA will issue new rate cards for each of the vehicles listed on the Franchisee's Vehicle Identification List. The Franchise shall not charge any changed rate until a new rate card~~

~~has been displayed in all of the vehicles registered on the Franchisee's Vehicle Identification List.~~

~~R.4.17 Violation of the Rate Card regulations may result in a fine and/or suspension of the Vehicle Permit for any taxicab in violation.~~

## **R.11. OPERATIONS - ROUTES AND PASSENGERS**

**R.11.1** All Drivers must, if able to do so, accept and carry passengers requesting Taxicab services at any time that the Taxicab is parked and available for service at the airport, at any Taxicab stand within the ~~Coachella Valley jurisdiction~~ Jurisdictional Boundaries of SSG or when the Taxicab is otherwise holding itself out as available for hire. All Drivers will take the most direct route possible to passenger requested destinations.

**R.11.2** When a vehicle is hired by one person, the Driver may not pick up additional passengers without the express consent of the person originally hiring the vehicle.

**R.11.3** The Driver may transport two or more passengers who voluntarily agree to share the vehicle from the same pick-up point to one destination.

**R.11.4** The number of passengers that can be carried must not exceed the seating capacity specified by the vehicle's manufacturer.

**R.11.5** The Driver and all passengers will comply with seat belt and child passenger seat ~~constraint~~ restraint requirements as specified by California Vehicle Code.

**R.11.6** All Taxicabs shall display SRA Customer Service number for passengers to register comments concerning Taxicab service with SRA and must be in plain view of the passenger when seated in the back seat of the vehicle.

**R.11.7** The Driver must accept vouchers issued by major hotels or airlines as a form of payment, provided that the vouchers either guarantee payment in full or the passenger pays any difference between the voucher amount and the fare due.

**R.11.8** Violation of the Operations, Routes and Passenger Regulations may result in a fine and/or suspension of the Vehicle permit.

## **R.5. OPERATIONS-RATES**

~~R.5.1 No Franchisee may charge a rate in excess of the maximum allowable rate set by SSG.~~

~~R.5.2 All rates will be posted on the Rate Card.~~



## R.12. SIGNAGE

R.12.1 All Taxicab vehicles operating within the ~~jurisdiction~~Jurisdictional Boundaries of SSG shall bear the following signage:

R.12.1.1 Both sides of the Taxicab vehicle shall indicate in letters not less than 3 inches in height the company name of the Franchise Taxicab Business and the number for the vehicle which corresponds to the number assigned that vehicle duly authorized under the ~~Franchise Agreement~~. ~~Both sides of the Taxicab vehicle shall also indicate in letters not less than 1-1/2 inches in height the rates charged for the vehicle and the Franchise's predominant telephone number. Additional Franchise telephone numbers may also be listed. It is preferred that the vehicle identification number also be displayed on the rear of the vehicle.~~Taxicab Business Permit.

## R.13. FEE AND RATE REVIEW

R.13.1 SRA will annually review regulatory fees for the purpose of recommendation to the SSG Board of Directors. This review will consist of an audit of expenses and revenues of the previous year associated with SRA's activities. The review may also include expenditure projections and other factors that may influence costs.

R.13.2 The fee schedule and any applicable payment installment plan shall be adopted by the Board of Directors. ~~The payment schedule shall be adopted by the Taxicab Administrator.~~

### ~~R.6. RATE REVIEW~~

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R.13.3 SRA will annually review, upon written request from permitted Taxicab Businesses, the maximum allowable rates charged by Franchises a Taxicab Business for the purpose of recommendation to the SSG Board of Directors. This review may include an analysis of increased costs incurred by all Franchises. Taxicab Business. Requests for Reviews must be submitted on or near June 15. If rate changes are authorized, scheduled taximeter recalibrations will start on or after July 1.

R.13.4 The maximum allowable rates shall be established by the Board of Directors.

### ~~R.7. REFUND POLICY~~

R.13.5 There shall be no refunds of any portion of the fees described in these regulations.

## ~~R.8. TAXICAB VEHICLE PERMITS AND STICKERS~~

~~R.8.1 In accordance with the provisions of the Ordinance of SSG, no Taxicab vehicle may operate within the jurisdiction of SSG without a Vehicle Inspection Sticker affixed at the lower left rear windshield of the vehicle.~~

~~R.8.2 A Vehicle Inspection Sticker may be obtained from SRA provided the following conditions have been satisfied:~~

~~R.8.2.1 The vehicle is duly authorized under a Franchise Agreement;~~

~~R.8.2.2 The Franchise pays the Vehicle Permit Fee or down payment of the Vehicle Permit Fee where applicable;~~

~~R.8.2.3 The vehicle otherwise meets the standards and qualifications for licensing as established by the Ordinance of SSG and the Regulations adopted to implement it.~~

~~R.8.3 A Franchisee may only add vehicles if authorized by the Franchise Agreement, subject to any adjustments that have been made by SRA. If a new vehicle is presented for a Vehicle Inspection Sticker during the permit year, the Franchisee shall pay the Vehicle Permit Fee in full at the time each vehicle is issued a Vehicle Inspection Sticker.~~

~~R.8.4 The Vehicle Permit Fee is due in full at the time each new vehicle is issued a Vehicle Inspection Sticker.~~

~~R.8.5 Transfer of Vehicle Permits. Vehicle Permits may only be transferred between Franchises provided that the following conditions are satisfied:~~

~~R.8.5.1 A joint request for a transfer of a Vehicle Permit is made by the Franchisee to which the vehicle is currently listed and the Franchisee to whom the vehicle is to be transferred;~~

~~R.8.5.2 The transfer will not cause either Franchise to exceed or fall below the allocation limits allowed for each Franchise;~~

~~R.8.5.3 The vehicle has been presented to SRA for a taximeter reading;~~

~~R.8.5.4 A Transfer Fee has been paid; and,~~

~~R.8.5.5 All fines due from the Franchisee from whom the vehicle is to be transferred have been paid in full.~~

~~R.8.5.6 After initial approval of a request to transfer a Vehicle Permit is given; the permit will be issued when the following is completed:~~

- ~~(a) The vehicle has been repainted and all markings have been replaced so as to be consistent with the requirements applicable to the Franchise to which the vehicle will be transferred;~~
- ~~(b) The vehicle passes all required inspections; and,~~
- ~~(c) The vehicle has been removed from the Vehicle Identification List of the transferring Franchise and added to the Vehicle Identification List of Franchise to which the vehicle will be transferred.~~

~~**R.8.5.7** All Vehicle Permit Fees previously paid on the vehicle will follow the vehicle, are not refundable by SRA to the transferring Franchise, and any claim for a credit shall be negotiated between the transferring parties.~~

~~**R.8.5.8** Any surcharges or other fees incurred as of the date of the taximeter reading for transfer of the vehicle shall be billed to the transferring Franchisee.~~

~~**R.8.6 Vehicle Permits on Vehicles Taken Out of Service.** Any balance due on the Vehicle Permit Fee of a vehicle that is permanently taken out of service shall become due and payable in full at the time the vehicle is taken out of service.~~

~~**R.8.7 Suspended or Revoked Vehicle Permits.** A Vehicle Permit for a vehicle registered under a Franchise which is subsequently suspended or revoked shall also be suspended.~~

~~**R.8.8** Immediately upon suspension or revocation of a Vehicle Permit, the affected vehicle shall be presented to SRA for an out of service Taximeter reading.~~

~~**R.8.9** Within the first 30 days after suspension or revocation of a Vehicle Permit as the result of a suspended or revoked Franchise, the Franchise may register the vehicle with any other duly authorized Franchise subject to the conditions related to transfer of a Vehicle Permit.~~

~~**R.8.10** If the Franchisee has not properly transferred the affected vehicle to another duly authorized Franchise within the first 30 days after suspension or revocation of a Vehicle Permit, the vehicle shall be presented to SRA for removal of the Vehicle Inspection Sticker.~~

~~**R.8.11** The Franchisee shall be responsible for the payment of any remaining balance due on the Vehicle Permit Fee at the end of the thirty day period following the~~

~~suspension or revocation of the Vehicle Permit if a transfer to another duly authorized Franchise has not been made during that time.~~

~~**R.8.12** SRA may pursue collection of any unpaid portion of the Vehicle Permit Fee from the Franchisee.~~

~~**R.8.13** A Vehicle Inspection Sticker shall not be issued for a vehicle which is the subject of a suspended or revoked Vehicle Permit where the Vehicle Permit Fee has not been paid in full, regardless of the ownership of the vehicle.~~

~~**R.8.14** A Franchisee may apply to the Taxicab Administrator for relief from payment of the balance of a Vehicle Permit Fee due, on a subsequently suspended or revoked Vehicle Permit.~~

## **R.14. TAXIMETER ACCURACY**

**R.14.1** At all times every Franchisee Taxicab Business shall keep every Taximeter and maintain Taximeters registered with SRA accurate.

**R.14.2** A certificate verifying that the Taximeter is certified by the County of Riverside in accordance with County requirements ~~shall be kept available for inspection in the Taxicab at all times or a certified fully operational taximeter with current and intact seals, or any type of device or technology approved by the Division of Measurement Standards to calculate fares, including the use of Global Positioning System metering, provided that the device or technology complies with Section 12500.5 of the Business and Professions Code and with all regulations established pursuant to Section 12107 of the Business and Professions Code shall be kept available for inspection in the Taxicab at all times.~~

**R.14.3** A true and correct copy of the certificate shall be filed with the Taxicab Administrator.

**R.14.4** The Taximeter shall be subject to inspection from time to time by the Taxicab Administrator or any peace officer.

**R.14.5** The Taxicab Administrator is authorized at his or her discretion or upon information received from any peace officer or upon the complaint of any person to investigate the Taximeter and to remove or cause to be removed from the streets within the ~~jurisdiction~~Jurisdictional Boundaries of SSG any Taxicab upon discovery of a faulty or inaccurate Taximeter until the Taximeter has been correctly adjusted and evidence of its accuracy has been presented to the Taxicab Administrator.

## **R.15. TRANSFER OF A TAXIMETER**

A Taximeter shall not be installed into a vehicle other than the vehicle to which it is registered with SSG until the following conditions are met:

**R.15.1** The Taximeter must be presented to SRA for a final out of service reading concurrent with its removal from the previous vehicle;

**R.15.2** The Taximeter must be calibrated and certified for use in the vehicle to which it is to be transferred; and,

**R.15.3** The Taximeter must be properly registered with SRA to indicate the corresponding vehicle to which it is to be transferred.

**R.15.4** Prior to operation of the vehicle into which a Taximeter has been transferred, it must be presented to SRA for an initial Taximeter reading.

**R.15.5** Any failure to comply with the provisions of this section shall be grounds for the imposition of a penalty as described in Section 1.~~255(B)~~080095 of the Ordinance of SSG.

## **R.16. CONTROLLED SUBSTANCE AND ALCOHOL TESTING PROGRAM**

**R.16.1** Each FranchiseTaxicab Business shall maintain a mandatory controlled substance and alcohol testing certification program conforming to Part 40 of Title 49 of the Code of Federal Regulations and the California Government Code section 53075.5, and as required by Section ~~Two~~ 1.075 of the Ordinance of SSG. To verify compliance with these regulations, the FranchiseeTaxicab Business shall, upon request, provide to the Taxicab Administration all of the following:

**R.16.1.1** A copy of the Franchisee'sTaxicab Business' written drug and alcohol policy meeting all of the requirements of the Ordinance of SSG;

**R.16.1.2** Proof that the FranchiseTaxicab Business has implemented a drug and alcohol certification program covering all of its Drivers which meets all of the requirements of the Ordinance of SSG;

**R.16.1.3** A copy of the contract between the FranchiseTaxicab Business and a program administrator and authorized lab certified by the U.S. Department of Transportation; and,

**R.16.1.4** The FranchiseTaxicab Business and the program administrator records shall be made available to Taxicab Administrator upon request.

R.16.2 Each FranchiseeTaxicab Business shall present to SRA monthly reports of the random testing component of the required controlled substance and alcohol testing program. The monthly reports shall be delivered by the program administrator to the Taxicab Administrator no later than the 20th day following the end of the previous monthly reporting period.

## **R.17. SAFETY EDUCATION AND TRAINING PROGRAM**

R.17.1 Each Taxicab Business shall maintain a mandatory safety education and training program in compliance with the California Government Code section 53075.5. To verify compliance with these regulations, the Taxicab Business shall, upon request, provide to the Taxicab Administration all of the following:

R.17.1.1 A copy of the Taxicab Business' written safety education and training policy meeting all of the requirements of the Ordinance of SSG;

R.17.1.2 Proof that the Taxicab Business has implemented a safety education and training program for all of its Drivers which meets all of the requirements of the Ordinance of SSG;

R.17.1.3 A Certificate of Completion of the Taxi Business' Safety Education and Training Program issued to each permitted driver.

R.17.1.4 The Taxicab Business records shall be made available to Taxicab Administrator upon request.

R.17.2 Each Taxicab Business shall present to SRA a monthly report of safety incidents that occurred throughout the month, including any re-education and re-training in accordance with the Taxi Business' Safety Education and Training Program. The monthly report shall be delivered to the Taxicab Administrator no later than the 20th day following the end of the previous monthly reporting period.

## **R.18.DISABLED ACCESS EDUCATION AND TRAINING PROGRAM**

R.18.1 Each Taxicab Business shall maintain a disabled access education and training program to instruct its taxicab drivers on compliance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and amendments thereto, and state disability rights laws, including making clear that it is illegal to decline to serve a person with a disability or who has a service animal, in compliance with the California Government Code section 53075.5. To verify compliance with these regulations, the Taxicab Business shall, upon request, provide to the Taxicab Administration all of the following:

- [R.18.1.1](#) [A copy of the Taxicab Business' written disabled access education and training policy meeting all of the requirements of the Ordinance of SSG;](#)
- [R.18.1.2](#) [Proof that the Taxicab Business has implemented a disabled access education and training program for all of its Drivers which meets all of the requirements of the Ordinance of SSG;](#)
- [R.18.1.3](#) [A Certificate of Completion of the Taxi Business' Disabled Access Education and Training Program issued to each permitted driver.](#)
- [R.18.1.4](#) [The Taxicab Business records shall be made available to Taxicab Administrator upon request.](#)

[R.18.2](#) [Each Taxicab Business shall present to SRA a monthly report of disabled access incidents that occurred throughout the month, including any re-education and re-training in accordance with the Taxi Business' Disabled Access Education and Training Program. The monthly report shall be delivered](#) to the Taxicab Administrator no later than the 20th day following the end of the previous monthly reporting period.

## **[R.19](#) PAYMENT OF FINES**

[R.19.1](#) The [FranchiseeTaxicab Business](#) is responsible for paying all fines accruing as the result of citations issued under the Ordinance of SSG or these Regulations, whether issued to a [FranchiseeTaxicab Business](#), a Driver working for the [FranchiseeTaxicab Business](#), or both.

[R.19.2](#) In the event that a citation is issued to a Driver, the [FranchiseeTaxicab Business](#) will be notified by receiving a copy of the Citation Form.

[R.19.3](#) If a fine remains unpaid after it is due and after expiration or exhaustion of any right to challenge the citation, the [FranchiseTaxicab Business](#) is subject to summary suspension of the [FranchiseTaxicab Business](#) until such time as the fine is paid.

## **[R.20](#) SUMMARY SUSPENSION OF A [FRANCHISETAXICAB BUSINESS](#)**

[R.20.1](#) A [FranchiseTaxicab Business](#) is subject to summary suspension of all operations and of every permit issued to the [FranchiseTaxicab Business](#) under the following circumstances:

**R.20.1.1** An attempted sale, lease, transfer, assignment or other attempted disposition of a [FranchiseTaxicab Business](#) without the prior written consent of SSG.

**R.20.1.2** Failure to comply with the insurance requirements of Section 1.050040 of the Ordinance of SSG affecting the [FranchiseTaxicab Business](#) as a whole.

**R.20.1.3** Failure to report a positive controlled substance or alcohol test result to SRA as required by Section ~~2.070(D)~~ 1.075 of the Ordinance of SSG.

**R.20.1.4** During the pendency of an appeal to the Appeal Committee after issuance of a decision to suspend or terminate a [franchiseTaxicab Business](#) where the hearing officer has determined that continued suspension or termination is necessary for the protection of the public health, safety, or welfare.

**R.20.1.5** Failure to pay a fine issued against the [FranchiseTaxicab Business](#) or any Driver for the [FranchiseTaxicab Business](#) when due and after expiration or exhaustion of any right to challenge or appeal the fine.

**R.20.1.6** When a [FranchiseTaxicab Business](#) engages in conduct which causes an immediate danger to public health, safety, or welfare.

**R.20.1.7** As otherwise provided for by the Ordinance of SSG.

**R.20.2** In the event that a [FranchiseTaxicab Business](#) is subject to summary suspension, upon receipt of notice from SRA, the [FranchiseTaxicab Business](#) shall immediately cease all operations as a Taxicab [Franchise Business](#) and shall not engage in any activities connected with the provision of taxicab service to the public until such time as the suspension is lifted. Operations may not resume until the [FranchiseTaxicab Business](#) receives written notice from SRA that the suspension is lifted.

## **R. 21 INTERFERENCE WITH DRIVER REPORTING**

**R.21.1** It shall be a violation of these Regulations for any employee, officer, manager, or owner of a [FranchiseTaxicab Business](#) to take any action to prohibit, discourage, retaliate against, or otherwise interfere with any Driver's attendance and right to freely speak at a Board Meeting of SSG or any Committee thereof.



R.21.2 It shall be a violation of these Regulations for any employee, officer, manager, or owner of a FranchiseTaxicab Business to take any action to prohibit, discourage, retaliate against, or otherwise interfere with any Driver's attempt to report a safety concern to SRA or any of its agents or employees, the SSG Board, the Taxicab Administrator or any other governmental agency.

R.21.3 Conduct constituting a violation of R.~~2521~~.1 or R.~~2521~~.2 shall be counted as a separate violation for each individual Driver affected.

~~The penalty for violating the Regulations in Section 25 shall be as set forth in the Ordinance of SSG 1.255 and the penalties shall accumulate as set forth therein.~~

R.21.4 Violation of the Regulations in Section R.~~2521~~ may result in termination of the franchiseTaxicab Business pursuant to Ordinance of SSG 1.~~410.080~~.

~~R.8.15~~ R.21.5 It shall be a separate violation of these Regulations for any FranchiseTaxicab Business to attempt to pass through to the Driver any fine issued under Section R.~~25~~.

**TAXICAB REGULATIONS OF  
THE  
SUNLINE REGULATORY  
ADMINISTRATION**

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# **TAXICAB REGULATIONS OF THE**

## **SUNLINE REGULATORY ADMINISTRATION**

### **(A DIVISION OF SUNLINE SERVICES GROUP)**

#### **R.1. PURPOSE**

**R.1.1** These regulations are promulgated pursuant to section 1.020 of the Ordinance of SunLine Services Group (SSG), as now enacted or as may be amended from time to time, and are intended to implement the provisions of that Ordinance regulating taxicab service within the Jurisdictional Boundaries of SSG, a Joint Powers Authority created by the nine cities of the Coachella Valley and Riverside County. Each Taxicab Business and its management, agents, employees, drivers and permitted users are individually and jointly responsible for complying with these Taxicab Regulations, any Ordinance regulating Taxicab services, and any State of California or federal statute or administrative code relating to the operation of a Taxicab.

#### **R.2. DESIGNATION OF REGULATORY ADMINISTRATOR**

**R.2.1** The CEO/General Manager of SunLine Services Group (SSG) hereby designates the SunLine Regulatory Administration (SRA) as the division of SSG charged with enforcement and implementation of the Ordinance of SSG, as now enacted or as may be amended, and all Regulations promulgated pursuant thereto.

#### **R.3. TAXICAB BUSINESS REGULATIONS**

**R.3.1** No person, firm, association, corporation, partnership or other entity shall dispatch, cause to be dispatched, operate, or cause to be operated, a taxicab within the Jurisdictional Boundaries of SSG unless the responding vehicle has a valid Taxicab Vehicle Permit issued by SSG or other recognized taxi regulatory agency within the County of Riverside. The driver of such vehicle must have a valid Taxicab Driver's permit and the Taxicab is operated pursuant to a Taxicab Business permit issued by SSG, or valid Taxicab Business permit issued by a recognized taxi regulatory agency located within the County of Riverside.

**R.3.2** Each Taxicab Business must provide and maintain a year-round, 24- hour computerized dispatch system (System). The System must satisfy the following requirements:

**R.3.2.1** System must track caller location, response time from the time customer calls until taxi pick up, and duration of trip.

Customer calls means the time customer first called, not time of any callback.

- R.3.2.2** Pickup zones must separate the Coachella Valley into its respective communities so officials from each community can see the quality of Taxicab service they are receiving.
- R.3.2.3** System must track calls by pickup zone by hour, day and zip code.
- R.3.2.4** System must track and report completed trips wait times that exceed 20 minutes.
- R.3.2.5** System must be capable of recognizing incoming telephone numbers.
- R.3.2.6** System must be capable of providing credit card swiping, reading and verification of card, authorization of payment, and printing of customer receipt within 60 seconds of being swiped.
- R.3.2.7** System must be capable of tracking service refusals by an individual Taxicab and Driver. Customers waiting for service must be advised of current response times and given the option of calling another company.
- R.3.2.8** All data collected by the System shall be maintained or accessed at the office or terminal designated to SSG by the Taxicab Business
- R.3.2.9** Any changes made to the Dispatch System Vendor and/or Dispatch System Program Type must be presented to SRA for approval prior to implementation.

**R.3.3** Each Taxicab Business is required to have real time voice communication access to all their on-duty drivers.

**R.3.4** Each Taxicab Business must be capable of tracking any lost articles by knowing only the date, time of day, and pick up and drop off locations.

**R.3.5** Each Taxicab Business must be capable of investigating and reporting all trips that have not taken the shortest possible route based on mileage calculation from pick up to drop off.

**R.3.6** Each Taxicab Business must provide and maintain a Global Positioning System (GPS) system. The system must satisfy the following requirements:

- R.3.6.1** GPS system must be capable of providing Drivers turn by turn directions and monitoring shortest route taken.
- R.3.6.2** GPS system must be capable of capturing and reporting, for all vehicles in the fleet and individual Drivers, all trips for which the taxi meter was utilized.

**R.3.7** Taxicab Businesses shall submit electronic taximeter reports for all vehicles on the Taxicab Business' Vehicle Identification List and shall present vehicles for reading of their Taximeter as requested by SRA.

**R.3.8** The Taxicab Business shall maintain proof of current Department of Motor Vehicle registration for each vehicle it is authorized to operate and shall produce such proof of registration upon vehicle inspection or request;

**R.3.9** The Taxicab Business must maintain and adhere to a written complaint procedure that includes a log of all complaints received, date and time of complaint, response, date and time of response, results of investigation, action taken, and any written communication. All complaints received in writing must be responded to in writing within five (5) business days with, at a minimum, an acknowledgment of the complaint, the complaint status and expected time for resolution. All complaints received by telephone must be logged. All telephone complaints of conduct which could result in a citation under these Regulations or are of a serious nature must be responded to in writing. A summary of complaints lodged and action taken shall be submitted to the SRA when requested.

**R.3.10** The Taxicab Business must maintain a GPS system in place in accordance with section R.3.6 of these regulations.

**R.3.11** The Taxicab Business must maintain an electronic data based recordkeeping and reporting system which captures and is capable of generating reports on the following subjects:

- (a) All revenues, including fares paid, for four (4) years;
- (b) All trips, including each call, times of dispatch/response total trips made by vehicle and driver, for one (1) year;
- (c) All drivers' names and records, for four (4) years;

- (d) All vehicle registration and maintenance for four (4) year;
- (e) All customer complaints for four (4) years;
- (f) All data necessary for monthly dispatch reports; and,

**R.3.12** The Taxicab Business shall make the following periodic reports to SRA:

- (a) A report of dispatch data on a monthly basis by the end of the business day on the first business day of the following month which includes reporting of customer wait time distribution, trips by zone served, trips per day per vehicle, and trip call completion;
- (b) A customer complaint report summarizing complaints lodged and action taken by the Taxicab Business on a quarterly basis or upon request by SRA;
- (c) A current Drivers List that includes fist name, last name, driver license number, and company driver id number within the first week of every month;
- (d) A current Vehicle Identification List that includes Taxicab number, license plate number, vehicle identification number, SSG permit number within the first week of every month.

**R.3.13** The Taxicab Business must maintain a written disciplinary policy and training programs for new and existing Drivers with emphasis on dealing with diverse clientele and driving skills. The new driver training program must satisfy the following requirements:

- (a) State, SSG, Palm Springs Airport and communities within the Coachella Valley's rules and regulations;
- (b) Geography, including map reading, major points of interest in Coachella Valley and familiarity with the Coachella Valley and surrounding area;
- (c) Driver safety and defensive driving;
- (d) Vehicle safety, maintenance and inspection checks;

- (e) Customer service and relations;
- (f) Sensitivity guidelines for disabled, frail and elderly passengers;
- (g) Behind the wheel driver training;
- (h) Accessible vehicle operation training for drivers of accessible vehicles; and,
- (i) Appearance and dress standards.

**R.3.14** The Taxicab Business must have and enforce a policy prohibiting smoking in taxicabs by passengers or Drivers.

**R.3.15** The Taxicab Business must maintain agreements with credit card agencies for accepting credit card payments for fares and gratuities.

**R.3.16** Taxicab Businesses shall be responsible for reimbursing overcharges to its customers immediately if the Driver is made aware of the overcharge at the time of rendering service and within twenty-four (24) hours if the Taxicab Business is informed of an overcharge after the service was rendered.

**R.3.17** Each Taxicab Business must maintain a list of Drivers authorized by the Taxicab Business to operate the vehicles on the Taxicab Business' Vehicle Identification List. The Taxicab Business shall update the Driver List on a monthly basis and shall supply to SRA, within the first week of each month or upon request of SRA, a current Driver List. The Taxicab Business shall provide SSG with written notice within thirty (30) days after the Taxicab Business is aware that any Driver listed on the Driver List for a Taxicab Business ceases to drive a Taxicab for the Taxicab Business.

**R.3.18** A Taxicab Business may add additional Drivers to its Driver List provided that:

**R.3.18.1** The Taxicab Business has submitted an intent to hire form to SRA which identifies the Driver to be added as being employed or given a written offer of employment within the meaning of Government Code section 53075.5; and

**R.3.18.2** The Driver to be added has been issued a Driver permit by SRA which states that the Driver is affiliated with the Taxicab Business; and,



**R.3.18.3** The Taxicab Business provides a certificate(s) of insurance reflecting that the Driver will be covered by the insurance maintained for any vehicle to be driven by the Driver under the Taxicab Business as required by section 1.040 of the Ordinance of SSG.

**R.3.19** No Taxicab Business shall allow any Driver to drive a Taxicab using the Taxicab Business' name unless that person has a valid Driver permit issued by SRA which states that the Driver is affiliated with the Taxicab Business.

**R.3.20** The Taxicab Business shall ensure that each Driver using the Taxicab Business' name submits to a fingerprint based criminal history check pursuant to Government Code Section 53075.5.

**R.3.21** The Taxicab Business permit is valid for a period of one year or until suspended or revoked and may be renewed annually as set forth in the Ordinance of SSG.

#### **R.4. TAXIMETER INSPECTIONS**

**R.4.1** No Taxicab Business shall operate a Taxicab within the Jurisdictional Boundaries of SSG without having first submitted the vehicle to SRA with a fully operational taximeter with current and intact seals, or any type of device or technology approved by the Division of Measurement Standards to calculate fares, including the use of Global Positioning System metering, provided that the device or technology complies with Section 12500.5 of the Business and Professions Code and with all regulations established pursuant to Section 12107 of the Business and Professions Code. The customer shall not be charged a fare that exceeds the authorized fare.

**R.4.2** A State certified taximeter technician will affix a seal to the taximeter of vehicles to be authorized for operation under the Ordinance of SSG provided that:

**R.4.2.1** The vehicle is presented to SRA for the purpose of inspection of the taximeter to record the number appearing on the trip counter of the meter indicating the number of passenger boardings as of the date of initial reading; and

**R.4.2.2** The taximeter seal required of Riverside County Division of Weights and Measures.

**R.4.3** Taxicab Businesses are responsible to ensure that the seal required of Riverside County Division of Weights and Measures is intact each time that a vehicle is presented to SRA for periodic meter readings and at all times that the vehicle is operating within the Jurisdictional Boundaries of SSG. In the event that a Riverside County Division of Weights and Measures taximeter seal is not intact upon presentation of the vehicle for

meter readings or during the vehicles operation as a Taxicab, a penalty shall be imposed pursuant to section 1.095 of the Ordinance of SSG, and the Vehicle Permit issued for the vehicle under which the vehicle is registered will be summarily suspended.

**R.4.4** In instances in which a Taxicab is taken out of service or in need of repair that will cause the Taxicab to be out of service in excess of 30 days, the following meter reading procedure shall be followed:

**R.4.4.1** The vehicle shall be made available to SRA for a reading of the trip counter at the time the vehicle is taken out of service.

**R.4.4.2** Before the vehicle is placed back into service, it must be presented to SRA for a reading of the trip counter on the taximeter. A penalty of \$1,000.00 shall be imposed on the Taxicab Business in accordance with section 1.065 of the Ordinance of SSG in the event that the vehicle is placed back into service without first being presented to SRA for a reading of the trip counter on the taximeter or if the reading on the trip counter is more than the reading taken at the time that the vehicle was taken out of service. If the Taxicab Business continues to place the vehicle in service after having been issued a citation, the Vehicle Permit for the vehicle shall be suspended until the Taxicab Business complies with this requirement. At the time the vehicle is presented for reading of the trip counter prior to return to service the taximeter must bear an intact seal from the Riverside County Weights and Measures Division.

## **R.5. VEHICLE INSPECTIONS**

**R.5.1** All Taxicabs operated by a Taxicab Business and Driver must have a valid, SSG issued Vehicle Permit sticker affixed at the lower left rear windshield of the vehicle.

**R.5.2** No vehicle shall be registered under a Taxicab Business permit until that vehicle has successfully completed a safety and cosmetic inspection conducted by an SRA-approved Automotive Service Excellence (ASE) or Bureau of Automotive Repair certified vehicle mechanic in accordance with the vehicle safety standards set forth in these regulations.

**R.5.3** The SRA-approved mechanic shall complete a Vehicle Inspection Report for each vehicle presented for inspection which shall reflect the vehicle's compliance or non-compliance with the vehicle safety standards set forth in these regulations.

**R.5.4** Upon successful completion of the safety inspection, vehicle must be presented to SRA to affix a Vehicle Permit Sticker to the qualified vehicle.

**R.5.5** In addition to any other required inspections, all Taxicabs operated within the Jurisdictional Boundaries of SSG must submit to on the road inspections upon request by the Taxicab Administrator or by any member of the staff of SRA authorized by the Taxicab Administrator to conduct road inspections. Failure to submit to an inspection will result in revocation of the Vehicle Permit sticker. The Taxicab Administrator or other authorized member of the staff of SRA will complete a road inspection field report at the time of inspection which will indicate, in their opinion what repairs, if any, need to be made to the vehicle.

**R.5.6** Any vehicle that fails to pass an initial vehicle safety inspection, upon payment of a re-inspection fee, may be presented for re-inspection for the purpose of determining if the defects have been corrected and if the vehicle otherwise complies with the vehicle safety inspection standards. Any vehicle that has been cited for a violation of the vehicle safety inspection standards may be presented for re-inspection upon payment of the re-inspection fee.

**R.5.7** Any vehicle taken out of service by SRA for any reason which continues to bear a toplight and Taxicab signage must display the “out of service” sign provided by SRA on the dashboard of the vehicle until such time as the toplight and Taxicab signage are removed from the vehicle or the vehicle is returned to service by SRA.

## **R.6 FIELD REPORT**

**R.6.1** In addition to any other required inspections, all Taxicabs operated within the Jurisdictional Boundaries of SSG must submit to on the road inspections upon request by the Taxicab Administrator or by any member of the staff of SRA authorized by the Taxicab Administrator to conduct road inspections. Failure to submit to an inspection will result in revocation of the Vehicle Permit sticker. The Taxicab Administrator or other authorized member of the staff of SRA will complete a road inspection field report at the time of inspection which will indicate, in their opinion what repairs, if any, need to be made to the vehicle.

**R.6.2** If the road inspection field report indicates the need for repairs to a vehicle, the Taxicab Business is required to submit proof to SRA that the required repairs have been made to the vehicle within the time frame provided for in the field report.

**R.6.3** In the event that repairs have not been made to a vehicle within the time frame provided for in the field report, the Vehicle Permit sticker will be voided until corrections have been made to the satisfaction of the SRA.

## **R.7. VEHICLE SAFETY INSPECTION STANDARDS**

Vehicles must be in good operating order, free from known mechanical defects. The Taxicab vehicle standards incorporate herein by reference those of the California Vehicle Code (CVC), as now enacted or as may be amended. In addition, all Taxicabs must meet the following standards in order to pass the vehicle safety inspection for operation as a Taxicab within the Jurisdictional Boundaries of SSG:

**R.7.1 Battery.** Vehicle must be equipped with proper size battery. Battery cables, etc., shall be corrosion free, and mounted correctly, with no frayed cables.

**R.7.2 Belts.** Belts shall be maintained in good operating condition, free of noticeable cracks and/or wear, and free of foreign matter such as oil, etc. All belts must be properly adjusted according to manufacturer's specifications.

### **R.7.3 Body Condition.**

**R.7.3.1** No unrepaired body damage is permitted. Tears or rust holes in the vehicle body and/or loose pieces hanging from the vehicle body are not permitted. Front and rear fenders, bumpers and light trim must be securely fixed to the vehicle. Broken or damaged glass is not permitted.

**R.7.3.2** The exterior of the vehicle must be maintained in a clean, neat and attractive condition.

(a) Exterior advertising may be permitted based on review and approval of advertising by SRA consistent with the standards applicable to SunLine Bus Operations in order to maintain a professional appearance and reduce "sign blight".

**R.7.3.3** Trunk lid must remain open and closed independently (without props) and only factory-compatible latches are permitted.

**R.7.3.4** Hubcaps are to be in place and consistent in appearance on each side.

**R.7.4 Brake System.** The brake system must operate sufficiently. Fluid leaks, locking of the wheels, need to pump brake pedal, or excessive noise are not acceptable. Brake pads and or shoes shall not exceed less than 1/16" inch wear thickness at any low point, and shall be properly adjusted, clean of foreign matter and shall have no cracks. Brake pedal must have proper pad on it and in good condition. Vehicles with Antilock Braking System (ABS) systems shall not have the A Check ABS light displayed on.

**R.7.4.1** Rotors and brake drums that are resurfaced or worn beyond the manufacturers acceptable discard distance are unacceptable. Rotors and drums shall be free of noticeable wear, cracks, scars and/or grooves. They shall be clean of any foreign matter such as brake fluid or oil and shall have no heat cracks and no rivet wear.

**R.7.4.2** Wheel cylinder and calipers, and dust covers shall be in good condition, with no noticeable wear, leaks or visible cracks, and may not be soaked with oil.

**R.7.5 Doors and Trunk.** Trunk or luggage area must be kept empty to allow maximum space for passenger luggage and belongings, except for car seats, a spare tire, emergency equipment, and a personal container belonging to the Driver that does not exceed one cubic foot in volume. All doors must have weather stripping in good condition with no pieces missing.

**R.7.6 Engine/Transmission.** The vehicle's mechanical power/drive system must operate sufficiently.

**R.7.6.1** Engine must be in proper working order and should not miss, die or backfire during normal operation. Engine must not emit excessive smoke from either the engine or crankcase. If engine light comes on, problem must be repaired promptly. Engine must have proper air cleaner, smog equipment and vacuum hoses in place. Engine may not have any loose brackets, etc., or bad engine mounts.

**R.7.6.2** Engine, transmission, drive train or accessories must not emit loud noises. Transmission, radiator and engine shall have no noticeable leaks and shall have manufacturer's recommended fluid levels.

**R.7.6.3** All mechanical equipment must be clean and must be free and clear of grease and oil buildup.

**R.7.7 Exhaust System.** Exhaust system must be intact, with no holes or leaks, and must be mounted properly with proper catalytic converter.

**R.7.8 Fuel System.** All fuel tanks and lines must be routed to factory specifications and free of cracks, wear, kinks or leaks, and must be free from all foreign matter. All vehicles must have a fuel cap.

**R.7.9 Heating and Air Conditioning System.** Defroster, heater and air conditioner must operate and function properly all year round.

**R.7.10 Horn.** California Vehicle Code section 27000(a), states: All vehicles must be equipped with a horn which must be audible during normal working conditions at a distance of not less than 200 feet.

**R.7.11 Interior Condition.** The interior of the vehicle must be maintained in a clean, neat and attractive condition.

**R.7.11.1** Passenger compartment, driver compartment, and trunk or luggage area must be clean and free of foreign matter, stains, offensive odors and litter.

**R.7.11.2** Seat upholstery must be clean and without worn areas. Interior walls and ceiling must be kept reasonably clean. No rips or tears are permitted. All repairs shall be done so as to reasonably match the existing interior.

**R.7.11.3** Door handles and doors must be intact and clean. Door handles and window knobs, both manual and electric, shall be in proper working condition. All door panels must be mounted correctly.

**R.7.12 Lights.** All lighting equipment must meet manufacturer's specifications. Lights that are noticeably frosted from sand or weather elements are unacceptable. Cracks in lenses are unacceptable. Headlights must be operable on both high and low beams. Tail lights, parking lights, signal lights, brake lights, license plate lights and interior lights must all be operable.

**R.7.13 Mirrors.** Vehicle must be equipped with both side and rear view mirrors. Defective or damaged mirrors must be replaced.

**R.7.14 Odometer.** Odometer must operate in the manner intended.

**R.7.15 Paint and Markings.** Each Taxicab Business must have an SRA approved, distinctive color and numbering system in place which easily identifies the Taxicab Business and the specific Taxicab.

**R.7.15.1** Paint may not be faded or deteriorated.

**R.7.15.2** Markings (company name, phone number, vehicle number, and any approved logo) must be properly and professionally placed, and easy to read. Markings must be free of peeling or lifting and may not be faded or deteriorated.

**R.7.16 Seats.** Seats must be in proper working condition. Seats must be securely fastened. Protruding springs are not acceptable.

**R.7.17 Seat Belts.** Seat belts, must be installed, and readily available, and in good working condition.

**R.7.18 Child Restraint System and Safety Seats.** Vehicle must be equipped with ability to properly install a child passenger restraint system. All necessary child restraint and safety systems shall be provided by the passenger.

**R.7.19 Suspension System.** Any mechanical component of the steering system shall not show excessive wear. All upper and lower control arms, ball joints, tie rods, bushings, idle rods shall be free of cracks and excessive wear. Steering pumps, rack and pinions shall be clean and free of leaks and have no excessive play. Universal joints shall not have excessive play in the driveshaft and shall be free of oil and grime. Struts and shock absorbers shall be in good working condition. All springs and coils shall conform to manufacturers' specifications. All suspension parts shall be maintained in good working order. All seals, bushings, and dust covers shall be free of dirt, grime, oil and excessive wear and free of cracks and tears. Steering gear, springs, shackles, universal joints, and shock absorbers must function adequately and be free of obvious defects and/or excessive wear. Steering wheels shall have no excessive play. If equipped with tilt wheel, it shall be free of wear.

#### **R.7.20 Taximeter and Meter Seals.**

**R.7.20.1** Taximeters shall also be certified by County Weights and Measures or by a State-authorized device repairman. The date on the seal shall not be more than thirteen (13) months old. Any other type of device or technology approved by the Division of Measurement Standards to calculate fares, including the use of Global Positioning System metering, provided that the device or technology complies with Section 12500.5 of the Business and Professions Code and with all regulations established pursuant to Section 12107 of the Business and Professions Code must bear current and intact seals.

**R.7.20.2** 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 easily read by the passenger riding in Taxicab.

#### **R.7.21 Tires.**

**R.7.21.1** Tires with 1/32 or less of an inch tire tread are unacceptable and shall be replaced immediately. Tires that have obviously

been run flat and have sidewall damage are not acceptable. Tires must be the same size on any one axle. Mixing bias and radial ply tires on the vehicle is unacceptable.

- R.7.21.2** Wear below the “tread wear indicator” limit is not acceptable.
- R.7.21.3** Cut(s) in sidewall are not acceptable.
- R.7.21.4** Separation of tread is not acceptable.
- R.7.21.5** Bumps or bubbles anywhere on tires are not acceptable.
- R.7.21.6** Metal or nails protruding from tires are not acceptable.
- R.7.21.7** Tires must be of equal appearance and size, i.e., all black wall or all white wall.
- R.7.21.8** Every vehicle must be equipped with a jack, tire tool, and spare tire (donut tires are acceptable as spare tires only).
- R.7.21.9** All lug nuts must be in place and secure.
- R.7.21.10** Vehicles equipped with electronic tire pressure sensors shall not have the tire pressure warning light illuminated.

## **R.7.22 Windows**

- R.7.22.1** Cracks on any window which weakens the structural integrity of the window are not permitted and replacement is required.
- R.7.22.2** If a crack weakens the windshield in a manner that permits flex when pressure is applied, replacement is required.
- R.7.22.3** If cracks or chips interfere with the driver’s vision, replacement is required. Frosting or separation of any window that causes impaired vision under any lighting conditions is unacceptable.
- R.7.22.4** Missing windshields and missing or inoperative windows must be replaced with equivalent to original.

**R.7.23 Windshield Wipers.** Vehicle must be equipped with adequate windshield wipers, maintained in good operating condition all year round.



**R.7.24 Top Lights.** Vehicle must be equipped with a top light that properly functions and operates in accordance with the provisions of the Ordinance of SSG and the Taxicab Regulations.

**R.7.25 Other.** Any other condition as observed by or known to the Vehicle Inspector that may reasonably and rationally affect the operating safety of the vehicle, the safety of passengers and/or pedestrians, or the vehicle's suitability to transport the public, is unacceptable.

## **R.8. OPERATIONS-TAXIMETER USE**

**R.8.1** All Taxicab vehicles operating within the Jurisdictional Boundaries of SSG must be equipped with a top light that contains the following component:

**R.8.1.1** A dome light component which is that portion of the top light which is affixed to the roof of the vehicle. The dome light shall be wired to the taximeter so that it is lighted when the taxicab is vacant and extinguished when the meter is engaged.

**R.8.2** The taximeter must be engaged whenever the Taxicab is in service with fare-paying passengers on board.

**R.8.3** The taximeter display must be clearly visible to passengers in the Taxicab.

**R.8.4** The rates set in the taximeter may not exceed the maximum rate set by SSG and amended from time to time.

## **R.9. OPERATIONS- VISIBLE IDENTIFICATION**

**R.9.1** The valid, SSG Driver permit issued to the operating Driver must be in plain view of all passengers at all times that the Taxicab is in operation.

**R.9.2** In addition to the Driver Permit, the Taxicab Business name and vehicle number shall be posted in raised characters and Grade 2 Braille on a permanent sign mounted inside the rear seating area of the Taxicab, forward of the right side door handle.

## **R.10. OPERATIONS-RATE CARD**

**R.10.1** The Taxicab Business shall disclose fares, fees, or rates to the customer. A permitted Taxicab Business may satisfy this requirement by disclosing fares, fees, or rates on its Internet Web site, mobile telephone application, posted on the inside or outside of taxicab, or telephone orders upon request by the customer.

**R.10.2** A Taxicab Business may change the rates charged by the Taxicab Business provided that the new rates are within the maximum rates set by SSG and provided that the Taxicab Business had the meters on each vehicle recalibrated to reflect the new rates to be charged by the Taxicab Business.

## **R.11. OPERATIONS - ROUTES AND PASSENGERS**

**R.11.1** All Drivers must, if able to do so, accept and carry passengers requesting Taxicab services at any time that the Taxicab is parked and available for service at the airport, at any Taxicab stand within the Jurisdictional Boundaries of SSG or when the Taxicab is otherwise holding itself out as available for hire. All Drivers will take the most direct route possible to passenger requested destinations.

**R.11.2** When a vehicle is hired by one person, the Driver may not pick up additional passengers without the express consent of the person originally hiring the vehicle.

**R.11.3** The Driver may transport two or more passengers who voluntarily agree to share the vehicle from the same pick-up point to one destination.

**R.11.4** The number of passengers that can be carried must not exceed the seating capacity specified by the vehicle's manufacturer.

**R.11.5** The Driver and all passengers will comply with seat belt and child passenger seat restraint requirements as specified by California Vehicle Code.

**R.11.6** All Taxicabs shall display SRA Customer Service number for passengers to register comments concerning Taxicab service with SRA and must be in plain view of the passenger when seated in the back seat of the vehicle.

**R.11.7** The Driver must accept vouchers issued by major hotels or airlines as a form of payment, provided that the vouchers either guarantee payment in full or the passenger pays any difference between the voucher amount and the fare due.

**R.11.8** Violation of the Operations, Routes and Passenger Regulations may result in a fine and/or suspension of the Vehicle permit.

## **R.12. SIGNAGE**

**R.12.1** All Taxicab vehicles operating within the Jurisdictional Boundaries of SSG shall bear the following signage:

**R.12.1.1** Both sides of the Taxicab vehicle shall indicate in letters not less than 3 inches in height the company name of the Taxicab Business and the number for the vehicle which corresponds to

the number assigned that vehicle duly authorized under the Taxicab Business Permit.

### **R.13. FEE AND RATE REVIEW**

**R.13.1** SRA will annually review regulatory fees for the purpose of recommendation to the SSG Board of Directors. This review will consist of an audit of expenses and revenues of the previous year associated with SRA's activities. The review may also include expenditure projections and other factors that may influence costs.

**R.13.2** The fee schedule and any applicable payment installment plan shall be adopted by the Board of Directors.

**R.13.3** SRA will annually review, upon written request from permitted Taxicab Businesses, the maximum allowable rates charged by a Taxicab Business for the purpose of recommendation to the SSG Board of Directors. This review may include an analysis of increased costs incurred by all Taxicab Business. Requests for Reviews must be submitted on or near June 15. If rate changes are authorized, scheduled taximeter recalibrations will start on or after July 1.

**R.13.4** The maximum allowable rates shall be established by the Board of Directors.

**R.13.5** There shall be no refunds of any portion of the fees described in these regulations.

### **R.14. TAXIMETER ACCURACY**

**R.14.1** At all times every Taxicab Business shall keep and maintain Taximeters registered with SRA accurate.

**R.14.2** A certificate verifying that the Taximeter is certified by the County of Riverside in accordance with County requirements or a certified fully operational taximeter with current and intact seals, or any type of device or technology approved by the Division of Measurement Standards to calculate fares, including the use of Global Positioning System metering, provided that the device or technology complies with Section 12500.5 of the Business and Professions Code and with all regulations established pursuant to Section 12107 of the Business and Professions Code shall be kept available for inspection in the Taxicab at all times.

**R.14.3** A true and correct copy of the certificate shall be filed with the Taxicab Administrator.

**R.14.4** The Taximeter shall be subject to inspection from time to time by the Taxicab Administrator or any peace officer.

**R.14.5** The Taxicab Administrator is authorized at his or her discretion or upon information received from any peace officer or upon the complaint of any person to investigate the Taximeter and to remove or cause to be removed from the streets within the Jurisdictional Boundaries of SSG any Taxicab upon discovery of a faulty or inaccurate Taximeter until the Taximeter has been correctly adjusted and evidence of its accuracy has been presented to the Taxicab Administrator.

## **R.15. TRANSFER OF A TAXIMETER**

A Taximeter shall not be installed into a vehicle other than the vehicle to which it is registered with SSG until the following conditions are met:

**R.15.1** The Taximeter must be presented to SRA for a final out of service reading concurrent with its removal from the previous vehicle;

**R.15.2** The Taximeter must be calibrated and certified for use in the vehicle to which it is to be transferred; and,

**R.15.3** The Taximeter must be properly registered with SRA to indicate the corresponding vehicle to which it is to be transferred.

**R.15.4** Prior to operation of the vehicle into which a Taximeter has been transferred, it must be presented to SRA for an initial Taximeter reading.

**R.15.5** Any failure to comply with the provisions of this section shall be grounds for the imposition of a penalty as described in Section 1.095 of the Ordinance of SSG.

## **R.16. CONTROLLED SUBSTANCE AND ALCOHOL TESTING PROGRAM**

**R.16.1** Each Taxicab Business shall maintain a mandatory controlled substance and alcohol testing certification program conforming to Part 40 of Title 49 of the Code of Federal Regulations and the California Government Code section 53075.5, and as required by Section 1.075 of the Ordinance of SSG. To verify compliance with these regulations, the Taxicab Business shall, upon request, provide to the Taxicab Administration all of the following:

**R.16.1.1** A copy of the Taxicab Business' written drug and alcohol policy meeting all of the requirements of the Ordinance of SSG;

**R.16.1.2** Proof that the Taxicab Business has implemented a drug and alcohol certification program covering all of its Drivers which meets all of the requirements of the Ordinance of SSG;

**R.16.1.3** A copy of the contract between the Taxicab Business and a program administrator and authorized lab certified by the U.S. Department of Transportation; and,

**R.16.1.4** The Taxicab Business and the program administrator records shall be made available to Taxicab Administrator upon request.

**R.16.2** Each Taxicab Business shall present to SRA monthly reports of the random testing component of the required controlled substance and alcohol testing program. The monthly reports shall be delivered by the program administrator to the Taxicab Administrator no later than the 20th day following the end of the previous monthly reporting period.

## **R.17. SAFETY EDUCATION AND TRAINING PROGRAM**

**R.17.1** Each Taxicab Business shall maintain a mandatory safety education and training program in compliance with the California Government Code section 53075.5. To verify compliance with these regulations, the Taxicab Business shall, upon request, provide to the Taxicab Administration all of the following:

**R.17.1.1** A copy of the Taxicab Business' written safety education and training policy meeting all of the requirements of the Ordinance of SSG;

**R.17.1.2** Proof that the Taxicab Business has implemented a safety education and training program for all of its Drivers which meets all of the requirements of the Ordinance of SSG;

**R.17.1.3** A Certificate of Completion of the Taxi Business' Safety Education and Training Program issued to each permitted driver.

**R.17.1.4** The Taxicab Business records shall be made available to Taxicab Administrator upon request.

**R.17.2** Each Taxicab Business shall present to SRA a monthly report of safety incidents that occurred throughout the month, including any re-education and re-training in accordance with the Taxi Business' Safety Education and Training Program. The monthly report shall be delivered to the Taxicab Administrator no later than the 20th day following the end of the previous monthly reporting period.

## **R.18.DISABLED ACCESS EDUCATION AND TRAINING PROGRAM**

**R.18.1** Each Taxicab Business shall maintain a disabled access education and training program to instruct its taxicab drivers on compliance with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and amendments thereto, and state disability rights laws, including making clear that it is illegal to decline to serve a person with a disability or who has a service animal, in compliance with the California Government Code section 53075.5. To verify compliance with these regulations, the Taxicab Business shall, upon request, provide to the Taxicab Administration all of the following:

- R.18.1.1** A copy of the Taxicab Business' written disabled access education and training policy meeting all of the requirements of the Ordinance of SSG;
- R.18.1.2** Proof that the Taxicab Business has implemented a disabled access education and training program for all of its Drivers which meets all of the requirements of the Ordinance of SSG;
- R.18.1.3** A Certificate of Completion of the Taxi Business' Disabled Access Education and Training Program issued to each permitted driver.
- R.18.1.4** The Taxicab Business records shall be made available to Taxicab Administrator upon request.

**R.18.2** Each Taxicab Business shall present to SRA a monthly report of disabled access incidents that occurred throughout the month, including any re-education and re-training in accordance with the Taxi Business' Disabled Access Education and Training Program. The monthly report shall be delivered to the Taxicab Administrator no later than the 20th day following the end of the previous monthly reporting period.

## **R.19 PAYMENT OF FINES**

**R.19.1** The Taxicab Business is responsible for paying all fines accruing as the result of citations issued under the Ordinance of SSG or these Regulations, whether issued to a Taxicab Business, a Driver working for the Taxicab Business, or both.

**R.19.2** In the event that a citation is issued to a Driver, the Taxicab Business will be notified by receiving a copy of the Citation Form.

**R.19.3** If a fine remains unpaid after it is due and after expiration or exhaustion of any right to challenge the citation, the Taxicab Business is subject to summary suspension of the Taxicab Business until such time as the fine is paid.

## **R.20 SUMMARY SUSPENSION OF A TAXICAB BUSINESS**

**R.20.1** A Taxicab Business is subject to summary suspension of all operations and of every permit issued to the Taxicab Business under the following circumstances:

- R.20.1.1** An attempted sale, lease, transfer, assignment or other attempted disposition of a Taxicab Business without the prior written consent of SSG.
- R.20.1.2** Failure to comply with the insurance requirements of Section 1.040 of the Ordinance of SSG affecting the Taxicab Business as a whole.
- R.20.1.3** Failure to report a positive controlled substance or alcohol test result to SRA as required by Section 1.075 of the Ordinance of SSG.
- R.20.1.4** During the pendency of an appeal to the Appeal Committee after issuance of a decision to suspend or terminate a Taxicab Business where the hearing officer has determined that continued suspension or termination is necessary for the protection of the public health, safety, or welfare.
- R.20.1.5** Failure to pay a fine issued against the Taxicab Business or any Driver for the Taxicab Business when due and after expiration or exhaustion of any right to challenge or appeal the fine.
- R.20.1.6** When a Taxicab Business engages in conduct which causes an immediate danger to public health, safety, or welfare.
- R.20.1.7** As otherwise provided for by the Ordinance of SSG.

**R.20.2** In the event that a Taxicab Business is subject to summary suspension, upon receipt of notice from SRA, the Taxicab Business shall immediately cease all operations as a Taxicab Business and shall not engage in any activities connected with the provision of taxicab service to the public until such time as the suspension is lifted. Operations may not resume until the Taxicab Business receives written notice from SRA that the suspension is lifted.

## **R. 21 INTERFERENCE WITH DRIVER REPORTING**

**R.21.1** It shall be a violation of these Regulations for any employee, officer, manager, or owner of a Taxicab Business to take any action to prohibit, discourage,

retaliate against, or otherwise interfere with any Driver's attendance and right to freely speak at a Board Meeting of SSG or any Committee thereof.

**R.21.2** It shall be a violation of these Regulations for any employee, officer, manager, or owner of a Taxicab Business to take any action to prohibit, discourage, retaliate against, or otherwise interfere with any Driver's attempt to report a safety concern to SRA or any of its agents or employees, the SSG Board, the Taxicab Administrator or any other governmental agency.

**R.21.3** Conduct constituting a violation of R.21.1 or R.21.2 shall be counted as a separate violation for each individual Driver affected.

**R.21.4** Violation of the Regulations in Section R.21 may result in termination of the Taxicab Business pursuant to Ordinance of SSG 1.080.

**R.21.5** It shall be a separate violation of these Regulations for any Taxicab Business to attempt to pass through to the Driver any fine issued under Section R.21.



**SunLine Services Group**

**DATE:** June 26, 2019 **ACTION**

**TO:** Taxi Committee  
Board of Directors

**FROM:** Michal Brock, Taxi Administrator

**RE:** Resolution No. 087 Setting Fees

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**Recommendation**

Recommend that the Board of Directors approve the attached Resolution No. 087 which sets fees effective July 01, 2019 through June 30, 2020.

**Background**

The proposed fee schedule is based on allowable fees, per Government Code 53075.75, to be charged to taxicab businesses to recover the costs of carrying out an ordinance in regard to taxicab transportation services. In addition, the proposed fee schedule is designed to provide financial relief to the taxicab businesses by using the previous years' reserve funds to cover the deficit to the proposed FY20 budget. The resolution proposes the following fee additions/changes:

- New Taxicab Business Permit Application Fee of \$1,000;
- Annual Taxicab Business Renewal Application Fee of \$500,
- Taxi Business Permit of \$60,000;
- New Driver Permit fee increased to \$75.00;
- Driver Permit Transfer fee of \$25.00;
- Driver Permit Replacement increased to \$10;
- Installment plan(s) for Business Permit Fee and Vehicle Permit Fee(s).

**Financial Impact**

The proposed fee schedule is expected to create an FY20 Budget deficit of \$9,509 to carryout SunLine Regulatory Administration's regulatory mandate. Previous years' reserve funds will be used to cover this proposed deficit.

# SUNLINE SERVICES GROUP

## RESOLUTION NO. ~~086~~-087

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUNLINE SERVICES GROUP, CALIFORNIA, ADOPTING FEES FOR TAXICAB SERVICES WITHIN THE COACHELLA VALLEY

**WHEREAS**, the County of Riverside and the Coachella Valley cities comprising the joint powers agency known as SunLine Services Group (SSG) desire to provide for the orderly, efficient, and safe operation of taxicab services within the Coachella Valley;

**WHEREAS**, SSG and its Board of Directors is authorized pursuant to Government Code Section 53075.5 to levy by resolution, fees in an amount sufficient to pay for the costs of carrying out Ordinance No. 2018-01 regulating taxicab services within the Coachella Valley; and

**WHEREAS**, the Board of Directors hereby finds that the fees established herein are imposed solely to recover the actual and reasonable costs of regulating taxicabs within the Coachella Valley, and therefore is not a tax under Article 13C, Section 1 of the California Constitution.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of Sunline Services Group that:

1. Definitions. The following terms shall have the meanings ascribed to them below. Terms that are not specifically defined below shall have the meaning provided for in Ordinance No. 2018-01:

- 1.1 BUSINESS PERMIT means the permit issued by SSG to a business authorizing the business to operate taxicab services in the jurisdictional boundaries of SSG as provided for in Ordinance No. 2018-01.
- 1.2 DRIVER PERMIT means the permit issued by SSG to an individual person authorizing the individual to control and manage a taxicab as provided for in Ordinance No. 2018-01.
- 1.3 VEHICLE FEE means a non-transferrable authorization to drive or operate a vehicle in an authorized taxicab transportation service within the jurisdictional boundaries of SSG, whether as owner, lesser, lessee or otherwise.

2. As a condition precedent to issuance of a permit as authorized by SSG Ordinance 2018-01, all applicable fees shall be paid in full at the time an application has been approved, unless otherwise provided for in Section 3 of this Resolution. The following fees shall be charged for the administration and regulation of taxicab services within the Coachella Valley:

New Taxicab Business Application Fee		\$ 1,000.00
Annual Taxicab Business Permit Renewal Application Fee		\$ 500.00
New Annual Taxicab Business Permit	<del>\$ 29,170.00</del>	\$ 60,000.00
<del>Business Permit Renewal</del>		<del>\$ 29,170.00</del>
Business Permit Reinstatement Fee		\$ 10,000.00
New Driver Permit	<del>\$ 45.00</del>	\$ 75.00
Driver Permit Renewal		\$ 25.00
Driver Permit Transfer Fee		\$ 25.00
Driver Permit Reinstatement Fee		\$ 25.00
Driver Permit Replacement	\$ 5.00	\$ 10.00
Vehicle Permit Fee, New		\$ 600.00
Vehicle Permit Fee, New, Alt. Fuel/Hybrid/ADA		\$ 450.00
Vehicle Permit Fee, Renewal		\$ 600.00
Vehicle Permit Fee, Renewal, Alt. Fuel/Hybrid/ADA		\$ 450.00
Vehicle Permit Fee, Reinstatement		\$ 65.00
Appeal Fee		\$ 100.00

3. Installment Payments.

3.1 The Board of SSG hereby authorizes the Taxi Administrator to accept payments of the "New Annual Taxicab Business Permit" and "~~Business Permit Renewal~~" fees in monthly adjustable installments, based on previous years' combined taxicab business industry seasonal business in the Coachella Valley, beginning July 1, 2019 through June 1, 2020, for a total of \$60,000.00, as attached to the resolution as Exhibit "A", ~~of four thousand eight hundred sixty one dollars and sixty six cents (\$4,861.66) each~~ with the initial installment payment being due as a condition precedent to issuance of such permit.

3.2 Installment payments shall be due on the first day of the month.

4. Late Payments.

4.1 A payment is late if not paid on or before the first day of each month. Late payments impose a late payment fee of \$25.00 per day the payment is delinquent, not to exceed \$1000.00.

5. This Resolution shall take effect ~~January 1~~ July 1, 2019.

ADOPTED this 5<sup>th</sup> 26th day of ~~December~~ June, 2018 2019.

ATTEST:

\_\_\_\_\_  
 Brittney B. Sowell  
 Clerk of the Board  
 SunLine Transit Agency

\_\_\_\_\_  
~~Troy Strange~~ Kathleen Kelly  
 Chairman of the Board  
 SunLine Services Group

APPROVED AS TO FORM:

---

Eric S. Vail  
General Counsel

STATE OF CALIFORNIA    )  
                                          ) ss.  
COUNTY OF RIVERSIDE    )

I, BRITTNEY B. SOWELL, Clerk of the Board of Directors of the SunLine Services Group, do hereby certify that Resolution No. \_\_\_\_\_ was adopted at a regular meeting of the Board of Directors held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Brittney B. Sowell  
Clerk of the Board  
SunLine Services Group

# SUNLINE SERVICES GROUP

## RESOLUTION NO. 087

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUNLINE SERVICES GROUP, CALIFORNIA, ADOPTING FEES FOR TAXICAB SERVICES WITHIN THE COACHELLA VALLEY

**WHEREAS**, the County of Riverside and the Coachella Valley cities comprising the joint powers agency known as SunLine Services Group (SSG) desire to provide for the orderly, efficient, and safe operation of taxicab services within the Coachella Valley;

**WHEREAS**, SSG and its Board of Directors is authorized pursuant to Government Code Section 53075.5 to levy by resolution, fees in an amount sufficient to pay for the costs of carrying out Ordinance No. 2018-01 regulating taxicab services within the Coachella Valley; and

**WHEREAS**, the Board of Directors hereby finds that the fees established herein are imposed solely to recover the actual and reasonable costs of regulating taxicabs within the Coachella Valley, and therefore is not a tax under Article 13C, Section 1 of the California Constitution.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of SunLine Services Group that:

1. Definitions. The following terms shall have the meanings ascribed to them below. Terms that are not specifically defined below shall have the meaning provided for in Ordinance No. 2018-01:

- 1.1 BUSINESS PERMIT means the permit issued by SSG to a business authorizing the business to operate taxicab services in the jurisdictional boundaries of SSG as provided for in Ordinance No. 2018-01.
- 1.2 DRIVER PERMIT means the permit issued by SSG to an individual person authorizing the individual to control and manage a taxicab as provided for in Ordinance No. 2018-01.
- 1.3 VEHICLE PERMIT FEE means a non-transferrable authorization to drive or operate a vehicle in an authorized taxicab transportation service within the jurisdictional boundaries of SSG, whether as owner, lesser, lessee or otherwise.

2. As a condition precedent to issuance of a permit as authorized by SSG Ordinance 2018-01, all applicable fees shall be paid in full at the time an application has been approved, unless otherwise provided for in Section 3 of this Resolution. The following fees shall be charged for the administration and regulation of taxicab services within the Coachella Valley:

New Taxicab Business Application Fee	\$ 1,000.00
Annual Taxicab Business Permit Renewal Application Fee	\$ 500.00
Annual Taxicab Business Permit	\$ 60,000.00
Business Permit Reinstatement Fee	\$ 10,000.00
New Driver Permit	\$ 75.00
Driver Permit Renewal	\$ 25.00
Driver Permit Transfer Fee	\$ 25.00
Driver Permit Reinstatement Fee	\$ 25.00
Driver Permit Replacement	\$ 10.00
Vehicle Permit Fee, New	\$ 600.00
Vehicle Permit Fee, New, Alt. Fuel/Hybrid/ADA	\$ 450.00
Vehicle Permit Fee, Renewal	\$ 600.00
Vehicle Permit Fee, Renewal, Alt. Fuel/Hybrid/ADA	\$ 450.00
Vehicle Permit Fee, Reinstatement	\$ 65.00
Appeal Fee	\$ 100.00

3. Installment Payments.

3.1 The Board of SSG hereby authorizes the Taxi Administrator to accept payments of the "Annual Taxicab Business Permit" fee in monthly adjustable installments, based on previous years' combined taxicab business industry seasonal business in the Coachella Valley, beginning July 1, 2019 through June 1, 2020, for a total of \$60,000.00, as attached to the resolution as Exhibit "A", with the initial installment payment being due as a condition precedent to issuance of such permit.

3.2 Installment payments shall be due on the first day of the month.

4. Late Payments.

4.1 A payment is late if not paid on or before the first day of each month. Late payments impose a late payment fee of \$25.00 per day the payment is delinquent, not to exceed \$1000.00.

5. This Resolution shall take effect July 1, 2019.

ADOPTED this 26th day of June, 2019.

ATTEST:

\_\_\_\_\_  
 Brittney B. Sowell  
 Clerk of the Board  
 SunLine Transit Agency

\_\_\_\_\_  
 Kathleen Kelly  
 Chairman of the Board  
 SunLine Services Group

APPROVED AS TO FORM:

---

Eric S. Vail  
General Counsel



STATE OF CALIFORNIA    )  
                                          ) ss.  
COUNTY OF RIVERSIDE    )

I, BRITTNEY B. SOWELL, Clerk of the Board of Directors of the SunLine Services Group, do hereby certify that Resolution No. \_\_\_\_\_ was adopted at a regular meeting of the Board of Directors held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Brittney B. Sowell  
Clerk of the Board  
SunLine Services Group

**Resolution No. 087: Exhibit "A"**

**July 1, 2019 through June 01, 2020 Annual Taxicab Business Permit Fee Installment Plan**

	<b>Jul '19</b>	<b>Aug '19</b>	<b>Sep '19</b>	<b>Oct '19</b>	<b>Nov '19</b>	<b>Dec '19</b>	<b>Jan '20</b>	<b>Feb '20</b>	<b>Mar '20</b>	<b>Apr '20</b>	<b>May '20</b>	<b>Jun '20</b>	<b>Total</b>
<b>Monthly Taxicab Business Percentage</b>	6.3%	5.9%	7.1%	9.4%	11.2%	8.0%	8.8%	10.4%	11.3%	10.2%	7.5%	3.9%	100.0%
<b>SRA Monthly Revenue</b>	\$ 11,380	\$ 10,553	\$ 12,798	\$ 16,866	\$ 20,186	\$ 14,481	\$ 15,834	\$ 18,663	\$ 20,364	\$ 18,410	\$ 13,476	\$ 6,988	\$ 180,000
<b>Taxicab Business Monthly Payment</b>	\$ 3,793	\$ 3,518	\$ 4,266	\$ 5,622	\$ 6,729	\$ 4,827	\$ 5,278	\$ 6,221	\$ 6,788	\$ 6,137	\$ 4,492	\$ 2,329	\$ 60,000

## SunLine Services Group

<b>DATE:</b>	June 26, 2019	<b>ACTION</b>
<b>TO:</b>	Taxi Committee Board of Directors	
<b>FROM:</b>	Luis Garcia, Deputy Chief Financial Officer	
<b>RE:</b>	SunLine Regulatory Administration FY20 Budget	

---

### **Recommendation**

Recommend that the Board of Directors adopt the proposed FY20 budget.

### **Background**

In accordance with the SunLine Services Group (SSG) Joint Powers Agreement, the Board of Directors must approve an annual budget for SunLine Regulatory Administration (SRA). The FY20 budget was brought before the Taxi Committee on May 22, 2019, for discussion before the required approval in June. A special Taxi Committee meeting was held on June 7, 2019 to review additional changes made to the Taxi Budget due to the taxi fee schedule and the addition of a taxi business as it pertained to the proposed revenue budget.

The FY20 SRA budget reflects revenue estimates based on regulating three (3) taxi businesses. The expense estimates reflect a fiscally prudent budget with seven (7) controlled expense categories.

- Proposed Expenses in FY20 \$254,559
- Estimated Revenues in FY20 \$245,050
- Will use SRA reserve account to balance the deficit \$9,509

### **Financial Impact**

The proposed budget is generated based on an expected collection of revenue to sustain SRA's regulatory mandate provided by the SSG Ordinance.

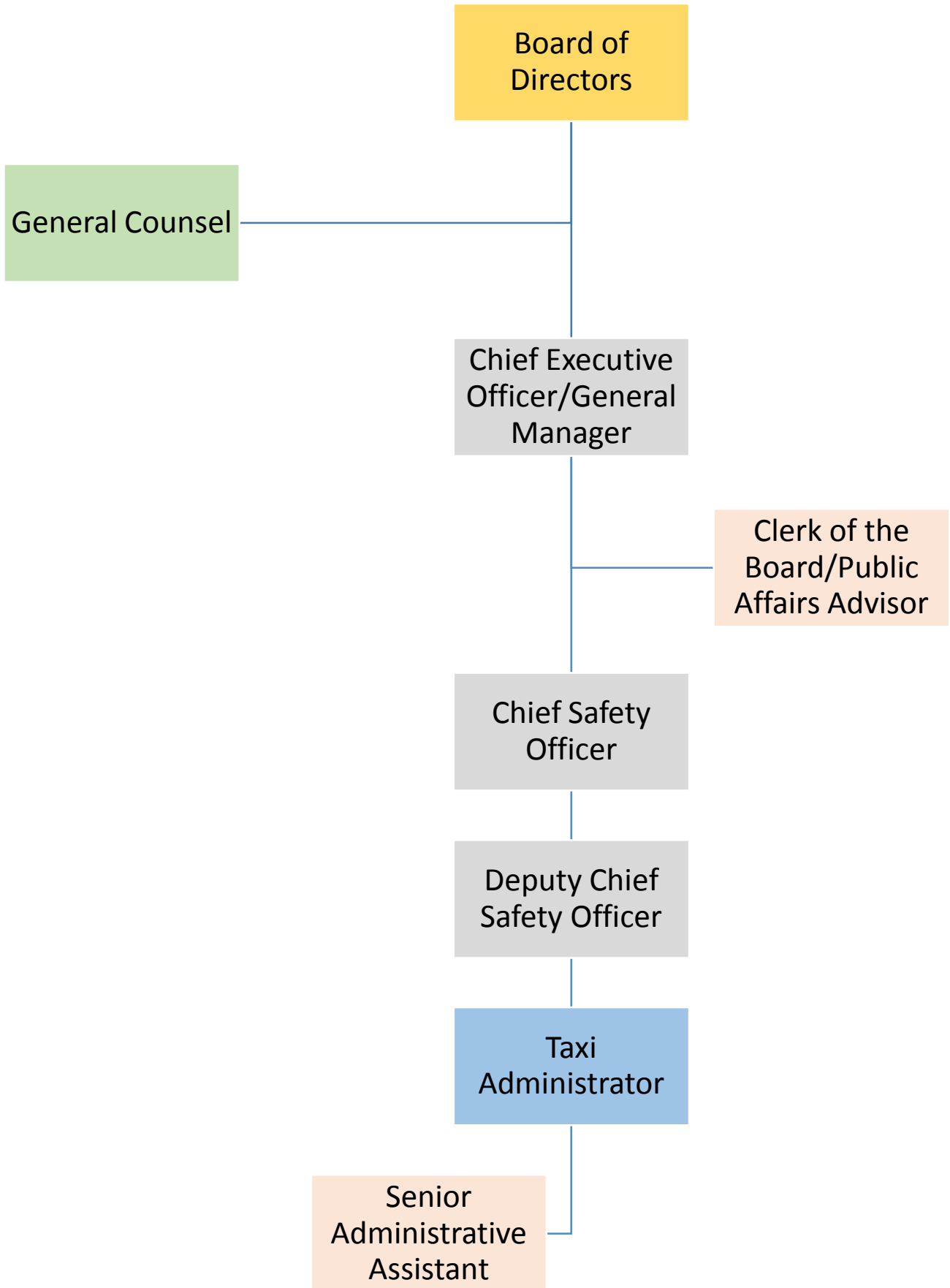
# SUNLINE REGULATORY ADMINISTRATION

ANNUAL BUDGET FY 2020



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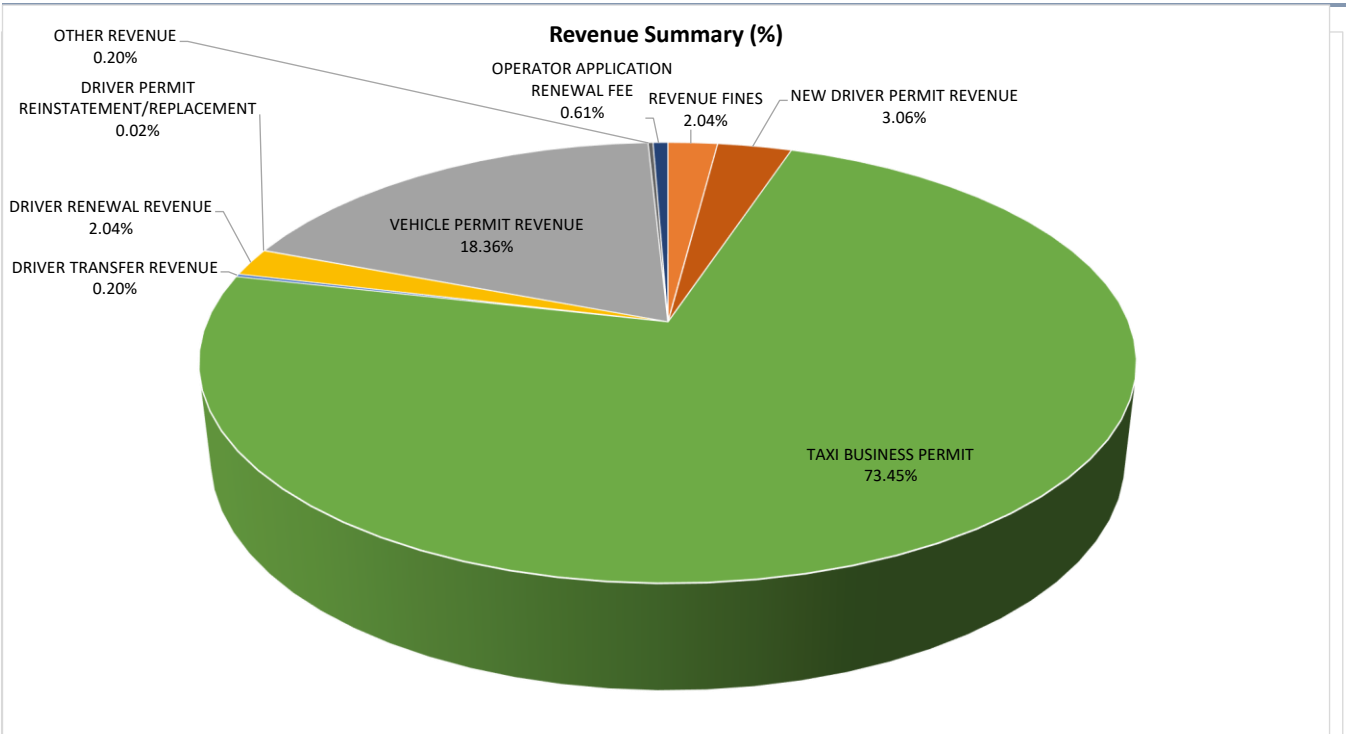
**FUNCTIONS & RESPONSIBILITIES**

Taxi regulation oversight includes, but is not limited to, responsibility for day-to-day regulatory functions of the Coachella Valley taxicab industry. These functions include driver testing, driver permit issuance, issuance of annual taxicab company licenses, suspension and revocation of permits and licenses and complaint investigation. The SRA Taxicab Administrator handles adjudication of taxicab license and taxicab driver permit cases with appeals processed through the SSG guidelines and policies.

**FY20 GOALS & OBJECTIVES**

- Upgrade software technology to track regulatory functions more efficiently.
- Work with taxi companies to improve public image and create community connections to assist in the continuance of making the industry a viable option to valley residents and guests.

## REVENUE SUMMARY



Sources of Funding (Operating)	FY19 Approved Budget	FY19 Estimates	FY19 Variance	FY20 Proposed Budget	FY20 Variance
4010101100 METER READING REVENUE	46,347	46,512	165	-	(46,347)
4010101200 REVENUE FINES	3,000	1,650	(1,350)	5,000	2,000
4010101500 NEW DRIVER PERMIT REVENUE	9,000	3,900	(5,100)	7,500	(1,500)
4010101550 TAXI BUSINESS PERMIT	58,327	58,327	-	180,000	121,673
4010101600 DRIVER TRANSFER REVENUE	1,000	4,000	3,000	500	(500)
4010101700 DRIVER RENEWAL REVENUE	10,000	4,000	(6,000)	5,000	(5,000)
4010101750 DRIVER PERMIT REINSTATEMENT/REPLACEMENT	25	40	15	50	25
4010101900 VEHICLE PERMIT REVENUE	58,242	58,242	-	45,000	(13,242)
4010102200 OTHER REVENUE	-	-	-	500	500
4010102205 OPERATOR APPLICATION RENEWAL FEE	-	-	-	1,500	1,500
<b>Total Revenue</b>	<b>185,941</b>	<b>176,671</b>	<b>(9,271)</b>	<b>245,050</b>	<b>59,109</b>

**Notes:**

- The FY19 variance reflects the difference between FY19 estimated actuals and FY19 approved budget. The FY20 variance indicates the difference between FY20 proposed budget and FY19 approved budget.



## Taxi Fees

Taxi fees are approved in a yearly resolution which is presented at the June Board meeting. The approved fees are evaluated to ensure any increases are reasonably imposed solely to recover the actual costs of regulating taxicabs within the Coachella Valley. The following represents the suggested fees for Fiscal Year 2020 used in the calculation of the proposed budget.

Fees	FY19 Approved Fees	FY20 Proposed Fees	Variance
New Taxicab Business Application Fee	-	1,000	1,000
Annual Taxicab Business Permit Renewal Application Fee	-	500	500
Annual Taxicab Business Permit Fee	29,170	60,000	30,830
Business Permit Reinstatement Fee	10,000	10,000	-
New Driver Permit	45	75	30
Driver Permit Renewal	25	25	-
Driver Permit Transfer Fee	-	25	25
Driver Permit Reinstatement Fee	25	25	-
Driver Permit Replacement	5	10	5
Vehicle Permit Fee, New	600	600	-
Vehicle Permit Fee, New, Alt. Fuel/Hybrid/ADA	450	450	-
Vehicle Permit Fee, Renewal	600	600	-
Vehicle Permit Fee, Renewal, Alt. Fuel/Hybrid/ADA	450	450	-
Vehicle Fee, Reinstatement	65	65	-
Late Fee (for late payment of invoices)	25	25	-
Appeal Fee	100	100	-

### Notes:

- Late fees shall be assessed at \$25.00 per day, not to exceed \$1,000.00 per occurrence.

**SUNLINE SERVICES GROUP**

**EXPENSE SUMMARY**

General Ledger Code	FY17 Actuals	FY18 Actuals	FY19 Estimated Actuals	FY19 Approved Budget	FY20 Proposed Budget	Variance
5010201600 ADMIN SALARIES	108,789	72,565	71,109	75,099	93,006	17,907
5010700000 ALLOCATED SALARIES	4,085	46,057	43,982	37,456	8,000	(29,456)
5029999999 TOTAL FRINGE BENEFITS	52,395	61,093	64,353	70,138	79,861	9,723
5030103240 BACKGROUND CHECK SERVICES	4,070	3,381	2,720	4,500	5,000	500
5030300005 LEGAL SERVICES - GENERAL	3,482	28,135	67,815	78,500	30,000	(48,500)
5030303310 AUDIT SERVICES - EXTERNAL	-	6,708	-	10,000	10,000	-
5030400000 TEMPORARY HELP SERVICES	25,817	2,184	-	-	-	-
5030500000 MAINTENANCE CONTRACTS	336	301	629	1,000	1,000	-
5039900006 OUTSIDE REPAIRS-TAXI	59	-	-	1,000	1,000	-
5039903800 OTHER SERVICES	675	675	840	1,000	1,000	-
5040101000 FUEL-CNG	638	544	376	1,000	1,000	-
5040404300 OFFICE SUPPLIES	1,691	2,382	1,532	2,200	2,500	300
5049900002 POSTAGE	283	300	300	300	467	167
5049900026 FACILITY MAINTENANCE	432	519	519	519	519	-
5049900032 REPAIR PARTS- TAXI VEHICLES	470	501	458	1,000	1,000	-
5050200001 UTILITIES	4,325	3,981	3,721	3,721	3,721	-
5050200003 TRASH PICK-UP	259	277	295	295	312	17
5050200006 COMMUNICATIONS	2,000	-	800	800	800	-
5060100000 INSURANCE-PHYSICAL DAMAGE	399	400	239	239	255	16
5060300000 INSURANCE-GENERAL LIABILITY	2,570	2,487	4,028	4,028	2,313	(1,715)
5060401000 INSURANCE PREMIUM WC	8,877	9,225	13,507	13,507	5,405	(8,102)
5079900000 FUEL TAXES	8	281	43	20	300	280
5090100000 DUES, MEMBERSHIPS & SUBSCRIPTIONS	724	575	4,944	790	1,000	210
5090200000 TRAVEL AND TRAINING	-	1,140	616	5,000	4,000	(1,000)
5090200002 MILEAGE REIMBURSEMENT	-	-	-	100	100	-
5090801000 BANK SERVICE FEES	-	921	860	1,000	1,000	-
5099900001 STAFF DEVELOPMENT	-	398	600	800	1,000	200
5099905990 MISCELLANEOUS EXPENSE	1,980	-	-	-	-	-
<b>Total Expenses</b>	<b>225,677</b>	<b>245,652</b>	<b>284,285</b>	<b>314,012</b>	<b>254,559</b>	<b>(59,453)</b>

**SUNLINE SERVICES GROUP**

**PERSONNEL SUMMARY**

FY 20 Physical Count	Classification	FY19 Authorized FTEs	FY20 Requested FTEs	Variance
1	Chief Safety Officer	0.25	0.00	(0.25)
1	Deputy Chief Safety Officer	0.25	0.25	0.00
1	Senior Administrative Assistant	1.00	1.00	0.00
1	Taxi Administrator	1.00	1.00	0.00
<b>4</b>	<b>Total FTEs</b>	<b>2.50</b>	<b>2.25</b>	<b>(0.25)</b>

Notes

- No portion of the Chief Safety Officer's salary will be allocated to SRA budget in FY20. The Deputy Chief Safety Officer will continue to apportion a small percentage of payroll allocation for taxi business responsibilities.
- In FY19, Taxi Administrator duties were relieved from the Chief Safety Officer and the Deputy Chief Safety Officer and therefore the title dropped from their positions. A full time Taxi Administrator was hired in FY19.

SUNLINE SERVICES GROUP DETAIL

Division 96

General Ledger Code	FY19 Approved Budget	FY20 Proposed Budget	Variance
<b>5010201600 ADMIN SALARIES</b>	75,099	93,006	17,907
<b>5010700000 ALLOCATED SALARIES</b>	37,456	8,000	(29,456)
<b>5029999999 TOTAL FRINGE BENEFITS</b>	70,138	79,861	9,723
<b>Sub-total</b>	<b>182,693</b>	<b>180,867</b>	<b>(1,826)</b>
<b>5030103240 BACKGROUND CHECK SERVICES</b>			
Costs related to processing new applicants	4,500	5,000	500
<b>Sub-total</b>	<b>4,500</b>	<b>5,000</b>	<b>500</b>
<b>5030300005 LEGAL SERVICES - GENERAL</b>			
General counsel	28,500	30,000	1,500
Amend Taxi Ordinance	50,000	-	(50,000)
<b>Sub-total</b>	<b>78,500</b>	<b>30,000</b>	<b>(48,500)</b>
<b>5030303310 AUDIT SERVICES - EXTERNAL</b>			
Fiscal year financial statement audit	10,000	10,000	-
<b>Sub-total</b>	<b>10,000</b>	<b>10,000</b>	<b>-</b>
<b>5030500000 MAINTENANCE CONTRACTS</b>			
Copier related expenses	1,000	1,000	-
<b>Sub-Total</b>	<b>1,000</b>	<b>1,000</b>	<b>-</b>
<b>5039900006 OUTSIDE REPAIRS-TAXI</b>			
Maintenance costs for vehicles	1,000	1,000	-
<b>Sub-Total</b>	<b>1,000</b>	<b>1,000</b>	<b>-</b>
<b>5039903800 OTHER SERVICES</b>			
Board member compensation for SSG taxi committees	1,000	1,000	-
<b>Sub-total</b>	<b>1,000</b>	<b>1,000</b>	<b>-</b>
<b>5040101000 FUEL-CNG</b>			
Fuel for vehicles	1,000	1,000	-
<b>Sub-total</b>	<b>1,000</b>	<b>1,000</b>	<b>-</b>
<b>5040404300 OFFICE SUPPLIES</b>			
Office supplies	2,200	2,500	300
<b>Sub-total</b>	<b>2,200</b>	<b>2,500</b>	<b>300</b>

SUNLINE SERVICES GROUP DETAIL

Division 96

General Ledger Code	FY19 Approved Budget	FY20 Proposed Budget	Variance
<b>5049900002 POSTAGE</b>			
Postage and mailing expenses	300	467	167
<b>Sub-total</b>	<b>300</b>	<b>467</b>	<b>167</b>
<b>5049900026 FACILITY MAINTENANCE</b>			
Allocation from SunLine Transit Agency for materials required to maintain the building	519	519	-
<b>Sub-total</b>	<b>519</b>	<b>519</b>	<b>-</b>
<b>5049900032 REPAIR PARTS- TAXI VEHICLES</b>			
Anticipated repair costs for aging vehicles	1,000	1,000	-
<b>Sub-total</b>	<b>1,000</b>	<b>1,000</b>	<b>-</b>
<b>5050200001 UTILITIES</b>			
Allocation from SunLine Transit Agency for utilities used for the administration building	3,721	3,721	-
<b>Sub-total</b>	<b>3,721</b>	<b>3,721</b>	<b>-</b>
<b>5050200003 TRASH PICK UP</b>			
Allocation from SunLine Transit Agency for trash removal services	295	312	17
<b>Sub-total</b>	<b>295</b>	<b>312</b>	<b>17</b>
<b>5050200006 COMMUNICATIONS</b>			
Cellular services	800	800	-
<b>Sub-total</b>	<b>800</b>	<b>800</b>	<b>-</b>
<b>5060100000 INSURANCE-PHYSICAL DAMAGE</b>			
Allocation from SunLine Transit Agency for insurance related to vehicles	239	255	16
<b>Sub-total</b>	<b>239</b>	<b>255</b>	<b>16</b>
<b>5060300000 INSURANCE-GENERAL LIABILITY</b>			
Allocation from SunLine Transit Agency for defense and indemnity coverage relating to covered occurrences under general liability insurance	4,028	2,313	(1,715)
<b>Sub-total</b>	<b>4,028</b>	<b>2,313</b>	<b>(1,715)</b>
<b>5060401000 INSUARNC E PREMIUM WC</b>			
Allocation from SunLine Transit Agency for workers compensation premium costs	13,507	5,405	(8,102)
<b>Sub-total</b>	<b>13,507</b>	<b>5,405</b>	<b>(8,102)</b>
<b>5079900000 FUEL TAXES</b>			
Fuel tax expenses	20	300	280
<b>Sub-total</b>	<b>20</b>	<b>300</b>	<b>280</b>

SUNLINE SERVICES GROUP DETAIL

Division 96

General Ledger Code	FY19 Approved Budget	FY20 Proposed Budget	Variance
<b>509010000 DUES, MEMBERSHIPS &amp; SUBSCRIPTIONS</b>			
Annual International Association of Transportation Regulators (IATR) membership	790	1,000	210
<b>Sub-total</b>	<b>790</b>	<b>1,000</b>	<b>210</b>
<b>509020000 TRAVEL AND TRAINING</b>			
International Association of Transportation Regulators Conference	5,000	4,000	(1,000)
<b>Sub-total</b>	<b>5,000</b>	<b>4,000</b>	<b>(1,000)</b>
<b>509020002 MILEAGE REIMBURSEMENT</b>			
Mileage reimbursement for staff	100	100	-
<b>Sub-total</b>	<b>100</b>	<b>100</b>	<b>-</b>
<b>5090801000 BANK SERVICE FEES</b>			
Merchant Charges on Credit Cards	1,000	1,000	-
<b>Sub-total</b>	<b>1,000</b>	<b>1,000</b>	<b>-</b>
<b>5099900001 STAFF DEVELOPMENT</b>			
General training for staff	800	1,000	200
<b>Sub-total</b>	<b>800</b>	<b>1,000</b>	<b>200</b>
<b>Total Expenses</b>	<b>314,012</b>	<b>254,559</b>	<b>(59,453)</b>

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