

CITY AND COUNTY OF SAN FRANCISCO MUNICIPAL CODE

TRANSPORTATION CODE

The San Francisco Municipal Code is current through Ordinance 107-13, File No. 130070, approved June 13, 2013, effective July 13, 2013.

Division I of the Transportation Code was last amended by Ordinance 101-13, File No. 130318, approved June 10, 2013, effective July 10, 2013, operative June 1, 2013.

Division II of the Transportation Code was last amended by SFMTA Board Resolution No. 13-174, adopted June 18, 2013, effective July 19, 2013.

The San Francisco Municipal Code:

Charter	Environment Code	Port Code
Administrative Code	Fire Code	Public Works Code
Building, Electrical, Housing, Mechanical and Plumbing Codes	Health Code	Subdivision Code
Business and Tax Regulations Code	Municipal Elections Code	Transportation Code
Campaign and Governmental Conduct Code	Park Code	Zoning Maps
	Planning Code	Comprehensive Ordinance Table
	Police Code	

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PREFACE TO THE TRANSPORTATION CODE

Proposition A, titled "Transit Reform, Parking Regulation and Emissions Reductions," was adopted by the voters on November 7, 2007. Proposition A amended the San Francisco Charter to give the San Francisco Municipal Transportation Agency additional authority in several areas, such as approving contracts, hiring, setting employee pay rates and proposing revenue measures. Proposition A also expanded MTA power to adopt many parking and traffic regulations, and to install many traffic control devices that had previously required the approval of the Board of Supervisors. Proposition A provides that actions related to stop signs, bicycle lanes, preferential parking zones, parking meter zones, parking time limits, and disabled parking privileges may be reviewed by the Board of Supervisors if the Board of Supervisors enacts an ordinance establishing review procedures for those items.

Proposition A required the Board of Supervisors to enact implementing legislation within 90 days of its effective date to repeal all of the provisions of the Traffic Code that were inconsistent with Proposition A. Accordingly, Transportation Code Division I was passed by the Board of Supervisors on March 18, 2008, and approved by the Mayor on March 24, 2008 (see Ord. 45-08, File No. 080236.)

Proposition A gave the Municipal Transportation Agency Board of Directors legislative authority to enact any parking and traffic regulations that are not preempted by state law or reserved to the Board of Supervisors. The Municipal Transportation Agency took advantage of this opportunity to update the parking and traffic laws that had been initially enacted in 1940. Pursuant to the authority granted to it by Proposition A, the Municipal Transportation Agency Board of Directors enacted Division II of the Transportation Code on July 1, 2008 (see SFMTA Bd. Res.

08-120). Together, Divisions I and II make up the San Francisco Transportation Code, which took effect on July 2, 2008, and superseded the former Traffic Code in its entirety.

This electronic version of the City and County of San Francisco Municipal Code is updated as amending legislation is approved. New Ordinance Notices or New Resolution Notices are inserted where applicable to call the user's attention to material that has been affected by legislation that has been passed but is not yet effective. Any references to such legislation are also compiled in a table at the end of this Code. The amendments are then incorporated into the Code when they become effective.

Beginning with legislation passed in 2011, all ordinances affecting this Code are summarized in a table that lists the identifying information (ordinance and file numbers), effective date, short title, and sections affected for each such ordinance. Beginning with the resolution passed April 5, 2011, SFMTA Resolutions affecting this Code are summarized in a similar table. Users should note that the operative date of an ordinance may be later than the effective date of the ordinance. A delayed operative date will be noted in the ordinance.

This Code may contain various Editor's Notes (explaining the disposition of or cross referencing various provisions), and/or Codification Notes (documenting scrivener's errors and the like found in the underlying ordinances). Such notes have been inserted by the publisher for the convenience of the user or as historical references. They have not been approved or adopted by the City and County of San Francisco, and are of no legal force or effect.

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DIVISION I.

ARTICLE 1: DEFINITIONS AND GENERAL PROVISIONS

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SEC. 1.1. DEFINITIONS.

- (a) Whenever in this Transportation Code words or phrases are used that are not defined by the provisions of this Code, but are defined in the Vehicle Code, the definition and meaning shall be applied as set forth in the Vehicle Code.
- (b) Any words or phrases that are not defined in the Vehicle Code or in Division II of this Code shall have the meanings set forth below.

- (1) **California Public Utilities Commission, CPUC.** The Public Utilities Commission of the State of California.
- (2) **Chief of Police.** The Chief of the San Francisco Police Department, or his or her designee(s).
- (3) **City.** The City and County of San Francisco.
- (4) **Code.** The Transportation Code of the City and County of San Francisco, consisting of Division I, under the jurisdiction of the San Francisco Board of Supervisors, and Division II, under the jurisdiction of the Board of Directors of the Municipal Transportation Agency.
- (5) **Director of Public Health.** The Director of the San Francisco Department of Public Health or his or her designee(s).
- (6) **Director of Transportation.** The Director of Transportation of the Municipal Transportation Agency or his or her designee(s).
- (7) **Division I.** Division I of the Transportation Code, under the jurisdiction of the San Francisco Board of Supervisors.
- (8) **Division II.** Division II of the Transportation Code, under the jurisdiction of the Municipal Transportation Agency Board of Directors.
- (9) **Final SFMTA Decision.** A decision upon which the SFMTA has taken the last action according to procedures set forth in Division II, Section 203 (Final SFMTA Decision; Request for Review).
- (10) **Fire Chief.** The Chief of the San Francisco Fire Department of the City and County of San Francisco, or his or her designee(s).
- (11) **Municipal Parking Facility.** An off-street parking lot or off-street parking garage owned, leased or operated by the City or the Parking Authority of the City and County of San Francisco.
- (12) **News-gathering Vehicle.** A vehicle displaying a permit issued by the Police Department pursuant to Section 939.2 of the Police Code.
- (13) **Non-motorized User-propelled Vehicle, NUV.** Any device of two or more wheels lacking a belt, chain, or gears that is powered by the rider through pedals or by pushing off of or kicking at the ground, including, but not limited to, in-line skates, roller-skates, kick or push scooters, skateboards, and toy vehicles.
- (14) **Park.** To park or stop a vehicle, as defined in the Vehicle Code, or to cause or permit a vehicle to be parked or stopped, unless the context requires a different meaning.
- (15) **Parking Control Officer, PCO.** A City employee authorized by the Municipal Transportation Agency to enforce state laws and the San Francisco Municipal Code related to Parking of vehicles.
- (16) **Parking Meter.** Any device that, upon payment, registers the amount of time for which a vehicle is authorized to Park in a particular Parking Space.
- (17) **Parking Permit.** A permit issued by the Municipal Transportation Agency to a person or a vehicle which, when current, valid and properly displayed, entitles the vehicle or a vehicle occupied by the person to specified exemptions from the Parking regulations of this Code.
- (18) **Parking Space.** A space demarcated by painted lines or other indicators for the Parking of a single vehicle.
- (19) **Placard.** A placard issued by a state agency to a person with disabilities pursuant to Vehicle Code Sections 22511.55 or 22511.59 that entitles the holder to Parking privileges as specified in Vehicle Code Sections 22511.5 et seq.
- (20) **Police Officer.** An employee of the San Francisco Police Department authorized to enforce the criminal laws of the state and of the San Francisco Municipal Code.
- (21) **Port Commission.** The Port Commission of the City and County of San Francisco.
- (22) **Port Regulations.** With respect to any property under the jurisdiction of the San Francisco Port Commission, such Parking and traffic conditions and regulations as are imposed by and on file and available for public inspection at the office of the Port Commission.
- (23) **Proof of Payment or Proof of Payment Program.** A fare collection system that requires transit passengers to possess a valid fare receipt or transit pass upon boarding a transit vehicle or while in a Proof of Payment Zone, and which subjects such passengers to inspections for proof of payment of fare by any authorized representative of the transit system or duly authorized peace officer.
- (24) **Proof of Payment Zone.** The paid area of a subway or boarding platform of a transit system within which any person is required to show proof of payment of fare for use of the transit system.
- (25) **Public Property.** Property owned or controlled by a public agency that is not within the public right-of-way.
- (26) **Request for Review.** A form submitted to the Clerk of the Board of Supervisors that seeks Board of Supervisors' review of a Final MTA Decision.
- (27) **San Francisco Municipal Transportation Agency or SFMTA.** The Municipal Transportation Agency of the City and County of San Francisco.
- (28) **Sidewalk Bicycle.** Any bicycle with wheel diameter of less than 21 inches overall, including tires.
- (29) **Special License Plate.** A license plate issued by a state agency to the vehicle of a person with disabilities pursuant to Vehicle Code Section 5007 that entitles the holder to Parking privileges as specified in Vehicle Code Sections 22511.5 et seq.
- (30) **Special Traffic Permit.** A permit issued by the Municipal Transportation Agency required for any obstruction of traffic upon a street or sidewalk area by any construction, excavation or other activity, to the extent that such activity will not be conducted in accordance with City contract specifications or with the Municipal Transportation Agency's "Regulations for Working in San Francisco Streets" (otherwise known as the "Bluebook").
- (31) **Stand.** A zone established by the Municipal Transportation Agency for the exclusive use of a class or classes of vehicles identified by signs posted at such Stand.
- (32) **State.** The State of California.
- (33) **Truck.** A commercial motor vehicle with six or more wheels that is designed, used, or maintained primarily for the transportation

of goods.

(34) **Truck Loading Zone.** A zone for the exclusive use of Trucks while loading or unloading freight, subject to any posted time limits.

(35) **Vehicle Code.** The Vehicle Code of the State of California.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 1.2. CITY UNDERTAKING LIMITED TO PROMOTION OF GENERAL WELFARE.

In undertaking the adoption and enforcement of this Division I, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers or employees, an obligation for breach of which the City is liable in money damages to any person who claims that such breach proximately caused injury.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 1.3. APPLICABILITY OF VEHICLE CODE

(a) The provisions of the San Francisco Transportation Code shall be construed in a manner consistent with the Vehicle Code. Nothing in this Code is intended to narrow or limit any authority granted to the City by the Vehicle Code.

(b) Any statutes or regulations of the State of California that are cited in this Code shall refer to such sections as they may be amended or renumbered to the extent that the provisions of any such amended or renumbered section governs substantially the same subject matter as the former provision referenced in this Code.

(c) No provisions of Articles 7 or 8 of this Division I shall be enforceable against an alleged violator if at the time and place of the alleged violation any sign required by the Vehicle Code is not in position and sufficiently legible to be seen by an ordinarily observant person.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 1.4. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Division I is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code. The Board of Supervisors declares that it would have passed this Code and each article, section, subsection, sentence, clause and phrase of this Code, irrespective of the fact that any one or more articles, sections, subsections, sentences, clause or phrase may be declared unconstitutional.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

ARTICLE 2: STREET SIGNAGE

Sec. 2.1.	Historic District Street Signs.
Sec. 2.2.	Street Signs-Street Name Changes.

SEC. 2.1. HISTORIC DISTRICT STREET SIGNS.

The Director of Transportation shall provide signage displaying information about designated historic districts on all street signs along the length of any street at each intersection located within an historic district in the City.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 2.2. STREET SIGNSNAME CHANGES.

Whenever the Board of Supervisors changes the name of a street, the Municipal Transportation Agency shall erect street signs indicating both the new and the former names of the street. The new street name shall be in large letters and the former name in smaller letters beneath it. Unless the resolution changing the name of a street specifies that the double street name shall be permanent, the street signs indicating both street names shall remain posted for five years and then be replaced with signs indicating only the new street name.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

ARTICLE 3: ENFORCEMENT AUTHORITY

Sec. 3.1.	Police Commission Regulation of Traffic; Civilian Employees Authorized to Enforce Parking Regulations.
Sec. 3.2.	Removal of Unauthorized Signs.
Sec. 3.3.	Authority to Cite Vehicles on Public Property.
Sec.	Diverting of Traffic and Temporary Parking Restrictions.

3.4.

SEC. 3.1. POLICE COMMISSION REGULATION OF TRAFFIC; CIVILIAN EMPLOYEES AUTHORIZED TO ENFORCE PARKING REGULATIONS.

(a) The Chief of Police is hereby authorized to direct, control, divert and regulate all traffic by means of Police Officers or persons designated as special police officers limited to the control and direction of traffic by the Chief of Police pursuant to Section 4.127 of the Charter for the exclusive or main purpose of enforcing the provisions of Division 11 of the Vehicle Code, the issuance of citations for the violation of this Code, Article 12 of the Police Code, or the Vehicle Code, and the emergency use of temporary signs and devices.

(b) Any Police Officer, Parking Control Officer, or other SFMTA employee authorized to enforce parking laws may issue citations to or authorize the removal of any vehicle that is Parked in the street, on Public Property or in a Municipal Parking Facility, in accordance with the provisions of this Code, the Police Code or the Vehicle Code. SFMTA employees whose authority to enforce parking laws is limited to specified violations may order removal of a vehicle only if it is parked in violation of one of the specified laws.

(c) Where curb painting or parking regulations are necessary for public safety, such determination shall be reviewed by the Chief of Police and Fire Chief as appropriate.

(d) Any Parking Control Officer employed by the Municipal Transportation Agency and assigned to the "Robert Greenstrand Disabled Placard Detail" shall have the power and authority to issue misdemeanor citations for violations of Vehicle Code §§ 4461 and 4463.

(e) The Director of Transportation shall be empowered to identify staff with authority to enforce other parking laws and regulations in compliance with the requirements of the Vehicle Code.

(f) Any employee of the Municipal Transportation Agency who is authorized by the Agency to enforce the provisions of Article 1100 of this Code may enforce Sections 7.2.27, regulating Parking in white zones, 7.2.38, prohibiting unauthorized vehicles from Parking in Stands, 7.2.39, prohibiting vehicles from Parking in Transit-Only Areas designated in Section 601, 7.2.70, prohibiting obstruction of traffic, 7.2.80, regulating Parking of vehicles for hire in residential zones, and 7.2.86, regulating idling of commercial vehicles.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 45-11, File No. 101442, App. 3/10/2011)

SEC. 3.2. REMOVAL OF UNAUTHORIZED SIGNS.

The Municipal Transportation Agency is hereby authorized and empowered without notice to remove, or cause to be removed, every sign, signal, device or light prohibited by the terms of Section 21465, 21466, 21466.5, or 21467 of the Vehicle Code, or may bring or cause to be brought, an action as provided by law to abate the nuisance therein declared to exist by virtue of such signal, device or light.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 3.3. AUTHORITY TO CITE VEHICLES ON PUBLIC PROPERTY.

Any Police Officer or Parking Control Officer may issue a citation to a vehicle or the owner or driver of a vehicle, and/or may order the removal of any vehicle that has been Parked on Public Property in violation of any prohibition contained in this Code or other applicable law to the extent authorized by this Code and by applicable state and federal law. SFMTA employees whose authority to enforce parking laws is limited to specified violations may order removal of a vehicle only if it is parked in violation of one of the specified laws.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 45-11, File No. 101442, App. 3/10/2011)

SEC. 3.4. DIVERTING OF TRAFFIC AND TEMPORARY PARKING RESTRICTIONS.

(a) Temporary traffic diversion and parking restrictions for planned activities shall be posted as described in sub-section (b), (c), and (d) except in the case of threats to public health or safety or emergency requiring immediate response. A Police Officer or Parking Control Officer may divert traffic from any street or area, and/or may temporarily prohibit or restrict Parking on any street when made necessary or advisable by any parade, public assemblage, film production, traffic congestion, conflagration, building collapse, obstruction on or damage to any street, residential move, or the need to protect public health and safety.

(b) Building Construction, Maintenance or Repair. Any temporary Parking restriction or prohibition related to building construction, maintenance, or repair in the public right-of-way shall be posted in compliance with Article 15, Section 724.3 of the Public Works Code.

(c) Special Events, Parades, Public Assemblages, Film Production, and Street Obstructions for Public Works. Any temporary Parking restriction or prohibition for any/special event, parade, public assemblage, film production, traffic congestion, conflagration, building collapse, or obstruction on, or repair work to, any street shall be posted with appropriate signs displaying a contact person and telephone number for information regarding the reasons for the restrictions. The contact person shall be available to respond to inquiries during business hours. Such signs shall be posted at least every 100 linear feet, and at each end of the zone in which Parking will be restricted or prohibited, at least 72 hours in advance of the prohibition or restriction; provided, however, that posting a notice of a temporary Parking restriction or prohibition at any Parking Space with a meter, or by the Film Commission, may be posted no less than 24 hours in advance of the prohibitions or restrictions. Parking limitations shall apply for 100 linear feet on either side of each posted sign.

(d) Residential or Commercial Moves. Any temporary Parking restriction or prohibition to accommodate a residential or commercial moving vehicle shall be posted with appropriate signs displaying a contact person and telephone number for information regarding the reasons for the restrictions. The contact person shall be available to respond to inquiries during business hours. Such signs shall be posted at a maximum spacing not to exceed 50 linear feet, and at each end of the zone in which Parking will be restricted or prohibited, at least 72 hours in advance of

the prohibition or restriction; provided, however, that such signs posted at any Parking Space with a meter, or by the Police Department, may be posted no less than 24 hours in advance of the prohibition or restriction. Parking limitations shall apply for 50 linear feet on either side of each posted sign.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 95-09, File No. 090670, App. 6/19/2009; Ord. 231-09, File No. 090780, App. 11/10/2009)

ARTICLE 4: PARKING AND TRAFFIC ENFORCEMENT FUNDS AND FEES

Sec. 4.1.	Administrative Fee-Police Department.
Sec. 4.2.	Traffic Offender Fund.
Sec. 4.3.	Use of Parking Meter and Garage Revenue.
Sec. 4.4.	Service Authority Established.

SEC. 4.1. ADMINISTRATIVE FEE-DEPARTMENT.

(a) A fee to reimburse the City and County for costs incurred in the administration of the procedures for removing vehicles shall be charged by the San Francisco Police Department to the owner of a vehicle removed pursuant to Sections 22651(h), 22651(p), 22655.5 or 22850.5 of the Vehicle Code. Such charges collected for the removal or storage of vehicles shall not be subject to reimbursement under Chapter 10C of the Administrative Code.

(b) The Chief of Police shall propose the fee authorized by Subsection (a). The fee shall not go into effect until approved, by resolution, by the Board of Supervisors, in an amount not to exceed the Police Department's average actual costs for the removal, impoundment, storage, and release of vehicles. The fee imposed pursuant to this Section shall not be taken into account in determining the maximum fee that may be charged by the tow car operator to the owner of a removed vehicle as provided by law, nor shall the administrative fee imposed pursuant to this Section be taken into account in determining whether a fee charged by the tow car operator to the owner of removed vehicle is excessive.

(c) The Chief of Police, with the approval of the Police Commission, is hereby authorized to adopt such rules, regulations and procedures as he or she determines are necessary for the department to impose, collect and administer the fee imposed by this Section.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 4.2. TRAFFIC OFFENDER FUND.

(a) **Establishment of Fund.** There is hereby established a special fund for the purpose of receiving and expending fees collected for the impoundment of vehicles from the public right of way. Said special fund shall be known and designated as the Traffic Offender Fund.

(b) **Expenditure of Monies.** The appropriation of all monies in the Traffic Offender Fund ("Fund") shall be made exclusively for the purposes of the Traffic Offender Program. The Traffic Offender Program shall include the enforcement of, education for, and prosecution of a suspended or revoked driving privilege, unlicensed driver, and persons driving under the influence of alcohol or drugs. Expenditures shall include, but not be limited to, purchase of equipment, contractual services, material and supplies, any other technology necessary to prosecute the case, and personnel costs, including salary and benefits for a Deputy District Attorney and a part-time law clerk, specifically provided to the program. The administration of the Fund shall conform to the provisions of the Charter, annual appropriation ordinance, and the procurement procedures as prescribed by the Controller and the Office of Contract Administration.

(c) **Accumulation of Monies in Fund.** The balance remaining in the Traffic Offender Fund at the close of any fiscal year shall be deemed to have been provided for a specific purpose and shall be carried forward and accumulated in said Fund for the purposes recited herein.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 4.3. USE OF PARKING METER AND GARAGE REVENUE.

All funds obligated to pay debt service from the Parking Revenue Fund, the Parking Meter Revenue Account, or the Off-Street Parking Fund pursuant to Section 213 of the former San Francisco Traffic Code, shall continue to be used for such purposes pursuant to all approved debt and contractual obligations existing as of January 1, 2008. Any subsequent expenditures from such funds shall be made in accordance with Section 8A.105 of the San Francisco Charter.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 4.4. SERVICE AUTHORITY ESTABLISHED.

(a) A Service Authority for the Abatement of Abandoned Vehicles is hereby established pursuant to the provisions of Section 22710 of the California Vehicle Code. The members of the Municipal Transportation Agency Board of Directors shall serve *ex officio* as the members of the Service Authority for the Abatement of Abandoned Vehicles. Except as otherwise provided in this Article 4, the Service Authority shall have all of the powers and be subject to all of the conditions, restrictions and obligations that are set forth in said Section 22710 of the California Vehicle Code.

(b) Extension of the service fee of \$1 on vehicles registered to an owner with an address in the City and County of San Francisco for deposit in the Abandoned Vehicle Trust Fund, as permitted by Section 9250.7(g) of the Vehicle Code, is hereby approved, and the Service Authority for the Abatement of Abandoned Vehicles is authorized to enact a resolution extending such service fee for a ten-year period, from June

1, 2013, through May 31, 2023, pursuant to said Section 9250.7(g).

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 101-13, File No. 130318, App. 6/10/2013, Eff. 7/10/2013, Oper. 6/1/2013)

ARTICLE 5:

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SEC. 5.1. PUBLIC NUISANCE: FINDINGS AND DECLARATIONS.

The Board of Supervisors makes the following findings and declarations:

The accumulation and storage of abandoned, wrecked, dismantled, or inoperative vehicles or vehicle parts on private property or on Public Property creates conditions tending to reduce property values, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create harborage for rodents and insects and to be injurious to the health, safety and general welfare. Accordingly, the presence of an abandoned, wrecked, dismantled or inoperative vehicle or vehicle parts, on private property or on Public Property is hereby declared to constitute a public nuisance that may be abated as such in accordance with applicable laws.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.2. SCOPE OF ARTICLE; AUTHORITY TO CAUSE ABATEMENT.

(a) For the purpose of this Article "abandoned vehicle or vehicle parts" shall mean vehicles that are missing any equipment that would make them unsafe to operate on the highway, or that are wrecked, dismantled, or inoperative, or regarding which there is reasonable cause to believe that the vehicle or vehicle part(s) have been abandoned as described in Vehicle Code sections 22660 and 22669 when located on Public Property or on private property.

(b) This Article shall be administered and enforced by the Director of Public Health. Upon discovering the existence of an abandoned vehicle or vehicle parts on private property or Public Property within the City, the Director of Public Health shall have the authority to cause the abatement and removal thereof in accordance with the procedure prescribed herein and all applicable state and federal laws. The Director of Public Health's authority to enter upon private property or Public Property includes the authority to examine vehicle(s) or vehicle parts, to obtain information as to the identity of a vehicle and to remove or cause the removal of abandoned vehicle(s) or vehicle parts declared to be a nuisance pursuant to this Article.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.3. EXCEPTIONS.

This Article shall not apply to:

(a) A vehicle or vehicle part that is completely enclosed within a building or behind a fence in a lawful manner where it is not visible from the street or other Public Property or private property;

(b) A vehicle or vehicle part that is stored or Parked in a lawful manner on private property in connection with the business of a licensed vehicle dismantler or dealer, or when such storage or Parking is necessary to the operation of a lawfully conducted business.; or

(c) A vehicle or vehicle part(s) located behind a solid fence six feet in height or which is not plainly visible from the public right of way.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.4. USE OF CONTRACTORS.

The Director of Public Health may authorize contractor(s), including any vehicle removal and storage contractor(s) retained by the Municipal Transportation Agency, to enter private property or Public Property for the purpose of removing and disposing of vehicles and/or vehicle parts in accordance with this Article and all applicable provisions of the contract. The Municipal Transportation Agency may recover actual costs for such removal and disposal from the Department of Public Health.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.5. NOTICE OF INTENTION TO ABATE AND REMOVE ABANDONED VEHICLES.

(a) The Director of Public Health shall mail a notice of intention to abate and remove a vehicle or vehicle parts as a public nuisance by registered or certified mail to the property owner as shown on the last equalized assessment roll and to the last registered and legal vehicle owner(s) of record, unless the vehicle or vehicle part(s) are in such condition that identifying information is not available to determine vehicle ownership. At the time the abatement action is initiated, the Director of Public Health may elect to seek recovery of attorneys' fees. In a case where the Director of Public Health makes this election, the prevailing party shall be entitled to recover attorneys' fees. In no event shall the award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the Department in the action.

(b) The notice of intention shall be in substantially the following form:

NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED, DISMANTLED, OR INOPERATIVE VEHICLE OR VEHICLE PARTS AS A PUBLIC NUISANCE

[name and address of property owner]

This is to notify you, the property owner shown on the last equalized assessment roll of the property located at [address] ("Property"), that the Department of Public Health has determined that there are abandoned, wrecked, dismantled or inoperative vehicle(s) and/or vehicle parts identified as:

License number (vehicle license number if identifiable), Vehicle Identification Number (VIN, if identifiable)], registered to (name of vehicle owner)] ("Vehicle Owner").

located on the Property which constitute(s) a public nuisance pursuant to the provisions of San Francisco Transportation Code Article 5.

You must abate the nuisance by removing the vehicle and/or vehicle part(s) within 10 days from the date of the mailing of this notice. If you do not remove the vehicle or request a hearing within 10 days, the Department of Public Health will abate the nuisance and the cost of abatement, including administrative costs and attorneys' fees, may be assessed to you as owner of the Property.

How to Request a Public Hearing.

As owner of the Property, you may request a public hearing by submitting a request to the Department of Public Health, at [mailing address, fax number, email address]. Any request for a public hearing must be postmarked no later than the 10th day following the date of the mailing of this notice. If you request a hearing, you may either appear in person at the hearing, or you may request a hearing at which your presence is not required.

How to Request a Hearing for which Your Presence is not Required

You may submit a signed written statement within such 10-day period denying responsibility for the presence of the vehicle and/or vehicle parts on the Property and explaining the reason why you are not responsible for the presence of the vehicle(s) and/or vehicle parts on the property, or for the cost of removal. Any such statement must be postmarked no later than the 10th day following the date of this notice, and will be construed as a request for hearing at which your presence is not required.

Right to Appear in Hearing

You may appear in person at any hearing requested, by you or by the owner of the vehicle, or, as an alternative, you may present a signed written statement in time for consideration at such hearing.

Notice Mailed _____ s/ _____
[Date] [Locally Designated Officer]

NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED, DISMANTLED OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC NUISANCE

[Name and address of last registered and/or legal owner of record of vehicle must be sent to both the property owner and the vehicle owner of record if different]

This is to notify you, the last registered and/or legal owner(s) of record of the following vehicle(s): [make, model year, color of vehicle], license number [vehicle license number(s) if identifiable], that the Department of Public Health has determined that said vehicle(s) and/or parts of vehicles are abandoned, wrecked, dismantled or inoperative at the property located at [address] ("Property"), and constitute(s) a public nuisance pursuant to the provisions of San Francisco Transportation Code Article 5.

You are hereby notified to abate said nuisance by the removal of said vehicle(s) and/or parts of vehicles within 10 days from the date of mailing of this notice.

How to Request a Public Hearing.

As owner of the vehicle, you may request a public hearing within 10 days by submitting a written request to the Department of Public Health, at [mailing address, fax number, email address]. Any request for a public hearing must be postmarked no later than the 10th day following the date of the mailing of this notice. If you do not make a request for a public hearing within 10 days, the Director of Public Health has the authority to abate and remove the vehicle and/or vehicle parts as a public nuisance.

If at the hearing it is found that the property owner has not consented to the presence of the vehicle and/or vehicle parts on the Property, then you as the vehicle owner are responsible for the cost of abatement, and may be assessed a fine for violation of California Vehicle Code Section 22523, unless you demonstrate by a police report or other evidence that the vehicle and/or vehicle parts were stolen prior to abandonment, or that the ownership of the vehicle has been transferred.

Right to Appear in Hearing

You may appear in person at any hearing requested, by you or by the owner of the Property, or, as an alternative, you may present a signed written statement in time for consideration at such hearing.

Notice Mailed _____ s/ _____
 [Date] [Locally Designated Officer]

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.6. REQUEST FOR PUBLIC HEARING BY INTERESTED PARTIES.

(a) Upon written request by the vehicle owner or the property owner received by the Director of Public Health within 10 days after the date of mailing the notices of intention to abate and remove, a public hearing shall be held by the Director of Public Health on the question of abatement and removal of the vehicle or vehicle parts as abandoned, and the assessment of the administrative costs and the cost of removal of the vehicle or vehicle parts against the property on which it is located.

(b) If the property owner submits a written statement denying responsibility for the presence of the vehicle on the property within such 10-day period, said statement shall be construed as a request for a hearing which does not require the attendance of the property owner. If a request for hearing is not received within 10 days after mailing of the notice of intention to abate and remove, the Director of Public Health shall have the authority to abate and remove the vehicle or parts thereof as a public nuisance without holding a public hearing.

(c) Notice of the hearings shall be mailed, by registered or certified mail, at least 10 days before the hearing to the property owner and to the vehicle owner, unless the vehicle is in such condition that identification numbers are not available to determine ownership. The notice of hearing shall include a statement of whether the Department of Public Health will seek recovery of attorneys' fees for the hearing.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.7. CONDUCT OF HEARING: NOTIFICATION OF FINDINGS: IMPOSITION OF COSTS.

(a) All hearings conducted pursuant to this Article shall be held before the Director of Public Health. Testimony at the hearing may include the testimony on the condition of the vehicle or vehicle parts and the circumstances concerning their location on the said private property or Public Property. The Director of Public Health shall not be limited to the judicial rules of evidence. The property owner or the vehicle owner may appear in person at the hearing or present a sworn written statement in time for consideration at the hearing to deny responsibility for the presence of the vehicle on the property, and stating the reasons for such denial.

(b) The order resulting from a hearing before the Director of Public Health must include:

- (1) a description of the vehicle or vehicle parts and any available identifying information for the vehicle or vehicle part;
- (2) a finding of whether the property owner has given express or implied consent to the presence of the vehicle or vehicle parts on the property, or, in the alternative, whether the vehicle owner has abandoned the vehicle on the property in violation of Vehicle Code Section 22523.
- (3) a finding identifying the prevailing party or parties for the purpose of assessing attorney's fees against the non-prevailing party or parties.
- (4) The order may also:
 - (A) find that a vehicle or vehicle parts have been abandoned, wrecked, dismantled, or are inoperative on private property or Public Property and order the same removed from the property as a public nuisance;
 - (B) impose any conditions and take such other action as the Director of Public Health deems appropriate under the circumstances to carry out the purpose of this Article;
 - (C) Delay the time for removal of the vehicle or vehicle parts, if in the opinion of the Director of Public Health the circumstances justify it;
 - (D) assess an amount to be charged to for the cost of removal and disposal, not to exceed the cost of towing and seven days' of storage that may be assessed against the party found to be responsible for the nuisance in subsection 5.7(b)(ii) above, and any attorneys' fees to the prevailing party or parties;
 - (E) assess an administrative fee established annually by Director of Public Health in an amount reasonably calculated to recover the Department of Public Health's costs for administering this Article that may be assessed against the party found to be responsible for the nuisance in subsection 5.7(b)(ii) above.

(c) No administrative fee, attorneys' fees or costs for removal or disposal of a vehicle or vehicle parts may be assessed against the property owner under this article if it is determined at the hearing that the vehicle or vehicle parts were placed on the land without the consent of the property owner or that the property owner has not subsequently acquiesced to their presence.

(d) If the vehicle owner or property owner submits a sworn written statement denying responsibility for the presence of the vehicle or vehicle parts on the property but does not appear, or if an interested party makes a written presentation to the Director of Public Health but does not appear, the property owner shall be notified in writing of the decision.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.8. DISPOSAL OF VEHICLE.

Five days after adoption of an order declaring the vehicle or vehicle parts to be a public nuisance, or five days from the date of mailing of notice of the decision if such notice is required by Section 5.9, the vehicle or vehicle parts, shall be removed and disposed of in accordance with

applicable legal requirements. Any vehicle or vehicle part that is removed pursuant to this Article must be removed to an automobile dismantler's yard to be disposed of as scrap, and may not be reconstructed or made operable unless it qualifies for horseless carriage or historical vehicle license plates pursuant to Vehicle Code Section 5004.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.9. NOTICE TO DEPARTMENT OF MOTOR VEHICLES.

Within five days after the date of removal of the vehicle or vehicle parts, the Director of Public Health shall give notice to the Department of Motor Vehicles identifying the vehicle or vehicle parts removed and any identifying information available, including vehicle identification number, certificates of registration or title or license plates.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.10. ASSESSMENT OF COSTS AGAINST LAND.

If the administrative fee and the cost of removal charged against the property owner pursuant to Section 5.7 are not paid within 30 days of the date of the order, such costs shall be assessed against the parcel of land pursuant to Government Code Section 25845 and shall be transmitted to the Tax Collector for collection. Said assessment shall have the priority as other City taxes.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 5.11. CONTINUING APPROPRIATION ACCOUNT.

There is hereby created in the General Fund a continuing appropriation account entitled "The Abandoned Vehicle Abatement and Removal Fund." This account shall be credited with such sums as may be appropriated by the Board of Supervisors, amounts collected by the Director of Public Health or the Director of Transportation, sums received in payment of special assessments and moneys received from the Abandoned Vehicle Trust Fund pursuant to Vehicle Code Section 9250.7. Expenditures from said Fund shall be made to pay for the abatement and removal of nuisances pursuant to this Article. All moneys received from the Abandoned Vehicle Trust Fund shall be segregated and used only for abatement, removal and disposal of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof. In the event that the unexpended balance in said account, excluding moneys received from the Abandoned Vehicle Trust Fund, shall exceed \$200,000, such excess shall be transferred to the unappropriated balance of the General Fund.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

ARTICLE 6: TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS

Sec. 6.1.	Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT).
Sec. 6.2.	Request for Permission for Temporary Use or Occupancy of Public Streets; Procedure.
Sec. 6.3.	Major Events Defined.
Sec. 6.4.	Insurance.
Sec. 6.5.	Recycling, Collection and Disposition.
Sec. 6.6.	Temporary Use of Streets for Street Fairs.
Sec. 6.7.	Conditions.
Sec. 6.8.	Exceptions.
Sec. 6.9.	Temporary Use or Occupancy of Public Streets by the San Francisco Unified School District for Debarkation and Embarkation of Students: Duties.
Sec. 6.10.	Athletic Events.
Sec. 6.11.	Athletic Events; Designation of Routes.
Sec. 6.12.	Athletic Events; Public Notice.
Sec. 6.13.	Athletic Events; Cost Recovery – Police.

Sec. 6.14.	Athletic Events; Cost Recovery – Public Works.
Sec. 6.15.	Monitored Bicycle Parking at Public Events.

SEC. 6.1. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND TRANSPORTATION (ISCOTT).

There is hereby established a committee to be known as the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), consisting of the department or their designated representatives from the following departments and agencies: Municipal Transportation Agency, Public Works, Police, Fire, Public Health, and Entertainment Commission. The Director of Transportation shall serve as Chair of ISCOTT. The Director of Administrative Services of the City and County of San Francisco or his or her designee shall review recycling plans submitted pursuant to Section 6.5 and recommend any conditions to ISCOTT that should be imposed on any applicant. In exercising its powers ISCOTT shall consult with any other City department or agency that could be affected by any temporary use or occupancy of a public street. ISCOTT shall have the authority to take all acts reasonably necessary for it to carry out any duties imposed upon it by law. Before acting on any application for temporary use or occupancy of public streets, street fair or an athletic event, ISCOTT shall conduct a public hearing at a publicly noticed time and place to be determined by ISCOTT.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.2. REQUEST FOR PERMISSION FOR TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS; PROCEDURE.

(a) Any person seeking permission for the temporary use or occupancy of a public street within the City shall file an application with, and on a form provided by, the SFMTA, and shall pay the filing fee established by the SFMTA Board of Directors.

(b) An application shall not be accepted or approved for a proposed temporary use or occupancy scheduled to occur fewer than 30 calendar days after the application is submitted to the Municipal Transportation Agency, except as follows in this paragraph:

(1) An application for a proposed temporary use or occupancy scheduled to occur fewer than 30 calendar days after the application date may be filed for emergency consideration. The Director of Transportation shall consider the request if the applicant has demonstrated that an extraordinary emergency exists that requires the closing of a street, and provided that there is adequate time available for the Municipal Transportation Agency to conduct the required public hearing and post notice of the scheduled hearing at least 72 hours in advance of the hearing.

(2) The Mayor's Film and Video Arts Commission (the "Film Commission"), or other successor commission or division of the Mayor's office, may file with the Director of Transportation an application on behalf of a film or other video production company (which company shall be responsible for the payment of all applicable fees) for a proposed temporary use or occupancy scheduled to occur fewer than 30 calendar days after the application date, provided that there is adequate time available for the Director of Transportation to conduct the required public hearing and post notice of the scheduled hearing at least 72 hours in advance of the hearing. The Film Commission (or the film company on whose behalf the application was made) shall (A) notify residents, merchants and other occupants of the public street(s) to be closed of the dates proposed for street closure, and (B) notify any and all affected City departments, including the Police Department and the Department of Public Works.

(c) The completed application shall include, when applicable, maps and/or drawings which identify the streets that would be affected, describe the scope and design of the event, including illustrations of the location of staging, food booths, seating, and a diagram of an emergency access plan. In addition, the Director of Transportation may request such additional information as is necessary to allow ISCOTT to make an informed evaluation of the proposed temporary use or street occupancy. In the case of "major events," as defined in Section 6.3, applicants shall submit an emergency medical services plan.

(d) Applicants shall be responsible for posting notice of the public hearing at least seven calendar days prior to the hearing at which the application will be reviewed by ISCOTT. Such notice shall include a description of the streets that would be affected and shall be posted in the area of the proposed temporary use or street occupancy according to rules and regulations prescribed by the Director of Transportation. The applicant shall submit a declaration under penalty of perjury to the Director of Transportation attesting that the required public notices have been posted.

(e) ISCOTT Review and Approval Process. In reviewing an application, ISCOTT shall consider the impact of the temporary use or occupancy of public streets on the traffic, security, health, and safety of the public; determine the traffic, security, health, and safety requirements of the proposed temporary use or occupancy; and evaluate the measures proposed by the applicant to satisfy those requirements. For major events, ISCOTT shall forward the applicant's proposed emergency medical services plan to the Director of Emergency Medical Services and Emergency Operations Section (EMSEO). ISCOTT shall consider the recommendations of EMSEO regarding the proposed emergency medical services plan. It shall be the duty of ISCOTT to also consider the following:

(1) Demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health, and welfare of the public, including compliance with the requirements of San Francisco Health Code Article 19L, "Prohibiting Smoking at Certain Outdoor Events."

(2) Duration of the temporary use or street occupancy and the City's ability to accommodate such use or occupancy with the necessary resources.

(3) Overextension of the City's resources because of previously approved temporary use or occupancy of public streets or other activities that could cause scheduling conflicts during the same period.

(4) The availability of an appropriate emergency access plan.

(5) The number of major events (as defined in Section 6.3 below) scheduled during the period for which the applicant seeks a permit, the nature and location of the major events, and the demand these major events will have on the City's resources, including its police, emergency and sanitation personnel. In considering the major events for which applications have been filed and/or approved, ISCOTT should give priority based on the chronological order in which the applications are received, and applicants denied permission on the basis that there are too many major events already approved or pending for approval shall be offered alternative dates by ISCOTT. Notwithstanding this provision, ISCOTT may, in its discretion, grant preference to recurring events traditionally or historically associated with a particular day or dates, provided that applications, once approved, cannot be revoked because of the subsequent filing of an application for a permit for an event traditionally or historically associated with a particular day or dates.

(6) If the application is related to a filming project to be conducted by the applicant, ISCOTT shall notify the Film Commission (or other successor commission or division of the Mayor's office) and shall consider such conditions and criteria as the Film Commission shall attach to the application.

(f) ISCOTT may impose additional requirements or conditions it deems necessary to protect the public interest by ensuring traffic management, security of property and health and safety of citizens. At the time ISCOTT reviews the application, it shall also determine the necessity of and the total estimated actual costs incurred by the Municipal Transportation Agency to run motor coaches to accommodate the rerouting of electrically powered transit vehicles because of restrictions that are imposed by the temporary street closing. The applicant shall pay a fee to the SFMTA based on the number of electrically powered vehicle hours per line affected. For purposes of this provision, "vehicle hour" shall mean the number of hours each coach on a line is in operation during the day of the street closing. If the application is approved, ISCOTT shall transmit to the applicant an invoice for the fee. The applicant shall make full payment of the fee no later than five days prior to the date of the street closing, or in accordance with a schedule agreed to by the Director of Transportation. ISCOTT shall not disapprove any application for a temporary use or occupancy of public streets because of the applicant's political, religious, or cultural orientation.

(g) ISCOTT shall take action to approve or disapprove an application within 30 days of receipt of a complete application. Notice of ISCOTT's action of approval or disapproval shall be submitted to the Chief of Police; the Fire Chief; the Director of Public Health; the Director of Public Works; and the Executive Director of the Entertainment Commission, and be maintained as a matter of record. For major events, notice of ISCOTT's action of approval or disapproval shall also be submitted to the Director of EMSEO.

(h) Appeals Process. Should the application be disapproved by ISCOTT, the applicant may first appeal the decision to the Director of Transportation if the application was filed at least 30 days prior to the date of the proposed temporary use or occupancy. Such appeal shall be made by filing the appeal with the Director of Transportation on a form provided by the Municipal Transportation Agency within five working days of disapproval. Upon receipt, the Director of Transportation shall set a time and place for hearing such appeal. In considering the appeal the Director of Transportation shall conduct a public hearing for which notice shall be posted at least 72 hours in advance of the hearing at the Municipal Transportation Agency, at the main library, and at the Office of the Clerk of the Board of Supervisors.

(i) At the appeal hearing, the appellant and members of ISCOTT shall have an opportunity to present oral testimony and written materials in support of their positions. The Director of Transportation shall consider the same criteria as set forth in Section 6.2(e). Upon hearing the appeal, and after any further investigation by the Director of Transportation, the Director of Transportation may affirm, reverse, or modify the ISCOTT decision. Notice of the Director of Transportation's action of approval or disapproval shall be submitted to the Chief of Police, the Fire Chief, the Director of Public Health, the Director of Public Works, and the Executive Director of the Entertainment Commission and shall be maintained as a matter of record.

(j) If the Director of Transportation denies the application after the appeal described in the preceding paragraph, the applicant may then appeal the decision to the Board of Supervisors. Such appeal shall be made by filing the appeal with the Clerk of the Board, on a form provided by the Clerk, within five working days of the Director of Transportation's disapproval. The Board may establish a fee to be imposed upon the filing of any such appeal. Upon receipt, the Clerk shall set a time and place for hearing such appeal by the Board of Supervisors, which hearing shall be at the Board's next regular meeting, provided that all applicable public notice requirements are satisfied. The Board shall conduct the hearing according to the same standards of review as set forth in Section 6.2(e). Upon hearing the appeal, and after any further investigation that the Board may request, the Board may affirm, reverse or modify the Director of Transportation's decision. The decision of the Board regarding the appeal shall be final. The Clerk of the Board shall transmit copies of any legislation approving a temporary street closing to the Director of Public Works, Chief of Police, the Fire Chief, the Superintendent of Emergency Hospital Service of the Department of Public Health, the Executive Director of the Entertainment Commission, and to the Director of Transportation. For major events, the Clerk shall transmit copies of any legislation approving a temporary street closing to the Director of EMSEO.

(k) Any permission for the temporary use or occupancy of a public street authorized pursuant to these provisions shall be subject to the conditions set forth in Sections 6.7 and 6.8.

(l) Late Application. Should the applicant file an application for a proposed temporary use or occupancy fewer than 30 days prior to the date of the proposed use or occupancy, and not far enough in advance of the proposed use or occupancy to allow ISCOTT to consider the application at a regularly scheduled meeting of ISCOTT, then the Director of Transportation shall have the responsibility and duty to consider and approve or disapprove the application after consulting with the members of ISCOTT. The Director of Transportation shall conduct a public hearing for which notice shall be posted at least 24 hours in advance of the hearing at the Municipal Transportation Agency, the main library, and

at the Office of the Clerk of The Board of Supervisors. At the hearing, the applicant and interested persons shall have an opportunity to present oral testimony and written materials in support of their position. The Director of Transportation shall conduct the hearing according to the same standards of review as set forth in Section 6.2(e) hereof. Notice of the Director of Transportation's action of approval or disapproval shall be submitted to the Chief of Police, the Chief of the Fire Department, the Director of Public Health, the Director of Public Works, and the Executive Director of the Entertainment Commission, and shall be maintained as a matter of record. In the event the Director of Transportation disapproves the application, the applicant shall have the right to appeal the Director of Transportation's decision to the Board of Supervisors in accordance with the same terms and conditions as set forth in Section 6.2(e).

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 6-13, File No. 120772, App. 2/4/2013, Eff. 3/6/2013)

SEC. 6.3. MAJOR EVENTS DEFINED.

"Major events" are those events, including athletic events and street fairs, involving any of the following: The use or occupancy of more than five blocks, the expected attendance or participation of more than 1,000 people at any one time, or the rerouting of more than three Municipal Railway transit lines. "Major events" shall also include any sports events with expected attendance of more than 50,000 people, or any parade governed by the provisions of Police Code Section 366 et seq.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.4. INSURANCE.

Sponsors of major events shall be required to provide an insurance policy naming the City as an additional insured, in a form approved by the Office of Risk Management. Coverage shall be in an amount of \$1,000,000 or more, as determined by the Office of Risk Management. This insurance requirement shall be waived where the event constitutes the exercise of rights protected under the First Amendment to the United States Constitution, and the event sponsor submits a sworn statement of indigence.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.5. RECYCLING, COLLECTION AND DISPOSITION.

(a) **Recycling Plan.** Any applicant seeking permission for the temporary use or occupancy of a public street, a street fair or an athletic event within the City for an activity or special event that includes dispensing of beverages from glass, aluminum, or plastic containers, or which causes to be generated large amounts of other recyclable materials, shall be required to submit a plan demonstrating a good-faith effort to provide a method to separate glass, aluminum and plastic beverage containers or other materials for the purpose of recycling them.

(b) **Disposition of Recyclable Materials.** Prior to the review by ISCOTT of such application, the applicant shall submit to the chair of ISCOTT the following information:

(1) A plan that describes the number and location of source-separated recycling containers that are necessary to ensure convenient utilization and protect public health and safety; and

(2) Documentation that collection services shall be performed by a private or nonprofit source.

(c) **Collection of Recyclable Containers.** At the time ISCOTT considers the application, it shall determine whether all of the necessary information has been submitted and whether the measures proposed by the applicant provide for the collection and disposition of source-separated materials. The applicant shall pay a deposit in the amount of \$100, for each day of the event, to the Director of Public Works, at the time the application is filed, which shall be forfeited if applicant fails to collect recyclable materials and deposit said materials at a recycling facility. Such deposit shall be refunded in full to the permittee, by the Director of Public Works, upon receipt of documentation which verifies that the collected material was disposed at an appropriation recycling facility.

(d) **Past Performance.** The Director of Public Works shall maintain records for a period of three years that document the recycling performance of the applicant when a temporary use of a public street is permitted. If an applicant for a temporary street closing, street fair or athletic event has been granted approval in the past pursuant to a permit issued by the City and County of San Francisco and failed to collect and dispose recyclable beverage containers, ISCOTT may require the applicant to pay a deposit in an amount greater than that normally required, so long as the increased amount is reasonably related to the anticipated costs of collecting and disposing of recyclable materials. However, if an applicant who has failed to comply with a recycling plan in the past has, since that occurrence, temporarily used a public street, or sponsored a street fair or athletic event pursuant to a permit and has complied with a recycling plan, the amount of the deposit normally required of applicants shall apply.

(e) **Rules and Regulations.** The Director of Administrative Services shall promulgate any rules and regulations necessary or appropriate to carry out the purposes and requirements of this Article. Before issuing or amending any rules or regulations, the Director of Administrative Services shall provide a 30-day public comment period by providing published notice in an official newspaper of general circulation in the City of the intent to issue or amend the regulations.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.6. TEMPORARY USE OF STREETS FOR STREET FAIRS.

(a) **Definitions.** For the purpose of this Section, the following definitions shall apply:

(1) To "issue" a permit is to deliver to an applicant for a street fair permit written permission to sponsor or hold a street fair at a specified date and location.

(2) "Sponsor" means that organization responsible for organizing a street fair and authorized to represent the street fair before City agencies and officials.

(3) A "street fair" means a social or community event, not including an athletic event or parade, in which any group of persons convene to celebrate their community or neighborhood on any street in the City which event obstructs or interferes with the normal flow of vehicular traffic.

(b) **Applying for Temporary Use of Street for Street Fair.** Notwithstanding any other provisions of this Code or the San Francisco Administrative Code, the regulation of street fairs, including the processes for obtaining permits from the City for conducting these street fairs and the payment of associated fees to the City, shall be governed by this Section. In order to provide for the safe, orderly and cost-effective conduct of street fairs, any organization seeking permission for the temporary use of a street for the purpose of conducting a street fair shall file an application with the Director of Transportation no later than 90 days prior to the proposed date for the event. Applications shall be submitted on forms prepared by the Director of Transportation after conferring with the appropriate representatives from the Police Department, Fire Department, Department of Public Health, the Department of Public Works, and the Entertainment Commission. At the time of filing an application under this Section, the sponsoring organization shall also file an application fee established by the Municipal Transportation Agency Board of Directors.

(c) **Timeliness of Applications.** No person submitting an application after the deadlines set forth in this Article shall be granted permission to conduct a street fair on the dates requested unless the person demonstrates to the satisfaction of the Director of Transportation that the failure to submit a timely application was justified by extraordinary circumstances; provided, however, that in no event shall an applicant be permitted to file an application less than 60 days prior to the proposed date for the event. Municipal Transportation Agency Board of Directors may establish a late fee to be assessed for untimely filed applications.

(d) *Review of Application.*

(1) Upon receiving an application for permission for the temporary use of a street for purposes of conducting a street fair, the Director of Transportation shall review the application to determine whether the information required in the application has been provided. If the Director of Transportation determines that the applicant has failed to provide the information required, the Director of Transportation shall, within five business days of receiving the application, notify the applicant of what additional information is required. If the applicant fails to provide the additional information required within five business days of notification by the Director of Transportation, the application shall be deemed to be untimely filed; provided, however, that upon good cause shown, the Director of Transportation may extend this five-day period. Except as provided in Subsection (2) of this Section, the Director of Transportation shall transmit the completed application to ISCOTT.

(2) If, upon reviewing the application, the Director of Transportation determines that the proposed street fair will be contained within one block in such a manner that no intersections will be closed, and that the proposed street fair will not require the rerouting of Municipal Railway vehicles, the Director of Transportation may grant the street fair permit without referring the application to ISCOTT; provided, however, that the Director of Transportation shall transmit copies of the applications to the constituent members of ISCOTT for informational purposes. The Director of Transportation will calculate the fee to be charged to the sponsor using the same schedule and in the same manner as prescribed in Subsection (f) of this Section. If such a street fair will include the sale of food or beverages, the appropriate permits shall be obtained from the Department of Public Health no later than 14 days prior to the date of the event. If such a street fair will include the use of propane or butane (liquefied petroleum gas), open flames, pyrotechnics and fireworks, or tent or membrane structure, the appropriate permits shall be obtained from the Fire Chief no later than 10 days prior to the date of the event.

(e) **Review by ISCOTT; Recommendation.** Except as provided in Subsection (d)(2) of this Section, no later than 60 days prior to the proposed date of the street fair, ISCOTT shall review the application and shall recommend that the Director of Transportation grant, deny, or grant with conditions the application for a permit. The Director of Transportation may accept or reject the recommendation of ISCOTT, and may grant, deny or grant with conditions the application for a permit. Upon granting permission to conduct a street fair, the Director of Transportation shall cause all necessary permits to be issued to the sponsor of the street fair. If the Director of Transportation denies permission to conduct the street fair, the Director of Transportation shall state in writing his or her reasons for the denial.

(f) **Fee.** No later than 60 days prior to the proposed date of the street fair and in consultation with other City departments, ISCOTT shall determine the fee to be charged for the permit according to the schedule below. No other fee for conducting a street fair shall be required or assessed. All fees paid by the sponsors for street fair permits shall be deposited in the City Treasury and allocated by the Controller to the appropriate City departments. The fee shall be based on the actual costs to the City of temporarily closing the street for the street fair, pursuant to the following fee schedule:

(1) **Fire Department:**

A) Application fee \$330.00

B) Inspection fees vendors using propane, butane, charcoal briquettes or open flame:

(i) First Day of Street Fair:

1 to 10 food vendors \$468.00

11 to 20 food vendors \$936.00

21 to 30 food vendors \$1,404.00

31 food vendors and over \$1,872.00

(ii) Each Consecutive Day of Street Fair:

1 to 20 food vendors \$468.00

21 food vendors and over \$936.00

C) Other activities at a street fair that are regulated by the Fire Department will require operational permits from the Department.

Examples of regulated activities include but are not limited to: The erection of tents, the use or storage of hazardous materials, professional fireworks displays, and carnivals. Additional inspection fees may also be required depending on the activity.

2) Department of Public Health: Application and permit fees payable to the Department of Public Health under this Section shall be the same as those charged for temporary food permits for special events as governed by Section 249.11 of the Business and Tax Regulations Code.

3) Municipal Railway fee: Fee to be established by the Municipal Transportation Agency.

4) A) Street fairs where alcoholic beverages are served:

100 percent of the projected Police Department costs incurred by reason of the street fair, subject to the following caps:

0 to 100,000 patrons	\$5,494.07
100,001 to 250,000 patrons	\$10,988.14
More than 250,000 patrons	\$21,976.28

The Police Department, working with the sponsor, shall provide an estimate of attendance for the event for purposes of determining the applicable cap.

B) Street fairs where alcoholic beverages are not served:

Police Department: 40 percent of the projected Police Department costs incurred by reason of the street fair; provided, that this fee shall not exceed \$2,793.49. ISCOTT shall waive all or part of this fee upon a showing that the sponsors of the event are unable to pay the full fee.

If the Director of Transportation grants the application for a permit, he or she shall transmit to the sponsor an invoice for the fee. The sponsor of the street fair shall make full payment of the fee no later than 10 days prior to the date of the event.

(g) **Insurance.** Street fair sponsors shall be required to file with the Director of Transportation proof of insurance in accordance with Section 6.7(I).

(h) **Conditions.** In addition to any other conditions imposed by the Director of Transportation, any street fair conducted pursuant to this Article shall be subject to the conditions set forth in Section 6.7.

(i) **Appeals.** Any appeal from the denial of the issuance of a permit to conduct a street fair, from the imposition of conditions on the issuance of a permit, or the determination or refund of fees shall be to the Board of Supervisors. Such appeal shall be made by filing with the Clerk of the San Francisco Board of Supervisors, on a form provided by the Clerk of the Board, within 10 days of the Director of Transportation's approval or disapproval or the determination or refund of fees. The Board of Supervisors may establish a fee to be imposed upon the filing of any such appeal. Upon receipt, the Clerk of the Board shall set a time and place for hearing such appeal by the Board of Supervisors, which shall be at its next regular meeting in conformance with public notice requirements. At the appeal hearing, the appellant and Director of Transportation shall have an opportunity to present oral testimony and written materials in support of their positions. Upon hearing the appeal, and after any further investigation that the Board of Supervisors may request, the Board of Supervisors may affirm, reverse, or modify the Director of Transportation's decision on the issue appealed.

(j) **Notice.** The Director of Transportation shall transmit copies of the granting of permission to conduct a street fair to the Chief of Police, the Fire Chief, the Director of Public Works, the Executive Director of the Entertainment Commission, the Director of the Environmental Health Section of the Department of Public Health and the Superintendent of Emergency Hospital Service of the Department of Public Health.

(k) **Authorization to Sell Goods; Unauthorized Sales.** The sponsor of a street fair shall determine which individuals or organizations may sell goods or merchandise on a street that has been closed for the purposes of conducting a street fair, provided, however, that such authorization shall not be withheld on the basis of the race, sex, religion, creed, national origin or sexual orientation of the person seeking such authorization. Individuals seeking to sell goods or merchandise in a street that has been closed for the purpose of a street fair without the authorization of a sponsor may be cited for violating San Francisco Police Code Section 869 (peddling without a permit). Nothing in this Section shall be construed to deprive the Department of Public Health of its authority to determine that foods or beverages may be sold.

(l) **Refund of Fees.** If for any reason a sponsor cancels a proposed street fair, the sponsor shall be entitled to a refund of that portion of the fees paid, other than application fees, representing the costs saved by City departments by reason of the cancellation of the street fair.

(m) **Annual Reports.** No later than December 1st of each year, the Chief of Police and the Director of Transportation shall provide to the Board of Supervisors written reports setting forth in detail the Police Department and Municipal Transportation Agency's costs, respectively, associated with street fairs for that year.

(n) **Annual Adjustment of Fees.** Fees set in this Section, including the caps on fees for police services, may be adjusted each year, without further action by the Board of Supervisors or the Municipal Transportation Agency Board of Directors, to reflect changes in the relevant Consumer Price Index, as determined by the Controller. No later than April 15th of each year, the officer, department, or agency administering the fees shall submit its current fee schedule to the Controller, who shall apply the Consumer Price Index adjustment to produce a new fee schedule for the following year. No later than May 15th of each year, the Controller shall file a report with the Board of Supervisors and the Municipal Transportation Agency Board of Directors reporting the new fee schedule and certifying that: (a) the fees produce sufficient revenue to support the costs of providing the services for which each fee is assessed, and (b) the fees do not produce revenue which is significantly more than the costs of providing the services for which each fee is assessed.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 168-09, File No. 090708, App. 7/21/2009)

SEC. 6.7. CONDITIONS.

Any permission for the temporary use or occupancy of a public street authorized by the City shall be subject to the following conditions:

- (a) The temporary use or occupancy of a public street shall not unnecessarily obstruct or bar public access onto said street. Sidewalks shall remain open at all times for pedestrian use unless closure of the sidewalk is provided for by resolution of the Board of Supervisors explaining the reason for such closure.
- (b) No object of any nature shall be placed or maintained within 15 feet of any fire hydrant or within five feet of any fire alarm box or police call box.
- (c) No object of any nature shall be placed or maintained within any intersection or pedestrian crosswalk, nor shall any vehicle be permitted to be parked in such areas.
- (d) A continuous passageway in the roadway at least 14 feet in width shall be maintained at all times during the period of such use or occupancy for the use of emergency vehicles.
- (e) No object of any nature shall be fastened to or erected over the surface of the street or sidewalk, and no object shall be affixed to any pole or standard upon any street or sidewalk, without prior written consent of the Director of Public Works.
- (f) Painting upon any street or sidewalk surface shall be permitted only if a washable paint is used.
- (g) Adequate illumination of area shall be maintained at all times such illumination is appropriate.
- (h) Official traffic-control devices and traffic signal controllers shall not be covered or blocked at any time during the period of such use or occupancy.
- (i) Street barricades determined by the Police Department as being necessary to protect the public's safety shall be delivered by the Police Department or the department's designee; shall be maintained in said locations at all times during the period of such use or occupancy by the permittee; and shall be collected by the Police Department or the department's designee upon termination of the period of said use or occupancy.
- (j) All manhole covers and valve box covers shall be kept clear of any fixed object.
- (k) All streets and sidewalks within the area for which such permission is granted shall be kept clean and free from dirt and debris at all times during the period of such temporary use or occupancy, and all materials and equipment used in connection with said temporary use and occupancy shall be removed from the area within 24 hours of the termination of the period of such use or occupancy. The Director of Public Works shall report any violations of this subsection to the Board of Supervisors.
- (l) Applicants for permission to hold a street fair on a predominantly commercial street shall comply with the following requirements for insurance coverage. For purposes of this Subsection, a "predominantly commercial street" shall mean a street block on which at least 50 percent of front footage of private property on the ground floor of the street is used for commercial purposes. A street block shall be measured from street intersection to street intersection, but shall not include any alley intersection.
 - (1) Applicants shall maintain in force, during the full term of the permit, insurance as follows:
 - (A) General Liability Insurance with limits not less than \$500,000 each occurrence Combined Single Limit Bodily Injury and Property Damage, including Contractual Liability, Personal Injury, Broadform Property Damage, Products and Completed Operations Coverages;
 - (B) If any vehicles will be operated by the applicant in connection with street fair activities under the permit, Automobile Liability Insurance with limits not less than \$500,000 each occurrence Combined Single Limit Bodily Injury and Property Damage, including owned, nonowned and hired auto coverages, as applicable; and
 - (C) If the applicant has employees, Workers' Compensation with Employers' Liability limits not less than \$500,000 each accident.
 - (2) General Liability and Automobile Liability Insurance policies shall be endorsed to provide the following:
 - (A) Name as additional insureds the City and County of San Francisco, its officers, agents and employees;
 - (B) That such policies are primary insurance to any other insurance available to the Additional Insureds with respect to any claims arising out of activities under the permit, and that insurance applies separately to each insured against whom claim is made or suit is brought.
 - (3) Certificates of insurance, in format and with insurers satisfactory to the City evidencing all applicable coverages shall be furnished to the City not less than 10 working days prior to the date of the event and before commencing any operations under the permit, with complete copies of policies to be furnished to the City upon request.
 - (4) The insurance requirement of this Subsection shall be waived by the Board of Supervisors if the applicant certifies in writing that (A) the purpose of the street fair is First Amendment expression and that (B) the cost of obtaining insurance is so financially burdensome that it would constitute an unreasonable prior restraint on the right of First Amendment expression, or that it has been impossible for the applicant to obtain insurance coverage.
 - (m) Signs shall be posted pursuant to San Francisco Health Code Sections 265 through 265.3 wherever alcohol is offered for sale.
 - (n) All applicants shall comply with the requirements of San Francisco Health Code Article 19L, "Prohibiting Smoking at Certain Outdoor Events."
 - (o) Such further conditions as may be imposed by the Department of Public Works after inspection of the area involved.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009; Ord. 6-13, File No. 120772, App. 2/4/2013, Eff. 3/6/2013)

SEC. 6.8. EXCEPTIONS.

The provisions of Sections 6.1 through 6.7 of this Article shall not be applicable to permits issued by the Director of Public Works pursuant to the provisions of Section 724 of the Public Works Code or to the temporary use or occupancy of a public street by a school where the school is using the street area for play purposes during specified hours of the school day.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.9. TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS BY THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT FOR DEBARKATION AND EMBARKATION OF STUDENTS: DUTIES.

Notwithstanding the conditions set forth in Section 6.7 of this Article, any school of the San Francisco Unified School District receiving permission for the temporary use or occupancy of a public street within the City and County pursuant to Section 6.1 of this Article for the debarkation and embarkation of students from buses, shall be solely responsible for:

- (a) The procurement and placement of all street barricades necessary for the establishment of the requested student debarkation and embarkation at bus stops;
- (b) The placement on or near said barricades of clearly visible signs of a uniform type prohibiting the Parking of vehicles adjacent to said barricades; and
- (c) The handling of school buses at loading zones within areas enclosed by said barricades.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.10. ATHLETIC EVENTS.

Notwithstanding any other provision of this Code, the regulation of athletic events as defined herein, including the processes for obtaining permits from the City for conducting these athletic events and the payment of associated fees to the City, shall be governed by Sections 6.10 through 6.14.

For the purposes of this Article, an "athletic event" is an event in which a group of people collectively engage in a sport or form of physical exercise on any street in the City, which event obstructs or interferes with the normal flow of vehicular traffic. An "athletic event" includes, but is not limited to, jogging, bicycling, race walking, roller skating or running. Any event taking place entirely on property under the jurisdiction of the Recreation and Parks Department shall be exempt from this Article.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.11. ATHLETIC EVENTS; DESIGNATION OF ROUTES.

(a) The increasing number of athletic events being held on City streets places a significant burden on the City and its inhabitants. Athletic events provide entertainment and recreation for San Franciscans and people throughout the Bay Area, as well as promoting and supporting tourism in the City. But closing off several major streets at the same time to accommodate a race often causes hardship in the daily lives of local residents, widespread disruption of public transit service, increased litter on public streets and sidewalks, and potential interference with emergency services. By adopting this ordinance, the Board of Supervisors intends to reconcile the City's interest in promoting athletic events with the right of its citizens to the quiet enjoyment of their own neighborhoods.

(b) Athletic events requiring temporary street closings shall be limited in location to routes previously designated as appropriate by the Board of Supervisors. These routes shall be drawn up by ISCOTT and approved by resolution of the Board of Supervisors. In designating these routes, ISCOTT and the Board shall consider the effect of the designation upon: Local traffic patterns; Municipal Railway routes; the ability of the Police Department and the Department of Public Works to provide special services to the event; the safe and efficient delivery of police, fire and emergency medical services to the affected neighborhoods; the safety of participants in the event; and, the rights of participants, residents and local businesses to the reasonable use and enjoyment of City streets.

(c) Any person seeking permission to conduct an athletic event as defined in Section 9.10 shall file an application. The filing of an application and its processing shall be governed by the same processes, application fees, appellate procedures, Municipal Railway fees, and other requirements contained in Section 9.2, which sets forth the procedures for requesting permission for temporary use or occupancy of public streets. A street closing for an athletic event shall be restricted to those routes designated pursuant to this Section. The applicant may, as part of the application, request a waiver of this restriction. In considering a request for a waiver, the City may take into account the extent to which the event has been held along a particular route prior to the application date if that same route has been in use continuously for a period of three or more years. An applicant's request for a waiver shall be granted to the extent that a change of route is required by the Police Department for reasons of public safety.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.12. ATHLETIC EVENTS; PUBLIC NOTICE.

(a) ISCOTT shall mail a copy of any application for a temporary street closing for an athletic event to any community group or neighborhood association that has previously requested in writing to be notified of such applications.

(b) If the temporary street closing is approved, the applicant shall cause notices of the event to be conspicuously posted on both sides of the street along the entire route, at not more than 300 feet in distance apart on each street so posted, but not less than three notices on each street forming part of the route. The notices shall be posted not less than 72 hours prior to the scheduled start of the event. The applicant shall remove the notices within 48 hours after the completion of the event, or be liable for the costs of removal by the City pursuant to Article 10 of the San Francisco Police Code.

Each notice shall be headed "STREET CLOSED FOR ATHLETIC EVENT" in letters not less than one inch in height, and shall in legible characters (1) briefly describe the event to be held; (2) identify the date and time the event is to take place; and, (3) warn that the street will be closed to traffic at that time.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.13. ATHLETIC EVENTS; COST RECOVERY – POLICE.

(a) An application for a temporary street closing for an athletic event shall be deemed a request for police department services within the meaning of Sections 10B.1 through 10B.5 of the San Francisco Administrative Code. If the temporary street closing is approved, the Chief of Police may detail such personnel to police the event in the number and for the period of time the Chief determines to be necessary to perform the services. If the on-site services of two or more police officers are required during the event, the applicant shall be liable for the cost of police services, including field investigation needed to determine manpower requirements, and shall be responsible for indemnifying and holding harmless the City and County of San Francisco and the police personnel as required by Section 10B.2.

(b) Upon approval of a temporary street closure for an athletic event, a sum of money which the Chief of Police estimates will be necessary to cover the costs of services pursuant to Section 10B.2 of the Administrative Code shall be due. No temporary street closure shall be deemed effective until such sum of money is deposited with the Chief of Police of the City and County of San Francisco and the applicant presents to the Chief of Police proof of such deposit. The sum of money required pursuant to this paragraph shall be deposited at least one calendar week before the scheduled event. If the applicant does not deposit the sum required within the time limit specified, the temporary street closing shall be deemed denied, or, if the street closing already has been approved, revoked.

(c) Within a reasonable time after the event is over, the Chief of Police shall determine the amount of money necessary to cover the cost of services provided by the Police Department pursuant to Section 10B.2 of the Administrative Code. If the deposit pursuant to Subsection (b) hereof is insufficient to cover the cost of police services, the Chief of Police shall notify the applicant by United States mail to the address listed on the application and the applicant shall have ten days to pay the balance. If the amount deposited exceeds the actual costs, the Chief of Police shall authorize a refund of the excess to the applicant at the address shown on the application.

(d) If the applicant or sponsor cancels the event after personnel have been assigned to police it and such personnel have begun that duty, the applicant shall be liable for the time expended by police personnel pursuant to Section 10B.2 of the San Francisco Administrative Code, but in no case for less than two hours per employee. If the temporary street closure is revoked, the money deposited for the costs of police services pursuant to this Article shall be refunded.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.14. ATHLETIC EVENTS; COST RECOVERY – PUBLIC WORKS.

(a) An application for a temporary street closing for an athletic event shall be deemed a request for Department of Public Works services within the meaning of Sections 10B.11 through 10B.15 of the San Francisco Administrative Code. If the temporary street closing is approved, the Director of Public Works may detail such personnel to provide street-cleaning and related services for the event in the number and for the period of time the Director of Transportation determines to be necessary to perform the services. The applicant for the temporary street closing shall be liable for the cost of street-cleaning and related services, including field investigation needed to determine manpower requirements, and shall be responsible for indemnifying and holding harmless the City and County of San Francisco and the Department of Public Works personnel as required by Section 10B.12.

(b) Upon approval of a temporary street closing for an athletic event, a sum of money which the Director of Public Works estimates will be necessary to cover the costs of services pursuant to Section 10B.12 of the Administrative Code shall be due. No approval shall be deemed effective until such sum of money is deposited with the Director of Public Works. The sum of money required pursuant to this paragraph shall be deposited at least one calendar week before the scheduled event. If the applicant does not deposit the sum required within the time limit specified, the application for a temporary street closing shall be deemed denied, or, if the street closing has already been approved, revoked. The Director of Public Works may waive the advance deposit requirement if the particular event has not required additional street-cleaning or related services for the past three years. The applicant shall, however, remain liable for the costs of any additional services actually required.

(c) Within a reasonable time after the event is over, the Director of Public Works shall determine the amount of money necessary to cover the cost of services provided by the Department of Public Works pursuant to Section 10B.12 of the Administrative Code. If the deposit pursuant to Subsection (b) hereof is insufficient to cover the cost of street-cleaning and related services, the Director of Public Works shall notify the applicant by United States mail to the address listed on the application and he or she shall have ten days to pay the balance. If the amount deposited exceeds the actual costs, the Director of Public Works shall authorize a refund of the excess to the applicant at the address shown on the application.

(d) If the Board of Supervisors has approved a temporary street closing for an athletic event and the applicant cancels the event after personnel have been assigned to provide street-cleaning and related services to the event and such personnel have begun that duty, the applicant shall be liable for the time expended by Department of Public Works personnel pursuant to Section 10B.12 of the San Francisco Administrative Code. If a temporary street closing is revoked, the money deposited for the costs of street-cleaning and related services pursuant to this Article shall be refunded.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 6.15. MONITORED BICYCLE PARKING AT PUBLIC EVENTS.

ISCOTT or other applicable permitting authority is authorized and encouraged in its discretion to require, and to develop guidelines regarding, monitored bicycle parking at appropriate large permitted public events. The sponsor of the public event may provide such monitoring service or ensure that such monitored bicycle parking is available in local garages or other similar facilities. If the sponsor provides monitored bicycle parking, the sponsor may charge a nominal fee for such service. The amount of such fee shall be included as part of the sponsor's permit application. If the sponsor is unable to ascertain the fee amount at the time of the permit application, the sponsor may submit a fee schedule to

ISCOTT, or other applicable permitting authority, as soon as possible but no later than 10 days before the event.
(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

ARTICLE 7: VIOLATIONS

Sec. 7.1.	Traffic Code Section Numbering.
Sec. 7.2.	Infractions.
<i>Pedestrians and Sidewalks</i>	
Sec. 7.2.10.	Pedestrian Crossings.
Sec. 7.2.11.	Electric Personal Assistive Mobility Devices.
Sec. 7.2.12.	Bicycle Riding Restricted.
Sec. 7.2.13.	Non-Motorized User-Propelled Vehicles (NUV).
<i>On-Street Parking</i>	
Sec. 7.2.20.	Residential/Carpool Parking.
Sec. 7.2.22.	Street Cleaning Parking Restrictions.
Sec. 7.2.23.	Payment of Parking Meter.
Sec. 7.2.24.	Parking in Driveways.
Sec. 7.2.25.	Curb Parking – Red Zones.
Sec. 7.2.26.	Curb Parking – Yellow Zones.
Sec. 7.2.27.	Curb Parking – White Zones.
Sec. 7.2.28.	Curb Parking – Green Zones.
Sec. 7.2.29.	Parking Prohibited for More Than 72 Hours.
Sec. 7.2.30.	Overtime Parking.
Sec. 7.2.32.	Perpendicular or Angled Parking.
Sec. 7.2.33.	Blocking Residential Door.
Sec. 7.2.34.	Parking Adjacent to or on Median Dividers or Traffic Islands.
Sec. 7.2.35.	Parking on Grades.
Sec. 7.2.36.	Parking Oversized Vehicles Within 100 Feet of an Intersection.
Sec. 7.2.37.	Motorcycle Parking.
Sec. 7.2.38.	Parking in Stands.
Sec. 7.2.39.	Parking Within Transit-Only Lanes.
Sec. 7.2.40.	Parking Prohibitions – Downtown Core.
Sec. 7.2.41.	Parking Prohibitions – Outside the Downtown Core.
Sec. 7.2.42.	Parking Restrictions.
Sec. 7.2.43.	Parking on Public Property.
Sec. 7.2.45.	Diverting of Traffic and Temporary Parking Restrictions.
Sec. 7.2.46.	Temporary Parking and Traffic Restrictions.
Sec. 7.2.47.	Removal of Chalk Marks.
Sec. 7.2.48.	Construction or Repairing of Vehicles.
Sec. 7.2.49.	Displaying Permit on Other Vehicles.
Sec. 7.2.50.	Displaying Fraudulent Parking Permit or Submitting False, Misleading or Fraudulent Information on a Residential Parking Permit Application.
Sec. 7.2.51.	Parking Within Parking Spaces.
Sec. 7.2.52.	Car Share Vehicle Parking Restrictions.
Sec. 7.2.54.	Large Vehicle Parking Restrictions.
<i>Off-Street Parking</i>	
Sec. 7.2.60.	Payment of Parking Facility Charges; Proof of Payment.
Sec. 7.2.61.	Use of Entrance and Exit of Municipal Parking Facility.
Sec. 7.2.62.	Blocking Parking Spaces.

Sec. 7.2.63.	Speed of Vehicles.
Sec. 7.2.64.	Blocking an Electric Charging Bay.
Sec. 7.2.65.	Overtime Parking.
<i>Traffic Regulations</i>	
Sec. 7.2.70.	Obstructing Traffic – Vehicle.
Sec. 7.2.71.	Obstructing Traffic – Without Permit; Violation of Terms of Permit; Violation of Division II, Section 903.
Sec. 7.2.72.	Driving In Transit-Only Area.
Sec. 7.2.73.	Driving Through Parades.
Sec. 7.2.74.	Streetcar Right-of-Way – Vehicles Prohibited.
Sec. 7.2.75.	Passing Safety Zones.
Sec. 7.2.77.	Weight Restricted Streets.
Sec. 7.2.78.	Parking or Driving of Vehicles in Port Area.
<i>Commercial Vehicles</i>	
Sec. 7.2.80.	Vehicles for Hire and Taxis; Parking prohibited in Certain Use Districts.
Sec. 7.2.81.	Parking of Vehicles for Commercial Advertising Purposes.
Sec. 7.2.82.	Selling From a Vehicle Restricted.
Sec. 7.2.83.	Truck Loading Zone.
Sec. 7.2.84.	Commercial Vehicle Parking in Certain Districts.
Sec. 7.2.85.	Commercial Vehicle Double Parking.
Sec. 7.2.86.	Idling Engine While Parked.
Sec. 7.2.87.	Commercial Passenger Vehicle Restrictions.
Sec. 7.2.88.	On Street Sales Restrictions.
<i>Transit Violations</i>	
Sec. 7.2.101.	Fare Evasion Regulations.
Sec. 7.2.102.	Passenger Conduct Regulations.
Sec. 7.2.103.	Conversing with Operating Personnel Prohibited.
Sec. 7.2.104.	Clipper Card Regulations.
Sec. 7.3.	Misdemeanors.
Sec. 7.3.1.	Other Fare Evasion and Passenger Conduct Regulations.
Sec. 7.3.2.	Fraudulent Payment Prohibited.
Sec. 7.3.3.	Obstructing Traffic.
Sec. 7.3.4.	Failure to Surrender a Revoked Parking Permit.
Sec. 7.3.5.	Operating Without a Permit.
Sec. 7.3.6.	Solicitation and Paid Passenger Referrals Prohibited.
Sec. 7.3.7.	Gifts or Gratuities.
Sec. 7.3.8.	False Statements Prohibited.
Sec. 7.3.9.	Refusal to Pay Fare.
Sec. 7.3.10.	Excessive and Unauthorized Charges.
Sec. 7.3.11.	False Statements on Residential Parking Permit Application.
Sec. 7.4.	Report on Improved Taxi Service.

SEC. 7.1. TRAFFIC CODE SECTION NUMBERING.

Police Officers and Parking Control Officers shall have the authority to issue citations for violations of this Code by citing either the former Traffic Code section number applicable to the violation that appears in parenthesis at the end of a section or subsection of the Transportation Code, the current Transportation Code section, or the applicable Vehicle Code section number without affecting the validity of the citation.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2. INFRACTIONS.

In addition to public offenses created by the Vehicle Code, the actions listed in this Section 7.2 are prohibited, and each and every violation of a prohibition listed below shall be an infraction, except as otherwise provided in: (a) this Code; or (b) the Vehicle Code; or (c) as necessary to comply with the direction of a Police Officer or Parking Control Officer; or (d) with respect to a Municipal Parking Facility, upon the direction of an authorized parking attendant; or (e) with respect to any other Public Property, except with the permission of, and subject to such conditions and regulations as are imposed by the agency that owns the property that are available for public inspection at the agency's offices.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

PEDESTRIANS AND SIDEWALKS

SEC. 7.2.10. PEDESTRIAN CROSSINGS.

For a pedestrian to cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, or within the Downtown Core, to cross a roadway other than in a marked or unmarked crosswalk. (77, 78)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.11. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.

To operate an electric personal assistive mobility device on any sidewalk. (104)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.12. BICYCLE RIDING RESTRICTED.

To ride a bicycle upon any sidewalk in violation of any restriction on riding bicycles on sidewalks except as authorized in Section 1007 of Division II. (96)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009)

SEC. 7.2.13. NON-MOTORIZED USER-PROPELLED VEHICLES (NUV).

(a) Riding on Sidewalks.

- (1) To ride a NUV upon any sidewalk in any business district within the City;
- (2) To ride a NUV upon any sidewalk within the City between the period commencing ½-hour after sunset and ½-hour before sunrise;

or

(b) Riding in the Roadway. While riding a NUV in the roadway:

- (1) To ride a NUV upon any street in any business district within the City;
- (2) To fail to yield the right-of-way to any person on foot crossing the street;
- (3) To fail to yield the right-of-way to any person on foot approaching from any sidewalk, within any marked or unmarked crosswalk, or to fail to yield to any bicyclist or motor vehicle approaching on the street;
- (4) To travel against the direction of traffic;

(c) General Prohibitions. While operating a NUV:

- (1) To carry any object that obstructs or impairs the rider's vision in any direction.
- (2) To wear any type of audio headphones, headsets or earplugs.
- (3) To operate an NUV in a reckless manner that endangers the safety of people or property.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

ON-STREET PARKING

SEC. 7.2.20. RESIDENTIAL/CARPOOL PARKING.

To Park for a period exceeding the posted time limit in a Residential Permit Parking Area or a Carpool Permit Parking Area without a permit. (315(a), 412(a))*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.21. [RESERVED.]

SEC. 7.2.22. STREET CLEANING PARKING RESTRICTIONS.

To Park any vehicle on any street on the days, and between the hours posted with signs giving notice of the days and hours that Parking is prohibited on that side of the street in order to allow street sweeping; provided that such prohibition shall not apply to a vehicle which is Parked during the days and hours that Parking is prohibited after the street sweeper has already passed the place where the vehicle is Parked. (37(c))*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.23. PAYMENT OF PARKING METER.

- (a) To Park a vehicle within the Downtown Core in any Parking Space controlled by a Parking Meter without immediately making advance

payment for Parking by depositing lawful money of the United States into the Parking Meter assigned to the Parking Space, by prepaid parking card or by other authorized payment method, or to allow a vehicle within the Downtown Core to remain parked at any Parking Meter that indicates that time period for which payment was made has expired; (202.1.)*

(b) To Park a vehicle outside of the Downtown Core in any Parking Space controlled by a Parking Meter without immediately making advance payment for Parking by depositing lawful money of the United States into the Parking Meter assigned to the Parking Space, by prepaid parking card or by other authorized payment method, or to allow a vehicle outside of the Downtown Core to remain parked at any Parking Meter that indicates that time period for which payment was made has expired. (202)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.24. PARKING IN DRIVEWAYS.

To Park a vehicle in a manner that blocks a private driveway, except as authorized in Division II, Section 1004.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.25. CURB PARKING – RED ZONES.

To Park a vehicle in a red zone indicated by red paint on the curb at any time, except that a vehicle may stop at a Stand with a red curb if that class of vehicle is expressly authorized to stop at that Stand. (38.A)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.26. CURB PARKING – YELLOW ZONES.

To Park in a yellow zone indicated by yellow paint on the curb or signage, except for the purpose of loading or unloading passengers or freight, during any time in which Parking is restricted or prohibited at that yellow zone. Non-commercial vehicles shall not be Parked in a yellow zone in excess of a period of three minutes, during which the operator must be in attendance, under any circumstances during times when Parking is restricted at a yellow zone. (38.B, 38.B.1, 38.G)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009)

SEC. 7.2.27. CURB PARKING – WHITE ZONES.

To Park a vehicle, except to load or unload passengers, in a white zone indicated by white paint on the curb or signage for more than five minutes during any time in which Parking is restricted or prohibited at that white zone. Vehicles shall not be stopped in white zones under any circumstances during the times that Parking is restricted or prohibited, except while the operator is in attendance; provided that the operator is not required to be in attendance when the vehicle is Parked: (a) at a hospital, (b) at a school when the vehicle displays a Special License Plate or Placard, and (c) at a child care center, as defined by California Code of Regulations, Section 101152(c)(7). This Section shall not apply to Stands designated by the Municipal Transportation Agency Board of Directors for the exclusive use of Tour Buses under Division II of this Code. (38.C)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009; Ord. 99-12, File No. 110716, App. 6/7/2012, Eff. 7/7/2012)

Editor's Note:

See also Police Code Sec. 65 ("Obstructing Passenger Loading Zones").

SEC. 7.2.28. CURB PARKING – GREEN ZONES.

Unless exempt, to Park a vehicle in a green zone indicated by green paint on the curb beyond the specified time limits. (38.D)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009)

SEC. 7.2.29. PARKING PROHIBITED FOR MORE THAN 72 HOURS.

No person shall park or leave standing any vehicle on any public street or highway for more than 72 consecutive hours.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009)

SEC. 7.2.30. OVERTIME PARKING.

For the operator of any vehicle Parked on the street:

- (a) To Park a vehicle for longer than posted time restrictions within the Downtown Core; (32(c)(1))*
- (b) To Park a vehicle for longer than applicable posted time restrictions on the street outside the Downtown Core; (32(c)(2))* or
- (c) To permit any vehicle to remain Parked at a Parking Meter beyond the maximum time permitted for Parking at that Parking Meter within the Downtown Core. Any vehicle Parked at an inoperable or broken Parking Meter for which Parking is permitted in excess of two hours shall be permitted to Park for a maximum time period of two hours.
- (d) To permit any vehicle to remain Parked at a Parking Meter beyond the maximum time permitted for Parking at that Parking Meter outside the Downtown Core. Any vehicle Parked at an inoperable or broken Parking Meter for which Parking is permitted in excess of two hours shall be permitted to Park for a maximum time period of two hours.
- (e) Each hour or portion thereof that a vehicle is Parked in violation of this Section shall be a separate and distinct offense, except that in a yellow zone indicated by yellow paint on the curb, any non-commercial vehicle may be issued no more than one citation per one-half hour for violations of time restrictions, and no vehicle may be issued more than two citations within a 12-hour period. (32, 38.G)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 104-11, File No. 110334, App. 6/20/2011, Eff. 7/20/2011)

SEC. 7.2.31. [RESERVED.]

SEC. 7.2.32. PERPENDICULAR OR ANGLED PARKING.

To Park a vehicle in any orientation other than at the angle to the curb or edge of the roadway indicated by signs or markings, or in any Parking Space equipped with a Parking Meter in any orientation other than with the front of the vehicle closest to the Parking Meter, unless the space is expressly designated for "back in only" Parking. (32.13, 55)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.33. BLOCKING RESIDENTIAL DOOR.

To Park a vehicle upon any street in such a manner that the vehicle blocks any entrance to any residence, where the residence is located adjacent to a street with no sidewalk in between the street and the residence. (32.21)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.34. PARKING ADJACENT TO OR ON MEDIAN DIVIDERS OR TRAFFIC ISLANDS.

To Park a vehicle on or next to any traffic island, lines painted or structures constructed in the public right of way for the purpose of separating opposing traffic or guiding traffic flows except as otherwise posted. (56)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.35. PARKING ON GRADES.

To Park a vehicle upon any grade or slope exceeding three percent without effectively setting the brakes and blocking the wheels of the vehicle by turning them against the curb or by other means. For the purpose of the issuance of a notice of violation of this Section, proof that an unattended vehicle Parked on a grade exceeding three percent was involved in a collision shall establish a presumption that such unattended vehicle was Parked in violation of this Section. (58(a))*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.36. PARKING OVERSIZED VEHICLES WITHIN 100 FEET OF AN INTERSECTION.

To Park a vehicle six feet or more in height (including any load thereon) within 100 feet of an intersection on those streets or portions of streets, during all or those certain hours of the day, as are designated by signs giving notice of such prohibition effective for that intersection. (61)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.37. MOTORCYCLE PARKING.

To Park a vehicle other than a motorcycle in any Parking Space signed for motorcycles only. (27)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.38. PARKING IN STANDS.

(a) To Park a vehicle at any Stand at any time, except a vehicle belonging to the class of vehicles that are authorized to use that Stand. (33.5A, 39(b), 66)*

(b) To Park or stop a vehicle other than a Tour Bus at any Stand designated by the Municipal Transportation Agency's Board of Directors under Division II of this Code for the exclusive use of Tour Buses when Municipal Transportation Agency signs or markings are posted giving notice of such restrictions.

(c) To Park or stop a Tour Bus at any Stand designated by the Municipal Transportation Agency's Board of Directors under Division II of this Code for the exclusive use of Tour Buses, in violation of any time limits or loading restrictions imposed by Municipal Transportation Agency signs or markings giving posted notice of such restrictions.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 99-12, File No. 110716, App. 6/7/2012, Eff. 7/7/2012)

SEC. 7.2.39. PARKING WITHIN TRANSIT-ONLY LANES.

To Park any vehicle such that any portion of the vehicle is within a transit-only lane designated in Section 601 of Division II. (53(a))*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.40. PARKING PROHIBITIONS – DOWNTOWN CORE.

To Park on any street, alley or portion of a street or alley that is subject to a posted Parking prohibition. (32(a)(1), 32(b))*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.41. PARKING PROHIBITIONS – OUTSIDE THE DOWNTOWN CORE.

To Park on any street, alley or portion of a street or alley that is subject to a posted Parking prohibition. (32(a)(2), 32(b))*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.42. PARKING RESTRICTIONS.

To Park on any street, alley or portion of a street or alley that is subject to a Parking restriction described in Article 800 of Division II. (32.6 through 32.6.37; 32.1.10)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.43. PARKING ON PUBLIC PROPERTY.

(a) Except as provided in Subsections (b) (c), and (d), to Park any vehicle on Public Property:

(1) Within the property lines of the parking lot commonly known as 970 Bryant Street (Block 3758) and located between the easterly side of the entrance to Interstate 80 at 8th Street and the Hall of Justice Service Station at 950 Bryant Street; (32.6.5)*

(2) Within the off-street parking area of the Fire Department property commonly known as 260 Golden Gate Avenue (Lot 7, Block 345) and located on the north side of Golden Gate Avenue approximately 83 feet east of Hyde Street; (32.6.6)*

(3) Except in parking stalls expressly designated for use by the public while conducting business at the police facilities, within the property lines of the off-street parking area of the Police Department property commonly known as 1125 Fillmore Street (Lot 13, Block 755) and located on the south side of Turk Street approximately 412.5 feet for the entire block between Fillmore and Steiner Streets and approximately 137.5 feet on the easterly side of Steiner Street and approximately 137.5 feet in the westerly side of Fill more Street and approximately 67.5 feet on the northerly side of Golden Gate Avenue commencing approximately 70 feet from the easterly line of Steiner Street and the northerly line of Golden Gate Avenue; (32.6.11)*

(4) Within the property lines of the area upon which the San Francisco Hall of Justice is situated, bounded by the northwesterly side of Bryant Street, the southwesterly side of Harriet Street, and southeasterly side of the right-of-way of the James Lick Freeway, and the northeasterly side of Seventh Street; (32.6.28)*

(5) Within the property lines of the block upon which the San Francisco City Hall is situated, bounded by the westerly line of Polk Street, the northerly line of Grove Street, the easterly line of Van Ness Avenue and the southerly line of McAllister Street; (32.1)*

(6) Within the property lines of the block upon which the San Francisco Main Library is situated, bounded by Larkin, Grove, Hyde, and Fulton Streets; (32.1.1)*

(7) Within the property lines of the Eureka Valley Branch Library, 3555 16th Street, and Western Addition Branch Library, 1550 Scott Street; (32.1.2)*

(i) When said branches are closed to the public

(ii) Except for one hour at all times when the branches are open to the public;

(8) Within the property lines of the Department of Social Services building, 150 Otis Street (Lot 7, Block 3513), and the vacant area situated at the gore corner of Mission and Otis Streets and Duboce Avenue (portion of Lot 6A, Block 3512); (32.1.3)*

(9) Within the property lines of the following listed San Francisco Housing Authority property: CAL 1-1 (Holly Courts), CAL 1-2 (Potrero Terrace), CAL 1-3 (Sunnydale), CAL 1-4 (Valencia Gardens), CAL 1-5 (Bernal Dwellings), CAL 1-8 (Westside Courts), CAL 1-9 (Harbor Slope), CAL 1-10 (Potrero Annex), CAL 1-11 (North Beach), CAL 1-15 (Ping Yuen), CAL 1-16 (Alemany), CAL 1-17 (A) [Hunters Point (A)], CAL 1-17 (B) [Hunters Point (B)], CAL 1-18(1) (J.F. Kennedy Towers), CAL 1-18(2) (Yerba Buena Plaza), CAL 1-18(3) (Hunters View), CAL 1-18(4) (Alice Griffith), CAL 1-18(5) (Yerba Buena Annex), CAL 1-18(6) (Ping Yuen North), CAL 1-18(7) (Hayes Valley), CAL 1-18(10) (Woodside Gardens), CAL 1-19-1(1) (990 Pacific Avenue), CAL 1-20 (3850 18th Street), CAL 1-21 (320-330 Clementina), CAL 1-23 (350 Ellis Street), CAL 1-28 (666 Ellis Street), CAL 1-30 (345 Hermann Street, 77 Coleridge Street, 105 Lundy's Lane), CAL 1-31 (25 Sanchez Street), CAL 1-32 (1760 Bush Street), CAL 1-33 (275 Thrift Street), CAL 1-34 (4101 Noriega Street, 220 Randolph Street, 363 Noe Street); (32.1.4)*

(10) Within the property lines of Block 815 upon which the San Francisco Unified School District building is situated, and on the parking lot located on the westerly portion of Block 762; (32.1.7)*

(11) Within the property lines of any facility under the jurisdiction and control of the San Francisco Public Utilities Commission and its departments and bureaus, except for any person conducting business with the City when such business must be conducted within any such Public Utilities Commission facility; (32.1.9)*

(12) Within the property lines of San Francisco General Hospital, including the block bounded by 22nd Street, Vermont Street, 23rd Street, and Potrero Avenue and the area bounded on three sides by San Bruno Avenue, 22nd Street, and Potrero Avenue and extending northward approximately 816 feet from 22nd Street, said area being occupied in part by the Maternity and Psychiatric buildings of San Francisco General Hospital, and also including the north side of 22nd Street from Potrero Avenue to San Bruno Avenue, the south side of 22nd Street from Potrero Avenue to Vermont Street, the west side of San Bruno Avenue north of 22nd Street, and both sides of Vermont Street between San Bruno Avenue and 23rd Street, said area being adjacent to and servicing San Francisco General Hospital; (32.2)*

(13) Within the property lines of the area upon which the Eureka-Noe District Health Center No. 1 is situated on 17th Street between Pond and Prosper Streets (Lot 49, Block 3564); (32.2.1)*

(14) Within the property lines of the area upon which the Sunset-Richmond District Health Center No. 5 is situated at 1351 Twenty-Fourth Avenue (Lot 7, Block 1779); (32.2.2)*

(15) Within the property lines of the area upon which the North East District Health Center No. 4 is situated on Mason Street at

Broadway; (32.2.3)*

(16) Within the property lines of Laguna Honda Hospital, including the area bordered by Woodside Avenue, Laguna Honda Boulevard, the Water Department property at northwest Clarendon Avenue, Midtown Residential Development, and the Youth Guidance Center; (32.3)*

(17) Within the property lines of the San Francisco Department of Health, 101 Grove Street Garage; (32.3.1)*

(18) In the parking lot of Candlestick Park in a manner that causes said vehicle to rest on any line or other marking which designates a Parking Space, or in such a position that said vehicle is not entirely within the area designated as one Parking Space, unless such person has paid for the use of the Parking Spaces totally or partially occupied by said vehicle or except as directed by a parking lot attendant; (32.4.2(b))*

(19) Within the property lines of the Youth Guidance Center, including the area bounded on the north by Assessor's Block 2836, on the northeast by Panorama Drive, on the east by Assessor's Block 2821, on the southeast by Portola Drive, on the south by Woodside Avenue and on the west by the property lines of Laguna Honda Hospital; (32.5)*

(20) In any location on Treasure Island or Yerba Buena Island where the Treasure Island Development Authority has posted legally required signage of parking restrictions and prohibitions;

(21) In any location that is within the jurisdiction of the Port and is not part of the public right of way where the Port has posted legally required signage of parking restrictions and prohibitions.

(b) The restrictions listed in subparagraph (a) shall not apply to vehicles under the jurisdiction of or authorized to park in such locations for the purpose of conducting City business by:

(1) The Chief of Police, with respect to subparagraphs (1), (3), and (4);

(2) The Chief Administrative Officer, with respect to subparagraphs (4) and (5);

(3) The Fire Chief, with respect to subparagraph (2);

(4) The City Librarian, with respect to subparagraphs (6) and (7)(ii);

(5) The General Manager of the Department of Social Services, with respect to subparagraph (8);

(6) The Executive Director of the San Francisco Housing Authority, with respect to subparagraph (9), and the restrictions shall not apply to vehicles driven by officers of the City or employees of the San Francisco Housing Authority on official business;

(7) The Superintendent of Schools, with respect to subparagraph (10);

(8) The General Manager of Public Utilities, with respect to subparagraph (11);

(9) The Executive Administrator of San Francisco General Hospital, with respect to subparagraph (12);

(10) The Director of Public Health or District Health Officer, with respect to subparagraphs (13), (14), and (15);

(11) The Superintendent of Laguna Honda Hospital, with respect to subparagraph (16);

(12) The Department of Public Health, with respect to subparagraph (17);

(13) The Chief Probation Officer, with respect to subparagraph (19);

(c) The restrictions listed in Subsection (a), subparagraphs (2), (4), (8), (9), (10), (11), (12), (13), (14), (15), (16), and (19) shall not apply to any person engaged in the loading and unloading of passengers upon or from vehicles.

(d) The restrictions listed in Subsection (a), subparagraphs (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), and (19) shall not apply to any person engaged in the loading and unloading of freight upon or from vehicles. (32)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.44. RESERVED.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; repealed by Ord. 231-09, File No. 090780, App. 11/10/2009)

SEC. 7.2.45. DIVERTING OF TRAFFIC AND TEMPORARY PARKING RESTRICTIONS.

To Park a vehicle in violation of a temporary Parking prohibition or restriction posted on any street or area, or to disobey the lawful order of any Police Officer or Parking Control Officer directing the removal or diversion of a vehicle from any street or area. (33(c))*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.46. TEMPORARY PARKING AND TRAFFIC RESTRICTIONS.

To violate any temporary Parking or traffic restriction authorized by the SFMTA for any public or private construction work, or that is posted pursuant to Section 3.4. (33.1)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.47. REMOVAL OF CHALK MARKS.

Removing, erasing, rubbing out, or otherwise removing or concealing, any chalk or other mark from the tires of a vehicle placed by a Parking Control Officer for the purpose of enforcing Parking regulations. (21)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.48. CONSTRUCTION OR REPAIRING OF VEHICLES.

To construct or cause to be constructed or repair or cause to be repaired any vehicle or any part of any vehicle upon any public street except such repairs as may be necessary in case of an accident or breakdown to enable the removal of the vehicle from the street. (65)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.49. DISPLAYING PERMIT ON OTHER VEHICLES.

To so use or display a Parking Permit on a vehicle other than the vehicle for which it is issued. (315(c), 412(c), 712(c))*
(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.50. DISPLAYING FRAUDULENT PARKING PERMIT OR SUBMITTING FALSE, MISLEADING OR FRAUDULENT INFORMATION ON A RESIDENTIAL PARKING PERMIT APPLICATION.

(a) To use or display a facsimile or counterfeit Parking Permit;
(b) To knowingly make any false, misleading, or fraudulent statement or representation on any application for, or request for renewal of, any Residential Parking Permit issued by the Municipal Transportation Agency pursuant to Section 905. In addition to any penalty set forth in Section 302, the Municipal Transportation Agency may impose administrative penalties pursuant to Section 314.
(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 225-11, File No. 110984, App. 11/15/2011, Eff. 12/15/2011)

SEC. 7.2.51. PARKING WITHIN PARKING SPACES.

To Park a vehicle other than in a designated Parking Space, or across any demarcation of the boundaries of a Parking Space, or in any manner such that the vehicle is not entirely within the area demarcated for the Parking of a vehicle of the Parking Space. (58(c), 32.4.2(b))*
(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.52. CAR SHARE VEHICLE PARKING RESTRICTIONS.

To Park a vehicle in a Parking Space designated by the Municipal Transportation Agency's Board of Directors for the exclusive use of car share vehicles which have been issued a Car Share Vehicle Parking Permit by the Municipal Transportation Agency when Municipal Transportation Agency signs or markings are posted giving notice. Vehicles Parked in violation of this section are subject to removal pursuant to Section 8.1(a)(12) of this Code.
(Added by Ord. 169-11, File No. 110769, App. 8/3/2011, Eff. 9/2/2011)

SEC. 7.2.54. LARGE VEHICLE PARKING RESTRICTIONS.

To Park a vehicle over twenty-two feet in length or seven feet in height, or camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice. This section shall be operative on March 31, 2013.
(Added by Ord. 211-12, File No. 120142, App. 10/9/2012, Eff. 11/8/2012, Oper. 3/31/2013)

OFF-STREET PARKING**SEC. 7.2.60. PAYMENT OF PARKING FACILITY CHARGES; PROOF OF PAYMENT.**

For the operator of any vehicle Parked in a Municipal Parking Facility, to fail, neglect or refuse to pay the Parking charges established for the Municipal Parking Facility; or where the Municipal Parking Facility requires the display of a Parking ticket or receipt as proof of payment, to fail, neglect or refuse to display such Parking ticket or receipt in the manner specified on the said ticket or receipt. (32.11)*
(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.61. USE OF ENTRANCE AND EXIT OF MUNICIPAL PARKING FACILITY.

To enter any Municipal Parking Facility with a vehicle by any means of ingress that is not marked with the word "Entrance" or otherwise indicated by arrows, signs, or words to entry of such Municipal Parking Facility; or to remove any vehicle from any Municipal Parking Facility by any means of egress that is not marked with the word "Exit" or otherwise indicated by arrows, signs, or words to be an exit of such Municipal Parking Facility. (32.15)*
(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.62. BLOCKING PARKING SPACES.

To Park a vehicle in any manner which either wholly or partially obstructs or interferes with access to any Parking Space, or in any manner so as to obstruct or otherwise prevent or interfere with the free movement of vehicles in any area designed for ingress to or egress from any Municipal Parking Facility. (32.14)*
(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.63. SPEED OF VEHICLES.

For any person to operate a vehicle within a Municipal Parking Facility at a speed exceeding 10 miles per hour. (32.16)*
(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.64. BLOCKING AN ELECTRIC CHARGING BAY.

To Park any vehicle other than an electric vehicle, in a Parking Space in a Municipal Parking Facility that is equipped with an electric vehicle charging bay in a manner that blocks or occupies the electric vehicle charging bay. (32.21A(a))*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.65. OVERTIME PARKING.

For the operator of any vehicle Parked in a Municipal Parking Facility:

(a) To Park a vehicle for longer than posted time restrictions; or
(b) To permit any vehicle to remain Parked at a Parking Meter beyond the maximum time permitted for Parking at that Parking Meter. Any vehicle Parked at an inoperable or broken Parking Meter for which Parking is permitted in excess of two hours shall be permitted to Park for a maximum time period of two hours.

(c) Each hour or portion thereof that a vehicle is Parked in violation of this Section shall be a separate and distinct offense, but no vehicle may be issued more than two citations within a 12-hour period.

(Added by Ord. 104-11, File No. 110334, App. 6/20/2011, Eff. 7/20/2011)

TRAFFIC REGULATIONS

SEC. 7.2.70. OBSTRUCTING TRAFFIC – VEHICLE.

To Park a vehicle in a manner to obstruct the flow of pedestrian or vehicular traffic. (70, 71b)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.71. OBSTRUCTING TRAFFIC – WITHOUT PERMIT; VIOLATION OF TERMS OF PERMIT; VIOLATION OF DIVISION II, SECTION 903.

To obstruct traffic without a Special Traffic Permit, obstruct traffic in violation of the terms of a Special Traffic Permit, or violate the regulations set forth in Division II, Section 903. Each hour during which the obstruction continues shall constitute a separate offense. The first, and each subsequent offense within a one year period, shall result in a penalty set forth in Division II, Section 302.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009)

SEC. 7.2.72. DRIVING IN TRANSIT-ONLY AREA.

To operate a vehicle or any portion of a vehicle within the area of any street designated in Division II as a transit-only area, except that public transit vehicles and taxicabs, vehicles preparing to make a turn, and vehicles entering into or exiting from a stopped position at the curb may be driven within a transit-only area. (31, 31.2)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.73. DRIVING THROUGH PARADES.

For the operator of any vehicle to drive between the vehicles comprising an authorized parade, provided the character of such vehicles is reasonably discernible. (103)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.74. STREETCAR RIGHT-OF-WAY – VEHICLES PROHIBITED.

For any person to drive a vehicle over, upon or across any streetcar right-of-way which has been raised three inches or more above the level of the adjacent roadway, except as necessary for the purpose of entering or exiting from a garage or driveway or for the purpose of overtaking and passing a disabled vehicle upon the adjacent roadway. (121)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.75. PASSING SAFETY ZONES.

To drive any vehicle other than a public transit vehicle to the left of any safety zone established at a regular streetcar stop between the hours and at the locations specified in Division II. (122)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.76. [RESERVED.]

SEC. 7.2.77. WEIGHT RESTRICTED STREETS.

To operate on any street, alley or portion of a street or alley, a vehicle with a gross weight in excess of the authorized weight limit established for that street or alley in Division II. (28.1 through 28.1.70)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.78. PARKING OR DRIVING OF VEHICLES IN PORT AREA.

- (a) To Park any vehicle or leave standing any animal, whether attended or unattended, or upon any property under the control and jurisdiction of the Port Commission or upon any thoroughfare located on such property in violation of Port Regulations. (220)*
 - (b) To drive any vehicle or animal upon any wharf, bulkhead wharf, pier, quay, or storage area or any other area not dedicated as a public street, within the control of the Port Commission, except that signs indicating restrictions on such driving must be posted and clearly visible at the entrance from any thoroughfare or street to such wharf, bulkhead wharf, pier, quay, or storage area. (220)*
- (Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

COMMERCIAL VEHICLES

SEC. 7.2.80. VEHICLES FOR HIRE AND TAXIS; PARKING PROHIBITED IN CERTAIN USE DISTRICTS.

For the operator of any vehicle for hire that is registered or required to be registered with the California Public Utilities Commission, other than a Tour Bus parked at a Stand designated by the Municipal Transportation Agency's Board of Directors under Division II of this Code for the exclusive use of Tour Buses, to leave any such vehicle unattended in any street in a RH-1(D), RH-1, RH-2, RH-3, RH-4, RM-1, RM-2, RM-3, RM-4 or P Use District, or for any Taxi to remain parked in such districts for a period in excess of four (4) hours. (63.2)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009; Ord. 99-12, File No. 110716, App. 6/7/2012, Eff. 7/7/2012)

SEC. 7.2.81. PARKING OF VEHICLES FOR COMMERCIAL ADVERTISING PURPOSES.

(a) To Park any motor vehicle that is carrying, towing or otherwise displaying a commercial advertising sign on any public street or in any public or private parking lot in the City for the primary purpose of displaying a commercial advertising sign, including any display that does not more than propose a commercial transaction. This prohibition shall not apply to a passenger vehicle with maximum occupancy of six passengers, or to vehicles Parked for a primary purpose other than displaying a commercial advertising sign, including:

- (1) Vehicles Parked while loading or unloading passengers or goods;
- (2) Vehicles Parked while engaged in the delivery of services; and
- (3) Passenger vehicles Parked within 600 feet of the residence of the registered owner of the vehicle.

(b) **Findings and Purpose.** The Board of Supervisors finds that there is a growing practice of Parking large vehicles such as trucks and vans in the City's public streets and parking lots for the purpose of displaying commercial advertising. The Board of Supervisors finds that this practice: (i) creates aesthetic blight; (ii) contributes to the critical shortage of parking spaces Parking Spaces; (iii) causes traffic safety hazards by distracting members of the public who use public thoroughfares, including drivers, bicyclists and pedestrians. The purpose of this Section is to counteract these negative effects and protect and promote public safety and quality of life in the City. This Section is not intended to regulate non-commercial speech, including non-commercial advertising and signage. (63.3)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.82. SELLING FROM A VEHICLE RESTRICTED.

For any person to Park any vehicle upon any street in any business district and offer merchandise for sale from the vehicle. (68)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.83. TRUCK LOADING ZONE.

To Park a vehicle in any Truck Loading Zone other than a Truck, except as expressly authorized by applicable signage. (33.3.2, 33.3)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.84. COMMERCIAL VEHICLE PARKING IN CERTAIN DISTRICTS.

To Park any motor truck, truck tractor, road tractor, van, trailer, delivery wagon, or any vehicle used for commercial purposes in excess of limitations on manufacturer's gross vehicle weight rating or a gross combination weight rating specified in Division II, for a period in excess of one hour or between the hours of 2:00 a.m. and 6:00 a.m. on any street with weight limits designated in Division II except while in the course of delivery or removal of goods, merchandise or other personal property for residents on such street, or except when such vehicle is used by a recreational equipment vendor as defined in Section 1050 of the Police Code in the course of business and all the requirements of Police Code Sections 1051 through 1055 are met. Any excepted vehicle shall be subject to all parking limitations applicable thereto as otherwise provided by law. (63, 63A, 63.1)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.85. COMMERCIAL VEHICLE DOUBLE PARKING.

Except when necessary in obedience to traffic regulations or police or Parking Control Officers, when loading or unloading merchandise or passengers it shall be a violation of Vehicle Code Section 22502(a) for a commercial vehicle to Park in a Street where signs prohibiting commercial vehicle double parking are posted.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.86. IDLING ENGINE WHILE PARKED.

To cause or permit the engine of a commercial vehicle, Private Bus, or motor vehicle for hire as defined in Police Code Section 1076(a) to idle while Parked upon any public right of way within the City and County of San Francisco for more than five minutes; provided, however, that if such vehicle is temporarily stopped for the sole purpose of loading or unloading passengers, it may idle no longer than is reasonably necessary to load or unload passengers. (60.5)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.87. COMMERCIAL PASSENGER VEHICLE RESTRICTIONS.

To operate a commercial motor vehicle with a seating capacity of eight or more passengers, used or maintained for the transportation of persons for hire, compensation or profit upon the streets or areas designated in Division II, Section 503, except as permitted in that Section.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.88. ON STREET SALES RESTRICTIONS.

It shall be unlawful for any person to park a vehicle on an on-street parking place for the purpose of displaying same for sale unless the vehicle is parked within 600 feet of the residence of the registered owner of the vehicle.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

TRANSIT VIOLATIONS

SEC. 7.2.101. FARE EVASION REGULATIONS.

(a) For any passenger or other person in or about any public transit station (including an outdoor high-level boarding platform or station operated by the Bay Area Rapid Transit District), light rail vehicle, streetcar, cable car, motor coach, trolley coach or other public transit vehicle to evade any fare collection system or proof of payment program instituted by the Municipal Transportation Agency.

(b) For any person to board or ride a light rail vehicle, streetcar, cable car, motor coach, trolley coach without prior or concurrent payment of fare.

(c) To fail to display a valid fare receipt or transit pass at the request of any authorized representative of the transit system or duly authorized peace officer while on a transit vehicle or in a Proof of Payment Zone.

(d) To misuse any transfer, pass, ticket, or token with the intent to evade the payment of any fare.

(e) To knowingly use or attempt to use any illegally printed, duplicated, or otherwise reproduced token, card, transfer or other item for entry onto any transit vehicle or into any transit station with the intent of evading payment of a fare.

(f) For any unauthorized person to use a discount ticket or fail to present, upon request from a system fare inspector, acceptable proof of eligibility to use a discount ticket. (127)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009; Ord. 96-12, File No. 120317, App. 5/24/2012, Eff. 6/23/2012)

SEC. 7.2.102. PASSENGER CONDUCT REGULATIONS.

For any passenger or other person in or about any public transit station (including an outdoor high-level boarding platform or station operated by the Bay Area Rapid Transit District), streetcar, cable car, motor coach, trolley coach or other public transit vehicle to commit any of the acts described below:

(a) Playing sound equipment on or in a system facility or vehicle;

(b) Smoking, eating, or drinking in or on a system facility or vehicle in those areas where those activities are prohibited ;

(c) Expectorating upon or within a system facility or vehicle;

(d) Willfully disturbing others on or in a system facility or vehicle by engaging in boisterous or unruly behavior;

(e) Carrying an explosive or acid, flammable liquid, or toxic or hazardous material in a system facility or vehicle;

(f) Urinating or defecating in a system facility or vehicle, except in a lavatory. However, this paragraph shall not apply to a person who cannot comply with this paragraph as a result of a disability, age, or a medical condition;

(g) Willfully blocking the free movement of another person in a system facility or vehicle.

(h) Skateboarding, roller skating, bicycle riding, or roller balding in a system facility, vehicle, or parking structure. This restriction does not apply to an activity that is necessary for utilization of the transit facility by a bicyclist, including, but not limited to, an activity that is necessary for parking a bicycle or transporting a bicycle aboard a transit vehicle as permitted by the Municipal Transportation Agency. (128)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.103. CONVERSING WITH OPERATING PERSONNEL PROHIBITED.

For any person to engage any operator of any streetcar, cable car, bus or trolley coach in conversation, except for the purpose of procuring necessary information. (128.5)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.2.104. CLIPPER CARD REGULATIONS.

(a) To fail to display a valid Clipper card at the request of any authorized representative of the transit system or duly authorized peace

officer while on a transit vehicle or in a Proof of Payment Zone.

(b) To misuse any Clipper card with the intent to evade the payment of any fare, or to fail to tag a Clipper card transponder or card reader while on a transit vehicle or in a Proof of Payment Zone.

(c) To knowingly use or attempt to use any illegally printed, duplicated, or otherwise reproduced Clipper card for entry onto any transit vehicle or into any transit station with the intent of evading payment of a fare.

(d) For any unauthorized person to use a discount Clipper card or fail to present, upon request from a system fare inspector, acceptable proof of eligibility to use a discount Clipper card.

(Added by Ord. 5-12, File No. 110994, App. 1/12/2012, Eff. 2/11/2012; amended by Ord. 96-12, File No. 120317, App. 5/24/2012, Eff. 6/23/2012)

SEC. 7.3. MISDEMEANORS.

Except as may be authorized in Division II of this Code, the following actions are prohibited, and each and every violation of the prohibitions listed in this Subsection 7.3 shall be a misdemeanor; provided however, that, the charge may be reduced to an infraction in discretion of the Court, or the citation issued may be issued for the violation as an infraction in the discretion of the issuing officer.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.3.1. OTHER FARE EVASION AND PASSENGER CONDUCT REGULATIONS.

For any passenger or other person in or about any public transit station (including an outdoor high-level boarding platform or station operated by the Bay Area Rapid Transit District), or public transit vehicle to commit any of the acts described below:

(a) Knowingly providing false identification to a peace officer, fare inspector or other representative of the transit system when engaged in the enforcement of City or state laws regarding fare collection, fare evasion, passenger conduct or proof of payment of fare;

(b) Interfering with the turnstile or fare register;

(c) Meddling with the trolley pole or rope attached thereto;

(d) Meddling with tracks, switches, turnouts, or any other transit system structures or facilities;

(e) Entering upon the roadbed, tracks, structures or other portions of transit system property or facilities not open to passengers or the public;

(f) Obstructing any person or persons in charge of any transit station or facility or public transit vehicle in the performance of that person's duties, or otherwise interfering with the operation of the public transit vehicle;

(g) Sounding any bell, alarm or other warning device, without authorization;

(h) Printing, duplicating or otherwise reproducing any token, card, transfer or other item used for entry onto any transit vehicle or into a transit station without the express permission of the Municipal Transportation Agency. (128.2)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.3.2. FRAUDULENT PAYMENT PROHIBITED.

To deposit or cause to be deposited in any Parking Meter any slug, device, or substitute for lawful money of the United States or any other authorized payment device, or to otherwise fraudulently attempt to obtain time on a Parking Meter or otherwise avoid making the required payment. (207)

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.3.3. OBSTRUCTING TRAFFIC.

To obstruct traffic four or more times within one year without a Special Traffic Permit, or violate the terms of a Special Traffic Permit or the regulations set forth in Division II, Section 903. Each hour during which the obstruction continues shall constitute a separate offense. Any person and/or business entity violating this section may be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of at least \$1,000, or imprisonment in the county jail not exceeding six months, or both. (194.3)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009)

SEC. 7.3.4. FAILURE TO SURRENDER A REVOKED PARKING PERMIT.

Failure, when requested, to surrender a Parking Permit revoked by the Municipal Transportation Agency. A Police Officer or Parking Control Officer is authorized to confiscate a Parking Permit from a vehicle if the Parking Permit is determined to have been revoked. (316, 413, 713)*

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008)

SEC. 7.3.5. OPERATING WITHOUT A PERMIT.

(a) For any person or entity to drive or operate any taxi on the public street without a permit issued by the SFMTA authorizing such driving or operation. For purposes of this subsection 7.3.5(a), taxi shall mean a motor vehicle for hire that picks up passengers without prearrangement.

(b) For any person or entity to operate any Dispatch Service or to provide taxi-related services to Drivers or Medallion Holders, including but not limited to procurement of a Taxi or Ramp Taxi vehicle, vehicle insurance or maintenance, or the recruitment, management or scheduling of Drivers, without a permit issued by the SFMTA authorizing such operation in accordance with the provisions of this Code.

(c) For any person to drive, or to allow another person to drive, a vehicle that is authorized for use as a Motor Vehicle for Hire without a Driver Permit issued by the SFMTA.

Unless otherwise stated, for purposes of Sections 7.3.5, 7.3.6, 7.3.7, 7.3.8, 7.3.9 and 7.3.10 of Article 7 of this Code, the terms "Color Scheme," "Dispatch Service," "Dispatch Service Permit," "Driver," "Driver Permit," "Motor Vehicle for Hire," "Medallion," "Medallion Holder," "Permit Holder," "Ramp Taxi," and "Taxi" shall have the meanings ascribed to these terms in Article 1100 of this Code.

(Added by Ord. 45-11, File No. 101442, App. 3/10/2011)

SEC. 7.3.6. SOLICITATION AND PAID PASSENGER REFERRALS PROHIBITED.

(a) For any driver of a motor vehicle for hire, or any person acting in concert with or on behalf of the driver, to solicit passengers for the vehicle where the solicitation is made from any from any public street, sidewalk, or other public property.

(b) For any person to solicit or accept payment for referral of a passenger to a motor vehicle for hire, or for any person or business, firm, association or corporation to act in concert with or on behalf of another person or persons to solicit or accept payments for the referral of passengers to a motor vehicle for hire; provided, however, that this Section shall not apply to a Dispatch Service, a passenger referral service by which passengers are able to communicate directly with drivers, or any effort on the part of a Driver to market his or her services to the public.

(c) For purposes of this Section, "motor vehicle for hire" shall include any taxicab, limousine, or other privately owned motor-propelled passenger-carrying vehicle for hire, regardless of whether the City and County has issued or could issue a permit for that vehicle.

(Added by Ord. 45-11, File No. 101442, App. 3/10/2011)

SEC. 7.3.7. GIFTS OR GRATUITIES.

For any person to solicit or accept gifts and/or gratuities or anything of value from any holder of a San Francisco Motor Vehicle for Hire Permit, except as authorized in this Code, in return for any dispatch call, assignment, vehicle, or shift.

(Added by Ord. 45-11, File No. 101442, App. 3/10/2011)

SEC. 7.3.8. FALSE STATEMENTS PROHIBITED.

For any person or entity knowingly to make any false or misleading representation, to manufacture any record, or knowingly to conceal information from any person authorized by this Code to enforce Motor Vehicle for Hire laws and regulations in connection with the application for, renewal of, possible revocation of, or operation of vehicle pursuant to a permit issued under Article 1100 of this Code.

(Added by Ord. 45-11, File No. 101442, App. 3/10/2011)

SEC. 7.3.9. REFUSAL TO PAY FARE.

For any person to refuse to pay the legal fare and any applicable surcharges for a Motor Vehicle for Hire.

(Added by Ord. 45-11, File No. 101442, App. 3/10/2011)

SEC. 7.3.10. EXCESSIVE AND UNAUTHORIZED CHARGES.

(a) For a Driver of a motor vehicle for hire to charge a passenger any amount in excess of the legally authorized rate of fare and any applicable surcharges.

(b) For any Medallion Holder, Color Scheme or Dispatch Service Permit Holder to levy an administrative fee, service charge, processing fee, or other surcharge on Driver Permit Holders except as expressly authorized in this Code.

(Added by Ord. 45-11, File No. 101442, App. 3/10/2011)

SEC. 7.3.11. FALSE STATEMENTS ON RESIDENTIAL PARKING PERMIT APPLICATION.

For any person to knowingly make any false, misleading, or fraudulent statement or representation on any application for, or request for renewal of, any Residential Parking Permit issued by the Municipal Transportation Agency pursuant to Section 905.

(Added by Ord. 225-11, File No. 110984, App. 11/15/2011, Eff. 12/15/2011)

SEC. 7.4. REPORT ON IMPROVED TAXI SERVICE.

Beginning April 1, 2011, the SFMTA shall report quarterly to the Board of Supervisors on SFMTA's progress increasing and improving Taxi service in San Francisco. Such reports shall include quantitative data demonstrating the Agency's progress in meeting demand for Taxi service as a way to reduce non-permitted Taxi service.

(Added by Ord. 45-11, File No. 101442, App. 3/10/2011)

ARTICLE 8: AUTHORITY TO REMOVE VEHICLES

Sec. 8.1.	Circumstances Permitting Removal.
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SEC. 8.1. CIRCUMSTANCES PERMITTING REMOVAL.

(a) Any Police Officer or Parking Control Officer is authorized, in accordance with all applicable requirements of this Code and the Vehicle Code, to remove or cause to have removed any vehicle that is:

- (1) Parked in violation of Vehicle Code Section 22500, 22651 or 22652; (70, 70b) or
 - (2) Parked, disabled or abandoned in a manner as to obstruct the normal movement of pedestrian or vehicular traffic, or in a condition to create a hazard to other traffic in violation of Vehicle Code Sections 22651(b) or 22654(c); (70, 70(b), 71b, 159) or
 - (3) Not a motorcycle and is Parked in an area designated as motorcycle parking only; (27, 219) or
 - (4) Interfering with the use of any Street for purposes other than the normal flow of traffic in violation of signs posted at least 24 hours before such use is scheduled to begin, in accordance with Vehicle Code § 22654(d) or 22651(m); (193, 193.4) or
 - (5) Parked at a Stand when such vehicle is not within the class of vehicles authorized to use such Stand, or is Parked at a Stand outside of the hours that such vehicle is authorized to use a Stand; (33.5A) or
 - (6) Parked in such a manner that it blocks any entrance to any residence or blocks access to electric vehicle charging bays; (32.21, 32.21A, 32.22) or
 - (7) Parked in violation of any restriction or prohibition in Division II for which Division II authorizes removal of vehicles in accordance with Vehicle Code Section 22651(n); (32.4.1, 32.4.3, 27) or
 - (8) Parked in violation of a Parking restriction or prohibition posted at a curb painted white, yellow, green or red; (33.3, 38.B, 38.C) or
 - (9) Parked on a Street for 72 or more consecutive hours (3 days), except that no vehicle may be removed pursuant to this Section except in compliance with all procedural requirements of this Code; (37(a), 159, 159.10) or
 - (10) Parked in any Municipal Parking Facility in any manner which violates this Code, or which is left in a Municipal Parking Facility for more than 24 hours after the expiration of the period for which the parking fee was paid for that vehicle; (32.14, 32.19) or
 - (11) A bicycle left unattended in any manner that obstructs a sidewalk, street, alley, transit access or other public place; (219.2) or
 - (12) Parked in a Parking Space designated by the Municipal Transportation Agency's Board of Directors for the exclusive use of car share vehicles which have been issued a Car Share Vehicle Parking Permit.
- (b) Any peace officer or other employee authorized to enforce Port Regulations who finds any vehicle or animal unattended and standing or Parked in violation of Port Regulations may remove the vehicle or cause it to be removed to the nearest garage or such animal to the nearest place of safety. (220)
- (c) Any peace officer who arrests the operator of a vehicle that is licensed as a charter-party carrier of passengers by the CPUC for operating as a taxicab may impound the vehicle in accordance with California Public Utilities Code §5411.5.

(Amended by Ord. 287-08, File No. 081340, App. 12/5/2008; Ord. 231-09, File No. 090780, App. 11/10/2009; Ord. 169-11, File No. 110769, App. 8/3/2011, Eff. 9/2/2011)

DIVISION II.

ARTICLE 100: DEFINITIONS AND GENERAL PROVISIONS

Sec. 101.	Definitions.
Sec. 102.	City Undertaking Limited to Promotion of General Welfare.
Sec. 103.	Applicability of Vehicle Code.
Sec. 104.	Severability.
Sec. 105.	Traffic Laws Apply to Person Riding Bicycles or Animals.
Sec. 106.	Exemptions.
Sec. 107.	Rules and Regulations.

SEC. 101. DEFINITIONS.

- (a) Any words or phrases that are not defined in the Vehicle Code or in Division I of this Code shall have the meanings set forth below.
- (1) **Alley.** Any street having a roadway width not exceeding 25 feet.
 - (2) **City Traffic Engineer.** The City Traffic Engineer of the SFMTA or his or her designee.
 - (3) **Downtown Core.** That area of San Francisco encompassed by and including Parking Meter Zones One and Two as they are defined in Article 400.
 - (4) **Private Bus.** Any motor vehicle designed, used or maintained by or for a charter-party carrier of passengers, a passenger stage corporation, or any highway carrier of passengers required to register with the California Public Utilities Commission, or an employer-operated commute hour shuttle service for employees.
 - (5) **Street.** A roadway or alley, and all segments or portions of the surface thereof between curbs that is intended for the movement of motor vehicles, exclusive of transit platforms and traffic islands.
 - (6) **Traffic Calming Device.** A median island, traffic circle, traffic undulation, speed bump, or other similar device installed for the

purpose of controlling the speed of traffic.

(7) **Traffic Code.** The former Traffic Code of the City and County of San Francisco, predecessor to this Transportation Code, repealed effective July 2, 2008 by Ordinance No. 0045-08, Board of Supervisors File No. 080236.

(8) **Traffic Control Device.** A sign, signal, marking, or other device used to regulate, warn, or guide vehicular and pedestrian traffic, placed on, over, on the surface of or adjacent to a Street by authority of the SFMTA.

(9) **Transit-Only Area.** The locations that are reserved for the use of public transit vehicles, as specified in Article 600 of this Division II.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 11-028, 3/1/2011)

SEC. 102. CITY UNDERTAKING LIMITED TO PROMOTION OF GENERAL WELFARE.

In undertaking the adoption and enforcement of this Division II, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers or employees, an obligation for breach of which the City is liable in money damages to any person who claims that such breach proximately caused injury.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 103. APPLICABILITY OF VEHICLE CODE.

The provisions of the San Francisco Transportation Code shall be construed in a manner consistent with the Vehicle Code. Nothing in this Code is intended to narrow or limit any authority granted to the City by the Vehicle Code.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 104. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Division II is for any reason held to be unlawful, such decision shall not affect the validity of the remaining portions of this Code. The SFMTA Board of Directors declares that it would have passed this Code and each division, article, section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more division, articles, sections, subsections, sentences, clause or phrase be declared unlawful.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 105. TRAFFIC LAWS APPLY TO PERSON RIDING BICYCLES OR ANIMALS.

Every person riding a bicycle or riding or driving an animal upon a highway shall have all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the provisions of this Code except those provisions which by their very nature can have no application.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 106. EXEMPTIONS.

(a) Notwithstanding any other provision of this Code, the vehicles listed in this Section are exempt from the Parking restrictions specified below. Such vehicles remain subject to all Parking restrictions except those from which they are expressly exempted.

(1) Any vehicle that displays a valid SFMTA Parking Permit shall be exempt from Division I, Section 7.2.23 (Payment of Parking Meter); provided, however, that the exemption shall not apply when the vehicle is Parked in a yellow zone. Vehicles that display a valid SFMTA Parking Permit remain subject to Division I, Section 7.2.30(c) and (d) (Overtime-Parking) and other time restricted parking regulations unless specifically exempted by the SFMTA.

(2) News-Gathering Vehicles are exempt from Division I, Sections 7.2.20 (Residential Parking), 7.2.23 (Payment of Parking Meter), 7.2.26 (Curb Parking-Yellow Zones), 7.2.27 (Curb Parking-White Zones) and 7.2.30 (Overtime Parking) when the employee is on duty and the vehicle is Parked at least one-half mile from the employee's place of employment or residence and is in compliance with all requirements of Division I, Article 3 of this Code.

(3) Garbage and recycling vehicles contracted to do regular curbside collection service for the City are exempt from Division I, Sections 7.2.22 (Street Cleaning) and 7.2.23 (Payment of Parking Meter) of this Code while the employee operating the vehicle is on duty.

(4) Consular Corps vehicles with plates issued by the State Department are exempt from Division I, Sections 7.2.20 (Residential Parking), 7.2.23 (Payment of Parking Meter), and 7.2.30 (Overtime Parking) of this Code.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 10-150, § 1, 11/16/2010)

SEC. 107. RULES AND REGULATIONS.

The Director of Transportation is authorized to adopt such rules, regulations and procedures as he or she determines are necessary and appropriate for the implementation, administration and enforcement of this Code.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

ARTICLE 200: CITY TRAFFIC ENGINEER

Sec. 201.	Procedures for Implementing Parking and Traffic Controls.
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Sec. 202.	Notice of Public Hearing.
Sec. 203.	Final SFMTA Decision; Request for Review.

SEC. 201. PROCEDURES FOR IMPLEMENTING PARKING AND TRAFFIC CONTROLS.

(a) **Office of City Traffic Engineer.** The position of City Traffic Engineer is established. The City Traffic Engineer shall be an employee of the SFMTA licensed with the State of California as a Civil or Traffic Engineer and designated by the Director of Transportation to exercise the powers and perform the duties of City Traffic Engineer established by this Code. The City Traffic Engineer shall have the authority to:

- (1) Identify, study and implement measures to improve traffic conditions and increase the safety of vehicles and pedestrians in furtherance of the City's Transit First Policy.
- (2) Review and investigate requests to install, modify or remove Traffic Control Devices.
- (3) Install color curb markings, including painting red zones not to exceed 20 (continuous) feet in length where needed to ensure public safety, proper Parking Meter spacing or vehicular access to private or public driveways and Streets.
- (4) Design, install, operate and maintain Traffic Control Devices as necessary to guide, warn and control moving vehicular and pedestrian traffic.
- (5) Install or remove any temporary Traffic Control Devices on any Street for the purpose of controlling Parking or traffic during emergencies, special conditions or events, construction work, short-term testing, or when necessary for the protection of public health and safety. Such temporary Traffic Control Devices shall be removed when they are no longer required following the emergency, condition, or event.
- (6) Implement Parking and traffic control measures approved by the SFMTA Board of Directors.
- (7) Determine the hours and days during which any Traffic Control Device shall be in operation except where such hours or days are established by law or by resolution of the SFMTA Board of Directors.
- (8) Conduct engineering and traffic surveys necessary to establish and maintain appropriate speed limits.
- (9) Regulate or prohibit obstructions on Streets and grant or deny Special Traffic Permits.
- (10) Mark center lines, lane lines, crosswalks, the boundaries of Parking Spaces associated with Parking Meters, and other distinctive markings upon the surface of any Street, or place any signs to indicate the course to be traveled by vehicles or pedestrians.
- (11) Take other actions to regulate Parking and traffic or prohibit Obstructions to Traffic which do not require public hearing or approval of the SFMTA Board of Directors as described in Sections (b) and (c) of this Section.
- (12) To remove without notice any unauthorized Traffic Control Device, including color curb markings or other markings that regulate Parking and traffic.
- (13) Indicate by signs or markings where Parking is prohibited within 15 feet of any fire hydrant.
- (14) Carry out all functions of the City Traffic Engineer consistent with all laws, regulations, generally accepted traffic engineering standards and SFMTA policies.

(b) **Public Hearings.** The following Parking and traffic measures may be implemented following a public hearing:

- (1) Locate and install Traffic Calming Devices.
- (2) Designate the location of Stands, the types of vehicles authorized to use such Stands and the days and hours in which Parking restrictions shall be enforced at any Stand.
- (3) With the exception of blue zones for the exclusive use of persons with disabilities designated in accordance with Vehicle Code § 21458(a)(5), determine the locations for Parking restrictions designated by painted curb colors in accordance with Vehicle Code Section 21458 and the times that Parking is prohibited in such locations.
- (4) Determine the locations of Truck Loading Zones and the times that Parking is prohibited in that Zone.
- (5) Designate motorcycle Parking Spaces.
- (6) Designate on-street bicycle Parking Spaces.

(c) **SFMTA Board of Directors' Action Required.** The following Parking and traffic measures may not be implemented without a public hearing and prior approval of the SFMTA Board of Directors, taking into consideration the recommendation of the City Traffic Engineer:

- (1) Designate Parking Meter Zones and Streets on which Parking Meters are to be installed in each Parking Meter Zone.
- (2) Designate blue zone Parking Spaces for the exclusive use of persons with disabilities in accordance with Vehicle Code § 21458(a)(5).
- (3) Establish, modify or eliminate preferential Parking programs in accordance with Vehicle Code §§ 22507 and 22507.1, including the applicable geographical area(s) and the days and hours of applicable Parking restrictions.
- (4) Install or remove bicycle lanes.
- (5) Implement the following changes within the bicycle route network, as defined in the most recent update of the Transportation Element of the San Francisco General Plan:
 - (A) The narrowing of right-hand travel lanes with Parking, including turn lanes to less than 22 feet or the narrowing of right-hand travel lanes without Parking, including turn lanes to less than 14 feet;
 - (B) The narrowing or elimination of any bicycle lanes, bicycle paths or bicycle routes;
 - (C) The addition of traffic lanes, except where such lanes consist of left-turn or right-turn pockets.
 - (D) Subsections (c)(5)(A) through (c)(5)(C) shall not apply to construction zones involving temporary changes to lane widths or

lane configurations.

- (6) Designate intersections at which right, left or U turns are prohibited.
- (7) Designate intersections at which turns against a red or stop signal are prohibited.
- (8) Establish multiple turn lanes where vehicles can make right or left turns from more than one lane.
- (9) Designate one-way Streets.
- (10) Designate intersections at which one direction of traffic shall be required to yield to the other.
- (11) Designate intersections at which traffic shall be required to stop, or where a required stop is eliminated.
- (12) Designate the location of all bus zones for the use of public transit vehicles.
- (13) Set time limits for, and the days and hours of enforcement of any Parking restriction.
- (14) Establish or close a crosswalk.
- (15) Establish a tow-away zone.
- (16) Designate the angle or direction in which vehicles are required to Park on the Street.
- (17) Designate locations where Parking by vehicles over 6 feet high is restricted within 100 feet of an intersection.
- (18) Establish bus, truck, and weight restrictions on Streets.
- (19) Establish transit only lane regulations.
- (20) Establish speed limits on Streets.
- (21) Establish on-street Car Share Vehicle Parking Spaces.
- (22) Designate locations where Parking by vehicles over twenty-two feet in length or seven feet in height, or camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers are prohibited from parking between the hours of midnight and 6 a.m.

(SFMTA Bd. Res. No. 08-151, Ad. 8/19/2008; SFMTA Bd. Res. No. 09-172, Ad. 9/15/2009; SFMTA Bd. Res. No. 11-028, Ad. 3/1/2011; SFMTA Bd. Res. No. 11-108, Ad. 8/2/2011, Eff. 9/2/2011; SFMTA Bd. Res. No. 13-005, Ad. 1/15/2013, Eff. 2/15/2013)

SEC. 202. NOTICE OF PUBLIC HEARING.

The City Traffic Engineer shall post localized notices of public hearings for changes implemented pursuant to subsections 201(b) or 201(c). Such notices shall be posted on at least two utility poles in the affected area for no less than 10 calendar days prior to the hearing. The notice of the public hearing shall also be posted on the SFMTA website.

(SFMTA Bd. Res. No. 08-151, Ad. 8/19/2008)

SEC. 203. FINAL SFMTA DECISION; REQUEST FOR REVIEW.

(a) **Board of Directors Decisions.** Any decision of the SFMTA Board of Directors to install or remove a stop sign, to create or eliminate a bicycle lane, to create or eliminate a preferential Parking zone pursuant to Sections 22507 or 22507.1 of the Vehicle Code, create or eliminate a Parking Meter zone, adopt a short term Parking restriction, or establish or remove a blue zone shall, upon approval, be a Final MTA Decision.

(b) **City Traffic Engineer Decisions.** Whenever the City Traffic Engineer declines a public request to recommend to the SFMTA Board any of the actions identified in subsection (a), notice of such decision shall be mailed to the requestor at the address provided by the requestor. If the request was made by petition, notice shall be mailed to the primary contact for the petition.

(c) **Request for Review.** Any person may submit by mail a written and signed request for review of any decision made by the City Traffic Engineer pursuant to subsection (b). The request for review shall specify the grounds for review of the decision and the name and mailing address of the person submitting the request. Such request must be received by the SFMTA on or before the 30th day following the date that the notice of decision is posted on the MTA website or is mailed, whichever date is later.

(d) **Director of Transportation's Determination.** Within 30 calendar days of receiving a request for review, the Director of Transportation shall determine whether to affirm the decision of the City Traffic Engineer or refer the matter to the SFMTA Board of Directors. If the Director of Transportation affirms the determination of the City Traffic Engineer, the request for review is denied and the decision becomes a Final SFMTA Decision. Notice of the Final SFMTA Decision shall be mailed to the requestor at the address provided by the requestor. If the request was made by petition, notice shall be mailed to the primary contact for the petition.

(e) **SFMTA Board of Directors Hearing.** If the request for review is referred to the SFMTA Board of Directors, notice of the time and place of such hearing shall be mailed to the requestor and posted in accordance with the requirements of Section 202.

(SFMTA Bd. Res. No. 08-151, Ad. 8/19/2008; SFMTA Bd. Res. No. 09-172, Ad. 9/15/2009)

ARTICLE 300: FINES AND FEES

Sec. 301.	Late Payment; Special Collections and Boot Removal Fee.
Sec. 302.	Transportation Code Penalty Schedule.
Sec.	

303.	California Vehicle Code Penalty Schedule.
Sec. 304.	Color Curb Painting Fees.
Sec. 305.	Towing and Storage Administrative Fees.
Sec. 306.	Obstructing Traffic – Without Permit; Violation of Terms of Permit; Violation of Division II, Section 903 – Administrative Penalties.
Sec. 307.	Procedure for Assessment and Collection of Administrative
Sec. 308.	In-Person Customer Service Center Transaction Fee.
Sec. 309.	On-Line Computer Transaction Fee.
Sec. 310.	Schedule of Fines.
Sec. 311.	Request for Community Service Processing Fee.
Sec. 312.	Lost Parking Meter Revenue.
Sec. 313.	Parklet Installation Fee.
Sec. 314.	Residential Parking Permit Applications – False, Misleading or Fraudulent Information; Violation of Division I, Section 7.2.50 – Administrative Penalties.
Sec. 315.	Procedure for Assessment and Collection of Administrative Penalties.
Sec. 316.	Temporary No-Parking Sign Posting Fee Schedule.

SEC. 301. LATE PAYMENT; SPECIAL COLLECTIONS AND BOOT REMOVAL FEE.

Except as otherwise specified in this Code, the SFMTA may charge the following penalties and fees to persons to whom civil citations have been issued or to owners of cited vehicles for failure to either pay the citations or to contest the underlying citations by the due date affixed to the notice of violation:

- (a) The penalty for failure to pay a citation penalty or contest the underlying citation by the first due date affixed to the notice of violation shall be \$27.00 effective July 1, 2012, and \$28.00 effective July 1, 2013.
- (b) The penalty for failure to pay a citation penalty or contest the underlying citation by the second due date affixed to the notice of violation shall be \$37.00 effective July 1, 2012, and \$38.00 effective July 1, 2013.
- (c) The fee to reimburse the City for collection costs incurred as a result of a citation that is not either contested or paid by the first due date affixed to the notice of violation shall be \$42.00 effective July 1, 2012, and \$44.00 effective July 1, 2013.
- (d) A fee to reimburse the City for the costs of removing boots from scofflaw vehicles in the amount of \$300.00 effective July 1, 2012, and \$312.00 effective July 1, 2013.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012)

SEC. 302. TRANSPORTATION CODE PENALTY SCHEDULE.

Violation of any of the following subsections of the San Francisco Transportation Code shall be punishable by the fines set forth below.

FORMER CODE SECTION	TRANSPORTATION CODE SECTION	DESCRIPTION	FINE AMOUNT Effective July 1, 2012	FINE AMOUNT Effective July 1, 2013*
PEDESTRIANS AND SIDEWALKS				
Traffic Code Sections 77, 78	Div I 7.2.10	Pedestrian Crossings	\$57.00	\$55.00
Traffic Code Section 104	Div I 7.2.11	Electric Assistive Personal Mobility Devices	\$57.00	\$55.00
Traffic Code Section 96	Div I 7.2.12	Bicycle Riding	\$100.00	\$100.00
Traffic Code Section 100	Div I 7.2.13	Restricted NUV Violation	\$57.00	\$55.00

ON-STREET PARKING

Traffic Code Section 315(a)	Div I 7.2.20	Residential Parking	\$72.00	\$71.00
Traffic Code Section 37(c)	Div I 7.2.22	Street Cleaning	\$62.00	\$61.00
Traffic Code Section 202.1	Div I 7.2.23(a)	Parking Meter-Downtown Core	\$72.00	\$71.00
Traffic Code Section 202	Div I 7.2.23(b)	Parking Meter-Outside Downtown Core	\$62.00	\$61.00
Traffic Code Section 38A	Div I 7.2.25	Red Zone	\$98.00	\$97.00
Traffic Code Sections 38B, 38B.1	Div I 7.2.26	Yellow Zone	\$83.00	\$82.00
Traffic Code Section 38C	Div I 7.2.27	White Zone	\$98.00	\$97.00
Traffic Code Section 38D	Div I 7.2.28	Green Zone	\$72.00	\$71.00
Traffic Code Section 37(a)	Div I 7.2.29	Parking for Three Days	\$98.00	\$97.00
Traffic Code Section 32(c)(1)	Div I 7.2.30(a)	Overtime ParkingCore	\$72.00	\$71.00
Traffic Code Section 32(c)(2)	Div I 7.2.30(b)	Overtime Parking Outside Downtown Core	\$62.00	\$61.00
Traffic Code Sections 32.13, 55	Div I 7.2.32	Angled Parking	\$57.00	\$55.00
Traffic Code Section 32.21	Div I 7.2.33	Blocking Residential Door	\$45.00	\$43.00
Traffic Code Section 56	Div I 7.2.34	Median Dividers and Islands	\$72.00	\$71.00
Traffic Code Section 58(a)	Div I 7.2.35	Parking on Grades	\$57.00	\$55.00
Traffic Code Section 61	Div I 7.2.36	100 Feet Oversize	\$110.00	\$107.00
Traffic Code Sections 27, 219	Div I 7.2.37	Motorcycle Parking	\$98.00	\$97.00
Traffic Code Sections 33.5, 39(b), 66	Div I 7.2.38	Parking in Stand	\$98.00	\$97.00
Traffic Code Section 53(a)	Div I 7.2.39	Parking Transit-Only	\$110.00	\$107.00
Traffic Code Section 32(a)(1)	Div I 7.2.40	Tow-Away Zone-Downtown Core	\$93.00	\$92.00
Traffic Code Section 32(a)(2)	Div I 7.2.41	Tow-Away Zone- Outside Downtown Core	\$83.00	\$82.00
Traffic Code Section 32(b)	Div I 7.2.42	Parking Restrictions	\$83.00	\$82.00
Traffic Code Section 32, 32.1, 32.1.1, 32.1.2, 32.1.3, 32.1.11, 32.1.4, 32.1.7, 32.1.9, 32.1.10, 32.2, 32.2.1, 32.2.2, 32.2.3, 32.3, 32.3.1, 32.4.2(b), 32.5, 32.6, 32.6.2, 32.6.3, 32.6.5, 32.6.6, 32.6.7, 32.6.8, 32.6.11, 32.6.13, 32.6.16, 32.6.18, 32.6.19, 32.6.20, 32.6.21, 32.6.22, 32.6.23, 32.6.24, 32.6.25, 32.6.26, 32.6.27, 32.6.28, 32.6.29, 32.6.30, 32.6.31, 32.6.32, 32.6.34, 32.6.35	Div I 7.2.43	Parking-Public Property	\$62.00	\$61.00
Traffic Code Sections 32.4, 32.4.1	Div I 7.2.44	Parking-Candlestick Park	\$62.00	\$61.00
Traffic Code Section 33(c)	Div I 7.2.45	Temporary Temporary Restriction	\$62.00	\$61.00
Traffic Code Section 33.1	Div I 7.2.46	Temporary Construction Zone	\$62.00	\$61.00
Traffic Code Section 21	Div I 7.2.47	Remove Chalk	\$110.00	\$107.00
Traffic Code Section 65	Div I 7.2.48	Repairing Vehicle	\$77.00	\$76.00
Traffic Code Sections 315(c), 412(c), 712(c)	Div I 7.2.49	Permit on Wrong Car	\$110.00	\$107.00
Traffic Code Sections 315(d), 412(d), 712(d)	Div I 7.2.50	Invalid Permit	\$110.00	\$107.00
Traffic Code Sections 32.4.2(b), 32.14, 58(c)	Div I 7.2.51	Parking Marked Space	\$57.00	\$55.00
Not Applicable	Div I 7.2.52	On-Street Car Share Parking	\$110.00	\$107.00
Not Applicable	Div I 7.2.54	Large Vehicle	\$110.00	\$107.00

OFF-STREET PARKING

Traffic Code Sections 32.10, 32.11	Div I 7.2.60	Parking Facility Charges	\$57.00	\$55.00
Traffic Code Section 32.15	Div I 7.2.61	Entrance/Exit Parking Facility	\$100.00	\$100.00
Traffic Code Section 32.14	Div I 7.2.62	Blocking Space Parking Facility	\$57.00	\$55.00

Traffic Code Section 32.16	Div I 7.2.63	Speeding within Parking Facility	\$100.00	\$100.00
Traffic Code Section 32.21A	Div I 7.2.64	Block Charging Bay	\$110.00	\$107.00
Not Applicable	Div I 7.2.65	Overtime Parking - Off- Street Parking	\$62.00	\$61.00
Not Applicable	Div II 1009	Meter SFMTA Property	\$62.00	\$61.00
TRAFFIC REGULATIONS				
Traffic Code Section 70	Div I 7.2.70	Obstruction of Traffic-Vehicle	\$110.00	\$107.00
Traffic Code Section 194.3	Div I 7.2.71	Obstruction of Traffic Without Permit	\$519.00	\$530.00
Traffic Code Section 194.3	Div I 7.3.3	Obstruction of Traffic Without Permit	\$1,000, or six months in jail, or both (4th or more offenses within one year)	\$1,000, or six months in jail, or both (4th or more offenses within one year)
Traffic Code Sections 31, 31.2	Div I 7.2.72	Driving in Transit-Only Area	\$67.00	\$66.00
Traffic Code Section 103	Div I 7.2.73	Driving Through Parades	\$100.00	\$100.00
Traffic Code Section 121	Div I 7.2.74	Streetcar Right- of-Way	\$100.00	\$100.00
Traffic Code Section 122	Div I 7.2.75	Passing Safety Zones	\$100.00	\$100.00
Traffic Code Section 25	Div I 7.2.76	Removal of Vehicles- Collision	\$100.00	\$100.00
Traffic Code Sections 28.1	Div I 7.2.77	Weight Restricted Streets	\$100.00	\$100.00
COMMERCIAL VEHICLES				
Traffic Code Section 63.2	Div I 7.2.80	Vehicles for Hire Parking	\$110.00	\$107.00
Traffic Code Section 63.3	Div I 7.2.81	Advertising Sign	\$110.00	\$107.00
Traffic Code Section 68	Div I 7.2.82	Selling from Vehicle	\$100.00	\$100.00
Traffic Code Sections 33.3, 33.3.2	Div I 7.2.83	Truck Loading Zone	\$83.00	\$82.00
Traffic Code Sections 63, 63(A), 63.1	Div I 7.2.84	Commercial Vehicle Parking Restrictions	\$110.00	\$107.00
Traffic Code Section 60.5	Div I 7.2.86	Idling Engine While Parked Commercial	\$100.00	\$100.00
Police Code Sections 1183-1183.40	Div I 7.2.87	Passenger Vehicle Street Restrictions	\$100.00	\$100.00
Police Code Section 710.2	Div. I 7.2.88	For Sale Sign	\$57.00	\$55.00
TRANSIT VIOLATIONS				
Traffic Code Section 127	Div I 7.2.101	Fare Evasion	\$103.00	\$106.00
Traffic Code Section 128	Div I 7.2.102	Passenger Misconduct	\$103.00	\$106.00
Traffic Code Section 128.5	Div I 7.2.103	Conversing with Operator	\$52.00	\$53.00
Not Applicable	Div I 7.2.104	Fare Evasion - Clipper Card	\$103.00	\$106.00

*** Editor's Note:**

The California State Legislature extended the \$3.00 Trial Court Trust Fund fee, pursuant to California Government Code Section 76000.3, effective January 1, 2013. An additional \$3.00 will be added to all parking citation penalties listed in this column to recover this State fee.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 10-139, 11/2/2010; SFMTA Bd. Res. No. 11-018, 2/1/2011; SFMTA Bd. Res. No. 11-028, 3/1/2011; SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011; SFMTA Bd. Res. No. 11-108, Ad. 8/2/2011, Eff. 9/2/2011; SFMTA Bd. Res. No. 11-109, Ad. 8/2/2011, Eff. 9/2/2011; SFMTA Bd. Res. No. 12-024, Ad. 2/21/2012, Eff. 3/23/2012; SFMTA Bd. Res. No. 12-037, Ad. 3/20/2012, Eff. 4/20/2012; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012; SFMTA Bd. Res. No. 13-005, Ad. 1/15/2013, Eff. 2/15/2013)

SEC. 303. CALIFORNIA VEHICLE CODE PENALTY SCHEDULE.

Violation of any of the following subsections of the Vehicle Code (VC) shall be punishable by the fines set forth below. The fine amounts listed in this Section 303 shall apply to any citation issued using a former Traffic Code section number that is listed next to the corresponding

Vehicle Code section below.

CODE	DESCRIPTION	FINE AMOUNT	FINE AMOUNT
		Effective July 1, 2012	Effective July 1, 2013**
VC4461C	Displaying Placard Not Issued to Person	\$966.00*	\$877.00*
VC4462B	Improper Registered Plates	\$114.00	\$114.00
VC4463C	Fraudulent Display of Placard	\$966.00*	\$877.00*
VC4464	Altered Plates	\$114.00	\$114.00
VC5200	Display Lic Plates	\$114.00	\$114.00
VC5201	Plates/Mounting	\$114.00	\$114.00
VC5201F	Plate Cover	\$114.00	\$114.00
VC5202	No Plates	\$114.00	\$114.00
VC5204A	Tags	\$114.00	\$114.00
VC21113A	School/Pub Ground	\$67.00	\$66.00
VC21211 (38N)	Bicycle Path/Lanes	\$113.00	\$113.00
VC22500A	Parking in Intersection	\$98.00	\$97.00
VC22500B	Parking in Crosswalk	\$98.00	\$97.00
VC22500C	Safety Zone	\$98.00	\$97.00
VC22500D	15 ft. Fire Station	\$98.00	\$97.00
VC22500E	Driveway	\$98.00	\$97.00
VC22500F	On Sidewalk	\$110.00	\$107.00
VC22500G	Excavation	\$57.00	\$55.00
VC22500H	Double Parking	\$110.00	\$107.00
VC22500I	Bus Zone	\$267.00	\$271.00
VC22500J	Tube or Tunnel	\$57.00	\$55.00
VC22500K	Bridge	\$57.00	\$55.00
VC22500L	Wheelchair Access	\$267.00	\$271.00
VC22500.1 (32.4.A)	Parking in Fire Lane	\$72.00	\$71.00
VC22502A	Over 18 inches From Curb	\$57.00	\$55.00
VC22502B	Wrong Way Parking	\$57.00	\$55.00
VC22502E	One-Way Road/Parking	\$57.00	\$55.00
VC22505B	Signs	\$57.00	\$55.00
VC22507.8A	Parking in Blue Zone Without Placard/Plate	\$966.00*	\$877.00*
VC22507.8B	Blocking Access to Blue Zone	\$966.00*	\$877.00*
VC22507.8C	Parking in the Crosshatch Area Adjacent to a Blue Zone	\$966.00*	\$877.00*
VC22511.57A	Lost, Stolen or Expired Placard/Plate	\$966.00*	\$877.00*
VC22511.57B	Misuse of Placard/Plate	\$966.00*	\$877.00*
VC22511.57C	Counterfeit, Forged or Altered Placard/Plate	\$966.00*	\$877.00*
VC22514	Fire Hydrant	\$98.00	\$97.00
VC22515A	Unattended Motor Vehicle	\$83.00	\$82.00
VC22515B	Unsecured Motor Vehicle	\$83.00	\$82.00
VC22516	Locked Vehicle	\$67.00	\$66.00
VC22521	Railroad Tracks	\$88.00	\$87.00
VC22522	W/3 ft Wheelchair Ramp	\$293.00*	\$298.00*
VC22523A	Abandoned Vehicle/Highway	\$226.00	\$229.00
VC22523B	Abandoned Vehicle/Public or Private Prop	\$226.00	\$229.00
VC22526A	Blocking Intersection	\$98.00	\$97.00
VC22526B	Blocking Intersection While Turning	\$113.00	\$113.00
VC23333	Park/Veh Crossing	\$83.00	\$82.00

* This fine includes a 10% additional penalty assessment as mandated by California Vehicle Code 40203.6.

**** Editor's Note:**

The California State Legislature extended the \$3.00 Trial Court Trust Fund fee, pursuant to California Government Code Section 76000.3, effective January 1, 2013. An additional \$3.00 will be added to all parking citation penalties listed in this column to recover this State fee.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 10-007, 1/5/2010; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011; SFMTA Bd. Res. No. 11-074, Ad. 6/7/2011, Eff. 7/8/2011; SFMTA Bd. Res. No. 12-024, Ad. 2/21/2012, Eff. 3/23/2012; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012; SFMTA Bd. Res. No. 13-060, Ad. 5/21/2013, Eff. 6/20/2013)

SEC. 304. COLOR CURB PAINTING FEES.

(a) **Fees.** When a request for color curb markings is received by the SFMTA, the City Traffic Engineer is authorized to administer and collect a processing fee, a painting fee, and a renewal fee from the requestor. The fees shall be as follows:

Table 304: WHITE AND GREEN ZONE FEE SCHEDULE

Zone Length	Processing	Paint	New Request Total	Biennial Renewal				
	FY 2013 Effective 7-1-2012	FY 2014 Effective 7-1-2013	FY 2013 Effective 7-1-2012	FY 2014 Effective 7-1-2013	FY 2013 Effective 7-1-2012	FY 2014 Effective 7-1-2013	FY 2013 Effective 7-1-2012	FY 2014 Effective 7-1-2013
1 to 22 feet	\$715	\$765	\$336	\$359	\$1,051	\$1,124	\$336	\$359
23 to 44 feet	\$1,427	\$1,527	\$673	\$720	\$2,100	\$2,247	\$673	\$720
45 to	\$2,141	\$2,291	\$1,007	\$1,078	\$3,148	\$3,369	\$1,007	\$1,078

66 feet More than 66 feet	\$2,856	\$3,056	\$1,343	\$1,437	\$4,199	\$4,493	\$1,343	\$1,437
Green Zone Meter	\$715	\$765						
Red Zone	\$168	\$180	Initial painting and renewal: \$157 per 6 linear feet or fraction thereof effective July 1, 2012, and \$168 effective July 1, 2013					

(b) **Exemptions from White Zone Fees.** The following entities shall be exempt from paying white zone fees so long as such entities are primarily conducting nonprofit activities at the location of the white zone:

- (1) Government buildings open to the public;
- (2) Buildings occupied by private nonprofit organizations whose exclusive function is serving senior citizens and persons with disabilities; and

(3) Private nonprofit educational institutions whose exclusive function is providing education to students in any grade from kindergarten through eighth grade.

(c) Nothing in this Section is intended to limit the SFMTA's ability to install color curb markings on its own initiative.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 10-053, 4/20/2010; SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012)

SEC. 305. TOWING AND STORAGE ADMINISTRATIVE FEES.

The SFMTA shall charge the owner of a towed vehicle a fee in the amount of \$243.00 effective July 1, 2012, and \$254.00 effective July 1, 2013, to reimburse the City for administrative costs related to the removal, impound, or release of vehicles towed from the public right-of-way. In addition, the SFMTA shall charge the vehicle owner a fee to reimburse the City for administrative costs related to the storage of such towed vehicles in the amount of \$2.60 effective July 1, 2012, and \$2.70 effective July 1, 2013, for the first day of storage (24 hours or less), and \$2.95 effective July 1, 2012, and \$3.05 effective July 1, 2013, for each day, or part thereof, that the vehicle remains in storage after the first 24 hours. The administrative fees imposed pursuant to this Section shall be in addition to the fee charged by a tow car operator to the owner of a towed vehicle for the costs of towing and storing the vehicle. The administrative fees imposed pursuant to this Section shall not be taken into account in determining the maximum fee that may lawfully be charged by the tow car operator to the owner of a removed vehicle, nor shall the administrative fees imposed pursuant to this Section be taken into account in determining whether a fee charged by the tow car operator to the owner of a removed vehicle is excessive as a matter of law.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012)

SEC. 306. OBSTRUCTING TRAFFIC – WITHOUT PERMIT; VIOLATION OF TERMS OF PERMIT; VIOLATION OF DIVISION II, SECTION 903 – ADMINISTRATIVE PENALTIES.

(a) Any person who violates Division I, Section 7.2.71 may be subject to the issuance of a citation and imposition of an administrative penalty. The designated officer or employee may issue an admonishment or direct corrective action in lieu of the issuance of a citation.

(b) Administrative penalties shall not exceed \$500 for each offense.

(c) The Director of Transportation is authorized to designate officers or employees of the Municipal Transportation Agency to enforce Division I, Section 7.2.71. Any officer or employee so designated is hereby authorized to issue citations imposing administrative penalties for violations of Division I, Section 7.2.71.

(SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 307. PROCEDURE FOR ASSESSMENT AND COLLECTION OF ADMINISTRATIVE PENALTIES FOR SECTION 306 VIOLATIONS.

(a) This Section shall govern the imposition, assessment and collection of administrative penalties imposed pursuant to Section 306.

(b) The SFMTA Board of Directors finds:

(1) That it is in the best interest of the City, its residents, visitors and those who work in and on City streets and sidewalks to provide an alternative, administrative penalty mechanism for enforcement of the obstructing traffic violations covered by this section in addition to the existing enforcement mechanisms authorized under the California Penal Code; and

(2) That the administrative penalty scheme established by this section is intended to compensate the public for the injury and damage caused by the prohibited conduct and gain compliance with the SFMTA's "Regulations for Working in San Francisco Streets" (also known as "the Bluebook"). The administrative penalties authorized under this section are intended to be reasonable and not disproportionate to the damage or injury to the City and the public caused by the prohibited conduct.

(c) **Administrative Citation.** Where an officer or employee designated in Section 306 determines that there has been a violation of Division I, Section 7.2.71, the officer or employee may issue an administrative citation to the person and/or entity responsible for the violation. For purposes of this Section, an entity is responsible if an officer, employee or agent of the entity commits the violation. The citation shall inform

the person or entity responsible of the date, time, place and nature of the violation and the amount of the proposed penalty, and shall state that the penalty is due and payable to the SFMTA within 15 business days from the date of the notice, if not contested within the time period specified. The citation shall also state that the person or entity responsible has the right, pursuant to Subsection (d), to request administrative review of the citing officer or employee's determination as to the violation and assessment of penalties, and shall set forth the procedure for requesting administrative review. The designated officer or employee shall serve the administrative citation as follows:

- (1) Where there is a nexus between the violator and a specific property:
 - (A) One copy of the Notice shall be posted in a conspicuous place upon the property.
 - (B) One copy of the Notice shall be served upon each of the following:
 - (i) The person, if any, in real or apparent charge and control of the premises or property involved;
 - (ii) The owner of record, if applicable.

Service required by subparagraph (B) shall be made by first class mail and a certificate of mailing shall be prepared.

(2) Where the issuing officer or employee is unable to ascertain a nexus between the violation and property within the City, a completed copy of the administrative citation may be served on the individual who has committed the violation by personal service, or by first class mail and a certificate of mailing prepared.

(3) For purposes of this Section, there is a nexus where activity on the property has caused, contributed to, or been a substantial factor in causing, the violation.

(d) Request for Hearing; Hearing.

(1) A person or entity that has been issued an administrative citation may request administrative review in order to contest the citation issued in accordance with this Section. Administrative review shall be initiated by filing a request for administrative review with the SFMTA Hearing Division within 15 business days from the date of the citation. Failure to request a hearing in a timely manner or to attend a scheduled hearing shall satisfy the hearing requirement.

(2) Whenever administrative review is requested pursuant to this Section, the SFMTA Hearing Section shall, within fifteen business days of receipt of the request, notify the requestor of the date, time, and place of the administrative hearing by certified mail. Such hearing shall be held no later than thirty (30) calendar days after the SFMTA Hearing Section receives the request, unless time is extended by mutual agreement of the affected parties.

(3) The administrative hearing shall be conducted by a neutral hearing of office assigned by the SFMTA Hearing Section. The SFMTA Hearing Section may issue rules as needed to implement this requirement. The parties may present evidence and testimony to the Hearing Officer. All testimony shall be under oath. The shall ensure that a record of the proceedings is maintained. The burden of proof to uphold the violation shall be on the City, but the administrative citation shall be prima facie evidence of the violation.

(4) The Hearing Officer shall issue a decision including a summary of the issues and the evidence presented, and findings and conclusions, within fifteen (15) calendar days of the conclusion of the hearing. The Hearing Officer may uphold the penalty imposed by the citation or dismiss the citation. A copy of the decision may be personally delivered to the person or entity contesting the violation or sent by first class mail. The decision shall be a final administrative determination. An aggrieved party may seek judicial review of the decision pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.

(e) Payment and Collection of Penalty.

(1) Where a person or entity has not made a timely request for administrative hearing, the penalty shall be due and payable to the SFMTA on or before 15 business days from the date of issuance.

(2) Where a person or entity has made a timely request for administrative hearing, and the penalty has been upheld upon review, any administrative penalty imposed by the Hearing Officer shall be due and payable not later than 10 business days from the date of the notice of decision issued under subparagraph (d)(4).

(3) If a penalty due and payable under paragraphs (1) or (2) remains unpaid after the specified due date, the SFMTA shall send the violator written notice that the penalty is overdue. Penalties that remain unpaid 30 days after the due date shall be subject to a late payment penalty of fifty (\$50) dollars. Persons and entities against whom administrative penalties are imposed shall also be liable for the costs and attorney's fees incurred by the SFMTA in bringing any civil action to enforce the provisions of this section, including obtaining a judgment for the amount of the administrative penalty and other costs and charges.

(4) Where there is a nexus between the violation and property in the City owned by the violator, the SFMTA shall further inform the violator that if the amount due is not paid within 30 days from the date of the notice, the SFMTA shall initiate proceedings to make the amount due and all additional authorized costs and charges, including attorneys fees, a lien on the property. Such liens shall be imposed in accordance with Chapter 10, Article XX of the Administrative Code.

(f) Administrative penalties shall be deposited in the Municipal Transportation Fund and may be expended only by the SFMTA.

(SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 308. IN-PERSON CUSTOMER SERVICE CENTER TRANSACTION FEE.

A fee to reimburse the SFMTA for costs incurred for administrative processing of in-person transactions at any SFMTA customer service center designated by the Director of Transportation for those transactions that may be completed through alternatives means. The administrative fee shall be in addition to any costs, fees or fines association with the subject transaction. The amount for this fee shall be \$3.00.

(Added by SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 11-018, 2/1/2011)

SEC. 309. ON-LINE COMPUTER TRANSACTION FEE.

A fee to reimburse the SFMTA for costs associated with processing on-line computer transactions made through the SFMTA's website. The administrative fee shall be in addition to any costs, fees or fines associated with the subject transaction. The amount for this fee shall be \$2.50.

(Added by SFMTA Bd. Res. No. 10-029, 2/26/2010)

SEC. 310. SCHEDULE OF FINES.

Violation of any of the following subsections of the San Francisco Transportation Code governing the operation of a motor vehicle for hire shall be punishable by the administrative fines set forth below.

TRANSPORTATION CODE SECTION CONDITIONS APPLICABLE TO ALL PERMITS	DESCRIPTION	FINE AMOUNT Effective July 1, 2012	FINE AMOUNT Effective July 1, 2013
		1st/2nd/3rd offense	1st/2nd/3rd offense
Div II § 1105(a)(14)	Current address	\$26.00	\$27.00
Div II § 1105(a)(9)	Continuous operation	\$52.00 per day	\$53.00 per day
Div II § 1114(a)	Records	\$78.00	\$80.00
Div II § 1105(a)(17)	Response time goals	\$155.00	\$159.00
Div II § 1105(a)(7)	Compliance with lawful orders	\$206.00	\$211.00
Div II § 1105(a)(6)	Compliance with laws and regulations	\$463.00	\$475.00
Div II § 1105(a)(13)	Shift Change; Unattended Vehicle	\$463.00	\$475.00
Div II § 1105(a)(13)	Improper shift change	\$463.00	\$475.00
Div II § 1105(a)(19)	Retaliation against permit holder	\$463.00	\$475.00
Div II § 1105(a)(8)	Cooperation w/ regulatory entities; False statements	\$514.00	\$528.00
Div II § 1105(a)(12)	Compliance with Paratransit Program	\$514.00	\$528.00
Div II § 1105(a)(10)	Accepting/soliciting gifts from Drivers	\$617.00	\$633.00
Div II § 1105(a)(1)	Operating without a permit	\$5,000.00	\$5,000.00
CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS			
Div II § 1106(s)	Dissolution plan	\$52.00 per day	\$53.00 per day
Div II § 1114(e)(8)	Emissions reduction plan	\$52.00 per day	\$53.00 per day
Div II § 1106(n)	Required postings	\$78.00	\$80.00
Div II § 1106(o)	Required notifications	\$78.00	\$80.00
Div II § 1113(d)(3)	Required PIM	\$78.00	\$80.00
Div II § 1114(e)(3)	Receipts	\$78.00	\$80.00
Div II § 1114(e)(5)	Vehicle inventory changes	\$78.00	\$80.00
Div II § 1114(e)(7)	Weekly reporting requirements	\$78.00	\$80.00
Div II § 1106(e)	Transfer of business; New location	\$257.00 per day	\$264.00 per day
Div II § 1106(k)(1)	Facility to clean vehicles	\$257.00	\$264.00
Div II § 1106(i)	Workers' Compensation	\$309.00 per day	\$317.00 per day
Div II § 1106(p)	Obligations related to Drivers	\$411.00	\$422.00
Div II § 1106(r)	Found property	\$411.00	\$422.00
Div II § 1114(e)(1)	Waybills	\$411.00	\$422.00
Div II § 1114(e)(2)	Medallion Holder files	\$411.00	\$422.00
Div II § 1114(e)(6)	Current business information	\$411.00	\$422.00
Div II § 1122(b)(5) ¹	Retaliation re credit card processing	\$411.00	\$422.00
Div II § 1122(c) ¹	Overcharging gate	\$514.00	\$528.00

	fees		
Div II § 1106(c)	Use of Dispatch Service	\$463.00	\$475.00
Div II § 1106(d)	Business premises	\$463.00	\$475.00
Div II § 1106(h)	Staffing requirements	\$463.00	\$475.00
Div II § 1106(1)(2-7)	Use of spare vehicles	\$463.00	\$475.00
Div II § 1106(f)	Telephone directory	\$514.00	\$528.00
Div II § 1106(j)	Paratransit Broker contract	\$514.00	\$528.00
Div II § 1114(e)(8)	Required information	\$514.00	\$528.00
Div II § 1114(e)(9)	Required information	\$514.00	\$528.00
Div II § 1106(k)(2)(4)	Unsafe/nonworking equipment	\$1,027.00	\$1,055.00
Div II § 1106(q)(4)	Driver operating under the influence	\$1,027.00	\$1,055.00
Div II § 1106(a)	Color Scheme Permit required	\$5,000.00	\$5,000.00
Div II § 1106(1)(8)	Leasing spare vehicles	\$5,000.00	\$5,000.00

**CONDITIONS
APPLICABLE TO
DISPATCH PERMITS**

Div II § 1107(a)	Emergency plan	\$52.00 per day	\$53.00 per day
Div II § 1107(e)	Adequate communications equipment	\$52.00 per day	\$53.00 per day
Div II § 1114(f)(1)	Dispatch Service report	\$52.00 per day	\$53.00 per day
Div II § 1107(d)	Service call records	\$78.00	\$80.00
Div II § 1107(f)	Serving dispatch customers	\$78.00	\$80.00
Div II § 1114(f)(2)	Found property recordkeeping	\$78.00	\$80.00
Div II § 1107(m)	Workers' Compensation	\$309.00 per day	\$317.00 per day
Div II § 1107(c)	Ramp Taxi response	\$411.00	\$422.00
Div II § 1107(k)	Improper dispatching	\$514.00	\$528.00

**CONDITIONS
APPLICABLE TO
DRIVER PERMITS**

Div II § 1108(c)	Color Scheme affiliation	\$6.00 per day	\$6.00 per day
Div II § 1108(a)	Driver identification	\$26.00	\$27.00
Div II § 1108(d)(2)	Duties at beginning of shift	\$26.00	\$27.00
Div II § 1108(d)(3)	Designated items in vehicle	\$26.00	\$27.00
Div II § 1108(e)(2)	Transporting passenger property	\$26.00	\$27.00
Div II § 1108(e)(5)	Loading and unloading assistance	\$26.00	\$27.00
Div II § 1108(e)(8)	Additional passengers	\$26.00	\$27.00
Div II § 1108(e)(10)-(12)	Mobile telephones; Other audible devices	\$26.00	\$27.00
Div II § 1108(e)(18)-(20), (22)	Driver duties re fares	\$26.00	\$27.00
Div II § 1108(e)(26)	Loose items	\$26.00	\$27.00
Div II § 1108(e)(27)	Trunk and/or baggage area	\$26.00	\$27.00
Div II § 1108(e)(31)	Clean in dress and person	\$26.00	\$27.00
Div II § 1108(e)(32)	Taximeter violation	\$26.00	\$27.00
Div II § 1108(e)(33)	Smoking, drinking or eating	\$26.00	\$27.00
Div II § 1108(f)(1)	Duties at end of shift	\$26.00	\$27.00
Div II § 1114(b)(2)	Badge	\$26.00	\$27.00
Div II § 1114(b)(3)	Medical certificate	\$26.00	\$27.00
Div II § 1114(b)(4)	Waybills	\$26.00	\$27.00

Div II § 1108(e)(4)	Service animals or contained animals	\$52.00	\$53.00
Div II § 1108(d)(1)	Safety check	\$78.00	\$80.00
Div II § 1108(e)(1)	Refusal to convey	\$78.00	\$80.00
Div II § 1108(e)(7)	Servicing dispatch calls	\$78.00	\$80.00
Div II § 1108(e)(9)	Splitting fares	\$78.00	\$80.00
Div II § 1108(e)(16)	Requesting gratuities	\$78.00	\$80.00
Div II § 1108(e)(24)	Found property	\$78.00	\$80.00
Div II § 1122(b)(5) ¹	Passenger payment choice	\$78.00	\$80.00
Div II § 1108(e)(3)	Transporting person with a disability in front seat	\$155.00	\$159.00
Div II § 1108(e)(6)	Assisting and securing person with a disability	\$155.00	\$159.00
Div II § 1108(e)(14)	Reckless or dangerous driving	\$155.00	\$159.00
Div II § 1108(e)(15)	Ramp Taxi rules	\$155.00	\$159.00
Div II § 1108(e)(35), (36) & (37)	Paratransit Debit Card	\$155.00	\$159.00
Div II § 1122(d) ¹	Luggage charges	\$155.00	\$159.00
Div II § 1108(e)(25)	Unsafe taxi	\$206.00	\$211.00
Div II § 1108(e)(30)	Excessive force	\$206.00	\$211.00
Div II § 1108(b)(3)	Criminal convictions	\$514.00	\$528.00
Div II § 1108(b)(4)(B)	Controlled substances	\$514.00	\$528.00
Div II § 1108(e)(3)	Tampering with equipment	\$514.00	\$528.00

**CONDITIONS
APPLICABLE TO
TAXI AND RAMP
TAXI EQUIPMENT**

Div II § 1113(b)(g)	Equipment and display requirements	\$26.00	\$27.00
Div II § 1113(m)	Vehicle windows	\$26.00	\$27.00
Div II § 1113(o)	Sanitary condition	\$26.00	\$27.00
Div II § 1113(a)	Safe operating condition	\$78.00	\$80.00
Div II § 1113(k)	Standard vehicle equipment	\$78.00	\$80.00
Div II § 1113(k)(13)	Vehicle tires and wheels	\$78.00	\$80.00
Div II § 1113(m)	Security cameras	\$78.00	\$80.00
Div II § 1113(n)	Condition of vehicle	\$78.00	\$80.00
Div II § 1113(u)	Working Taxi ramp	\$78.00	\$80.00
Div II § 1113(p)	Vehicle title requirements	\$257.00	\$264.00
Div II § 1113(q)	Excessive vehicle mileage or age	\$257.00	\$264.00
Div II § 1113(s)	Vehicle inspections	\$257.00	\$264.00
Div II § 1113(s)(7)	Fraud related to inspection	\$257.00	\$264.00
Div II § 1113(t)	Replacement vehicle	\$257.00	\$264.00
Div II § 1113(v)	Retired vehicles	\$257.00	\$264.00
Div II § 1113(f)	Taximeters	\$309.00	\$317.00

**CONDITIONS
APPLICABLE TO
TAXI AND RAMP
TAXI MEDALLIONS**

Div II § 1109(b)	Use of Dispatch Service	\$78.00	\$80.00
Div II § 1110(a)(1)	Wheelchair priority	\$155.00	\$159.00
Div II § 1110(a)(3)	Eight wheelchair pickups monthly	\$155.00	\$159.00
Div II § 1110(b)	Ramp Taxi Medallion in spare taxi	\$155.00	\$159.00
Div II § 1110(d)	Ramp Taxi qualifications	\$155.00	\$159.00
		\$24,000.00 multiplied	\$24,000.00 multiplied

Div II § 1109(c)	Full-time driving requirement	by percentage of hours short of the full time driving requirement	by percentage of hours short of the full time driving requirement
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(Added by SFMTA Bd. Res. No. 10-056, 4/20/2010; amended by SFMTA Bd. Res. No. 10-149, 11/16/2010; SFMTA Bd. Res. No. 11-029, 3/1/2011; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012; SFMTA Bd. Res. No. 12-112, Ad. 8/21/2012, Eff. 9/21/2012)

CODIFICATION NOTE

- Former Sec. 1122 was amended and redesignated as current Sec. 1124 by Res. No. 12-111, Eff. 9/21/2012.

SEC. 311. REQUEST FOR COMMUNITY SERVICE PROCESSING FEE.

A fee to reimburse the SFMTA for costs associated with processing requests for community service in-lieu of payment for parking or transit violation citations. The amount for this fee shall be \$20.00 effective July 1, 2012 and \$25.00 effective July 1, 2013.

(Added by SFMTA Bd. Res. No. 10-053, 4/20/2010; amended by SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012)

SEC. 312. PARKING METER USE FEE.

A fee charged for rendering Parking meters inaccessible to parking due to activities that are non-construction related and do not require either a Temporary Exclusive Use Parking Meter Permit issued pursuant to Section 904 of this Code, or a Temporary Use or Occupancy of Public Streets permit issued pursuant to Article 6 of this Code. The fee shall be \$6.00 per day per metered Parking space. The fee shall be \$7.00 per day per metered Parking space effective July 1, 2013.

(Added by SFMTA Bd. Res. No. 10-053, 4/20/2010; amended by SFMTA Bd. Res. No. 11-041, Ad. 4/5/2011, Eff. 5/6/2011; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012)

CODIFICATION NOTE

- So in SFMTA Bd. Res. No. 12-056.

SEC. 313. PARKLET INSTALLATION FEE.

A fee to reimburse the SFMTA for costs associated with the removal of a parking space and installation of a parklet including staff time for planning, design, and engineering analysis, and the physical removal and relocation of any parking meter. The amount for this fee shall be \$1,269.00 effective July 1, 2012, and \$1,297.00 effective July 1, 2013. If the installation of a parklet exceeds two parking spaces, the fee shall be an additional \$600 per additional parking space.

(Added by SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012)

Editor's Note:

Former Sec. 313 ("Translink/Clipper Limited Use Card Fee") was repealed by SFMTA Bd. Res. No. 10-134, adopted October 19, 2010.

SEC. 314. RESIDENTIAL PARKING PERMIT APPLICATIONS – FALSE, MISLEADING OR FRAUDULENT INFORMATION; VIOLATION OF DIVISION I, SECTION 7.2.50 – ADMINISTRATIVE PENALTIES.

(a) Any person who violates subsection (b) of Division I, Section 7.2.50 may be subject to the issuance of a citation and imposition of an administrative penalty.

(b) Administrative penalties may not exceed \$500 for each offense.

(c) The Director of Transportation is authorized to designate officers or employees of the Municipal Transportation Agency to enforce subdivision (b) of Division I, Section 7.2.50. Any officer or employee so designated is hereby authorized to issue citations imposing administrative penalties for violations of subdivision (b) of Division I, Section 7.2.50.

(Added by SFMTA Bd. Res. No. 12-010, Ad. 1/17/2012, Eff. 2/17/2012)

SEC. 315. PROCEDURE FOR ASSESSMENT AND COLLECTION OF ADMINISTRATIVE PENALTIES.

(a) This Section shall govern the imposition, assessment and collection of administrative penalties imposed pursuant to Section 314.

(b) The SFMTA Board of Directors finds:

(1) That it is in the best interest of the City, its residents, visitors and those who park on City streets to provide an alternative, administrative penalty mechanism for enforcement of Residential Parking Permit applications that contain false, misleading, or fraudulent information in addition to the existing enforcement mechanisms authorized under the San Francisco Transportation Code; and

(2) That the administrative penalty scheme established by this section is intended to compensate the public for the injury or damage caused by any person who submits a Residential Parking Permit application containing a fraudulent statement in order to obtain preferential parking in a Residential Parking Permit Area. The administrative penalties authorized under this section are intended to be reasonable and not disproportionate to the damage or injury to the City and the public caused by the prohibited conduct.

(c) **Administrative Citation.** Where an officer or employee designated in Section 314 determines that there has been a violation of subdivision (b) of Division I, Section 7.2.50, the officer or employee may issue an administrative citation to the person and/or entity responsible for the violation. The citation may be personally served on the applicant or by certified U.S. mail to the address indicated on the permit application. The citation shall inform the person or entity responsible of the date and nature of the violation and the amount of the administrative penalty, and shall state that the penalty is due and payable to the SFMTA within 15 business days from the date of the notice, if not contested within the time period specified. The citation shall also state that the person or entity responsible has the right, pursuant to Subsection (d), to request an administrative hearing of the citing officer or employee's determination as to the violation and assessment of penalties, and shall set forth the procedure for requesting an administrative hearing. The designated officer or employee shall mail the administrative citation and

evidence supporting the determination of a violation of subdivision (b) of Division I, Section 7.2.50 to the residential address listed on the Residential Parking Permit application submitted to the SFMTA pursuant to Section 905.

(d) Request for Hearing; Hearing.

(1) A person or entity that has been issued an administrative citation may request an administrative hearing in person, by telephone, or by email in order to contest the citation issued in accordance with this Section. The administrative hearing shall be initiated by filing a request for an administrative hearing with the SFMTA Hearing Division within 15 business days from the date of the citation. Failure to request a hearing in a timely manner or to attend a scheduled hearing shall satisfy the hearing requirement.

(2) Whenever an administrative hearing is requested pursuant to this Section, the SFMTA Hearing Section shall, within fifteen business days of receipt of the request, notify the requestor of the date, time, and place of the administrative hearing by certified mail. Such hearing shall be held no later than thirty (30) calendar days after the SFMTA Hearing Section receives the request, unless time is extended by mutual agreement of the affected parties.

(3) The administrative hearing shall be conducted by a neutral Hearing Officer assigned by the SFMTA Hearing Section. The SFMTA Hearing Section may issue rules as needed to implement this requirement. The parties may present evidence and testimony to the Hearing Officer. All testimony shall be under oath. The Hearing Officer shall ensure that a record of the proceedings is maintained. The burden of proof to uphold the violation shall be on the City, but the administrative citation shall be *prima facie* evidence of the violation.

(4) The Hearing Officer shall issue a decision including a summary of the issues and the evidence presented, and findings and conclusions, within fifteen (15) business days of the conclusion of the hearing. The Hearing Officer may uphold the penalty imposed by the citation or dismiss the citation. A copy of the decision may be personally delivered to the person contesting the violation or sent by first class mail. The decision shall be a final administrative determination. An aggrieved party may seek judicial review of the decision pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.

(e) Payment and Collection of Penalty.

(1) Where a person has not made a timely request for administrative hearing, the penalty shall be due and payable to the SFMTA on or before 15 business days from the date of issuance.

(2) Where a person or entity has made a timely request for administrative hearing, and the violation and penalty have been upheld upon review, the administrative penalty shall be due and payable not later than 10 business days from the date of the notice of decision issued under subparagraph (d)(4).

(3) If a penalty due and payable under paragraphs (1) or (2) remains unpaid after the specified due date, the SFMTA shall send the violator written notice that the penalty is overdue. Penalties that remain unpaid 30 calendar days after the due date shall be subject to a late payment penalty of fifty (\$50) dollars. Persons and entities against whom administrative penalties are imposed shall also be liable for the costs and attorney's fees incurred by the SFMTA in bringing any civil action to enforce the provisions of this section, including obtaining a judgment for the amount of the administrative penalty and other costs and charges.

(4) Where there is a nexus between the violation and property in the City owned by the violator, the SFMTA shall further inform the violator that if the amount due is not paid within 30 calendar days from the date of the notice, the SFMTA shall initiate proceedings to make the amount due and all additional authorized costs and charges, including attorneys fees, a lien on the property. Such liens shall be imposed in accordance with Chapter 10, Article XX of the Administrative Code.

(f) Administrative penalties shall be deposited in the Municipal Transportation Fund and may be expended only by the SFMTA.

(Added by SFMTA Bd. Res. No. 12-010, Ad. 1/17/2012, Eff. 2/17/2012)

SEC. 316. TEMPORARY NO-PARKING SIGN POSTING FEE.

A fee to reimburse the SFMTA for costs incurred for posting temporary no-parking signs for Special Events, Film Production, and Residential or Commercial Moves based on the number of signs posted. The fee shall be as follows:

Table 316: TEMPORARY NO-PARKING SIGN POSTING FEE SCHEDULE

Number of Signs Posted	FY 2013	FY 2014
1 to 4	\$163	\$167
5 to 9	\$217	\$223
10 to 15	\$271	\$278
16 to 21	\$325	\$334
22 to 28	\$379	\$389
29 to 35	\$433	\$445
36 to 43	\$488	\$501
44 to 51	\$542	\$557
52 or more	\$10.00 for each additional sign	\$10.25 for each additional sign

(Added by SFMTA Bd. Res. No. 12-127, Ad. 10/16/2012, Eff. 11/16/2012)

ARTICLE 400: PARKING METER REGULATIONS

Sec. 401.	Parking Meter Rates, Operation Times, and Time Limits.
Sec. 402.	Parking Meter Zone Number One.
Sec. 403.	Parking Meter Zone Number Two.
Sec. 404.	Parking Meter Zone Number Three.
Sec. 405.	Parking Meter Zone Number Four.
Sec. 406.	Parking Meter Rates – Parking Meter Zone Number One.
Sec. 407.	Parking Meter Rates – Parking Meter Zone Number Two.
Sec. 408.	Parking Meter Rates – Parking Meter Zone Number Three.
Sec. 409.	Parking Meter Rates – Parking Meter Zone Number Four.
Sec. 410.	Parking Meter Rates – Motorcycles.
Sec. 411.	Truck Loading Zones.
Sec. 412.	Parking Meter Zone Number Five.

SEC. 401. PARKING METER RATES, OPERATION TIMES, AND TIME LIMITS.

Within the range of charges authorized for each Parking Meter Zone in Sections 406-410 of this Article, and consistent with applicable law and the policies established by the SFMTA Board of Directors, the Director of Transportation is authorized to determine:

- (a) The rate to be charged at any particular meter at any particular time;
- (b) The times and days during which deposit of valid payment at a Parking Meter is required;
- (c) The maximum time period permitted for Parking at any Parking Meter; and
- (d) The Parking Meter technology to be used by the SFMTA.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 402. PARKING METER ZONE NUMBER ONE.

Parking Meter Zone Number One shall include that portion of the City and County of San Francisco not under the jurisdiction of the Port of San Francisco commencing at a point where the southerly line of King Street intersects the easterly line of The Embarcadero, thence westerly along the southerly line of King Street to the westerly line of Fourth Street, thence northerly along the westerly line of Fourth Street to the northerly line of Mission Street, thence westerly along the northerly line of Mission Street to the westerly line of Seventh Street, thence northerly along the westerly line of Seventh Street to the northerly line of Market Street, thence easterly along the northerly line of Market Street to the westerly line of Taylor Street, thence northerly along the westerly line of Taylor Street to the northerly line of Bush Street, thence easterly along the northerly line of Bush Street to the easterly line of Grant Avenue, thence northerly along the easterly line of Grant Avenue to the northerly line of California Street, thence easterly along the northerly line of California Street to the westerly line of Kearny Street, thence northerly along the westerly line of Kearny Street to the southerly line of Jackson Street, thence easterly along the southerly line of Jackson Street to the easterly line of Battery Street, thence southerly along the easterly line of Battery Street to the northerly line of Washington Street, thence easterly along the northerly line of Washington Street to the easterly line of The Embarcadero, thence southerly along the easterly line of The Embarcadero to the point of commencement.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 403. PARKING METER ZONE NUMBER TWO.

Parking Meter Zone Number Two shall consist of that portion of the City and County of San Francisco not under the jurisdiction of the Port of San Francisco commencing at a point where the northerly line of Folsom Street intersects the westerly line of Fifth Street, thence westerly along the northerly line of Folsom Street to the westerly line of Tenth Street, thence northerly along the westerly line of Tenth Street to the southerly line of Mission Street, thence westerly along the southerly line of Mission Street to the westerly line of Twelfth Street, thence northerly along the westerly line of Twelfth Street to the northerly line of Market Street, thence westerly along the northerly line of Market Street to the westerly line of Franklin Street, thence northerly along the westerly line of Franklin Street to the northerly line of Eddy Street, thence easterly along the northerly line of Eddy Street to the westerly line of Jones Street, thence northerly along the westerly line of Jones Street to the northerly line of Bush Street, thence easterly along the northerly line of Bush Street to the westerly line of Stockton Street, thence northerly along the westerly line of Stockton Street to the southerly line of Broadway, thence easterly along the southerly line of Broadway to the westerly line of The Embarcadero, thence southerly along the westerly line of The Embarcadero to the southerly line of King Street, thence along the southerly line of King Street to the westerly line of Fifth Street, thence northerly along the westerly line Fifth Street to the point of commencement, except that the portion of the City and County of San Francisco within Parking Meter Zone Number One as described in Section 201.1 is excluded from Parking Meter Zone Number Two.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 404. PARKING METER ZONE NUMBER THREE.

Parking Meter Zone Number Three includes that portion of the City and County of San Francisco not included within the boundaries of Parking Meter Zones Number One, Two, Four and Five. It excludes any part of the City and County of San Francisco under the jurisdiction of the Port of San Francisco.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 10-138, 11/2/2010)

SEC. 405. PARKING METER ZONE NUMBER FOUR.

Parking Meter Zone Number Four includes that portion of the City and County of San Francisco not under the jurisdiction of the Port of San Francisco within the area bounded by San Francisco Bay on the north and east, the southerly line of Bay Street on the south and the westerly line of Van Ness Avenue on the west.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 406. PARKING METER RATES – PARKING METER ZONE NUMBER ONE.

The rates for Parking Meters in Parking Meter Zone Number One shall be between \$1.00 an hour and \$3.50 an hour.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 407. PARKING METER RATES – PARKING METER ZONE NUMBER TWO.

The rates for Parking Meters in Parking Meter Zone Number Two shall be between \$1.00 an hour and \$3.00 an hour.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 408. PARKING METER RATES – PARKING METER ZONE NUMBER THREE.

The rates for Parking Meters in Parking Meter Zone Number Three shall be between \$0.25 an hour and \$2.00 an hour.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 13-030, Ad. 3/19/2013, Eff. 4/19/2013)

SEC. 409. PARKING METER RATES – PARKING METER ZONE NUMBER FOUR.

The rates for Parking Meters in Parking Meter Zone Number Four shall be between \$1.00 an hour and \$3.00 an hour.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 410. PARKING METER RATES – MOTORCYCLES.

The hourly rate for motorcycle Parking Meters for Parking Meter Zone Numbers One through Five shall be between one-fifth the minimum and maximum parking meter rates applicable to automobiles for that particular Parking Meter Zone. The hourly rate for Parking Meter Zone Five shall expire on June 30, 2014.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 10-138, 11/2/2010; SFMTA Bd. Res. No. 12-100, Ad. 7/17/2012, Eff. 8/17/2012; SFMTA Bd. Res. No. 13-030, Ad. 3/19/2013, Eff. 4/19/2013)

SEC. 411. TRUCK LOADING ZONES.

Where there are multiple Parking Meters in a Truck Loading Zone and the length of a Truck necessitates that it occupy more than one Parking Space, compliance with Division I Section 10.2.27 (Payment of Parking Meter) requires payment of the Parking Meter for each Parking Space occupied by the Truck.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

Editor's Note:

See Sec. 7.2.23, "Payment of Parking Meter."

SEC. 412. PARKING METER ZONE NUMBER FIVE.

(a) Notwithstanding the areas listed for Parking Meter Zones One through Four, Parking Meter Zone Five (the "SFpark Pilot Program Areas") shall include that portion of the City and County of San Francisco not under the jurisdiction of the Port of San Francisco and in the following areas:

(1) **Downtown SFpark Pilot Program Area** shall commence at a point where the northerly line of Folsom Street intersects the easterly line of The Embarcadero, thence south-westerly along the northerly line of Folsom Street to the westerly line of Fifth Street, thence north-westerly along the westerly line of Fifth Street to the northerly line of Market Street, thence easterly along the northerly line of Market Street to the westerly line of Powell Street, thence northerly along the westerly line of Powell Street to northerly line of Bush Street, thence easterly along the northerly line of Bush Street to the westerly line of Grant Avenue, thence northerly along the westerly line of Grant Avenue to the northerly line of Washington Street, thence easterly along the northerly line of Washington Street to the westerly line of Kearny Street, thence northerly along the westerly line of Kearny Street to the northerly line of Jackson Avenue, thence easterly along the northerly line of Jackson Avenue to the easterly line of The Embarcadero, thence south-easterly along the easterly line of The Embarcadero to the point of commencement.

(2) **Civic Center SFpark Pilot Parking Pilot Area** shall commence at a point where the southerly line of Market Street intersects the easterly line of Hyde Street, thence south-easterly along the southerly line of Market Street to the easterly line of Gough Street, thence northerly along the easterly line of Gough Street to the southerly line of Page Street, thence westerly along the southerly line of Page Street to the westerly line of Laguna Street, thence northerly along the westerly line of Laguna Street to the northerly line of Fulton, thence easterly along the northerly line of Fulton to the westerly line of Gough street, thence northerly along the westerly line of Gough Street to the northerly line of Eddy Street, then easterly along the northerly line of Eddy Street to the easterly line of Hyde Street, thence southerly along the easterly line of Hyde Street to the point of commencement.

(3) **Fisherman's Wharf SFpark Pilot Parking Pilot Area** shall commence at a point where the southerly line of Bay Street intersects the easterly line of Kearny Street, thence westerly along the southerly line of Bay Street to the easterly line of Taylor Street, thence southerly along the easterly line of Taylor Street to the southerly line of Columbus Avenue, thence north-westerly along the southerly line of Columbus Avenue to the southerly line of North Point Street, thence westerly along the southerly line of North Point Street to the westerly line of Polk Street, thence northerly along the westerly line of Polk Street to the northerly line of Beach Street, thence easterly along the northerly line of Beach Street to the westerly line of Hyde Street, thence northerly along the westerly line of Hyde Street to the southerly line of Jefferson Street, thence easterly along the southerly line of Jefferson Street to the easterly line of Powell Street, thence southerly along the easterly line of Powell Street to the northerly line of Beach Street, thence easterly along the northerly line of Beach Street to the westerly line of Grant Avenue, thence southerly along the westerly line of Grant Avenue to the southerly line of North Point Street, thence easterly along the southerly line of North Point Street to the easterly line of Kearny Street, thence southerly along the easterly line of Kearny Street to the point of commencement.

(4) **Marina SFpark Pilot Parking Pilot Area** shall commence at a point where the southerly line of Filbert Street intersects the easterly line of Webster Street, thence westerly along the southerly line of Filbert Street to the westerly line of Steiner Street, thence northerly along the westerly line of Steiner Street to the southerly line of Lombard Street, thence easterly along the southerly line of Lombard Street to the westerly line of Broderick Street, thence northerly along the westerly line of Broderick Street to the northerly line of Francisco Street, thence easterly along the northerly line of Francisco Street to where Francisco Street meets Alhambra Street, thence easterly along the northerly line of Alhambra Street to easterly line of Pierce Street, thence southerly along the easterly line of Pierce Street to the northerly line of Toledo Way, thence easterly along the northerly line of Toledo Way to the easterly line of Mallorca Way, thence southerly along the easterly line of Mallorca Way to the northerly line of Chestnut Street, thence easterly along the northerly line of Chestnut Street to the easterly line of Fillmore Street, thence southerly along the easterly line of Fillmore Street to the northerly line of Lombard Street, thence easterly along the northerly line of Lombard Street to the easterly line of Webster Street, thence southerly along the easterly line of Webster Street to the point of commencement.

(5) **Fillmore SFpark Pilot Parking Pilot Area** shall commence at a point where the southerly line of McAllister Street intersects the easterly line of Webster Street, thence westerly along the southerly line of McAllister Street to the westerly line of Steiner Street, thence northerly along the westerly line of Steiner Street to the southerly line of Post Street, thence westerly along the southerly line of Post Street to the westerly line of Pierce Street, thence northerly along the westerly line of Pierce Street to the northerly line of Clay Street, thence easterly along the northerly line of Clay Street to the easterly line of Steiner Street, thence northerly along the easterly line of Steiner Street to the northerly line of Jackson Street, thence easterly along the northerly line of Jackson Street to the easterly line of Webster Street, thence southerly along the easterly line of Webster Street to the northerly line of Bush Street, thence easterly along the northerly line of Bush Street to the easterly line of Laguna Street, thence southerly along the easterly line of Laguna Street to the southerly line of Geary Boulevard, thence easterly along the southerly line of Geary Boulevard to the easterly line of Webster Street, thence southerly along the easterly line of Webster Street to the point of commencement.

(6) **South Embarcadero SFpark Pilot Parking Pilot Area** shall commence at a point where the southerly line of Mariposa Street intersects the easterly line of Terry A. Francois St, thence westerly along the southerly line of Mariposa Street to the easterly line of the CalTrain tracks, thence northerly along the CalTrain tracks to northerly line of King Street, thence easterly along the northerly line of King Street to the westerly line of Fifth Street, thence northerly along the westerly line of Fifth Street to the northerly line of Folsom Street, then easterly along the northerly line of Folsom Street to the easterly line of The Embarcadero, then southerly along the easterly line of The Embarcadero to the southerly line of King Street, thence easterly along the southerly line of King Street to the easterly line of Third Street, then southerly along the easterly line of Third Street to the northerly line of Terry A. Francois St, then easterly along the northerly line of Terry A. Francois St to the easterly line of line of Terry A. Francois St, then southerly along the easterly line of line of Terry A. Francois St to the point of commencement.

(7) **Mission SFpark Pilot Parking Pilot Area** shall commence at a point where the southerly line of Twenty-Fourth Street intersects the easterly line of South Van Ness Avenue, thence westerly along the southerly line of Twenty-Fourth Street to the westerly line of Valencia Street, thence northerly along the westerly line of Valencia Street to the southerly line of Sixteenth Street, thence westerly along the southerly line of Sixteenth Street to the westerly line of Guerrero Street, thence northerly along the westerly line of Guerrero Street to the northerly line of Fifteenth Street, thence easterly along the northerly line of Fifteenth Street to the easterly line of South Van Ness Avenue, thence southerly along the easterly line of South Van Ness Avenue to the point of commencement.

(b) The rates for Parking Meters in Parking Meter Zone Number Five shall be between \$0.25 an hour and \$6.00 an hour.

(c) Notwithstanding subsection (b), the Director of Transportation is authorized to set a Special Event Parking Meter rate between \$0.25 an hour and \$18.00 an hour during, or up to four hours prior to, special events in the South Embarcadero, Civic Center and Fillmore SFpark Pilot Program Areas to recover the costs incurred by the SFMTA for parking-related services in connection with the special event. For purposes of this subsection, a special event shall include athletic events, concerts, conventions, major parades, street festivals, entertainment or cultural exhibitions or shows, or any other similar event that is expected to generate a significant, short-term demand for on-street parking.

(d) The provisions of this section shall expire on June 30, 2014.

(Added by SFMTA Bd. Res. No. 10-138, 11/2/2010; amended by SFMTA Bd. Res. No. 10-162, 12/7/2010; SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011; SFMTA Bd. Res. No. 12-085, Ad. 6/19/2012, Eff. 7/20/2012)

ARTICLE 500: SIZE, WEIGHT, LOAD RESTRICTIONS

Sec. 501.	Vehicle Weight Restrictions.
Sec. 502.	Commercial Vehicles; Parking Limited in Certain Districts.
Sec. 503.	Commercial Passenger Vehicles; Restricted Streets.

SEC. 501. VEHICLE WEIGHT RESTRICTIONS.

(a) The operation of a vehicle with gross weight in excess of 6,000 pounds on the Streets listed in Section 501(b), or the operation of a vehicle with unladen weight in excess of 18,000 pounds on any Street listed in Section 501(c) is a violation of Division I, Section 7.2.77 (Weight Restricted Streets).

(b) 6,000 lbs Limits. No person shall operate a vehicle of a gross weight in excess of 6,000 pounds on the following Streets:

- (1) 25th Street between Sanchez and Dolores Streets.
- (2) 26th Street between Church and Sanchez Streets.
- (3) 27th Street between Douglass and Castro Streets.
- (4) 28th Street between Douglass and Diamond Streets.
- (5) 29th Street between Diamond and Castro Street.
- (6) 34th Avenue between Wawona and Yorba Streets.
- (7) Alabama Street, between Ripley Street and South Precita Avenue.
- (8) Albion Street between 15th and 17th Streets.
- (9) Alhambra Street between Scott Street and Cervantes Boulevard.
- (10) Anza Vista Avenue between O'Farrell and Baker Streets.
- (11) Bacon Street between Somerset Street and San Bruno Avenue.
- (12) Baker Street between Terra Vista Avenue and Turk Street.
- (13) Baker Street between Union Street and Marina Boulevard.
- (14) Barcelona Avenue between Terra Vista and Anza Vista Avenues.
- (15) Bay Street between Laguna Street and Columbus Avenue.
- (16) Beaumont Avenue between Turk and Anza Streets.
- (17) Blanken Avenue between Tunnel Avenue and Executive Park Boulevard.
- (18) Broderick Street between Richardson Avenue and Union Street.
- (19) Broderick Street between O'Farrell Street and Turk Street.
- (20) Brussels Street between Silver Avenue and Burrows Street.
- (21) Buchanan Street between Broadway and Union Streets.
- (22) Buchanan Street between Lombard and Chestnut Streets.
- (23) Burrows Street between Somerset Street and San Bruno Avenue.
- (24) Cayuga Avenue between Geneva and Foote Avenues.
- (25) Cedro Avenue between Mercedes Way and Ocean Avenue.
- (26) Cerritos Avenue between Mercedes Way and Ocean Avenue.
- (27) Cervantes Boulevard between Fillmore Street and Marina Boulevard.
- (28) Cesar Chavez Street between Church and Noe Streets.
- (29) Chattanooga Street between Twenty-first and Jersey Streets.
- (30) Chestnut Street between Montgomery and Sansome Streets.
- (31) Chestnut Street between Laguna Street and Van Ness Avenue.
- (32) Chestnut Street between Lyon Street and Broderick Street.
- (33) Chestnut Street between Polk Street and Columbus Avenue.
- (34) Claremont Boulevard between Portola Drive and Taraval Street.
- (35) Clipper Street between Diamond Heights Boulevard and Dolores Street.
- (36) College Avenue between Genebern Way and Mission Street.
- (37) Commonwealth Avenue between Geary Boulevard and California Street.
- (38) Corbett Avenue between Clayton and Seventeenth Streets.
- (39) Crane Street between Paul Avenue and Bayshore Boulevard.
- (40) Del Vale Avenue between Evelyn Way and O'Shaughnessy Boulevard.
- (41) Delano Avenue between Geneva and Ottawa Avenues.
- (42) Dewey Boulevard between Laguna Honda Boulevard and Taraval Street.
- (43) Diamond Heights Boulevard between the westerly leg of Berkeley Way and Elk Street.
- (44) Diamond Street between Chenery Street and Diamond Heights Boulevard.
- (45) Douglass Street between Twenty-seventh and Twenty-eight Streets.
- (46) Duncan Street between Diamond Street and Diamond Heights Boulevard.
- (47) Ecker Street between Jessie and Mission Streets.

- (48) Eddy Street between Divisadero Street and St. Joseph's Avenue.
- (49) Eighteenth Avenue between Vicente and Ulloa Streets.
- (50) Elk Street between Bosworth and Chenery Streets.
- (51) Elk Street between Diamond Heights Boulevard and Chenery Street.
- (52) Ellis Street between Divisadero Street and St. Joseph's Avenue.
- (53) Encanto Avenue between Terra Vista and Anza Vista Avenues.
- (54) Encline Court between Marietta Drive and the Eastern Terminus.
- (55) Everglade Drive between Sloat Boulevard and Eucalyptus Drive.
- (56) Fair Oaks Street between Twenty-first and Twenty-sixth Streets.
- (57) Felton Street between Somerset Street and San Bruno Avenue.
- (58) Filbert Street between Divisadero and Lyon Streets.
- (59) Filbert Street between Polk and Taylor Streets.
- (60) Fillmore Street between Broadway and Union Streets.
- (61) Folsom Street between Precita Avenue and Bernal Heights Boulevard; and Bernal Heights Boulevard between Folsom Street and Bernal Heights Park (approximately 350 feet).
- (62) Foote Avenue between Alemany Boulevard and San Jose Avenue.
- (63) Fortuna Avenue between Terra Vista and Anza Vista Avenues.
- (64) Francisco Street between Montgomery and Kearny Streets.
- (65) Francisco Street between Baker and Scott Streets.
- (66) Francisco Street between Laguna Street and Van Ness Avenue.
- (67) Francisco Street between Lyon Street and Richardson Avenue.
- (68) Francisco Street between Polk Street and Columbus Avenue.
- (69) Franklin Street between California and Lombard Streets.
- (70) Genebern Way between Alemany Boulevard and College Avenue.
- (71) Gilman Avenue between Third Street and Arellano Walker Drive.
- (72) Girard Street between Silver Avenue and Bacon Street.
- (73) Goettingen Street between Silver Avenue and Bacon Street.
- (74) Gough Street between Jackson and California Streets.
- (75) Great Highway between Lincoln Way and Sloat Boulevard.
- (76) Green Street between Grant Avenue and Montgomery Street.
- (77) Green Street between Polk and Mason Streets.
- (78) Greenwich Street between Divisadero and Lyon Streets.
- (79) Greenwich Street between Franklin Street and Van Ness Avenue.
- (80) Greenwich Street between Polk and Taylor Streets.
- (81) Guerrero Street between Eighteenth and Cesar Chavez Streets.
- (82) Hollister Avenue between Third and Hawes Streets.
- (83) Ingalls Street between Fitzgerald and Jamestown Avenues.
- (84) Ingerson Avenue between Third Street and Bill Walsh Way.
- (85) Innes Avenue between Middle Point Road and Hunters Point Boulevard.
- (86) Jamestown Avenue between Third Street and Harney Way.
- (87) Jennings Street between Fitzgerald and Jamestown Avenues.
- (88) Jennings Street between Palou and Thomas Avenues.
- (89) Jersey Street between Castro and Church Streets.
- (90) Jones Street between California and Pine Streets.
- (91) Jones Street between Columbus and Pacific Avenues.
- (92) Jordan Avenue between Geary Boulevard and California Street.
- (93) Kansas Street between Twenty-second and Twenty-third Streets.
- (94) Kearny Street between Francisco and Bay Streets.
- (95) Keith Street between Palou and Van Dyke Avenues.
- (96) Kensington Way between Claremont Boulevard and Portola Drive.
- (97) Laguna Street between Broadway and Union Street.
- (98) Lane Street between Palou and Van Dyke Avenues.
- (99) Larkin Street between Chestnut and Francisco Streets.
- (100) Larkin Street between Bay Street and Pacific Avenue.
- (101) Lathrop Avenue between Tunnel and Tocoloma Avenues.
- (102) Laurel Street between Mayfair Drive and Euclid Avenue.
- (103) Leavenworth Street between Bay Street and Pacific Avenue.

- (104) Ledyard Street, between Silver Avenue and Thornton Avenue.
- (105) Lombard Street between Montgomery and Sansome Streets.
- (106) Lombard Street between Stockton and Kearny Streets.
- (107) Lombard Street between Polk and Leavenworth Streets.
- (108) Lyon Street between Green and Francisco Streets.
- (109) Marietta Drive between Evelyn Way and Teresita Boulevard.
- (110) Marina Boulevard between Lyon and Laguna Streets.
- (111) Mariposa Street between Mississippi and Connecticut Streets.
- (112) Mariposa Street between Vermont and Kansas Streets.
- (113) Masonic Avenue between Waller Street and Frederick Street.
- (114) Mayfair Drive between Laurel and Spruce Streets.
- (115) Mendell Street between Galvez and Hudson Avenues.
- (116) Middle Point Road between Evans and Innes Avenues.
- (117) Monterey Boulevard between Ridgewood and Santa Clara Avenues.
- (118) Montgomery Street between Green Street and Broadway.
- (119) Montgomery Street between Lombard and Francisco Streets.
- (120) Mount Vernon Avenue between Alemany Boulevard and San Jose Avenue.
- (121) Newhall Street between Innes and Hudson Avenues.
- (122) Newhall Street between Palou and Quesada Avenues.
- (123) Niagara Avenue between Alemany Boulevard and San Jose Avenue.
- (124) Nido Avenue between Vega and Turk Streets.
- (125) Octavia Street between Broadway and Union Street.
- (126) Ottawa Avenue between Alemany Boulevard and Ortega Avenue.
- (127) Pacheco Street between Dewey Boulevard and Ninth Avenue.
- (128) Palm Avenue between Geary Boulevard and California Street.
- (129) Palou Avenue between Selby and Griffith Streets.
- (130) Parker Avenue between Geary Boulevard and California Street.
- (131) Parker Avenue between Turk and Anza Streets.
- (132) Pennsylvania Street between Mariposa and Twenty-second Streets.
- (133) Pond Street between 16th and 17th Streets.
- (134) Powell Street between Sutter and California Street.
- (135) Quesada Avenue between Third and Hawes Streets.
- (136) Revere Avenue between Third and Hawes Streets.
- (137) Rossi Avenue between Turk and Anza Streets.
- (138) Santa Clara Avenue between Monterey Boulevard and Portola Drive.
- (139) Scotia Avenue between Silver Avenue and Thornton Avenue.
- (140) Scott Street between California and Bush Streets.
- (141) Shafter Avenue between Third and Hawes Streets.
- (142) Silliman Street between Somerset Street and San Bruno Avenue.
- (143) Spruce Street between Geary Boulevard and Euclid Avenue.
- (144) St. Francis Boulevard between Portola Drive and San Anselmo Avenue.
- (145) St. Joseph's Avenue between O'Farrell Street and Turk Street.
- (146) Stanyan Street between 17th Street and Belgrave Street.
- (147) Stanyan Street between Turk and Anza Streets.
- (148) Taraval Street between 14th Avenue and Dewey Boulevard.
- (149) Taylor Street between Pine and California Streets.
- (150) Taylor Street between Columbus and Pacific Avenues.
- (151) Telegraph Hill Boulevard.
- (152) Terra Vista Avenue between Anza Vista and St. Joseph's Avenues.
- (153) Thomas Avenue between Third and Jennings Streets.
- (154) Thornton Avenue between Bayshore Boulevard and Third Street.
- (155) Thorp Lane.
- (156) Tunnel Avenue between Blanken Avenue and Bayshore Boulevard.
- (157) Underwood Avenue between Third and Jennings Streets.
- (158) Union Street between Lyon and Steiner Streets.
- (159) Vallejo Street between Montgomery and Sansome Streets.
- (160) Vallejo Street between Polk and Mason Streets.

- (161) Vega Street between Nido and Anza Vista Avenues.
- (162) Vermont Street between 17th and 18th Streets.
- (163) Vermont Street between Twentieth and Twenty-second Streets.
- (164) Vesta Street between Thornton Avenue and Williams Avenue.
- (165) Vicente Street between Sixteenth and Nineteenth Avenues.
- (166) Webster Street between Broadway and Union Street.
- (167) Webster Street between Bay Street and Marina Boulevard.
- (168) Westwood Park area streets within an area bounded by the south side of Monterey Boulevard and the east side of Plymouth Avenue, the north side of Ocean Avenue and the west side of Faxon Avenue.

- (169) Wheat Street between Paul Avenue and Bayshore Boulevard.
- (170) Yerba Buena Avenue between Santa Clara Avenue and Miraloma Drive.

(c) **18,000 lbs. Limit.** No person shall operate a vehicle with an unladen weight in excess of 18,000 pounds on the following Streets:

- (1) Blanken Avenue between Bayshore Boulevard and Tunnel Avenue.
- (2) Tunnel Avenue between Blanken Avenue and Recycle Road.

(d) **Exemptions.** The provisions of this Section shall not be applicable to:

(1) Any vehicle which is subject to the provisions of Section 1031 to 1036, inclusive, of the California Public Utilities Code and which has received a certificate from the CPUC pursuant to those Sections declaring that the public necessity and convenience require the operation of the vehicle, provided that the certificate authorizes that vehicle to be operated within the City, and the vehicle is being operated for the purpose authorized in, and consistent with the terms of, the certificate. This exemption shall not apply to vehicles operated as round-trip sightseeing tour service as defined by the CPUC;

(2) Any commercial vehicle coming from an unrestricted Street having ingress and egress by direct route to and from that portion of the restricted Streets set forth above, when necessary for the purpose of making pickups of refuse, pickups or deliveries of passengers, goods, wares and merchandise from or to any building or structure located on such restricted Street, or for the purpose of delivering materials or equipment to be used in the actual and bona fide repairs, alteration, remodeling or construction of such restricted Street, or for any building or structure upon such restricted Street for which a building permit has previously been obtained;

- (3) Any vehicle owned by a public utility while in use in the construction, installation or repair of any public utility;
- (4) Transit vehicles operated by the SFMTA along a regularly scheduled route;
- (5) School buses when operated for the transportation of school pupils;
- (6) Any vehicle owned by the City while being used in the course of official business; and
- (7) Emergency vehicles.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 10-139, 11/2/2010; SFMTA Bd. Res. No. 11-004, 1/4/2011; SFMTA Bd. Res. No. 12-144, Ad. 11/20/2012, Eff. 12/21/2012)

SEC. 502. COMMERCIAL VEHICLES; PARKING LIMITED IN CERTAIN DISTRICTS.

Transportation Code, Division I, Section 7.2.84 (Commercial Vehicle Parking in Certain District) shall apply only to a vehicle with a manufacturer's gross vehicle weight rating or a gross combination weight rating in excess of 10,000 pounds while Parked on any Street in an RH-1(D), RH-1, RH-2, RH-3, RM-1, RM-2, RM-3, RM-4 or P Use District.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 503. COMMERCIAL PASSENGER VEHICLES; RESTRICTED STREETS.

(a) **Prohibition.** Operation of a commercial vehicle with seating capacity of nine or more persons (including the driver), used or maintained for the transportation of persons for profit, upon any Street listed in Section 503(b) is a violation of Division I, Section 7.2.87 (Commercial Passenger Vehicle Restrictions).

(b) **Restricted Streets.** Except as otherwise provided in this Code, no person shall operate a commercial vehicle with seating capacity of nine or more persons, including the driver, used or maintained for the transportation of persons for profit, upon the following Streets or within the following areas:

- (1) 6th Avenue, between Lincoln Way and Kirkham Street.
- (2) 16th Avenue, between Lawton and Noriega Streets.
- (3) 15th Avenue, between 14th Avenue and Ortega Street.
- (4) 18th Street, between Church and Market Streets.
- (5) 25th Avenue between Lake Street and El Camino Del Mar.
- (6) 26th Avenue, between Geary Boulevard and California Street, except that tour buses of 6,000 pounds or less in weight may operate in this location.
- (7) Area bounded by Chestnut Street to Baker Street, to Marina Boulevard to Laguna Street, to Bay Street, to Franklin Street and returning to Chestnut Street, and including the boundary streets of the area.
- (8) Area bounded by southerly line of Bay Street and Columbus Avenue, westerly line of Taylor Street, northerly line of Union Street and easterly line of Polk Street.
- (9) Baker Street between Richardson Avenue and Union Street.

- (10) Bay Street between Baker and Lyon Streets.
- (11) Beaumont Avenue between Anza and Turk Streets.
- (12) Broderick Street between O'Farrell and Turk Streets.
- (13) Broderick Street between Richardson Avenue and Union Street.
- (14) Chestnut Street between Lyon Street and Richardson Avenue.
- (15) Chestnut Street between Mason and Stockton Streets.
- (16) Corbett Avenue between 17th and 24th Streets.
- (17) Eddy Street between Divisadero Street and St. Joseph's Avenue.
- (18) El Camino Del Mar between 25th Avenue and Legion of Honor Drive.
- (19) El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and 25th Avenue.
- (20) Ellis Street between Divisadero Street and St. Joseph's Avenue.
- (21) Filbert Street between Lyon and Divisadero Streets.
- (22) Francisco Street between Mason and Stockton Streets.
- (23) Franklin Street between California and Lombard Streets.
- (24) Green Street between Grant Avenue and Montgomery Street.
- (25) Green Street between Polk and Mason Streets.
- (26) Greenwich Street between Lyon and Divisadero Streets.
- (27) Jones Street between Union Street and Pacific Avenue.
- (28) Larkin Street between Union Street and Pacific Avenue.
- (29) Leavenworth Street between Union Street and Pacific Avenue.
- (30) Lombard Street between Mason and Kearny Streets.
- (31) Lombard Street between Van Ness Avenue and Polk Street.
- (32) Lomita Avenue between 16th Avenue and Aloha Street.
- (33) Lyon Street between Francisco and Green Streets.
- (34) Mason Street between Lombard and Francisco Streets.
- (35) Montgomery Street between Green Street and Broadway.
- (36) Moraga Street between 16th and 17th Avenues.
- (37) Noriega Street between 14th Avenue and 16th Avenue.
- (38) Olympia Way between Clarendon Avenue and Panorama Drive.
- (39) Panorama Drive between Clarendon Avenue and Twin Peaks Boulevard.
- (40) Parker Avenue between Anza and Turk Streets.
- (41) Powell Street between Lombard and Francisco Streets.
- (42) Rossi Avenue between Anza and Turk Streets.
- (43) Seal Rock Drive between 45th Avenue and El Camino Del Mar.
- (44) St. Joseph's Avenue, between O'Farrell Street and Turk Street.
- (45) Stanyan Street between Anza and Turk Streets.
- (46) Stockton Street between Lombard and Francisco Streets.
- (47) Taylor Street between Columbus Avenue and Pacific Avenue.
- (48) Telegraph Hill Boulevard between Kearny Street and Coit Tower parking lot.
- (49) Twin Peaks Boulevard between Clayton Street and Burnett Drive.
- (50) Union Street between Steiner and Lyon Streets.
- (51) Vallejo Street between Montgomery and Sansome Streets.
- (52) Vallejo Street between Polk and Mason Streets.

(c) **Exceptions.** The requirements of this Section shall not be applicable to:

- (1) Any vehicle which is subject to the provisions of Sections 1031 to 1036, inclusive, of the California Public Utilities Code and which has received a certificate from the CPUC pursuant to those Sections declaring that the public necessity and convenience require the operation of the vehicle, provided that the certificate authorizes that vehicle to be operated within the City, and the vehicle is being operated for the purpose authorized in, and consistent with the terms of, the certificate. This exemption shall not apply to vehicles operated as round-trip sightseeing tour service as defined by the CPUC;
- (2) Any commercial vehicle coming from an unrestricted Street having ingress and egress by direct route to and from that portion of the restricted Streets set forth below, when necessary for the purpose of making pickups or deliveries of passengers, goods, wares and merchandise from or to any building or structure located on such restricted Street;
- (3) Any vehicle owned by a public utility while in use in the construction, installation or repair of any public utility;
- (4) Transit vehicles operated by the SFMTA along a regularly scheduled route;
- (5) School buses when operated for the transportation of school pupils;
- (6) Any jitney bus operating pursuant to authority granted by a City permit;
- (7) Any vehicle owned by the City while being used in the course of official business;

- (8) Any private vehicle that is operating pursuant to a contract with the City of San Francisco for the purpose of providing services to the public; or
- (9) Emergency vehicles;
- (10) Through September 30, 2011, School Pupil Activity Buses operating on Lyon Street between Francisco and Lombard Streets or Chestnut Street between Lyon Street and Richardson Avenue. This exemption shall sunset and be of no further effect after September 30, 2011, except that the Director of Transportation is authorized to terminate the exemption authorized by this paragraph prior to that date if he or she determines that due to completion of construction activity, this exemption is no longer required.

(Added by SFMTA Bd. Res. No. 10-139, App. 11/2/2010; amended by SFMTA Bd. Res. No. 11-004, App. 1/4/2011; SFMTA Bd. Res. No. 11-134, App. 10/18/2011, Eff. 11/18/2011)

ARTICLE 600: TRANSIT-RELATED RESTRICTIONS

Sec. 601.	Designated Transit-Only Areas.
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SEC. 601. DESIGNATED TRANSIT-ONLY AREAS.

(a) The locations listed in this Section 601 are designated as Transit-only Areas. Any vehicle operating within a Transit-only Area during times that the Transit-only Area is enforced is in violation of Transportation Code, Division I, Section 7.2.72 (Driving in Transit-only Area).

(1) Cable Car Lanes On Powell Street Between California Street and Sutter Street. Except as to cable cars, Municipal Railway vehicles, and authorized emergency vehicles, no vehicle may operate within, over, upon or across the cable car lanes, or make any left or U-turn on the exclusive cable car lanes on Powell Street between California and Sutter Streets except to pass a disabled vehicle.

(2) West Portal Avenue Between 15th Avenue and Sloat Boulevard. Except as to streetcars and Municipal Railway vehicles, no vehicle may operate within Transit-only Areas on West Portal Avenue between 15th Avenue and Sloat Boulevard.

(3) Exclusive Commercial Vehicle/Transit Area on Sansome Street. Except as to buses, taxis, authorized emergency vehicles, and commercial vehicles, no vehicle may operate within the Transit-only Area running southbound on Sansome Street between Washington Street and Bush Street.

(4) Judah Street, from 9th Avenue to 20th Avenue. Except as to streetcars and Municipal Railway vehicles, no vehicle may operate within Transit-only Areas on Judah Street from 9th Avenue to 20th Avenue.

(5) Other Transit-Only Areas. Except for buses, taxicabs, vehicles preparing to make a turn, vehicles entering into or existing from a stopped position at the curb, and vehicles entering into or exiting from a driveway, no vehicle may operate in the following Transit-only Areas during the times indicated:

Hours of Operation	Street	From	To
All Times	1st St.	Market St.	Howard St.
	3rd St.	Townsend St.	Market St.
	4th St.	Harrison St.	Townsend St.
	4th St.	Market St.	Howard St.
	Clay St.	Sansome St.	Davis St.
	Fremont St.	Mission St.	Market St.
	Geary St.	Market St.	Powell St.
	Geary St.	Mason St.	Gough St.
	Judah St.	20th Ave.	La Playa St.
	Market St. (Inbound)	12th St.	5th St.
	Market St. (Outbound)	So. Van Ness Ave.	8th St.
	O'Farrell St.	Gough St.	Hyde St.
	O'Farrell St.	Jones St.	Powell St.
	Post St.	Gough St.	Grant St.
	Potrero Ave. (NB)	24th St.	22nd St.
	Stockton St.	Bush St.	Geary St.
	Sutter St.	Gough St.	Kearny St.
	Sacramento St.	Drumm St.	Kearny St.
	Stockton St.	Geary St.	O'Farrell St.
7:00 AM-7:00 PM, Monday-Friday	Mission St. (Inbound)	5th St.	Beale St.
7:00 AM-7:00 PM, Monday-Saturday	Mission St. (Outbound)	Main St.	4th St.
7:00 AM-6:00 PM, Monday-Friday	Mission St. (Inbound)	11th St.	5th St.
7:00 AM-9:00 PM, Monday-Friday	O'Farrell St.	Hyde St.	Jones St.
	Clay St.	Powell St.	Battery St.
	Mission St. (Inbound)	11th St.	5th St.
	Mission St. (Outbound)	4th St.	11th St.
4:00 PM-6:00 PM, Monday-Friday	Geary St.	Mason St.	Powell St.
	Sacramento St.	Kearny St.	Larkin St.
	Sutter St.	Sansome St.	Kearny St.
3:00 PM-6:00 PM, Monday-Friday	Bush St.	Montgomery St.	Battery St.
3:00 PM-7:00 PM, Monday-Friday	4th St.	Howard St.	Clementina

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009)

ARTICLE 700: SPEED LIMITS

Sec. 701.	Legislative Findings.
Sec. 702.	Designated Speed Limits.

SEC. 701. LEGISLATIVE FINDINGS.

The SFMTA Board of Directors finds and determines, on the basis on engineering and traffic surveys, that the speed limits listed below will facilitate the orderly movement of traffic and would be reasonable and safe upon the designated Streets.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 702. DESIGNATED SPEED LIMITS.

- (a) **30 Miles Per Hour.** A *prima facie* speed limit of 30 miles per hour is established in the following locations:
- (1) 3rd Street between Channel and Kirkwood Streets.
 - (2) 3rd Street between Shafter and Bayshore Boulevard.
 - (3) 10th Street between Market Street and Division Street.
 - (4) 16th Street between 3rd and 7th Streets.
 - (5) Bush Street between Presidio Avenue and Battery Street.
 - (6) Carter Street between Geneva Avenue and County Line.
 - (7) Cesar Chavez Street, Third Street to a point 500 feet east of Kansas Street.
 - (8) Diamond Heights Boulevard between Clipper Street and Sussex Street.
 - (9) The Embarcadero between King Street and Bay Street.
 - (10) Fell Street between Gough Street and Stanyan Street.
 - (11) Fulton Street between Stanyan Street and Arguello Boulevard.
 - (12) Geary Boulevard between 30th and 42nd Avenue.
 - (13) Golden Gate Avenue between Divisadero Street and Van Ness Avenue.
 - (14) Industrial Street between Bayshore Boulevard and Oakdale Avenue.
 - (15) John F. Kennedy Drive between Kezar Drive and Stanyan Street.
 - (16) John Muir Drive between Skyline Boulevard and a point approximately 2,500 feet southeasterly.
 - (17) Kezar Drive between Lincoln Way and John F. Kennedy Drive.
 - (18) King Street between 5th Street and The Embarcadero.
 - (19) Market Street between Danvers Street and Castro Street.
 - (20) Masonic Avenue between Presidio Avenue and Geary Boulevard.
 - (21) Monterey Boulevard between Circular and Ridgewood Avenues.
 - (22) Oak Street between Stanyan Street and Franklin Street.
 - (23) Oakdale Avenue between Bayshore Boulevard and 3rd Street.
 - (24) Octavia Boulevard, central lanes only, between Fell and Market Streets.
 - (25) Pine Street between Market Street and Presidio Avenue.
 - (26) Point Lobos Avenue between Great Highway and Forty-Second Avenue.
 - (27) Sagamore Street between San Jose Avenue and Orizaba Avenue.
 - (28) San Jose Avenue between Randall and 29th Streets.
 - (29) Turk Boulevard between Baker Street and Arguello Boulevard.
 - (30) Twin Peaks Boulevard between Panorama Drive and Palo Alto Avenue.
 - (31) Winston Drive, between Buckingham Way and Lake Merced.
- (b) **35 Miles Per Hour.** A *prima facie* speed limit of 35 miles per hour is established in the following locations:
- (1) Alemany Boulevard between Junipero Serra Boulevard and Mission Street.
 - (2) Bayshore Boulevard between Cesar Chavez Street and the County Line.
 - (3) Broadway (Robert C Levy) Tunnel between the east and west portals.
 - (4) Brotherhood Way between Alemany and a point about 200 feet westerly from Chumasero Drive.
 - (5) Cargo Way between 3rd Street and Jennings Street.
 - (6) Clarendon Avenue, north and south sides between the east line of Laguna Honda Boulevard and Johnstone Drive.
 - (7) Clipper Street between Douglas Street and Diamond Heights Boulevard.
 - (8) Evans Avenue between Cesar Chavez and Hunters Point Boulevard.
 - (9) Fulton Street between Arguello Boulevard and the Great Highway.
 - (10) Geary Boulevard between Presidio Avenue and Wood Street on the depressed section.
 - (11) Geary Expressway between Gough Street and Presidio Avenue.

- (12) Geneva Avenue between Moscow Street and the County Line.
- (13) Great Highway between Lincoln Way and Point Lobos.
- (14) Great Highway (Upper Roadway) between Lincoln Way and Sloat Boulevard.
- (15) Hunters Point Boulevard between Jennings Street and Innes Avenue.
- (16) Innes Avenue between Hunters Point Boulevard and Donahue Street.
- (17) Junipero Serra Boulevard between St. Francis Circle and Ocean Avenue.
- (18) Laguna Honda Boulevard between Dewey Boulevard and Noriega Street.
- (19) Lake Merced Boulevard between Sunset Boulevard and Skyline Boulevard.
- (20) Lake Merced Boulevard between Winston Drive and Sunset Boulevard.
- (21) Lincoln Way, north side, between Third Avenue and the Great Highway.
- (22) Lincoln Way, south side, between the Great Highway and Third Avenue.
- (23) Mansell Street between Sunnydale and Brazil Avenues.
- (24) O'Shaughnessy Boulevard between Portola Drive and Malta Drive.
- (25) Portola Drive between St. Francis Circle and Corbett Avenue, north and south sides.
- (26) Market Street between Corbett Avenue and Danvers Street, north and south sides.
- (27) Sloat Boulevard, eastbound and westbound traffic, between Junipero Serra Boulevard, St. Francis Circle and Nineteenth Avenue.
- (28) Sloat Boulevard, eastbound traffic, between the east line of the Great Highway and the east line of 39th Avenue.
- (29) Sloat Boulevard, westbound traffic, between the east line of 39th Avenue and the east line of 47th Avenue.
- (30) Sunnydale Avenue between Persia Avenue and the west boundary of the McLaren Municipal Golf Course.
- (31) Sunset Boulevard between Martin Luther King, Jr. Drive and Lake Merced Boulevard.
- (32) Woodside Avenue between Portola Drive and Laguna Honda Boulevard.
- (c) **40 Miles Per Hour.** A *prima facie* speed limit of 40 miles per hour is established in the following locations:
 - (1) Alemany Boulevard, westbound, between Bayshore Boulevard and Mission Street.
 - (2) Gilman Avenue between Hunter's Point Expressway and Arelious Walker Drive.
 - (3) Harney Way between Jamestown Avenue and the County Line.
 - (4) Hunters Point Expressway.
 - (5) Jamestown Avenue between Redondo Street and Hunters Point Expressway.
 - (6) John Muir Drive between the County Line and a point approximately 3,300 feet northwesterly.
 - (7) Lake Merced Boulevard between the County Line and Winston Drive.
 - (8) Junipero Serra Boulevard between Ocean and 19th Avenues.
 - (9) Visitacion Avenue between Mansell Street and Hahn Street.
- (d) **45 Miles Per Hour.** A *prima facie* speed limit of 45 miles per hour is established in the following locations:
 - (1) Alemany Boulevard, eastbound, between Mission Street and Bayshore Boulevard.
 - (2) Brotherhood Way between a point about 200 feet westerly from Chumasero Drive and Lake Merced Boulevard.
 - (3) Great Highway between Sloat and Skyline Boulevards.
 - (4) Mansell Street between Visitacion Avenue and Brazil Avenue.
 - (5) San Jose Avenue between Randall Street and a point 425 feet northeasterly of the east line of Diamond Street.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 11-028, 3/1/2011; SFMTA Bd. Res. No. 12-144, Ad. 11/20/2012, Eff. 12/21/2012)

ARTICLE 800: SPECIAL ON-STREET PERMIT PARKING RESTRICTIONS

Sec. 801.	Parking Restrictions by Location.
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SEC. 801. PARKING RESTRICTIONS BY LOCATION.

(a) It shall be a violation of Division I, Section 7.2.42 (Parking Restrictions) for any person to Park any vehicle, whether attended or unattended, in any of the locations listed below during times when Parking is restricted without displaying a valid permit for Parking in that location. A permit issued for Parking pursuant to this Article does not exempt a vehicle from street-cleaning Parking restrictions. These parking restrictions shall not apply to any state, federal, or foreign consulate vehicle parked to carry out official government business.

(b) **Removal Authorized.** Pursuant to the authority of Vehicle Code Section 22651(n) any vehicle Parked in violation of this Section 801 may be removed by the SFMTA or SFPD.

(c) **Restricted Locations:**

- (1) **2nd Street, Standford Street, and Townsend Street [32.6.19].**

(A) **Locations:**

- (i) 2nd Street, west side, from Townsend Street to 100 feet northerly (100-foot zone);

- (ii) Stanford Street, east side, from Townsend Street to 100 feet northerly (100-foot zone); and
 - (iii) Townsend Street, north side, between 2nd and Stanford Streets.
- (B) **Time:** All times.
- (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (2) **6th Avenue [32.6.23].**
 - (A) **Location:** The east side of 6th Avenue, from 110 feet to 320 feet south of Geary Boulevard (210-foot zone) and on the west side of 6th Avenue, from 250 to 303 feet south of Geary Boulevard (53-foot zone).
 - (B) **Time:** All times.
 - (C) **Exempt Vehicles:** City-owned marked San Francisco Police Department vehicles displaying a permit issued by the SFMTA.
- (3) **7th Street [32.6.25].**
 - (A) **Location:** the east side of 7th Street, from 178 feet to 246 feet north of Bryant Street (68-foot zone).
 - (B) **Time:** All times.
 - (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (4) **7th Street [32.6.20].**
 - (A) **Location:** The east side of 7th Street, from Bryant Street to 80 feet southerly (80-foot zone).
 - (B) **Time:** All times.
 - (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (5) **7th Street, Ahern Way, and Harriet Street [32.6.3].**
 - (A) **Location:** Except in loading zones established pursuant to this Code, east side of 7th Street between Harrison and Bryant Streets; on the south side of Ahern Way from a point 20 feet east of Harriet Street to 6th Street; and on the east side of Harriet Street between Harrison and Bryant Streets.
 - (B) **Time:** All times.
 - (C) **Exempt Vehicles:** Vehicles displaying a permit issued by the SFMTA.
- (6) **20th Street [32.6.14].**
 - (A) **Location:** The south side of 20th Street between 3rd Street and Tennessee Street.
 - (B) **Time:** All times.
 - (C) **Exempt Vehicles:** City-owned marked patrol San Francisco Police Department vehicles displaying a permit issued by the SFMTA.
- (7) **Brannan Street [32.6.26].**
 - (A) **Locations:**
 - (i) Brannan Street, north side, from 15 feet to 115 feet east of Boardman Place (100-foot zone);
 - (ii) Brannan Street, north side, from 16 feet to 116 feet west of Boardman Place (100-foot zone).
 - (B) **Time:** All times.
 - (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (8) **Bryant Street and 24th Avenue [32.6.7].**
 - (A) **Locations:**
 - (i) On the north side of Bryant Street from Harriet Street to 7th Street;
 - (ii) On the east side of 24th Avenue from 225 feet to 280 feet south of Santiago Street (55-foot zone).
 - (B) **Time:** All times.
 - (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (9) **Clay Street and Laurel Street [32.6.31].**
 - (A) **Locations:**
 - (i) Clay Street, north side, from Laurel Street to 31 feet westerly (31-foot zone);
 - (ii) Laurel Street, west side, from Clay Street to 112 feet northerly (112-foot zone).
 - (B) **Time:** All times.
 - (C) **Exempt Vehicles:** Vehicles displaying a permit issued by the Korean Consulate.
- (10) **Dr. Carlton B. Goodlett Place [32.6.21].**
 - (A) **Locations:**
 - (i) Dr. Carlton B. Goodlett Place, east side, from 32 feet to 224 feet north of Grove Street (192-foot zone, accommodating sixteen angled Parking stalls);
 - (ii) Dr. Carlton B. Goodlett Place, west side, from 26 feet to 208 feet south of McAllister Street (182-foot zone, accommodating nine Parking stalls);
 - (iii) Dr. Carlton B. Goodlett Place, west side, from 351 feet to 531 feet south of McAllister Street (180-foot zone, accommodating nine Parking stalls); and
 - (iv) Dr. Carlton B. Goodlett Place, east side, from 184 feet to 208 feet south of McAllister Street (24-foot zone, accommodating two angled Parking stalls).
 - (B) **Time:** All times.

(C) **Exempt Vehicles:** Vehicles displaying a permit issued by the SFMTA.

(11) **Eddy Street and Jones Street [32.6.29].**

(A) **Location:**

- (i) Eddy Street, south side, from Jones Street to 130 feet westerly (130-foot zone); and
- (ii) Jones Street, west side, from 24 feet to 107 feet south of Eddy Street (83-foot zone).

(B) **Time:** All times.

(C) **Exempt Vehicles:** City-owned San Francisco Police Department vehicles displaying a permit issued by the SFMTA.

(12) **Elm Street, between Van Ness Avenue and Polk Street [32.6.16].**

(A) **Location:** Elm Street, south side, from 41 feet to 129 feet west of Polk Street (88-foot zone).

(B) **Time:** 8:00 a.m. to 5:00 p.m., Monday through Friday.

(C) **Exempt Vehicles:** Vehicles of Superior Court personnel displaying a permit issued by the SFMTA, or State or Federal vehicles.

(13) **Grant Avenue [32.6.8].**

(A) **Location:** The Parking space north of the police post (Koban) in front of 933 Grant Avenue.

(B) **Time:** All times.

(C) **Exempt Vehicles:** City-owned SFPD police vehicles or police officer's private vehicles displaying a permit issued by the SFMTA.

(14) **Green Street and Baker Street [32.6.30].**

(A) **Locations:**

- (i) Green Street, north side, from 15 feet to 75 feet east of Baker Street (60-foot zone);
- (ii) Baker Street, east side, from 11 feet to 64 feet north of Green Street (53-foot zone).

(B) **Time:** 8:00 a.m. to 6:00 p.m., Monday through Friday, except on the days that the Consulate is closed (January 1 through January 8; February 23 through February 25; March 8 through March 10; May 1 through May 3; May 9 through May 11; June 12 through June 15; July 4 (Independence Day); November 2 through November 4; last Thursday in November (Thanksgiving Day); December 25 (Christmas Day).

(C) **Exempt Vehicles:** Vehicles displaying a permit issued by the Russian Consulate authorizing Parking in said zone.

(15) **Grove Street, North Side, Between Van Ness Avenue and Polk Street [32.6.2].**

(A) **Location:** Grove Street, north side, between Van Ness Avenue and Polk Street.

(B) **Time:** 8 a.m. to 5 p.m., Monday through Friday

(C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.

(16) **Hunt Street [32.6.12].**

(A) **Location:** The south side of Hunt Street within the rear property lines of the Fire Department building at 676 Howard Street, and from the east property line of this building to 40 feet easterly.

(B) **Time:** All times.

(C) **Exempt Vehicles:** City-owned San Francisco Fire Department vehicles displaying a permit issued by the SFMTA.

(17) **Hyde Street [32.6.34].**

(A) **Location:**

- (i) Hyde Street, west side, from 81 feet south of McAllister Street to Fulton Street.
- (ii) Hyde Street, east side, from Fulton Street to 123 feet southerly.
- (iii) Hyde Street, west side, from 131 feet south of Fulton Street to Grove Street.
- (iv) Leavenworth Street, east side, from 48 feet south of Golden Gate Avenue to 68 feet north of McAllister Street.

(B) **Time:**

- (i) Hyde Street, 6:00 a.m. to 9:30 a.m. on Wednesdays, Fridays, and Sundays.
- (ii) Leavenworth Street, 6:00 a.m. to 9:30 a.m. on Wednesdays.

(C) **Exempt Vehicles:** Trucks displaying a Farmer's Market Truck Parking Permit issued by the SFMTA. Any Truck displaying a Farmer's Market Truck Parking Permit may Park for any period of time at the times and locations specified above without depositing payment in the adjacent Parking Meters.

(18) **Jackson Street, between Sansome Street and Custom House Place [32.6.17].**

(A) **Location:** Jackson Street, south side, between Sansome Street and Custom House Place.

(B) **Time:** 6:00 a.m. to 6:00 p.m. Monday through Friday.

(C) **Exempt Vehicles:** Vehicles registered to the United States Immigration and Naturalization Service and displaying a permit issued by the INS.

(19) **Larkin Street [32.6.37].**

(A) **Location:** The west side of Larkin Street, between Turk Street and Golden Gate Avenue.

(B) **Time:** All times.

(C) **Exempt Vehicles:** Marked United States Marshals Service vehicles permitted to Park in this location by the Federal Protective Service of the Department of Homeland Security.

- (20) **Lech Walesa Street [32.6.22].**
 (A) **Locations:**
 (i) Lech Walesa Street, north side, from 150 feet to 193 feet west of Polk Street.
 (B) **Time:** 8:00 a.m. to 7:00 p.m. Monday through Saturday.
 (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (21) **Redwood Street [32.6.18].**
 (A) **Location:** The south side of Redwood Street, from 35 feet to 115 feet west of Polk Street.
 (B) **Time:** 8:00 a.m. to 5:00 p.m., Monday through Friday.
 (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (22) **Stevenson Street [32.6.32].**
 (A) **Location:** The south side of Stevenson Street, from 7th Street to 294 feet easterly.
 (B) **Time:** All times.
 (C) **Exempt Vehicles:** SFPD vehicles displaying a permit issued by the SFMTA or any State or Federal law enforcement vehicle.
- (23) **South Van Ness Avenue [32.6.27].**
 (A) **Location:** The east side of South Van Ness Avenue, from 12th Street to 110 feet southerly (110-foot zone).
 (B) **Time:** 6:00 a.m. to 8:00 p.m., Monday through Friday.
 (C) **Exempt Vehicles:** Vehicles displaying a permit issued by the California Department of Corrections.
- (24) **Treat Avenue [32.6.13].**
 (A) **Location:** The west side of Treat Avenue from a point approximately 38 feet north of 15th Street to 66 feet northerly (66-foot zone).
 (B) **Time:** All times.
 (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (25) **Turk Street [32.6.24].**
 (A) **Location:** The north or south side of Turk Street, from Laguna Street to 435 feet easterly (435-foot zones).
 (B) **Time:** All times.
 (C) **Exempt Vehicles:** City-owned vehicles displaying a permit issued by the SFMTA.
- (26) **Turk Street and Golden Gate Avenue [32.6.36].**
 (A) **Locations:**
 (i) On the south side of Turk Street, between Larkin and Polk Streets; and
 (ii) On the north side of Golden Gate Avenue, between Larkin and Polk Streets.
 (B) **Time:** All times.
 (C) **Exempt Vehicles:** Law enforcement vehicles permitted to Park in that location by the Federal Protective Service of the Department of Homeland Security or displaying a permit issued by the SFMTA.
- (27) **Vallejo Street, between Stockton and Powell Streets, and Churchill Street and Emery Lane [32.6.35].**
 (A) **Location:** The south side of Vallejo Street, from Powell Street to 94 feet easterly, and from Churchill Street to 106 feet easterly, and on the north side of Vallejo Street from Powell Street to 78 feet easterly, and from Emery Lane to 64 feet easterly.
 (B) **Time:** All times.
 (C) **Exempt Vehicles:** Marked San Francisco Police Department vehicles displaying a permit issued by the SFMTA.
- (28) **Washington, Mason and Jackson Streets [32.1.10].**
 (A) **Location:** Both sides of Washington Street from Mason Street to a point 210 feet westerly, south side of Jackson Street from Mason to a point 210 feet westerly, and the west side of Mason Street from Jackson to Washington.
 (B) **Time:** All times.
 (C) **Exempt Vehicles:** Vehicles displaying a permit issued by the SFMTA.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 10-053, 4/20/2010; SFMTA Bd. Res. No. 12-144, Ad. 11/20/2012, Eff. 12/21/2012)

ARTICLE 900: PERMITS

Sec. 901.	Definitions.
Sec. 902.	General Permit Conditions.
Sec. 903.	Temporary Obstruction to Traffic Permit.
Sec. 904.	Temporary Exclusive Use of Parking Meters.
Sec. 905.	Residential Parking Permit.
Sec. 906.	Contractor Permits.
Sec. 907.	Vanpool Parking Permit.
Sec. 908.	Carpool Vehicle Permits.

Sec. 909.	Bicycle Rack Permits.
Sec. 910.	SFMTA Parking Permit.
Sec. 911.	On-Street Car Share Vehicle Parking Permit.
Sec. 912.	Vehicle Press Permits.
Sec. 913.	Mobile Food Facility Permits.

SEC. 901. DEFINITIONS.

As used in this Article, the following words and phrases shall have the following meanings:

- (a) **Contractor Permit.** A permit issued by the SFMTA that authorizes specified vehicles to Park at Parking Meters without making payment, and exempts such vehicles from certain Parking time restrictions.
- (b) **Carpool Group.** A group of at least three and no more than six individuals who certify that they commute by motor vehicle to their work at the Institution from which they have requested a Carpool Permit.
- (c) **Carpool Permit.** A permit issued by the SFMTA that authorizes specified vehicles to Park in a Carpool Permit Parking Area subject to specified restrictions.
- (d) **Carpool Permit Parking Area.** Designated areas of Streets that are immediately adjacent to property owned or leased by an Institution in which Carpool Vehicles displaying a valid permit will be exempt from Parking restrictions established pursuant to this Article.
- (e) **Carpool Vehicle.** A motor vehicle not in excess of 6,000 pounds gross weight certified by a Transportation Broker as eligible to display a Carpool Permit to Park in a Carpool Permit Parking Area when used by at least three employees of the Institution to commute to and from work. A Carpool Vehicle shall include a Vanpool Vehicle.
- (f) **Car Share Organization.** A public, private, or non-profit entity that provides preapproved members access to a citywide network of at least ten (10) motor vehicles in the City and County of San Francisco and meet the requirements set forth in Section 911(b).
- (g) **Car Share Vehicle.** A motor vehicle for which a Car Share Vehicle Parking Permit is issued by the SFMTA that authorizes that specific vehicle to Park in a designated on-street car share Parking Space.
- (h) **On-Street Car Share Vehicle Parking Permit.** A permit issued by the SFMTA to a specific vehicle that authorizes such vehicle to Park in a designated on-street car share Parking Space without being subject to enforcement of Car Share Vehicle parking restrictions.
- (i) **Educational Institution.** Any school or other place of learning providing a preschool, elementary or secondary level of study.
- (j) **Institution.** A place of employment with more than 200 employees or an Educational Institution located in a primarily residential neighborhood, including but not limited to such facilities as an accredited college, university, hospital or sanitarium.
- (k) **City Vehicle.** A motor vehicle not in excess of 6,000 pounds gross weight owned by the City and County of San Francisco and used for official government business by a City employee.
- (l) **SFMTA Parking Permit.** A permit issued by the SFMTA that authorizes specified City vehicles, or City employees' personal vehicles, when used for official government business to Park at Parking Meters without making payment, and exempts such vehicles from certain Parking restrictions.
- (m) **Permittee.** The natural person, sole proprietorship, partnership, association, corporation, governmental or non-profit agency that is the named holder of a permit issued pursuant to this Article 900, and such person or entity's successors or assigns in interest. Only a natural person is eligible for a Residential Parking Permit.
- (n) **Person.** A natural person, sole proprietorship, partnership, association, corporation, governmental or non-profit agency, except that for the purposes of a Residential Parking Permit and a Carpool Permit, a "Person" shall mean a natural person.
- (o) **Residential Parking Permit.** A permit issued by the SFMTA to a specified vehicle that authorizes such vehicle to Park in the Residential Parking Permit Area without being subject to enforcement of Residential Parking Permit Area time restrictions.
- (p) **Residential Parking Permit Area.** A residential area designated pursuant to Section 905 wherein Resident Motor Vehicles displaying a valid Residential Parking Permit shall be exempt from specified Parking time restrictions.
- (q) **Special Traffic Permit.** A permit issued by the SFMTA that authorizes the obstruction of traffic for construction activities other than the Parking of vehicles at a specified construction site and subject to all permit conditions imposed by the SFMTA.
- (r) **Transportation Broker.** The authorized representative of an Institution, including but not limited to the principal or administrator of an Educational Institution, who has primary responsibility for implementing the SFMTA's Parking permit program for that Institution and who is designated as the Institution's primary liaison with the SFMTA for all issues related to on-street Parking permits issued pursuant to this Article 900.
- (s) **Vanpool Permit.** A permit issued by the SFMTA that authorizes specified Vanpool Vehicles to Park in a Vanpool Permit Parking Area subject to specified restrictions.
- (t) **Vanpool Vehicle.** Any motor vehicle, other than a motor truck or truck tractor, designed for carrying more than six but not more than 15 Persons including the driver, which is maintained and used primarily for the non-profit work-related transportation of adults for the purpose of ride-sharing.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 10-053, 4/20/2010; SFMTA Bd. Res. No. 11-108, Ad. 8/2/2011, Eff. 9/2/2011)

SEC. 902. GENERAL PERMIT CONDITIONS.

The following general provisions apply to all permits issued under this Article.

(a) **Application and Renewal.** Permit applications must be submitted on a form supplied by the SFMTA. All required application and any other fees must be paid and all permit requirements satisfied before a permit may be issued. The SFMTA may require any information of the applicant which it deems necessary to carry out the purposes of this Article. Permits may be renewed annually in compliance with any renewal procedures established by the SFMTA.

(b) **Display of Permit.** Permittees must maintain the permit at the site of the permitted activity and available for inspection in accordance with any requirements for permit display as may be established by the SFMTA, and shall make all permits available for inspection upon request by an employee of the Police Department or SFMTA.

(c) **Prior Payments Required.** No permit shall be issued or renewed until the applicant has paid all permit fees that are due to the SFMTA. No permit shall be issued to any applicant who is responsible for payment of one or more delinquent citations for violation of any provision of this Code or the Vehicle Code until all fines and fees associated with the citation are paid in full.

(d) **Permit Fees.** Fees for permits issued pursuant to this Code are as follows:

**Table 902(d)
Permit Fee Schedule**

	Effective July 1, 2012	Effective July 1, 2013
Special Traffic Permit (§ 903)		
Base Permit Fee:	\$176.25	\$179.75
Daily Fee:	\$36.25	\$37.00
Late Fee:	\$201.25	\$201.25
Removal/Relocation Fee		
Removal or relocation of each sign:	\$50.00	\$50.00
Removal or relocation of each pole:	\$75.00	\$75.00
Parking Space for the temporary relocation of colored curbs zones:	\$200.00	\$200.00
Parking Space for permanent relocation of colored curb zones, including painting:	\$350.00	\$350.00
Temporary Exclusive Use of Parking Meters (§ 904)		
Base Permit Fee: per 25 linear feet of construction frontage per day, including weekends and holidays:	\$6.00	\$7.00
Residential Area Parking Permit (§ 905)		
Residence and Commercial Property Owners/ Leaseses ¹		
(one year):	\$104.00	\$109.00
(6 months):	\$52.00	\$54.00
Permit Transfer Program:	\$16.00	\$16.00
Temporary/Visitor Permit		
Daily:	\$15.00	\$16.00
2 weeks:	\$35.00	\$37.00
4 weeks:	\$52.00	\$54.00
6 weeks:	\$69.00	\$72.00
8 weeks:	\$88.00	\$93.00
Health Care Worker/Foreign Consulate/Childcare Provider Permits		
First six months of permit year:	\$104.00	\$109.00
Last six months of permit year:	\$52.00	\$54.00
Yearly Educational Institution Permits:	\$104.00	\$109.00
Permit Transfer Fee:	\$15.00	\$16.00
Contractor Permit (§ 906)		
Base Permit Fee		
Annual/Renewal:	\$876.00	\$920.00
6 Months:	\$438.00	\$460.00
Permit Transfer Fee:	\$36.00	\$37.00
Vanpool Permit (§ 907)		
Base Permit Fee		
(per year):	\$104.00	\$109.00
(6 months):	\$52.00	\$54.00
Carpool Permit (§ 908)		
Base Permit Fee		
(per year):	\$104.00	\$109.00
(6 months):	\$52.00	\$54.00
SFMTA Permit (§ 910)		
Annualized Parking Meter Use Fee calculation as set forth in Section 910		
Vehicle Press Permit (§ 911)²		
Base Permit Fee: The permit fee shall only be increased pursuant to the Automatic Indexing Implementation Plan approved by the SFMTA Board of Directors.	\$52.00 effective January 1, 2013	\$54.00
Farmer's Market Parking Permit (§ 801(c)(17))		

Base Permit Fee (quarterly):	\$162.00	\$170.00
Temporary Street Closures Permits (Division I, Article 6)		
Neighborhood Block Party		
More than 60 days in advance:	\$154.00	\$158.00
Fewer than 60 days in advance:	\$205.00	\$210.00
Fewer than 30 days in advance:	\$410.00	\$420.00
Fewer than 7 days in advance:	\$461.00	\$473.00
All Other Events		
More than 60 days in advance:	\$509.00	\$522.00
Fewer than 60 days in advance:	\$617.00	\$632.00
Fewer than 30 days in advance:	\$724.00	\$741.00
Fewer than 7 days in advance:	\$831.00	\$852.00

(e) **Indemnification.** The permit application for Special Traffic Permits issued pursuant to Section 903, and permits for the Temporary and Exclusive Use of Parking Meters issued pursuant to Section 904, shall require the applicant to acknowledge that the Permittee, by acceptance of the permit, agrees to indemnify and hold the City and County of San Francisco, its departments, commissions, boards, officers, employees and agents ("Indemnitees") harmless from and against any and all claims, demands, actions or causes of action which may be made against the Indemnitees for the recovery of damages for the injury to or death of any person or persons or for the damage to any property resulting directly or indirectly from the activity authorized by the permit regardless of the negligence of the Indemnitees.

(f) **Rules and Regulations.** Compliance with all applicable rules and regulations and with all permit conditions shall be a material condition for the issuance or renewal of a permit.

(g) **Permit Revocation.** The Director of Transportation is authorized to revoke the permit of any Permittee found to be in violation of this Article and, upon written notice of revocation, the Permittee shall surrender such permit in accordance with the instructions in the notice of revocation.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 10-053, 4/20/2010; SFMTA Bd. Res. No. 11-016, 2/1/2011; SFMTA Bd. Res. No. 11-041, Ad. 4/5/2011, Eff. 5/6/2011; SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011; SFMTA Bd. Res. No. 11-108, Ad. 8/2/2011, Eff. 9/2/2011; SFMTA Bd. Res. No. 12-056, Ad. 4/17/2012, Oper. 7/1/2012; SFMTA Bd. Res. No. 12-128, Ad. 10/16/2012, Eff. 11/16/2012)

CODIFICATION NOTES

1. So in SFMTA Bd. Res. No. 12-056.
2. So in SFMTA Bd. Res. No. 12-128. See Sec. 912 ("Vehicle Press Permits").

SEC. 903. TEMPORARY OBSTRUCTION TO TRAFFIC PERMIT.

(a) General Permit Requirements.

(1) A Special Traffic Permit will be required for any obstruction of traffic upon a Street or on the sidewalk area by any construction, excavation or other activity, if such activities are not in compliance with City standard contract specifications or with the SFMTA's "Regulations for Working in San Francisco Streets" (also known as "the Bluebook").

(2) A Special Traffic Permit shall be subject to any conditions or restrictions imposed by the City Traffic Engineer concerning the nature and the duration of the obstruction, and the areas which must be left open for vehicular and pedestrian traffic. The City Traffic Engineer is authorized to permit an obstruction of traffic by an endorsement upon a building permit, demolition permit, or other type of permit.

(b) **Factors to be Considered.** In determining whether to issue a Special Traffic Permit for an obstruction of traffic, the City Traffic Engineer shall consider the need to obstruct traffic and the purpose to be served by permitting the obstruction as set forth in the application, the number of lanes of traffic that will be left open if the permit is granted, the effect of granting the permit upon public transit and traffic, and the effect upon the public interest generally of granting or denying the permit.

(c) SFMTA Cost Recovery.

(1) **Deposit for Convenience.** With the exception of City agencies and departments, each Permittee shall file and maintain with the SFMTA a bond, cash deposit, or other security acceptable to the SFMTA securing the performance of the obligations of the Permittee under any Special Traffic Permit and in compliance with all the terms and conditions of this Article. The deposit shall be in a form and in an amount approved by the City Traffic Engineer. The City Traffic Engineer may make deductions from the balance of the Permittee's deposit(s) to ensure the faithful performance of the obligations under a Special Traffic Permit, to cover fees and to offset costs for any work done or made by the SFMTA in connection with the administration of the Special Traffic Permit.

(2) **Relocation/Removal Fees.** In instances where the issuance of a permit involves the removal or relocation of any Parking Spaces, Parking Meters, or Traffic Control Devices, the City Traffic Engineer, in his or her discretion, may require an applicant or Permittee to pay any additional fee to cover SFMTA removal and/or relocation costs.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 904. TEMPORARY EXCLUSIVE USE OF PARKING METERS.

(a) **General Permit Requirements.** The Director of Transportation may issue nontransferable permits for the exclusive temporary use of one or more Parking Spaces with Parking Meters for purposes such as building or roadway construction activities, use of debris boxes, storage of materials or equipment related to building or roadway construction activities, and related purposes as the Director of Transportation may in his or her sole discretion deem appropriate. permits may not be granted under this Section 904 for the purpose of Parking vehicles.

(b) **Permit Privileges.** Display of a Temporary Exclusive Use Parking Meter Permit shall entitle the holder to take the Parking Meters

within the permitted area out of service for the duration of the permit in order to allow the Permittee to conduct construction activities. The permitted area shall be exempt from restrictions related to street cleaning, provided that the Permittee maintains the permitted area in a clean condition as determined by the City Traffic Engineer.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 905. RESIDENTIAL PARKING PERMIT.

(a) General Permit Requirements.

(1) The Director of Transportation shall issue a Residential Parking Permit for use by a specified vehicle upon receipt of a written application from a qualifying property resident. No more than one Parking permit shall be issued to each vehicle for which application is made.

(2) The Parking privileges of a Residential Parking Permit do not extend to any trailer, trailer coach, utility trailer, or any other type of vehicle as defined in the California Vehicle Code, whether separate from or attached to a motor vehicle displaying a Residential Parking Permit.

(3) A Residential Parking Permit does not guarantee or reserve to the Permittee an on-street parking space within a Residential Parking Permit Area.

(4) A Residential Parking Permit may be issued to residents of a Residential Parking Permit Area for motor vehicles registered out-of-state, provided that the applicant documents the resident's active military duty status.

(5) Each Residential Parking Permit shall be valid until the date indicated on the permit.

(6) Each Residential Parking Permit shall visibly indicate the particular Residential Parking Permit Area and the license number of the vehicle for which it was issued.

(b) Permit Privileges. Any vehicle that displays a valid Residential Parking Permit shall be permitted to Park in the Residential Parking Permit Area for which the permit has been issued notwithstanding posted time restrictions, but is not exempt from Parking restrictions established pursuant to any authority other than this Section 905.

(c) Number of Permits. No more than four Residential Parking Permits shall be issued to a single address. Residents may file a request for waiver of this limitation with the SFMTA to obtain additional permits. Factors to be considered by the Director of Transportation when determining whether or not to grant a permit include, but are not limited to, the availability of on-street Parking in the requestor's residential area and demonstrated need. The Director of Transportation shall maintain public records for all waivers granted, including all documentation provided in support of approval.

(d) Application Requirements.

(1) Each application for a permit or renewal of a permit shall contain information sufficient to:

(A) Identify the applicant;

(B) Identify the residence or real property address within a Residential Parking Permit Area;

(C) Establish that the applicant owns the property (has at least a one-quarter interest in the property) or leases the property (pays rent or other remuneration for use of the real property as the applicant's residence or place of business); and

(D) Identify the license number and provide proof of current California registration of the motor vehicle for which the permit would be issued.

(2) Residential Parking Permits may be issued for motor vehicles only upon application of the following Persons:

(A) A legal resident of the Residential Parking Permit Area who has a motor vehicle that is both registered in his or her name, and registered at his or her address within that Residential Parking Permit Area, or a legal resident of the Residential Parking Permit Area who has a motor vehicle for his or her exclusive use and under his or her control where said motor vehicle is registered or leased to his or her employer or a vanpool agency and he or she presents a valid employee identification card or other proof of employment that is acceptable to the SFMTA.

(B) A legal resident of a Residential Parking Permit Area who has become a resident within the past 30 days, or who has recently acquired a new vehicle.

(C) A Person who owns commercial property and actively engages in business activity within a Residential Parking Permit area. However, a permit shall only be issued if the applicant presents a valid business tax registration certificate required by Article 12 of the San Francisco Business and Tax Regulations Code. No more than one permit may be issued for each business establishment for a motor vehicle registered to or under the control of such a Person. The authority to qualify for a Residential Parking Permit pursuant to this subsection is transferable to a bona fide employee of the business. A business may purchase up to three additional permits for delivery vehicles provided that the vehicles are registered to the business' address and display commercial plates.

(D) A legal resident of a Residential Parking Permit Area for use by a bona fide visitor. Such a visitor permit shall have all the rights and privileges of a regular permit. Visitor permits shall be available for purchase on a daily or weekly basis. The issuance of daily visitor permits shall be limited to twenty permits that may be purchased by a residential address during any permit year.

(E) A full-time student who is a legal resident of the Residential Parking Permit Area who presents a valid current full-time class schedule issued by an Educational Institution located within the City.

(e) Procedure for Designating Residential Parking Permit Areas.

(1) Upon receipt of a petition on a form prescribed by the SFMTA by residents of at least 250 residential units in the residential area proposed for designation or residents living in 50 percent of the residential units in the area proposed for designation, the City Traffic Engineer shall direct surveys or studies as necessary to determine whether a residential area is suitable as a Residential Parking Permit Area.

(2) The City Traffic Engineer shall make recommendations to the SFMTA Board of Directors regarding the proposed designation of

new Residential Parking Permit Areas. Such recommendation shall include the proposed time restriction for Parking and the proposed days and times of enforcement. Before making any such recommendation to the SFMTA Board, the City Traffic Engineer shall ensure that the proposed area meets the following minimum qualifications for a Residential Parking Permit Area:

(A) A Residential Parking Permit Area must contain a minimum of one mile of street frontage.

(B) Objective criteria must establish that the proposed Residential Parking Permit Area is affected for extended periods by the Parking of motor vehicles that are not registered to an address within the proposed Residential Parking Permit Area.

(3) Nothing in this Section is intended to limit the SFMTA's ability to recommend a Residential Parking Permit Area on its own initiative for public hearing and approval by the SFMTA Board of Directors.

(f) **Criteria for Designating Residential Parking Permit Area.** In determining whether to recommend that a residential area be designated as a Residential Parking Permit Area, the City Traffic Engineer shall take into account factors which include but are not limited to the following:

(1) The extent of the desire and need of the residents for Residential Parking Permits and their willingness to bear the resulting administrative costs even if the SFMTA does so on its own initiative.

(2) The extent to which legal on-street Parking Spaces are occupied during the period proposed for Parking restrictions;

(3) The extent to which vehicles Parking in the area during the times of the proposed Parking restrictions are not registered to residents of proposed Residential Parking Permit Area; and

(4) The extent to which Motor Vehicles registered to Persons residing in the residential area cannot be accommodated by the number of available off-street Parking Spaces.

(g) **Additional Residential Parking Permits.**

(1) **Health Care Worker Permits.** The Director of Transportation is authorized to issue additional Parking Permits to residents of a Residential Parking Permit Area for use of Persons who, on a regular basis, provide health care or other related services essential to the well-being of the resident applicant, upon the certification by a licensed physician that such services are required. The Parking Permit issued to a resident for use by such Persons shall count towards the four Residential Parking Permits that may be issued to a single address pursuant to subsection (c).

(2) **Fire Station Permits.** Upon the request of the Fire Chief, the Director of Transportation shall issue to the officer in charge of a fire station within a residential Parking area that quarters more than one unit not more than 10 transferable Parking Permits and to the officer in charge of a fire station within a residential Parking area that quarters one unit, not more than five transferable Parking Permits for the exclusive use of uniformed members assigned to the station on a temporary basis because of staffing shortages. The Fire Chief shall adopt rules and regulations for the distribution of permits, consistent with this Code.

(3) **Educational Institution Permits.**

(A) Upon written request, the Director of Transportation shall issue transferable Parking permits to the Transportation Broker of an Educational Institution with at least 15 certificated employees or Persons regularly employed as classroom teachers and located within a Residential Parking Permit Area valid between the hours of 8:00 a.m. to 6:00 p.m. on school days for the use of persons employed as teachers at such Institution who reside outside of the Residential Parking Permit Area.

(B) The Director of Transportation is authorized to issue a maximum of 15 annual permits per Educational Institution. The total number of permits issued to an Educational Institution under this Section 905 does not exceed the number of unrestricted on-street Parking available between an extension of each property line of said Institution to the middle of the Street upon which the Institution directly abuts, as determined by survey of the City Traffic Engineer.

(C) Upon written request from the Educational Institution documenting the need for more than 15 permits, the Director of Transportation may issue up to an additional five permits if the total number may not exceed the limitation in subsection 905(g)(3)(B) above, and if Parking occupancy in the Residential Parking Permit Area surrounding the Educational Institution is low enough to accommodate the additional permits. Regardless of parking availability on surrounding Streets, a qualifying Educational Institution shall be entitled to at least five permits.

(D) Each Parking permit issued pursuant to this Section 905(g)(3) shall be valid for one year and may be renewed annually. In distributing permits for a particular Educational Institution, the Transportation Broker shall give consideration to those teachers who are regularly carpooling to work.

(E) In addition to permits issued under subsection 905(g)(3)(A), the Director of Transportation may issue City-wide permits for teachers and school administrators employed by the San Francisco Unified School District (SFUSD) whose duties require them to travel to more than one school site and who have been approved by the Superintendent of the SFUSD, or his or her designee. For purposes of this Section, "school administrators" shall be defined as those administrators who provide on-site, direct support to schools that have been identified as low-performing by SFUSD, the State of California, or the federal government. The permit shall exempt the holder from Residential Parking Permit Area regulations on weekdays between the hours of 8 a.m. and 6 p.m. when performing official functions for the SFUSD, and shall be valid for one year.

(4) **Foreign Consulate Permits.** One Residential Parking Permit may be issued upon application to foreign consulates located within a Residential Parking Permit Area, and up to a maximum of two additional Parking permits per consulate for the exclusive use of vehicles registered to the Consulate with the Department of Motor Vehicles.

(5) **Childcare Permits.** The Director of Transportation is authorized to issue a transferable Parking Permit to residents of a Residential Parking Permit Area for use of Persons who, on a regular basis, provide childcare services essential to the well-being of a child 12 years old or under who resides with the resident. Before a Parking Permit can be issued for a specific block, a resident(s) will be required to submit a petition

on a form prescribed by the SFMTA from either ten residential units or fifty percent of the residential units on the block, whichever represents the smaller number of residential units, supporting the issuance of a Childcare Parking Permit. No single address shall be permitted to be issued or possess more than one Parking Permit for use by such Persons at any one time. The Parking Permit issued to a resident for use by such Persons shall count towards the four Residential Parking Permits that may be issued to a single address pursuant to subsection (c).

(h) **Procedure for Rescinding or Modifying Residential Parking Permit Areas.**

(1) Upon receipt of a petition on a form prescribed by the SFMTA by residents of at least fifty percent of the residential units in the designated residential area proposed to be rescinded, or the designated residential area proposed to be modified with respect to existing parking restriction hours, effective times, or the residential area covered, the SFMTA shall direct surveys or studies as necessary to determine whether the residential area designation should be rescinded or modified.

(2) Nothing in this Section is intended to limit the SFMTA's ability to recommend on its own initiative for public hearing and approval by the SFMTA Board of Directors a Residential Parking Permit Area to be rescinded or modified with respect to existing parking restriction hours, effective times, or the residential area covered.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 11-016, 2/1/2011; SFMTA Bd. Res. No. 11-074, Ad. 6/7/2011, Eff. 7/8/2011; SFMTA Bd. Res. No. 12-090, Ad. 6/19/2012, Eff. 7/20/2012)

SEC. 906. CONTRACTOR PERMITS.

(a) **General Permit Requirements.**

(1) A commercial vehicle being used by a business holding a California contractor's license for a trade related to construction or pest control services is eligible for a Contractor Permit to allow that vehicle to Park:

(A) At a Parking Meter without depositing payment as required by Division I, Section 7.2.23 (Payment of Parking Meter); except that in a metered yellow zone a vehicle displaying a Contractor Permit is still subject to enforcement of posted time limits.

(B) Within a Residential Parking Permit Area without being subject to posted time limits.

(2) Contractor Permits are non-transferable.

(3) No more than eight Contractor Permits may be issued to a single Permittee, except that additional permits may be issued, at the sole discretion of the Director of Transportation, to any contractor who is not eligible to apply for exclusive temporary use of Parking Meter Spaces under Section 904 of this Code.

(4) Any changes in vehicles during the permit year must be submitted by mail to the SFMTA.

(5) The permit may not be used at a parking meter within one thousand five hundred feet or three blocks, whichever is greater, of the Contractor's registered principal business address or any satellite office unless persons are actively engaged in loading and unloading of materials and supplies.

(b) **Duration of Contractor Permit.** New Contractor Permits may be issued by SFMTA at any time during the calendar year but every Contractor Permit shall expire on May 31 of each calendar year unless renewed.

(c) **Application.** A written application may be submitted at any time during the calendar year, and shall include a copy of the applicant's state contractor's license, a copy of the applicant's business registration certificate, a copy of the Department of Motor Vehicles registration certificate for each vehicle for which a permit is requested, and such other information as the SFMTA may require.

(d) **Inspection.** All eligible vehicles must have the name of the company and State Contractor's License Number permanently displayed on both side panels of the vehicle in lettering a minimum height of one and one-half inches. All vehicles with no prior permit must be inspected. All other vehicles may be re-inspected at the discretion of the SFMTA.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009; SFMTA Bd. Res. No. 12-090, Ad. 6/19/2012, Eff. 7/20/2012)

SEC. 907. VANPOOL PARKING PERMIT.

(a) **General Permit Requirements.** Vanpool Permits shall be issued to each applicant group approved by SFMTA and by 511 Regional Rideshare or other agency designated by the SFMTA. No more than one permit shall be issued to each approved vanpool group. The permits shall visibly identify the Vanpool Vehicles for which use of the permit is authorized.

(b) **Applications.** Application for a Vanpool Permit and certification of a vanpool shall be made in accordance with procedures established by the Director of Transportation after consultation with the 511 Regional Rideshare or other designated agency. The certification portion of the group application shall include, but is not limited to, signatures of seven or more individuals who certify that:

(1) They are in a vanpool that commutes together to and from their place of employment in San Francisco;

(2) They each understand that using the permit is allowed only when seven or more individuals arrive to work in a certified Vanpool Vehicle; and

(3) They understand that the SFMTA does not guarantee Parking availability to Vanpool Vehicles.

SFMTA shall accept vanpool group applications from 511 Regional Rideshare or other designated agency only after such agency verifies the facts of the application and determines eligibility of the applicant(s). Each permit application shall be subject to final approval by the SFMTA.

(c) **Permit Privileges.** Notwithstanding Sections 7.2.30 (Overtime Parking) and 7.2.23 (Payment of Parking Meter) of Division I, any Vanpool Vehicle displaying a valid Vanpool Permit shall be allowed to Park for unlimited periods and without payment for any Parking Meter at which Parking is allowed for 60 minutes or longer. This Section does not exempt Vanpool Vehicles from enforcement of green, white, blue or yellow zone regulations or any other posted Parking restriction.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 908. CARPOOL VEHICLE PERMITS.

(a) **Designation of Carpool Permit Parking Area.** The SFMTA may designate an area directly abutting an Institution as a Carpool Permit Parking Area in which vehicles of the employees of the Institution that display a valid permit may Park. For the purpose of a Carpool Permit, an Educational Institution must have at least 25 employees to be eligible for a Carpool Permit Parking Area.

(b) **Designation Criteria.** The City Traffic Engineer shall conduct appropriate surveys and studies to develop information on the proposed Carpool Permit Parking Area, including but not limited to:

- (1) The extent of the desire and need of the Institution's management for Carpool Permit Parking.
- (2) The extent of the desires and needs of the Institution's employees for Carpool Permit Parking.
- (3) The extent to which the Institution has an active transportation system management implementation plan.
- (4) The availability of off-street Parking facilities to accommodate Carpool Vehicles.
- (5) The availability of alternative modes of transportation to carpools such as vanpools and public transit.
- (6) The suitability of adjacent on-street parking to accommodate a Carpool Permit Parking Area, including the absence of Parking Meter Spaces, Residential Parking Permit Area regulations, tow-away zones, blue zones and yellow zones immediately adjacent to the Institution.

(c) **Designation Process.** Carpool Permit Parking Areas shall be designated by resolution of the SFMTA Board of Directors. The resolution shall indicate the location, hours of enforcement and applicable Parking exemption for Carpool Vehicles. No Parking Spaces with Parking Meters, Residential Parking Permit Areas, tow-away regulations, or color curb markings shall be modified or rescinded to accommodate a Carpool Permit Parking Area.

(d) **Carpool Group Application for Permit and Carpool Certification.**

(1) A single application for a permit or renewal of a permit for each Carpool Group shall be made directly to the Transportation Broker by employees of an Institution in accordance with SFMTA-approved procedures.

(2) Applications shall at a minimum contain information sufficient to identify each carpool member, their residence address, the license numbers of the motor vehicles for which application is made, the place of employment and phone extension of each carpool member and their working shift time.

(3) The certification portion of the group application shall include signatures of each member of the proposed Carpool Group certifying that:

(A) They are in a carpool that commutes together to and from their place of employment.

(B) They each understand that using a Carpool Permit to Park in the Carpool Permit Parking Area is only allowed when three or more individuals get to or from work in a single motor vehicle that is listed on the Carpool Permit.

(C) They understand that a Carpool Permit is not a guarantee of the availability of on-street Parking for Carpool Vehicles.

(4) Upon receipt of the Carpool Group application, the Transportation Broker shall verify the facts of the application and make a recommendation to SFMTA as to whether to approve or reject the application.

(5) The City Traffic Engineer shall issue a single permit to an approved Carpool Group on which all vehicles that are authorized to use the permit and the expiration date of the permit shall be visibly displayed.

(e) **Permit Privileges.** A Carpool Vehicle displaying a valid Carpool Permit shall be permitted to Park within the Carpool Permit Parking Area for which the permit has been issued without regard to parking restrictions posted on signs that display the words: "Except Vehicles with Carpool Permits." Carpool Vehicles shall not be exempt from any other Parking restrictions, or from the requirement of payment for Parking Meters. A Carpool Permit does not guarantee any on-street Parking availability within the Carpool Permit Parking Area.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 909. BICYCLE RACK PERMITS.

(a) **Issuance of Bicycle Rack Permits.** The Director of Transportation is empowered at his or her sole discretion to grant a revocable permit to the property owner of property abutting any Street of the City to install and maintain a bicycle rack on the sidewalk fronting such property. The Director of Transportation may impose permit conditions related to the installation, design, location or maintenance of the bicycle rack as he or she determines necessary to protect the public convenience and safety. No permit issued under this Section 909 shall become effective until the permit has been signed by the Permittee or the Permittee's authorized agent and a copy of the permit has been recorded in the office of the City Recorder.

(b) **Criteria for Granting a Bicycle Rack Permit.** In considering an application for a bicycle rack permit, the Director of Transportation shall consider the proposed location and design of the bicycle rack in light of all legal requirements, the availability of Parking, and the anticipated effects of the proposed bike rack on public transit, pedestrian and vehicular traffic and access to or from residences and businesses.

(c) **Placement of Bicycle Rack.** The Director of Transportation may at his or her own initiative and after giving notice to the abutting property owner(s) cause bicycle racks to be installed on any Street or sidewalk of the City.

(d) **Department of Public Works – Coordination.** Bicycle racks shall not be installed until the Department of Public Works is notified of the site of the proposed bicycle rack installation and the date of installation. Such notice shall be provided to the Department of Public Works for review by the Department of the proposed installation at least 45 days before the date of installation.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 910. SFMTA PARKING PERMIT.

(a) General Permit Requirements.

(1) The SFMTA shall issue a SFMTA permit upon receipt of a written application from a qualifying City employee or department. The permit shall be displayed by City employees only when the vehicle is used for official government business.

(2) The SFMTA permit requirements shall only apply to passenger vehicles including sedans, sports utility vehicles (SUVs), and minivans. City maintenance, emergency response, and any other City vehicle whose primary purpose is not the sole transport of passengers shall not be required to obtain a SFMTA permit and shall be granted the same permit privileges to Park as provided in subsection (b).

(b) Permit Privileges.

(1) Any vehicle that displays a valid SFMTA Parking Permit shall be permitted to Park at a Parking Meter without depositing payment as required by Division I, Section 7.2.23 (Payment of Parking Meter).

(2) The SFMTA Parking Permit does not exempt vehicles from any other Parking restrictions other than as set forth in Section 801.

(3) The SFMTA Parking Permit does not excuse applicable time limits in Residential Parking Permit areas, at parking meters, or any other time restricted parking areas unless specifically authorized by the SFMTA.

(c) **Duration of SFMTA Parking Permit.** New SFMTA Parking Permits may be issued by the SFMTA at any time during the fiscal year but every permit shall expire on June 30 of each calendar year unless renewed.

(d) **Permit Fee.** The SFMTA Parking Permit fee shall be based on the daily Parking Meter Use Fee set forth in Section 312. The permit fee shall be calculated based on a five day per week period for fifty-two weeks per year.

(Added by SFMTA Bd. Res. No. 10-053, 4/20/2010; amended by SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011)

SEC. 911. ON-STREET CAR SHARE VEHICLE PARKING PERMIT.**(a) General Permit Requirements.**

(1) The SFMTA shall issue a SFMTA permit for use by a specific Car Share Vehicle upon receipt of a written application from a qualified Car Share Organization on a form prescribed by the SFMTA.

(2) The permit shall be displayed on the Car Share Vehicle when Parked in a designated on-street car share Parking Space.

(3) The SFMTA shall implement a pilot program until approximately August 31, 2012, and may impose additional terms and conditions for permit eligibility during any initial pilot program including limiting the number of Car Share Organizations which can participate, the time period for any permit issued, and a prorated permit fee based on the number of months the permit is issued for.

(4) The SFMTA reserves the right to revoke a Car Share Vehicle Permit at any time upon written notice of revocation. The Permittee shall surrender such permit in accordance with the instructions in the notice of revocation.

(5) The qualified Car Share Organization must pay the applicable On-Street Car Share Vehicle Parking Permit fee and a one-time set-up and installation fee of \$600 per designated on-street car share Parking Space before a permit may be issued.

(b) **Criteria for Granting an On-Street Car Share Vehicle Parking Permit.** The requirements for Car Share Organizations to be eligible to obtain an On-Street Car Share Vehicle Parking Permit include the following which must be demonstrated to the SFMTA's satisfaction:

(1) Car Share Vehicles may only be available to members by reservation on an hourly basis, or in smaller intervals, and at rates which vary by time or by time and distance.

(2) Car Share Vehicles are available to members at an unstaffed self-service location and available for pick-up by members on a twenty-four hour, seven day per week basis.

(3) Automobile insurance must be provided for each Car Share Vehicle for each member using the vehicle during the period of use.

(4) The emblem of the Car Share Organization must be prominently displayed on both the driver and passenger side front doors.

(5) Car Share Vehicles must be less than seventy-two (72) inches in height, and emit low levels of emissions for the applicable vehicle class. Preference will be given to Car Share Vehicles that meet the California Air Resources Board's standard for a Super Ultra Low Emissions Vehicle.

(c) Application Requirements.

(1) Each application for a permit or renewal of a permit shall contain information sufficient to:

(A) Identify the Car Share Organization applicant;

(B) Identify the location where the Car Share Vehicle is to be located;

(C) Establish that the applicant owns the Car Share Vehicle and the vehicle will be used for only car share related purposes;

(D) Identify the license number, provide proof of current California Department of Motor Vehicles registration for the vehicle, and provide proof of current automobile insurance for the vehicle.

(2) A Car Share Vehicle Parking Permit shall be issued to a designated Car Share Vehicle for a designated specific location.

(d) Permit Privileges.

(1) Any Car Share Vehicle that displays a valid Car Share Vehicle Parking Permit shall be permitted to Park at a designated on-street car share Parking Space established by the SFMTA.

(2) The Car Share Vehicle Parking Permit exempts a Car Share Vehicle from applicable time limits for Residential Parking Permit areas (Div. I, Section 7.2.20), street cleaning parking restrictions (Div. I, Section 7.2.22), and payment at parking meters (Div. I, Section 7.2.23) when it is parked at a designated on-street car share Parking Space.

(3) The Car Share Vehicle Parking Permit does not exempt the Car Share Vehicle from any other Parking restrictions.

(e) **Duration of Car Share Vehicle Parking Permit.** Car Share Vehicle Parking Permits may be issued by the SFMTA at any time during

the fiscal year but every permit shall expire on June 30 of each calendar year unless otherwise renewed or revoked.

(SFMTA Bd. Res. No. 11-108, Ad. 8/2/2011, Eff. 9/2/2011)

SEC. 912. VEHICLE PRESS PERMITS.

(a) The following definitions shall apply:

(1) **News-Gathering Vehicle.** A News-Gathering Vehicle is a motor vehicle for which a Vehicle Press Permit has been issued by the Director of Transportation while the vehicle is in the control of a newspaper, radio or television station, or is being operated by an employee of a newspaper, radio or television station whose primary duty is to gather or photograph news events while gathering information or images for use in the news.

(2) **Vehicle Press Permit.** A Vehicle Press Permit is a permit issued by the SFMTA for the use of an authorized News-Gathering Vehicle.

(b) The SFMTA shall issue one or more Vehicle Press Permit(s) to a newspaper, radio or television station upon receipt of an application signed by the managing editor, station manager, or person of equivalent managerial responsibility, of the newspaper, radio or television station. The application shall be on a form approved by the Director of Transportation. The application shall require the applicant to verify in writing that each requested Vehicle Press Permit is for either (1) an identified vehicle owned and operated by the newspaper, radio or television station and used primarily for the gathering of news, or (2) a person holding a full-time position with that organization whose duties primarily involve the actual gathering of news outside of the organization's main office and who has been issued a Press Permit by the Chief of Police. Each such organization with 12 or more full-time employees may also apply for one temporary Vehicle Press Permit, and each such organization with 25 or more full-time employees may also apply for two temporary Vehicle Press Permits, which shall be of a distinguishing color and may be assigned by the newspaper, radio or television station on an as-needed basis to temporary or free-lance reporters or photographers while they are engaged in news gathering for that newspaper, radio or television station, subject to the other restrictions on use set forth in this Section. In the event the temporary Vehicle Press Permits are being used by a newspaper, radio or television station in a manner inconsistent with the provisions of this Section, the Director of Transportation shall have the discretion, after a hearing to consider evidence of such misuse and testimony from the newspaper, radio or television station and other interested persons, to revoke any or all Vehicle Press Permits issued to such organization. All Vehicle Press Permits shall be valid for a period of not more than one year, and a new application must be submitted for reissuance of each permit for the following year. The Director of Transportation may request supporting documentation or evidence to verify any information supplied on an application for a Vehicle Press Permit, including verification of an employee's news gathering duties. Print media outlets whose publications are not published more frequently than once per month shall not be eligible to receive Vehicle Press Permits.

(c) Nothing in this Article shall relieve the operator and/or owner of a News-Gathering Vehicle or the newspaper, radio or television station that holds a Vehicle Press Permit for such a vehicle from the duty to operate and Park the vehicle with due regard for access of Fire Department vehicles to any property, and to the safety of all persons and vehicles, nor shall these provisions protect the owner of the newspaper, radio or television station from the consequences of reckless disregard for the safety of others.

(d) The Director of Transportation may collect permit fees for Vehicle Press Permits in order to recover costs for administering the program. Any annual increase to the permit fee may not exceed an amount calculated by applying the Automatic Indexing Implementation Plan approved by the SFMTA Board of Directors in Resolution No. 09-065 to the permit fee.

(e) Provided that the News-Gathering Vehicle complies with all other applicable requirements, a News-Gathering Vehicle may Park where authorized by the Transportation Code, Division II, Section 106 (Exemptions).

(Added by SFMTA Bd. Res. No. 12-128, Ad. 10/16/2012, Eff. 11/16/2012)

Editor's Note:

For provisions relating to Press Cards issued by the Chief of Police, see Police Code Sec. 939 et seq.

SEC. 913. MOBILE FOOD FACILITY PERMITS.

(a) **General Permit Requirements.** The SFMTA shall establish requirements regarding the size, typeface, and display of a Mobile Food Facility permit, issued pursuant to Article 5.8 of the San Francisco Public Works Code, on a permittee's vehicle in order to exempt such vehicle from the parking restrictions set forth below.

(b) **Permit Privileges.**

(1) Any vehicle that displays a valid Mobile Food Facility permit in compliance with SFMTA requirements shall be exempt from applicable time limits for Residential Parking Permit Areas (Div. I, Section 7.2.20) and Overtime Parking (Div. I, Section 7.2.30).

(2) A Mobile Food Facility permit does not exempt a vehicle from applicable time limits for yellow zones (Div. I, Section 7.2.26) or green zones (Div. I, Section 7.2.28).

(3) A Mobile Food Facility permit does not exempt a vehicle from payment at Parking Meters (Div. I, Section 7.2.23).

(4) A Mobile Food Facility permit does not exempt the vehicle from any other Parking restriction.

(Added by SFMTA Bd. Res. No. 13-004, Ad. 1/15/2013, Eff. 2/15/2013)

ARTICLE 1000: MISCELLANEOUS PARKING AND TRAFFIC REGULATIONS

Sec. 1001.	Signage Required.
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Sec. 1002.	Shifting of Parked Vehicles.
Sec. 1003.	Parking at "T" Intersections.
Sec. 1004.	Parking of Vehicles Across Private Driveways.
Sec. 1005.	Taxicabs Stopping in Driveways and Crosswalks.
Sec. 1006.	White Zones.
Sec. 1007.	Bicycle Riding on Sidewalks.
Sec. 1008.	Notice Requirements for Removal of Vehicles Parked for More Than 72 Hours.
Sec. 1009.	Parking Restrictions on SFMTA Property.

SEC. 1001. SIGNAGE REQUIRED.

When Street signs noticing Parking restrictions are required by state or local law, the signs shall not be placed more than 200 feet apart. The signs shall indicate by legible letters, words and figures the hours prescribed for said Parking restrictions within 100 feet on either side of the sign, except that such signs need not be placed within the boundaries of the grounds of a public institution if signs noticing the Parking restrictions within such boundaries are erected at each motor vehicle entrance to the grounds of such public institution.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 13-030, Ad. 3/19/2013, Eff. 4/19/2013)

SEC. 1002. SHIFTING OF PARKED VEHICLES.

For the purpose of Parking regulations other than a violation of Division I, Section 7.2.29 (Parking Prohibited for More than 72 Hours), any vehicle moved a distance of not more than one block or one-tenth of a mile during the limited Parking period shall be deemed to have remained stationary.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 1003. PARKING AT "T" INTERSECTIONS.

Parking opposite the stem of the "T" at a "T"-type intersection is permitted between the projected property lines drawn from either side of the street making up the leg of the "T" except in the crosswalk areas, except where the signage designates those portions of the curb where, and the hours and days when Parking is prohibited opposite the stem of the "T".

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 1004. PARKING OF VEHICLES ACROSS PRIVATE DRIVEWAYS.

The owner or lessee of property shall be permitted to Park the owner's or lessee's vehicle across the private driveway of said property, provided that such vehicle displays a valid license plate registered to the address of that property with the Department of Motor Vehicles, and provided that such driveway serves no more than two family dwelling units. This Section does not permit the Parking of vehicles across sidewalks or in red zones.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 1005. TAXICABS STOPPING IN DRIVEWAYS AND CROSSWALKS.

Notwithstanding any other provision of this Code, a taxicab may stop in an unmarked crosswalk or in front of a driveway to load or unload passengers.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 1006. WHITE ZONES.

(a) **Maximum Time.** A vehicle may stop in a white zone only for the purpose of loading and unloading passengers for a period not to exceed five minutes.

(b) **Hours of Enforcement.** In the case of white zones in front of apartment buildings, the Parking restriction shall be applicable only during the hours from 7:00 a.m. to 10:00 p.m. In the case of churches, the Parking restriction shall be applicable only during the posted hours of services, and while the attendees are going to and leaving such services. Parking restrictions in white zones shall not apply during periods of time when the store, business or establishment adjacent to the white zone is closed.

(c) **Private Bus Loading Zone.** The City Traffic Engineer may designate a Stand for passenger loading and unloading dedicated to the use of Private Buses at all times or during posted hours and days. Private Bus Stands shall be indicated by white curb paint and signs describing the type of vehicle(s) authorized to use the Stand, and the days and hours of enforcement.

(SFMTA Bd. Res. No. 08-151, 8/19/2008)

SEC. 1007. BICYCLE RIDING ON SIDEWALKS.

Bicycling riding on any sidewalk is prohibited except that children under the age of 13 may ride a bicycle on any sidewalk except as otherwise posted.

(SFMTA Bd. Res. No. 08-151, 8/19/2008; SFMTA Bd. Res. No. 10-077, 6/1/2010)

SEC. 1008. NOTICE REQUIREMENTS FOR REMOVAL OF VEHICLES PARKED FOR MORE THAN 72 HOURS.

No vehicle parked or left standing upon any highway or street in violation of Division I, Section 7.2.29 shall be removed unless there has been posted in a conspicuous place upon such vehicle a notice which shall contain the following:

- (a) the alleged violation;
 - (b) a description of the vehicle (including, if available, the make, model, color, type, license number, and identification number of the vehicle);
 - (c) the location of the vehicle; and
 - (d) the identity of the person giving the notice.
- (SFMTA Bd. Res. No. 09-172, 9/15/2009)

SEC. 1009. PARKING RESTRICTIONS ON SFMTA PROPERTY.

(a) It shall be a violation for any person to Park any non-SFMTA owned vehicle, whether attended or unattended, in any of the locations listed below without displaying valid proof of payment for Parking at such location. Any vehicle Parked in violation of Section 1009 may be subject to issuance of a citation or removal by the SFMTA.

(b) (1) Within the property lines of the SFMTA building commonly known as the Cable Car Barn or 1201 Mason Street (Lot 005, Block 0190) and bounded by Jackson Street, Mason Street, Washington Street, and the property line 200 feet west of Mason Street.

(2) Within the property lines of the SFMTA building commonly known as Woods Operations and Maintenance Yard or 1095 Indiana Street (Lot 002, Block 4169; Lot 010, Block 4170; Lot 021, Block 4171) and bounded by Iowa Street, 22nd Street, Indiana Street, and 23rd Street; as well as the parcel bounded by Indiana Street, 22nd Street, Minnesota Street, Tennessee Street, and Tubbs Street.

(3) Within the property lines of the SFMTA building commonly known as Presidio Operations and Maintenance Yard or 949 Presidio Avenue and 2640 Geary Boulevard (Lot 001, Block 1072) and bounded by Masonic Avenue, Euclid Avenue, Presidio Avenue, and Geary Boulevard.

(4) Within the property lines of the SFMTA building commonly known as Flynn Operations and Maintenance Yard or 1940 Harrison Street (Lot 001, Block 3551) and bounded by Folsom Street, 15th Street, Harrison Street, and 16th Street.

(5) Within the property lines of the SFMTA building commonly known as Potrero Operations and Maintenance Yard or 2500 Mariposa Street (Lot 001, Block 3971) and bounded by 17th Street, Hampshire Street, Mariposa Street, and Bryant Street.

(6) Within the property lines of the SFMTA building commonly known as Kirkland Operations and Maintenance Yard or 151 Beach Street and 2301 Stockton Street (Lot 001, Block 0018; Lot 000, Block 2301) and bounded by Beach Street, Stockton Street, North Point Street, and Powell Street.

(7) Within the property lines of the SFMTA building commonly known as Metro East Operations and Maintenance Yard or 601 25th Street (Lot 001, Block 4297; Lot 001, Block 4299; Lot 001, Block 4313; Lot 004, Block 4310) and bounded by Cesar Chavez Street, Illinois Street, 25th Street, approximately 745 feet east of Illinois, approximately 738 feet south of 25th Street, and Michigan Street.

(8) Within the property lines of the SFMTA property commonly known as Scott Garage and Scott Non-Revenue Maintenance Shop or 1849 Harrison Street (Lot 002, Block 3925) and bounded by Harrison Street, Alameda Street, Division Street, and from approximately 27 feet south to 208 feet south of Alameda Street.

(9) Within the property lines of the SFMTA property commonly known as Green Operations and Maintenance Yard and Green Annex or 425 Geneva Avenue (Lot 015, Block 6949) and bounded by Ocean Avenue, San Jose Avenue, Geneva Avenue, and the east side of Balboa Park BART Station.

(10) Within the property lines of the SFMTA property commonly known as Geneva Operations and Maintenance Yard or 2301 San Jose Avenue (Lot 036, Block 6972) and bounded by San Jose Avenue, Geneva Avenue, approximately 52 feet west of Delano Avenue, and approximately 69 feet north of Niagara Avenue.

(11) Within the property lines of the SFMTA property commonly known as the Geneva Upper Yard (Lot 039, Block 6973), located near Green Operations and Maintenance Yard and Geneva Operations and Maintenance Yard, and bounded by Geneva Avenue, San Jose Avenue, Niagara Avenue, and the BART right-of-way east of the southern entrance of Balboa Park BART Station.

(c) The restrictions listed in subsection (b) shall not apply to any person engaged in the loading and unloading of freight upon or from vehicles Parked for not longer than the posted time limit or 30 minutes if no time limit is posted.

(d) The monthly parking rate to Park on SFMTA property shall not exceed the cost of a Municipal Railway/BART pass (Fast Pass A) plus ten dollars.

(SFMTA Bd. Res. No. 11-018, 2/1/2011; SFMTA Bd. Res. No. 11-060, Ad. 5/3/2011, Eff. 6/3/2011, Oper. 7/1/2011)

ARTICLE 1100: REGULATION OF MOTOR VEHICLES FOR HIRE

Sec. 1101.	Scope and Purpose of Regulations.
Sec. 1102.	Definitions.
Sec. 1103.	Permit Applications and Renewal.
Sec. 1104.	Eligibility.

Sec. 1105.	General Permit Conditions.
Sec. 1106.	Conditions Applicable to Color Scheme Permits.
Sec. 1107.	Conditions Applicable to Dispatch Service Permits.
Sec. 1108.	Conditions Applicable to Driver Permits.
Sec. 1109.	Conditions Applicable to Taxi and Ramp Taxi Medallions.
Sec. 1110.	Conditions Applicable to Ramp Taxi Medallions.
Sec. 1113.	Taxi and Ramp Taxi Equipment Requirements.
Sec. 1114.	Records and Reporting Requirements Applicable to Permit Holders.
Sec. 1115.	Determination of Number of Permits.
Sec. 1116.	Taxi Medallion Transfer Program.
Sec. 1117.	Permit Issuance; Notice of Inactive Status.
Sec. 1118.	Revocation, Suspension, and Administrative Fines.
Sec. 1119.	Administrative Fines Assessed Against Non-Permit Holders.
Sec. 1120.	Administrative Hearings.
Sec. 1121.	Summary Suspension of Permit for Health or Safety Reasons.
Sec. 1122.	Administrative Probation.
Sec. 1123.	Notices.
Sec. 1124.	Fees, Rates and Charges.

SEC. 1101. SCOPE AND PURPOSE OF REGULATIONS.

(a) Scope of Regulations.

(1) **Classes of Permits.** This Article shall apply to the following classes of permits issued by the SFMTA:

- (A) Permits issued to a person:
 - (i) Driver Permits.
- (B) Permits issued to a person for use with an identified vehicle or vehicle(s):
 - (i) Taxi/Ramp Taxi Medallions.
 - (ii) Non-Standard Vehicle Permits.
- (C) Permits issued to a business that affiliates with permitted vehicles:
 - (i) Color Scheme Permits.
 - (ii) Dispatch Service Permits.

(2) **Exclusion for Certain Vehicles.** This Article shall not apply to the operation of a motor vehicle:

- (A) Engaged in the business of, or used for, transporting passengers for hire when such motor vehicle is operated under and by authority of public convenience and necessity issued by the Public Utilities Commission of the State of California (CPUC) to the extent that the commercial operation of such a Motor Vehicle for Hire is entirely within the scope of such certificate;
- (B) Licensed by any city, city and county, county or other public entity as a motor vehicle for hire which may enter the City and County of San Francisco for the purpose of delivering passengers who have hired the vehicle in a jurisdiction in which it is licensed to operate, provided, however, that no such motor vehicle for hire may solicit or accept any passenger while in the City;
- (C) That is regularly operated by a business to transport employees;
- (D) Operated as a private ambulance and regulated by Article 14 of the San Francisco Health Code; or
- (E) Operating on fixed tracks or rails.

(3) **Application of Regulations to Permit Holder Conduct.** This Article applies to the conduct of Permit Holders at all times while engaged in activity related to the permit.

(b) **Purpose of Regulations; Limitation of Liability.** It is the purpose of this Article to require all persons, businesses or corporations holding permits issued pursuant to this Article to take steps to improve taxi service to the public and to protect the public health and safety when providing such service. By adopting this Article, the SFMTA is assuming an undertaking to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(c) **Notice of Regulations.** The SFMTA shall offer a copy of this Article to each person who is applying for or renewing a permit at the time of application or renewal.

(d) **Incompatible Activities.** No permit governed by this Article may be issued to an employee of the SFMTA except with the prior written approval of the Director of Transportation.

(e) **Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article or any part thereof, is for any reason held to be invalid or ineffective, such decision shall not affect the validity or effectiveness of the remaining portions of this Article or any part thereof. The SFMTA Board hereby declares that it would have adopted and promulgated each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses

or phrases be declared invalid or ineffective.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; SFMTA Bd. Res. No. 09-077, 5/19/2009)

SEC. 1102. DEFINITIONS.

For purposes of this Article the following words and phrases shall have the meanings set forth below:

"A-Card" or **"Driver Permit"** shall mean a permit issued by the SFMTA to operate a Taxi or Ramp Taxi in the City.

"A-Card Seniority" shall mean the seniority status of each Driver Permit Holder based on the original issuance date of the Driver Permit, or the issuance date of the most recent Driver Permit in accordance with the terms of Section 1103(c)(3)(B).

"Administrative Probation" shall mean the status of being substantially out of compliance with this Article according to a written determination of Administrative Probation issued by the SFMTA.

"Application Fee" shall mean shall mean a fee in an amount established by the SFMTA Board, due upon application for a permit, and including any late payment penalties or interest for failure to pay in accordance with the requirements of this Article of any other regulation adopted by the SFMTA Board.

"Citation" shall mean a notice informing an individual or entity who is a member of the public or a Permit Holder that he or she has violated any statute, ordinance or regulation governing the operation or licensing of Motor Vehicles for Hire.

"Color Scheme" shall mean either the design or trade dress of a vehicle used as a Taxi or Ramp Taxi that is distinct to the fleet of a Color Scheme business that provides taxi service, or a business that provides taxi-related services to affiliated Drivers and Medallion Holders, including any owner, manager, employee, lessee and any agent of such business.

"Color Scheme Permit" shall mean a permit issued by the SFMTA, to operate a Color Scheme in the City.

"Complaint" shall mean a document issued by SFMTA upon receipt of the Respondent's request for a hearing on a Citation, Notice of Nonrenewal, Notice of Inactive Status, or Notice of Summary Suspension, which shall contain information about each alleged violation or basis for nonrenewal, inactive status, or summary suspension.

"Controlled Substance Testing Program" shall mean a program adopted by the SFMTA Board to comply with California Government Code Section 53075.5.

"Dispatch Service" shall mean any person, business, firm, partnership, association or corporation that receives communications from the public regarding taxi service for the purpose of forwarding such communications to motor vehicle for hire drivers, and shall include any owner, manager, employee, lessee and any agent of said service. "Dispatch Service" shall not include any service through which the public is able to communicate directly with Drivers, and shall not include any effort on the part of a Driver to market his or her services to the public.

"Dispatch Service Permit" shall mean a permit issued by the SFMTA to operate a Dispatch Service in the City.

"Driver" shall mean either a person who holds a Driver Permit issued by the SFMTA to operate a Motor Vehicle for Hire or a person engaged in the mechanical operation and having physical charge or custody of a Motor Vehicle for Hire while said Motor Vehicle for Hire is available for hire or is actually hired.

"Driver Fund Retransfer Contribution" shall mean the percentage of the Medallion Transfer Price to be contributed by the SFMTA to the Driver Fund upon the Retransfer of a Transferable Medallion.

"Driver Permit" or **"A-Card"** shall mean a permit issued by the SFMTA to operate a Taxi or Ramp Taxi.

"Driver Roster" shall mean a daily shift schedule listing the shift assignment, Driver's name, Vehicle Number and Medallion number, if different, and the hours worked for that shift.

"Electric Vehicle Taxi Medallion" shall mean a permit issued by the SFMTA to a Color Scheme that meets SFMTA's performance standards to operate a particular battery-switch electric vehicle on a full-time basis, subject to conditions imposed by the SFMTA, for a fixed term of three to five years.

"Electronic Taxi Access System" shall mean a data collection software system for the real-time reporting of all required Electronic Trip Data.

"Electronic Taxi Access System Provider" shall mean the vendor selected by the SFMTA to provide the Electronic Taxi Access System.

"Electronic Trip Data" shall mean the data regarding each Taxi trip that the Dispatch Service Permit Holder is required to provide to the SFMTA under Section 1114(f)(1).

"Found Property" shall mean any personal property found in or about a Motor Vehicle for Hire by a Driver or delivered to a Driver, Color Scheme or Dispatch Service by any person who has found such property.

"Full-Time Driver" or **"Full-Time Driving"** shall mean any Driver actually engaged in, or the activity comprised of (respectively) the mechanical operation and physical charge and custody of a Taxi or Ramp Taxi which is available for hire or actually hired for at least 156 four-hour shifts or 800 hours during a calendar year.

"Gas and Gates Medallion" shall mean a Medallion that is operated by a Color Scheme that owns the Taxi or Ramp Taxi vehicle, schedules the Drivers of the vehicle, and makes regular payments to the Medallion Holder in consideration for the use of the Medallion.

"Gate Fee" shall mean any monetary fee or other charge or consideration, or any combination thereof, paid by a Driver who is not a Taxi or Ramp Taxi Medallion Holder for the privilege of driving a Taxi or Ramp Taxi for any period of time, and for receipt of all services provided in connection with such privilege, whether said fee, charge or consideration is set orally or in writing, and regardless of the terms of payment.

"Hearing Officer" shall mean an individual designated by the Director of Transportation to conduct hearings under Sections 1117 and 1120 of this Article.

"In-Taxi Equipment" shall mean hardware and software that enables the real-time processing of paratransit debit card transactions and consisting of, at a minimum, a Taximeter, magnetic swipe reader, user interface (display and function buttons), high speed receipt printer, GPS receiver, cellular modem and antennae (cellular and GPS).

"Initial Transfer" shall mean the transfer of a Surrendered Medallion by the SFMTA to a Transferee under the Medallion Transfer Program, or the transfer of a Medallion to a Transferee under the former Taxi Medallion Sales Pilot Program.

"Key Personnel" shall mean a Taxi Permit Holder who works in an administrative capacity or performs functions integral to a Color Scheme or Dispatch Service, who is a bona fide employee on the payroll of the Color Scheme or Dispatch Service and who works on-site at the Color Scheme's or Dispatch Service's principal place of business.

"Lease" shall mean an otherwise lawful written agreement that for consideration authorizes the temporary operation of a Taxi or Ramp Taxi Medallion by a Driver or Color Scheme other than the Taxi or Ramp Taxi Medallion Holder.

"Lease Fee" shall mean any monetary fee or other charge or consideration, or any combination thereof, charged by or paid to a Taxi or Ramp Taxi Medallion Holder for the privilege of operating that Medallion during a particular shift, or for any period of time.

"Medallion" shall mean a permit issued by the SFMTA to operate a particular Taxi or Ramp Taxi vehicle in the City.

"Medallion Holder" shall mean the person or entity to which a Medallion was issued.

"Medallion Surrender Payment" shall mean the amount of money paid by the SFMTA to a Medallion Holder in exchange for surrender of his or her Medallion so that the SFMTA may transfer it to a new Medallion Holder.

"Medallion Transfer Allocation" shall mean the percentage of the Medallion Transfer Price that shall be paid to the SFMTA from the proceeds of the Retransfer of a Medallion.

"Medallion Transfer Price" shall mean the fixed price paid by the Transferee for the transfer or Retransfer of a Medallion, to be set by the SFMTA in accordance with this Article.

"Medallion Transfer Program" shall mean the program allowing the SFMTA to transfer Surrendered Medallions at the Medallion Transfer Price and allowing certain Medallion Holders to Retransfer their Transferable Medallions at the Medallion Transfer Price in accordance with the terms of Section 1116 of this Article.

"Model Year" shall mean a model year designated by the manufacturer at the time of first assembly as a completed vehicle.

"Motor Vehicle for Hire" shall mean every type of privately owned motor vehicle, as defined in the Vehicle Code, which is available for hire and over which the City may exercise jurisdiction, except as otherwise specified in this Article.

"Motor Vehicle for Hire Permit" shall mean a permit issued by the SFMTA for the operation of an identified vehicle for the purpose of transporting passengers for a price, including Taxi or Ramp Taxi Medallions and Non-Standard Vehicle permits, and does not include Dispatch Service, Color Scheme or Driver Permits.

"Non-Standard Vehicle" shall mean a privately owned, motor-propelled passenger carrying vehicle which may be legally operated on the streets of the City under all applicable state and local laws and regulations, and which is not defined elsewhere in this Article.

"Notice of Denial" shall mean a notice informing an applicant for a permit that the SFMTA has decided to deny the application for the permit under Section 1117 of this Article.

"Notice of Grant" shall mean a notice informing an applicant for a permit that the SFMTA has decided to grant the application for the permit under Section 1117 of this Article.

"Notice of Inactive Status" shall mean a notice informing an applicant for a permit that the SFMTA no longer deems the application active due to the occurrence of one or more of the events described in Section 1103(b) of this Article.

"Notice of Nonrenewal" shall mean a notice informing a Permit Holder that the SFMTA has determined that the permit will not be renewed in accordance with Section 1105(a)(5)(B) of this Article.

"Notice of Summary Suspension" shall mean a notice informing a Permit Holder that the SFMTA has decided to summarily suspend the permit in accordance with Section 1121 of this Article.

"O.E.M." shall mean any equipment installed on a vehicle when the vehicle was initially manufactured.

"On-Board Diagnostic (OBD) Device" shall mean a device used to supplement the dispatch equipment installed in the Taxi if such equipment is incapable of delivering the Electronic Trip Data to the Electronic Taxi Access System in real-time.

"Paratransit Broker" shall mean the contractor retained by SFMTA to administer the Paratransit Program.

"Paratransit Coordinating Council" shall mean the Community Advisory Committee that advises the SFMTA regarding paratransit services.

"Paratransit Debit Card" shall mean the fare media issued through the Paratransit Program for use in taxis or other vehicles that are associated with the Paratransit Program.

"Paratransit Program" shall mean the SFMTA program to provide transit services for people unable to independently use public transit because of a disability or disabling health condition.

"Participating Color Scheme" shall mean a Color Scheme that has entered into an agreement with the SFMTA for the operation of Medallions that are sold and purchased in accordance with Section 1116(o) of this Article.

"PCI DSS" shall mean the Payment Card Industry Data Security Standard, which is a worldwide information security standard assembled by the Payment Card Industry Security Standards Council to help organizations that process card payments prevent credit card fraud.

"Permit Fee" shall mean a fee in an amount established by the SFMTA Board, required to be paid by a permit applicant for permit issuance or renewal, including any late payment penalties or interest for failure to pay in accordance with the requirements of this Article and any other

regulations adopted by the SFMTA Board.

"Permit Holder" shall mean any person, business, firm, partnership, association or corporation which holds any permit issued by or under the authority of the SFMTA to drive, operate or cause to be operated any Motor Vehicle for Hire or to operate any Dispatch Service or Color Scheme pursuant to this Article, and any agent of such Permit Holder including, but not limited to, any owner, manager, employee or lessee of such Permit Holder.

"Police Department" shall mean the Police Department of the City and County of San Francisco.

"Qualified Lender" shall mean a lender approved by the Director of Transportation to finance the transfer of Medallions under the former Taxi Medallion Sales Pilot Program or the Taxi Medallion Transfer Program.

"Ramp Taxi" shall mean a Taxi that is specially adapted with access for wheelchair users.

"Ramp Taxi Medallion" shall mean a permit issued by the SFMTA to operate a particular Taxi vehicle that is specially adapted with access for wheelchair users.

"Ramp Taxi Program" shall mean the SFMTA program that oversees the delivery of transportation services to individuals whose disabilities require the use of vehicles equipped with a ramp.

"Rates of Fare" shall mean the fees and charges that are authorized by the SFMTA Board that may be charged to the public by a Permit Holder in consideration for transport by a Motor Vehicle for Hire.

"Reduced Medallion Transfer Price" shall mean the price paid by 200 Driver Permit Holders at the top of the Waiting List for the transfer of a Medallion in accordance with Section 1116(g) of this Article.

"Renewal Fee" shall mean a fee in an amount established by the SFMTA Board, payable as a condition for renewal of a permit, and including any late payment penalties or interest for failure to pay in accordance with the requirements of this Article or any other regulation adopted by the SFMTA Board.

"Respondent" shall mean a person or entity to whom a Notice of Nonrenewal under Section 1105(a)(5)(B), Notice of Inactive Status under Section 1103(b)(4), Notice of Summary Suspension under Section 1121, Citation under Section 1119(a), or Citation for a violation listed under Section 1118(a) is delivered.

"Response Time Goals" shall mean the measure of industry performance expressed by the time elapsed between the time a Dispatch Service receives a request for service to the time that a Taxi or Ramp Taxi actually arrives at the location specified by the customer for pick up. The currently applicable Response Time Goals are as follows:

- (1) 70% of the time, a Taxi or Ramp Taxi will arrive within 10 minutes of the service call.
- (2) 80% of the time, a Taxi or Ramp Taxi will arrive within 15 minutes of the service call.
- (3) 99% of the time, a Taxi or Ramp Taxi will arrive within 30 minutes of the service call.

"Retransfer" shall mean the transfer of a Transferable Medallion by the SFMTA to a Transferee under the Medallion Transfer Program.

"SFMTA" shall mean the San Francisco Municipal Transportation Agency of the City, or any predecessor agency with regulatory jurisdiction over Motor Vehicles for Hire, or its authorized designee.

"Single Operator Part-time Taxi Medallion" shall mean a permit issued by the SFMTA to a Driver who qualifies on the basis of A-Card Seniority to operate a particular hybrid, CNG or electric taxi vehicle, or other vehicle as authorized by the SFMTA, for a fixed period of years on a part-time basis, and in accordance with permit conditions set by the SFMTA.

"Surrendered Medallion" shall mean a Medallion surrendered to the SFMTA in exchange for receipt of the Medallion Surrender Payment in accordance with Section 1116 of this Article.

"Taxi" shall mean a vehicle operated pursuant to a Taxi or Ramp Taxi Medallion that is legally authorized to pick up passengers within the City with or without prearrangement, of a distinctive color or colors and which is operated at rates per mile or upon a waiting-time basis, or both, as measured by a Taximeter and which is used for the transportation of passengers for hire over and along the public streets, not over a defined route but, as to the route and destination, in accordance with and under the direction of the passenger or person hiring such vehicle.

"Taxi Medallion Sales Pilot Program" shall mean the former program adopted by the SFMTA Board of Directors for the transfer of certain Medallions at an established price to a Transferee who is qualified to hold a Medallion under this Article.

"Taximeter" shall mean a device attached to a Motor Vehicle for Hire which mechanically or electronically calculates the fare to be charged to the passenger, either on the basis of distance traveled or for waiting time, or a combination thereof, and upon which the amount of the fare is indicated by means of numerals in dollars and cents.

"Transferable Medallion" shall mean a Medallion that is transferable because it has been transferred at least once in accordance with Section 1116 of this Article. Medallions that have never been transferred but are held by Medallion Holders who are eligible to surrender their Medallions under the provisions of Section 1116(a)(1) or (a)(2) are not Transferable Medallions.

"Transferee" shall mean a Driver Permit Holder who qualifies under Section 1116(c) of this Article as a recipient of the transfer or Retransfer of a Medallion.

"Transferor" shall mean a Medallion Holder who qualifies under Section 1116(d) of this Article to Retransfer his or her Medallion.

"Vehicle Number" shall mean the unique identifying number associated with each Taxi or Ramp Taxi vehicle.

"Waiting List" shall mean a list of applicants for Taxi or Ramp Taxi Medallions for whom such Medallions are not yet available, maintained in the order of receipt of complete applications from qualified applicants.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 10-055, 4/20/2010; SFMTA Bd. Res. No. 10-149, 11/16/2010; SFMTA Bd. Res. No. 11-017, 2/1/2011; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-110, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 12-146, Ad. 11/20/2012, Eff.

12/21/2012; SFMTA Bd. Res. No. 13-033, Ad. 3/19/2013, Eff. 4/19/2013; SFMTA Bd. Res. No. 13-048, Ad. 4/16/2013, Eff. 5/17/2013; SFMTA Bd. Res. No. 13-174, Ad. 6/18/2013, Eff. 7/19/2013)

SEC. 1103. PERMIT APPLICATIONS AND RENEWAL.

(a) **Application Forms.** Application for any permit issued pursuant to this Article shall be made to the SFMTA on a form provided by the SFMTA. The applicant shall provide such information and documents as the SFMTA requires, which may include a physical examination, a practical examination and/or background check of the applicant. All applications for permits shall be accompanied by the relevant Application Fee; provided, however, that an applicant for an Electric Vehicle Taxi Medallion that was approved prior to December 6, 2011 shall not be required to pay an Application Fee. The SFMTA shall record the date and time that a complete application, including the Application Fee, is received.

(b) **Applications Deemed Active.** Every application for a permit shall be deemed to remain active and shall be considered until the earliest of the following events:

- (1) The applicant withdraws the application in writing;
- (2) The applicant is determined to be ineligible for the permit by the SFMTA;
- (3) The applicant receives a permit;
- (4) The SFMTA determines that the applicant has engaged in fraud, misrepresentation or other serious misconduct in connection with the permit application process; or
- (5) The SFMTA attempts to contact the applicant at the mailing address listed on the application on at least two separate occasions and the applicant fails to respond within 30 days of the second notice.

(6) The SFMTA has offered a Medallion for purchase to the applicant, and the applicant fails to complete the purchase of the Medallion within the deadlines established by the Director of Transportation pursuant to Section 1116(f)(3). Failure to complete the purchase of the Medallion within the applicable deadlines will have no effect upon the applicant's A-Card seniority or the applicant's position on the Waiting List of Medallion applications.

(7) The applicant has not completed the application process within 60 calendar days of initiating an application, or within such other time limit specified in this Article.

(c) **Additional Requirements Applicable to Driver Permit Applications.**

(1) **Application Requirements.** In addition to complying with all applicable requirements of this Section, each applicant for a Driver Permit shall:

- (A) Provide his or her fingerprints; and
- (B) Take and pass a written examination; and
- (C) Take and pass a physical examination if required by the SFMTA; and
- (D) Certify that the applicant has successfully completed an SFMTA-approved Driver training course; and
- (E) Provide photographs of the applicant, taken no more than 12 months prior to the time of application; and
- (F) Enclose a statement of affiliation signed by the applicant and the Color Scheme documenting the Color Scheme's commitment to offer the applicant a position as a Driver if the Driver Permit is issued; and
- (G) Reserved: Controlled Substance Testing Program.

(2) **Driver Qualifications.** Each applicant for a Driver's Permit must:

- (A) Be a legal resident of the United States;
- (B) Be clean in dress and person;
- (C) Be free of any disease, condition, infirmity, or addiction that might render the applicant unable to safely operate a motor vehicle or that otherwise poses a risk to public health and safety;
- (D) Have held a valid California driver's license for one year immediately prior to the date of application;
- (E) Have the physical capacity to operate a motor vehicle for at least four hours per day;
- (F) Have no prior convictions of a crime that would, in the judgment of the SFMTA, present a risk to public safety if the permit is granted, including but not limited to convictions involving sexual assault, the use of a vehicle in the commission of a felony, fraud, violence against a person, reckless disregard for public safety, two or more recent convictions of drug-related offenses, or two or more recent convictions of driving under the influence, whether or not such convictions occurred while driving a Motor Vehicle for Hire. The SFMTA may, in its discretion, issue a permit notwithstanding prior convictions if, following review of an individual case, it determines that the applicant or Permit Holder does not pose a current risk to public safety;
- (G) Have attained the age of 24;
- (H) Speak; read and write the English language;
- (I) Reserved: Controlled Substance Testing Program.

(3) **Renewal of Driver's Permits.**

(A) Drivers have an affirmative duty to report any criminal convictions that would be a basis for denying a permit pursuant to Section 1103(c)(2)(F). The SFMTA may refuse to renew a permit if the Permit Holder would not be eligible to receive a new permit pursuant to Section 1103(c)(2)(F).

(B) **Lapse of Active Permit Status; New Application; A-Card Seniority.** A Driver Permit Holder who fails to renew his or her Driver Permit within the deadline for renewal set by the SFMTA may renew his or her Driver Permit upon submission of a new Driver Permit

application and completion of all requirements for a new Driver Permit. If the Driver Permit Holder submits the new Driver Permit application and completes the requirements within two years of the renewal deadline, or prior to January 1, 1995, he or she shall retain A-Card Seniority based on the original issuance date of the Driver Permit. If, on or after January 1, 1995, the Driver Permit Holder submits a new Driver Permit application and completes the requirements more than two calendar years after the renewal deadline, he or she shall have an A-Card Seniority date as of the date of the most recent Driver Permit.

(4) **Surrender of A-Card When Not Driving.** A Driver must return his or her Color Scheme Identification Card to the Color Scheme within 30 calendar days of terminating his or her affiliation with a Color Scheme and must return his or her A-Card to the SFMTA within 30 calendar days if the Driver does not affiliate with another Color Scheme. If the Driver will discontinue driving for a period of time in excess of 30 consecutive days but intends to resume driving a Motor Vehicle for Hire in the future, the SFMTA shall hold the A-Card on file until the Driver informs the SFMTA of his or her intention to resume driving. Upon receiving such notice, the SFMTA shall return the A-Card to the Driver so long as all Application and Renewal Fees and other Permit Fees are paid and the Driver remains qualified for the permit.

(d) **Additional Requirements Applicable to Taxi and Ramp Taxi Medallion Applications.**

(1) **Waiting List.** In the absence of any other preference specified in this Article, applicants for a Medallion shall be processed and considered by the SFMTA in the order of receipt of the Waiting List application, and then in order of A-Card Seniority. The SFMTA shall maintain a Waiting List of Medallion applications arranged in chronological order by the date that each complete Medallion application, including the Application Fee, was received from a qualified applicant. Each applicant for a Taxi or Ramp Taxi Medallion shall have held a valid Driver Permit for a minimum of two consecutive years prior to applying for a Medallion.

(A) Every applicant for a Taxi or Ramp Taxi Medallion must continuously maintain a valid Driver Permit in order to maintain his or her position on the Waiting List.

(B) The SFMTA may periodically require applicants to execute written statements to reaffirm their desire to keep their applications active.

(C) As of December 16, 2009, the SFMTA shall no longer accept applications for the Waiting List. When there are no more qualified applicants on the Waiting List, the SFMTA shall offer Medallions to Driver Permit Holders who meet all other requirements of this Article in order of A-Card Seniority.

(e) **Single Operator Part-time Taxi Medallion Application Requirements.** The SFMTA shall offer Single Operator Part-time Taxi Medallions to Driver Permit Holders who have not yet held a Taxi or Ramp Taxi Medallion, and who meet all other requirements of this Article in order of A-Card Seniority, subject to the applicant meeting criteria established by the SFMTA that are designed to ensure that holders of Single Operator Part-time Taxi Medallions have sufficient knowledge of San Francisco's streets, neighborhoods, traffic conditions and taxi industry to provide a high level of service to San Francisco's taxi patrons.

(f) **Additional Requirements Applicable to Non-Standard Vehicle Permit Applications.**

(1) An applicant may request a Non-Standard Vehicle class of permit for any vehicle(s) not otherwise included within another class of Motor Vehicle for Hire permits.

(2) If a Non-Standard Vehicle permit applicant proposes to operate along fixed routes within the City, such fixed routes shall be specified in the permit application. Fixed routes proposed for a permit must be approved by the SFMTA and shall be included in the Non-Standard Vehicle permit as a permit condition. Consideration of such routes by the SFMTA shall include evaluation of their impact on public transit.

(g) **Additional Requirements Applicable To Dispatch Service Permit Applications.** Reserved.

(h) **Additional Requirements Applicable To Color Scheme Permit Applications.**

(1) **Color Scheme Permit Transfers.** Any transfer of a Color Scheme permit must be approved in advance by the SFMTA. Prior to approving a transfer of a Color Scheme Permit, the SFMTA shall conduct an investigation to ensure that the proposed transferee meets all requirements of this Article. For the purpose of this subsection, the transfer of a business means the transfer of 50% or more of an ownership interest in the business to a person or entity that did not already hold an ownership interest in the business as of June 19, 2009. In addition to any other documents establishing compliance with laws and regulations that the SFMTA may require as a condition of approval of the transfer, the parties to the transfer must provide:

- (A) An inventory of any City-owned In-Taxi Equipment,
- (B) Proof of all required insurance,
- (C) A business license,
- (D) Any signed partnership agreement among multiple purchasers or documentation of current valid corporate status,
- (E) A signed lease establishing the buyer's right of occupancy at a business premises,
- (F) A signed agreement with a permitted dispatch service, and
- (G) A schedule of gate fees.

(2) **Permit Renewal Requirements.** No Color Scheme Permit shall be renewed unless the Permit Holder files the following documents by May 1 of each year:

- (A) Current San Francisco business license;
- (B) Completed designated manager form(s);
- (C) Current list of all affiliated Drivers, Medallion Holders and type of Lease for each;
- (D) Insurance certificates demonstrating compliance with the insurance requirements of this Article for every vehicle and Medallion affiliated with the Color Scheme;

(E) Copy of company drug-free workplace policy;

(F) Sworn statement attesting to compliance with this Article and applicable state and federal laws.

(i) **Moratorium on Issuance of Permits.** The Director of Transportation may impose a moratorium on the issuance of new Color Scheme Permits or Dispatch Service Permits upon his or her determination that the issuance of such permits will not serve the public interest. The Director of Transportation shall notify the Board of Directors immediately upon making such a determination. The notification, which shall be posted in accordance with Section 1123(a), shall include the reasons for the Director's determination that issuance of new permits will not serve the public interest, and the expected duration of the moratorium. In no event shall such a moratorium last for more than a year without the approval of the Board of Directors.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 10-055, 4/20/2010; SFMTA Bd. Res. No. 10-066, 5/4/2010; SFMTA Bd. Res. No. 11-017, 2/1/2011; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 13-174, Ad. 6/18/2013, Eff. 7/19/2013)

SEC. 1104. ELIGIBILITY.

(a) **Determination of Eligibility.** Each application shall be investigated by the SFMTA to determine the applicant's eligibility pursuant to the factors listed herein. The SFMTA, in determining whether the permit should be granted, may consider such facts as it deems pertinent, but shall at least consider the following factors:

(1) The applicant's compliance with all applicable statutes, ordinances and regulations. If, during the five years prior to application, an applicant has violated any statute, ordinance or regulation which would be a basis for revocation of the permit, the SFMTA may, in its discretion, refuse to issue the permit.

(2) The record of the applicant for the preceding five years with regard to any other permits issued for the commercial operation of a motor vehicle for the transport of passengers, either in the City or elsewhere.

(3) Any prior convictions of a crime that would, in the judgment of the SFMTA, present a risk to public safety if a permit is granted, including but not limited to convictions involving sexual assault, the use of a vehicle in the commission of a felony, fraud, violence against a person, reckless disregard for public safety, two or more recent convictions of drug-related offenses, or two or more recent convictions of driving under the influence, whether or not such convictions occurred while driving a Motor Vehicle for Hire. The SFMTA may, in its discretion, issue a permit notwithstanding prior convictions if, following review of an individual case, it determines that the applicant or Permit Holder does not pose a current risk to public safety.

(b) **Burden of Proof on Applicant.** A permit applicant shall have the burden of proving that the applicant meets all requirements for a permit.

(c) **Eligibility for a Medallion.**

(1) Applicants for a Taxi or Ramp Taxi Medallion must meet the eligibility requirements listed in Section 1103(c)(2)(A) through 1103(c)(2)(H) and be in compliance with any Controlled Substance Testing Program adopted by the SFMTA Board.

(2) Each applicant for a Taxi or Ramp Taxi Medallion shall submit all completed application materials, including paper waybills and/or electronic trip data, and take any written, oral or practical examination required by the SFMTA within 45 calendar days of the date of the notice informing the applicant of the availability of a Medallion.

(3) Before issuing a Taxi or Ramp Medallion, in addition to all other eligibility requirements, the SFMTA must determine that the applicant has been a Full-Time Driver during four of five consecutive calendar years. At the applicant's election, the five years that the SFMTA considers may be either the five full calendar years immediately preceding the hearing, or the four full calendar years immediately preceding the hearing and the partial calendar year in which the hearing is held. The Full-Time Driving requirement for the year in which the application is heard may not be pro-rated for the purpose of determining whether to grant the application. This requirement of Full-time Driving for four of five consecutive years may only be satisfied by driving a Taxi or Ramp Taxi for which a permit has been issued by the SFMTA. Paper waybills completed in compliance with Section 1109(c)(5), electronic trip data, or other corroborating documentary evidence, may be used to establish eligibility for a Medallion for the purposes of this Section.

(4) No applicant for a Taxi or Ramp Taxi Medallion shall be eligible to receive a Medallion if he or she holds a Medallion as an individual or if he or she is a shareholder in a corporation that holds one or more Medallions.

(d) **Eligibility for a Ramp Medallion.** The SFMTA shall not issue a Ramp Taxi Medallion to an applicant unless the applicant provides written documentation of the following requirements:

(1) The applicant has been a Full-Time Driver of a Ramp Taxi during the 12 months immediately preceding the applicant's submittal of completed application materials pursuant to Section 1104(c)(2).

(2) The applicant has completed at least 156 wheelchair pickups in the City as a Ramp Taxi Driver during the 12 months immediately preceding the permit hearing. At least 100 of the required 156 wheelchair pickups must be customers of the Paratransit Program as established by reports of usage of San Francisco paratransit debit cards.

(3) The applicant has satisfactorily completed training for operation of a Ramp Taxi in compliance with SFMTA requirements.

(4) The applicant has been interviewed through a process approved by the Paratransit Coordinating Council.

(5) SFMTA certification of satisfactory aptitude and attitude necessary for a Ramp Taxi Medallion Holder.

(6) The applicant is affiliated with a Color Scheme in compliance with, and agrees to operate said permit at all times subject to, the regulations of the SFMTA's Paratransit Program.

(e) **Eligibility for a Single Operator Part-time Taxi Medallion.** The applicant must receive a passing score on a test administered by the

SFMTA in accordance with Section 1103(e).

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 10-149, 11/16/2010; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-079, Ad. 6/5/2012, Eff. 7/6/2012)

SEC. 1105. GENERAL PERMIT CONDITIONS.

(a) Conditions Applicable to All Permits.

(1) **Permits Required.** No person, business, firm, partnership, association or corporation shall drive, or operate or cause to be operated any Motor Vehicle For Hire within the City, nor shall any person, business, firm, partnership, association or corporation operate any Dispatch Service or Color Scheme, without a permit issued by the SFMTA authorizing such driving or operation in accordance with this Article.

(2) Permits Held By Businesses; Taxi Medallions Held by Individuals.

(A) Any permit issued to a business pursuant to this Article shall be registered in the name of and with contact information for at least one natural person who complies with all permit requirements except those that by their nature can have no application to a natural person.

(B) No Taxi or Ramp Taxi Medallion shall be issued except to a natural person and in no case to any business, firm, partnership, association or corporation, and no Medallion shall be issued to, or in the name of, more than one person.

(3) **Permits a Privilege.** Permits granted pursuant to this Article constitute a privilege and are not the property of the Permit Holder.

(4) **Permits Not Transferable.** Except as expressly provided in this Article or in permit conditions, no permit issued pursuant to this Article shall be transferable or assignable, either expressly or by operation of law.

(5) Duration of Permits.

(A) Unless earlier revoked or suspended, all permits shall expire one year following their issuance or renewal, or on another date as specified by the SFMTA.

(B) As a condition of renewal, a Permit Holder must pay the applicable Renewal Fee, meet the eligibility requirements required for new applicants listed in Section 1104, and may be required to sign a statement under penalty of perjury affirming eligibility for the permit; provided, however, that any holder of an Electric Vehicle Taxi Medallion that was approved prior to December 6, 2011 may renew the permit for use in a battery switch vehicle without paying a Renewal Fee.

(6) **Compliance with Laws and Regulations.** Every Permit Holder shall comply with, and shall ensure that their affiliated vehicles, employees, Permit Holders, lessees, Dispatch Service and Color Scheme shall comply with the provisions of this Article, the San Francisco Charter and Municipal Code, the California Vehicle Code, California Worker's Compensation laws, the Americans with Disabilities Act, and all regulations adopted by the Oakland and San Francisco International Airports, San Francisco Department of Public Health, and any other governmental jurisdictions through which the Permit Holders traverse.

(7) **Cooperation with Lawful Orders.** Every Permit Holder shall cooperate with and obey any lawful request or order of a Parking Control Officer, peace officer or the Director, including, but not limited to, providing upon request the Permit Holder's name, the permit number, official identification, and any documents required by this Article to be in the Permit Holder's possession. All Permit Holders shall respond to routine SFMTA or Police Department inquiries within 24 hours, and shall immediately respond to any SFMTA or Police Department emergency request.

(8) **Cooperation with Regulatory Agencies; False Statements.** Every Permit Holder shall at all times, fully cooperate with a Parking Control Officer, Peace Officer or the Director, or his or her designee, on all matters relating to regulatory compliance at all times, including but not limited to timely compliance with requests for the inspection of records. Permit Holders shall not hinder, delay the production of, or withhold information or records, or knowingly make false or misleading statements to a peace officer or to the SFMTA or withhold information on any matter relating to regulatory compliance. No Permit Holder shall make any false claim or false request for payment or approval to the SFMTA, its contractors or employees.

(9) Continuous Operation Requirement; Temporary Suspension; Revocation.

(A) With the exception of Non-Standard Vehicle Permit Holders and Medallion Holders who obtained their Medallion prior to June 6, 1978, all Permit Holders shall operate or arrange for the operation of their permit on each day of the year, or other dates or times during which the permit conditions require operation of the permit. Non-Standard Vehicle Permit operation shall be in accordance with the times and dates of required operation specified in the permit.

(B) Permit Holders may temporarily suspend permit operations only with the prior written approval of the SFMTA. SFMTA approval is not required in the case of bona fide emergencies, natural disasters or other similar major events beyond the control of the Permit Holder.

(C) Upon written request the SFMTA may grant permission to suspend a permit for good cause shown for a period not to exceed 90 days in a 12 month period. The SFMTA may, in its sole and absolute discretion, allow another Permit Holder to operate the permit during the period of temporary suspension if the other Permit Holder is qualified and such operation would be in the public interest. This subparagraph (C) does not suspend the application of the Full-Time Driving requirement.

(D) If a permit is not operated for a period of 15 calendar days in violation of applicable permit conditions, the SFMTA shall notify the Permit Holder that the permit will be revoked if operation of the permit is not resumed within five calendar days of the notice. If permit operation is not resumed within five days of the notice, as determined by the Permit Holder's substantial compliance with all permit conditions, then SFMTA may immediately revoke the permit.

(E) This subsection (9) does not require any Permit Holder to drive continuously.

(10) Gifts and Gratuities.

No Permit Holder or agent of a Permit Holder may accept or solicit gifts and/or gratuities or anything of

value from any Driver, other than Gate Fees, Lease Fees, payments for goods actually received, or other payments authorized by this Article. A Permit Holder or agent of a Permit Holder shall issue a receipt for any payment received from a Driver.

(11) **Lease of Taxi and Ramp Taxi Medallions.** Reserved.

(12) **Participation in Paratransit Program.** Each Color Scheme, Dispatch Service, Medallion Holder and Driver must participate in and shall at all times operate subject to and in compliance with the regulations of the SFMTA's Paratransit Program.

(13) **Shift Change at Color Scheme Required for Gas and Gates Vehicles; Unattended Vehicles.** All Permit Holders shall ensure that taxi vehicles operated pursuant to a Gas and Gates Medallion that they operate begin and end all shifts at the Color Scheme's place of business, except with the prior written approval of the SFMTA. When a vehicle is not being operated for hire, the Permit Holder shall either leave the vehicle at the Color Scheme's place of business or make a written request for SFMTA approval of an alternative location that is off the public street and sidewalk. No Taxi vehicle may be left unattended on a public street for more than four hours.

(14) **Current Address Required; Emergency Contact Notification.** All Permit Holders shall keep contact information current with the SFMTA. All Medallion Holders and Drivers shall keep contact information current with their Color Schemes. Every natural person who holds a permit from the SFMTA pursuant to this Article shall give written notice to the SFMTA within ten days of any change of residence address, and shall accept mail at the address provided to the SFMTA. Color Scheme and Dispatch Service changes of address are subject to the prior written approval of the SFMTA. No Permit Holder may use a post office box as a current address.

(15) **Service of Process.** All Permit Holders agree to accept service of process, official notices, and correspondence ("service of process") from the SFMTA as a condition of retaining a permit. Color Schemes must accept service of process from the SFMTA on behalf of any Permit Holder affiliated with that Color Scheme.

(16) **Payments Due.** No permit shall be issued or renewed until the applicant has paid all fines, fees, taxes, liens, judgments or other debts owing to the City.

(17) **Response Time Goals.** All Permit Holders shall make best efforts to comply with Response Time Goals at all times.

(18) **Operation by Driver Permit Holders.** No Permit Holder shall knowingly allow the use of a Taxi or Ramp Taxi vehicle as a motor vehicle for hire by any person who does not hold a Driver Permit and California driver's license.

(19) **Retaliation.** No Permit Holder shall retaliate against another individual or entity for the exercise of any right provided by this Article.

(b) **Electronic Taxi Access System.** By a date to be determined by the SFMTA, each Dispatch Service Permit Holder shall integrate its dispatch system with and implement the Electronic Taxi Access System, and shall electronically transfer all of its Electronic Trip Data to the Electronic Taxi Access System in real-time as required by this Section 1105(b).

(1) Each Color Scheme Permit Holder and Dispatch Service Permit Holder shall cooperate with the SFMTA and the Electronic Taxi Access System Provider to ensure integration is conducted in accordance with the security measures and timeline established by the SFMTA.

(2) Each Color Scheme Permit Holder and Dispatch Service Permit Holder shall install all equipment, including dispatch equipment and/or an OBD device, deemed necessary by the SFMTA, in its sole and absolute discretion, to implement the Electronic Taxi Access System and electronically transfer all Electronic Trip Data to the Electronic Taxi Access System.

(3) Each Color Scheme Permit Holder and Medallion Holder shall be required to install an OBD device prescribed by the SFMTA in each of its affiliated Taxis if the SFMTA or the Electronic Taxi Access System Provider determines that installation of the OBD is necessary to meet the equipment, data or security requirements of the Electronic Taxi Access System.

(4) Neither the Electronic Taxi Access System Provider nor the SFMTA shall be responsible for any equipment, or for the failure of any equipment, installed inside the Taxi for the Electronic Taxi Access System.

(5) Each Dispatch Service Permit Holder and Color Scheme Permit Holder shall promptly notify the SFMTA and the Electronic Taxi Access System Provider of any equipment, data and/or security failure that may limit or restrict the ability of the Electronic Taxi Access System to securely collect Electronic Trip Data in real time. The Dispatch Service Permit Holder and Color Scheme Permit Holder shall be responsible for taking corrective measures within 24 hours of any equipment, data, and/or security failure, and shall promptly inform the SFMTA and the Electronic Taxi Access System Provider of the corrective action. In no event shall the Electronic Taxi Access System Provider or the SFMTA be responsible for the equipment, data, and/or security failure.

(6) No Permit Holder may disconnect or disable any equipment or software that is required by the SFMTA for the Electronic Taxi Access System. The failure of any Permit Holder to cooperate with the SFMTA or the Electronic Taxi Access System Provider to implement the Electronic Taxi Access System shall be grounds for suspension of the permit until the Permit Holder complies with the requirements of this Section.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 10-056, 4/20/2010; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 13-033, Ad. 3/19/2013, Eff. 4/19/2013)

SEC. 1106. CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS.

In addition to all other conditions applicable to a Color Scheme Permit, each Color Scheme Permit Holder shall meet the following requirements and performance standards:

(a) **Rights of Color Scheme Permit Holder; Permit Required.** A Color Scheme Permit entitles the Permit Holder to operate a business that provides taxi service using vehicles painted with trade dress authorized by the permit and unique to that business. Any major change in trade dress colors of a Color Scheme Permit Holder shall require a permit application requesting the issuance of a new Color Scheme Permit. Minor

changes in trade dress may be approved by SFMTA without a new permit application. SFMTA shall determine, in its sole discretion, whether a requested change of trade dress is major or minor. No person shall operate a Color Scheme business without a valid permit from the SFMTA.

(b) **Color Scheme Trade Dress.** Upon request, the Color Scheme Permit Holder shall provide to SFMTA electronic, high-resolution copies of color photographs of the front, sides and rear of each make and model of Taxi and Ramp Taxi vehicle affiliated with the Color Scheme.

(c) **Use of Dispatch Service.** Each Color Scheme shall ensure that all Medallion Holders affiliated with that Color Scheme utilize the same Dispatch Service utilized by the Color Scheme. A Color Scheme must obtain the prior written approval of the SFMTA before changing Dispatch Services. A Color Scheme request for change of Dispatch Service shall be approved unless the Color Scheme or the Dispatch Service is on Administrative Probation.

(d) **Principal Place of Business.** All Color Schemes shall maintain a principal place of business within the City, which must be staffed by at least one person Monday through Friday from 9:00 A.M. to 5:00 P.M., excepting federal holidays. Every Color Scheme must have the capacity to receive deliveries during business hours and to send and receive documents and electronic correspondence at all times, and the street address, telephone number(s) and/or electronic address(es) for documents and correspondence must be provided to the SFMTA.

(e) **Change of Business Location.** A Color Scheme must obtain the prior written approval of the SFMTA before changing its principal place of business.

(f) **Telephone Access.** Every Color Scheme shall subscribe to a telephone service and publish the name of the business, the Color Scheme Permit number and the telephone number to which requests for service and inquiries about Found Property may be addressed in the Yellow Pages section of the San Francisco telephone directory. The published telephone number shall not be used for the conduct of any business enterprise other than the business of the Color Scheme. If a change occurs in the name of the company or telephone number under which taxi service is provided the Color Scheme shall promptly request to change the listing in the Yellow Pages section of the San Francisco telephone directory. During those times when the current listing in the Yellow Pages section of the San Francisco telephone directory is incorrect or when a new listing cannot be made until the next printed copy is published, the Color Scheme shall maintain a current listing, including the name of the company and telephone number, with the San Francisco directory assistance (411) and the City's 311 system.

(g) **Designated Manager.**

(1) All Color Schemes shall designate a natural person as a manager who shall serve as the central point of contact for all matters of regulatory compliance. This manager shall be an individual who has not had Motor Vehicle for Hire Permit issued by the SFMTA suspended or revoked in the past five years, except as otherwise approved in writing by the SFMTA. A Color Scheme may designate additional managers for specialized matters subject to the prior written approval of the SFMTA.

(2) The designated manager of a Color Scheme shall be the agent for service of process for the Color Scheme.

(3) Designation of a manager for purposes of this subsection 1106(g)(3) does not qualify the manager as Key Personnel for the Color Scheme.

(h) **Staffing Requirements.** Every Color Scheme shall employ some combination of qualified staff, contracted services and/or automated devices adequate to perform at least the following functions and provide the following capabilities:

(1) Receive inquiries about Found Property on a 24-hour basis.

(2) Receive and respond to communications and information requests from the SFMTA.

(3) Document and track all Found Property and turn it over to the Color Scheme's Dispatch Service for processing.

(4) Comply with all state laws regarding Found Property.

(i) **Workers' Compensation Requirements.** Color Scheme Permit Holders shall comply with all applicable state laws and regulations concerning Workers' Compensation.

(j) **Participation in Paratransit Program.** All Color Schemes must qualify for the Paratransit Program and must execute a contract with the Paratransit Broker defining the rights and obligations of the parties. Thereafter, each such Color Scheme shall operate at all times subject to the rules and regulations of the Paratransit Program, including any rules requiring the Color Scheme to maintain insurance in excess of the insurance requirements of this Article. Every contract entered into between a participating Color Scheme and a Driver or Medallion Holder affiliated with that Color Scheme shall require the Driver to operate at all times subject to the rules and regulations of the Paratransit Program.

(k) **Vehicle Maintenance and Cleaning.**

(1) Every Color Scheme shall provide Drivers free access to a facility that is adequate to thoroughly wash all affiliated vehicles and that is in compliance with all applicable laws and regulations, including but not limited to environmental and zoning requirements.

(2) When a Color Scheme receives notice of a problem with the equipment of a vehicle affiliated with that Color Scheme, the Color Scheme and the Medallion Holder are jointly and severally responsible for compliance with all of the following requirements:

(A) Ensuring that all equipment on the vehicle that is required by this Article or by the Paratransit Broker is working properly.

(B) Taking out of service and repairing any vehicle immediately if the failure of any equipment presents a safety issue, if communications equipment is not in working order, or if the Taximeter seal is broken, removed, destroyed, marred or otherwise tampered with.

(3) The Color Scheme with which a vehicle is affiliated and the Medallion Holder are jointly and severally responsible for complying with any written order issued by the San Francisco Department of Public Health that relates to a Motor Vehicle For Hire.

(4) When a Color Scheme receives notice from a Driver assigned to a Taxi or Ramp Taxi vehicle that any equipment in or on that vehicle is unsafe, the Color Scheme is required to promptly provide the Driver with another Taxi or Ramp Taxi vehicle that is in compliance with this Article.

(l) **Spare Vehicles.**

(1) A spare vehicle may operate with a Medallion borrowed from a Taxi or Ramp Taxi. Spare vehicles shall only be used to replace temporarily disabled Taxi or Ramp Taxi vehicles. During any time a spare vehicle is operating, the Taxi or Ramp Taxi it is replacing shall be available for inspection by the SFMTA.

(2) During any time a spare vehicle is in operation as a Motor Vehicle For Hire, the Taxi or Ramp Taxi it is replacing shall be available for inspection by the SFMTA.

(3) Color Schemes with which one or more Ramp Taxis are affiliated shall maintain at least one Ramp Taxi spare vehicle for every three spare non-Ramp Taxi vehicles. If three or fewer Ramp Taxi Medallions are affiliated with a Color Scheme, only one Ramp Taxi Medallion may be used in a spare Taxi vehicle at any time. For each additional three Ramp Taxi Medallions, or any fraction thereof, affiliated with a Color Scheme, an additional Ramp Taxi Medallion may be used in a spare Taxi.

(4) Each Color Scheme shall be issued a series of "spare numbers" at the ratio of one spare number for every five vehicles operating at that Color Scheme.

(5) All spare vehicles shall be kept at the Color Scheme's place of business or other location approved by SFMTA when not in actual use with a Medallion.

(6) Once a vehicle is designated as a spare, it may not be re-introduced to the fleet except by approval of the SFMTA. All spare vehicles must be owned by the Color Scheme and shall be registered and insured as required by all applicable law.

(7) Color Schemes may not lease a spare vehicle, whether on a per-shift, weekly, monthly, or other basis, unless such vehicle is using a Medallion which is not in use in any other vehicle. Any Color Scheme found to be violating this Section shall be deemed to be operating a vehicle without a permit. Each day of unauthorized operation under this Section shall be a separate offense.

(m) **Reduced Emissions by Color Scheme.** Beginning on June 1, 2011, each Color Scheme Permit Holder shall maintain average per vehicle greenhouse gas emissions at a level set by the Department of the Environment to achieve the goal of a 20% reduction in taxi fleet greenhouse gas emissions from 1990 levels by the year 2012. For the purpose of this requirement, Ramp Taxis shall not be included in calculation of the Color Scheme's average per vehicle greenhouse gas emissions.

(n) **Information Required to be Posted.** All Color Schemes shall post the following information at their place of business in a place where it is easily visible to Drivers and Color Scheme employees:

(1) **Certificate of Worker's Compensation.** A copy of a current and valid Certificate of Worker's Compensation Insurance and information about how to file a claim.

(2) **Gate Fees.** The current amounts charged for Gate Fees, including the amount charged for each available shift over the seven days of the week.

(3) **Information Provided by SFMTA.** The SFMTA may require a Color Scheme to distribute designated materials to each affiliated Driver, and may require the Color Scheme to obtain written acknowledgments of receipt from affiliated Drivers, within a time period specified by SFMTA.

(o) **Required Notifications.**

(1) By the fifth day of each month, each Color Scheme must file a report with the SFMTA listing each accident that occurred during the previous month involving any Taxi or Ramp Taxi affiliated with the Color Scheme and resulting in property damage or bodily injury.

(2) Color Schemes must notify the SFMTA in advance of any change in the name, address or telephone number under which taxi service is provided by the Color Scheme. A change of name or address require the prior approval of the SFMTA.

(3) Color Schemes have an affirmative obligation to report to the SFMTA any actual knowledge that a Driver is engaged in the sale, use, or possession of drugs or alcohol in a Taxi or Ramp Taxi vehicle.

(4) Color Schemes must notify the SFMTA when Found Property is returned to its owner.

(5) **Death of Driver or Medallion Holder.** Upon receiving notice of the death of a Driver or Medallion Holder affiliated with or employed by a Color Scheme, the Color Scheme must notify the SFMTA within 14 calendar days of receipt of the notice of the death. If the deceased was a Medallion Holder, then the Color Scheme must return the Medallion within 14 calendar days of notice to the SFMTA. The SFMTA, may, in its discretion, extend the deadline for return of the Medallion to the SFMTA if it determines that the Medallion could not be promptly re-issued to an applicant on the Waiting List, and that such an extension would be in the public interest. During any such period of extension, in lieu of making medallion lease payments to the former Medallion Holder, the Color Scheme shall pay to the SFMTA a monthly fee of \$1,900 beginning as of the 15th day following the notice of death and until such date as the SFMTA requires the return of the Medallion.

(p) **Color Scheme Obligations Related To Drivers.**

(1) Each Color Scheme shall ensure that every Driver starts and ends each shift at the Color Scheme's principal place of business, except with the prior written approval of the SFMTA.

(2) Each Color Scheme shall ensure that every affiliated Driver holds a valid A-Card.

(3) A Color Scheme shall not charge an applicant for a Driver Permit for the statement of affiliation required by Section 1103(c)(1)(F).

(4) A Color Scheme shall issue receipts for payments received from any Driver for fuel, Gate Fees, Lease Fees or other payments. A Color Scheme shall accept payment of Gate Fees by credit or debit card, and shall impose no charge or fee on Drivers who pay their Gate Fees by credit or debit card.

(5) **Medical Certification of Drivers.** Every Color Scheme shall ensure that all affiliated Drivers undergo any medical examination required by the SFMTA in accordance with SFMTA requirements.

(6) A Color Scheme shall offer cashing services, through a third-party merchant account holder that conforms to PCI DSS

standards, to any Driver for credit and debit card transactions collected by that Driver as payment of taxi fare while that Driver was driving a vehicle affiliated with that Color Scheme. A Color Scheme may charge a Driver a fee for the cashing service, which shall not exceed 3.5 percent of the total amount of the credit or debit card transactions presented to the Color Scheme. A Color Scheme must require its third-party merchant account holder to deposit the proceeds of the Driver's credit and debit card transactions, minus the fee of up to 3.5 percent, in an account of the Driver's choice within one business day. A Color Scheme may not require a Driver to use its merchant account holder, and may impose no charge for credit and debit cashing services in addition to the 3.5 percent fee on Drivers who choose to use the Color Scheme's third-party merchant account holder to cash credit and debit card payments.

(7) Each Color Scheme shall inform every Driver operating a Gas and Gates Medallion of the applicable state and federal laws governing maximum driving hours for the operators of a commercial passenger-carrying vehicles, and must inform every Driver of his or her obligation to comply with such laws.

(q) **Controlled Substance Testing Program; Controlled Substances.**

(1) Reserved: Controlled Substance Testing Program.

(2) A Color Scheme having actual knowledge that a Driver has tested positive for a controlled substance as defined in 40 Code of Federal Regulations Title 49 shall not permit the Driver to operate a Taxi or Ramp Taxi until such time as the Driver has tested negative.

(3) Color Schemes shall maintain drug- and alcohol-free workplaces.

(4) No Color Scheme having actual knowledge that a Driver has used and is currently under the influence of a intoxicating or controlled substance, as defined in 21 Code of Federal Regulations Section 1308.01 et seq., shall permit that Driver to operate or continue to operate a Taxi or Ramp Taxi.

(r) **Found Property.**

(1) Color Scheme Permit Holders shall take reasonable measures to attempt to return Found Property to its rightful owner in a timely fashion. If the owner cannot be found, the property shall be held for safekeeping for a period of not less than 120 days. A receipt shall be issued to the Driver for each item turned in.

(2) If the Found Property is currency, is of the value of \$100 or more, is either a serialized item or an electronic device or contains owners identification information, within 30 calendar days the Color Scheme Permit Holder or the designee shall transfer the property to the SFMTA.

(3) Color Scheme Permit Holders shall advise passengers claiming to have lost property of value in a taxicab, to make a lost property police report if their property has not been found. Color Schemes shall not inform customers to call 311 to report or recover Found Property.

(s) **Dissolution Plan.** Any Color Scheme that will be terminating its business operations as a Color Scheme and surrendering its permit shall file a dissolution plan with the SFMTA at least 30 days prior to the date that the Color Scheme anticipates that it will cease to respond to requests for taxi service. The dissolution plan shall include but not be limited to plans for the disposition of records and preservation of Waybills and Driver Rosters, Driver and Medallion Holder files and Leases, handling Found Property, notifying the public of the termination in service and contact information for future inquiries.

(t) **Insurance Requirements. (Reserved)**

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-104, 6/16/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-056, 4/20/2010; SFMTA Bd. Res. No. 10-103, 7/6/2010; SFMTA Bd. Res. No. 12-078, Ad. 6/5/2012, Eff. 7/6/2012; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

SEC. 1107. CONDITIONS APPLICABLE TO DISPATCH SERVICE PERMITS.

In addition to all other conditions applicable to a Dispatch Service Permit, each Dispatch Service Permit Holder shall comply with the following performance standards:

(a) Maintain and update an emergency plan that conforms to SFMTA requirements for Drivers and Dispatch Service employees to follow in emergencies, and file an updated emergency plan annually at the time of permit renewal.

(b) List a 24 hour telephone number and the names of the Color Scheme(s) for which they provide dispatch services in the Yellow Pages section of the telephone book.

(c) Promptly dispatch a Ramp Taxi in response to Ramp Taxi service request, and, within 20 minutes of receiving the Ramp Taxi service request, the Dispatch Service must:

(1) Contact the customer who requested a Ramp Taxi with the vehicle number of the Ramp Taxi assigned to handle the call, or to advise the customer that no Ramp Taxi has been dispatched; or

(2) If the call cannot be dispatched to a Ramp Taxi affiliated with a Color Scheme that uses that Dispatch Service within 20 minutes, call another Dispatch Service to handle the request, and then call the customer with the name and telephone number of the Color Scheme of the responding Ramp Taxi; or

(3) Advise the customer that no vehicle was dispatched.

(4) If there are no Ramp Taxis immediately available to respond to a customer's request, record the customer's name and phone number and the names of the other Dispatch Services contacted.

(d) Record all requests for taxi service, noting the date and time of the request for service, the service address, the vehicle number dispatched and the time that the Taxi or Ramp Taxi was dispatched to respond to the call.

(e) Maintain the capacity to broadcast and to receive transmissions from every Taxi or Ramp Taxi operating under their service.

(f) Answer all calls by human, mechanical or other device within six rings 365 days per year, 24 hours per day. At least one person shall be

available to respond to calls at all times.

- (g) Contact customers who have requested a return call if a vehicle has not been dispatched within 20 minutes of the call.
- (h) Upon customer request, call back customers with an approximate arrival time of the dispatched vehicle.
- (i) Assign each dispatcher, operator and/or call taker employed by the Dispatch Service a unique individual identifier.
- (j) Require all dispatchers, operators and/or call takers, to answer a call with the name of the Dispatch Service, and, upon request of the caller, to identify themselves with either their unique individual identifier or their true name.
- (k) If two or more Color Schemes share the same Dispatch Service, the Dispatch Service may not dispatch a vehicle from a Color Scheme other than the one requested by the caller to respond to the call until the Dispatch Service operator first advises the customer of the Color Scheme of the vehicle that will respond to the call.
- (l) **Dispatch Service Permits Transferable.** Dispatch Service Permits are transferable, subject to the approval of the SFMTA, which shall determine whether the proposed transferee meets the criteria set forth in this Article, and whether taxi service would be improved by the transfer of the Dispatch Service Permit. The Permit Holder shall give notice to the SFMTA of any intended transfer at least 30 days prior to any such transfer.
- (m) **Workers' Compensation Requirements.** All Dispatch Service Permit Holders shall comply with all applicable state laws and regulations concerning Workers' Compensation.

(n) **Found Property.**

- (1) Dispatch Service Permit Holders shall take reasonable measures to attempt to return Found Property to its rightful owner in a timely fashion. If the owner cannot be found, the property shall be held for safekeeping for a period of not less than 120 days. A receipt shall be issued to the Driver for each item turned in.
- (2) If the Found Property is currency, is of the value of \$100 or more, is either a serialized item or an electronic device or contains owners identification information, within 30 calendar days the Dispatch Service Permit Holder or a designee shall transfer the property to the Taxi Detail, make a Police Report, and obtain both Police Incident Report Number and a receipt of the items processed.
- (3) Dispatch Service Permit Holders shall advise passengers claiming to have lost property of value in a taxicab, to make a lost property police report if their property has not been found. Color Schemes shall not inform customers to call 311 to report or recover Found Property.
- (4) Dispatch Service Permit Holders shall notify SFMTA when an item of Found Property is returned to its owner.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009)

SEC. 1108. CONDITIONS APPLICABLE TO DRIVER PERMITS.

- (a) **Driver Identification.** Upon issuance of a Driver Permit, the SFMTA will issue to each Driver the following identification:
 - (1) **Driver Permit Card (A-Card).** Every Driver shall carry his or her A-Card at all times while operating a Motor Vehicle for Hire, and shall provide the A-Card for inspection upon request by the SFMTA or any peace officer.
 - (2) **Badge with the Permit Number.** Every Driver shall display a SFMTA-issued badge constantly and conspicuously displayed on the outside of the Driver's clothing and jacket at all times while operating or in possession of a Taxi or Ramp Taxi. The badge shall only be worn by the Driver to whom the badge is issued.
 - (3) **Color Scheme Identification Card.** A Driver's Color Scheme Identification Card, which must bear a photograph of the Driver, must be displayed conspicuously at all times in any Motor Vehicle for Hire that the Driver is operating in a manner that the badge number printed on the card is easily visible to any passenger in the vehicle.
- (b) **Controlled Substances.**
 - (1) No Driver may operate a Motor Vehicle for Hire while his or her driving ability is impaired by any controlled substance, including prescription drugs. No Driver may consume or be under the influence of any intoxicating substance while operating a Motor Vehicle for Hire.
 - (2) Drivers shall maintain a drug and alcohol-free workplace and shall not sell, use, or possess alcohol or controlled substances while operating a Motor Vehicle for Hire or at the Color Scheme's place of business.
- (c) **Notification to SFMTA of Change of Affiliation with Color Scheme.**
 - (1) All Drivers must notify the SFMTA at least three business days prior to the effective date of any change of affiliation with a Color Scheme. No Driver may affiliate with a Color Scheme that is on Administrative Probation pursuant to Section 1122.
 - (2) In accordance with California Government Code Section 53075.5(b)(1)(B), a Driver's Permit shall be suspended for any period during which the Driver is not affiliated with a Color Scheme.
- (d) **Driver Duties at Beginning of Shift.**
 - (1) A Driver is required to perform a safety check on a Motor Vehicle for Hire prior to placing it in operation. The Driver is responsible for ensuring that all equipment on the vehicle that is required by this Article is working properly, including but not limited to a Ramp Taxi ramp and securement system.
 - (2) A Driver is required to perform a communications test at the commencement of each shift to determine that there is functional communications equipment capable of both receiving and transmitting voice information. If communications equipment is not functional, that vehicle shall be taken out of service until such time as the communications equipment is functional.
 - (3) A Driver is responsible for ensuring that their vehicle is supplied with the following items:
 - (A) 311 card;

- (B) Current copy of book of regulations issued by SFMTA;
- (C) A supply of receipts, preprinted with the name of the affiliated Color Scheme; and
- (D) Current maps of San Francisco and San Mateo counties or a functional GPS device;
- (E) Working flashlight, if driving at night;
- (F) Working ballpoint pen and notebook;
- (G) SF Paratransit manual trip ticket forms;
- (H) Back-up credit card payment processing device and any supplies required for its operation.

(4) A Driver shall ensure that the vehicle is clean inside and out and free of offensive odors, wash the exterior of the vehicle and/or sweep the interior passenger compartment and trunk as needed, and remove any loose items from the vehicle's dashboard and/or rear shelf.

(e) Driver Duties During Shift.

(1) A Driver shall not refuse, or direct or permit the refusal, of prospective passengers in any place within the City for transportation to any other place in the City, or to or from the San Francisco International Airport, or to the Oakland International Airport, or paratransit passengers within the Paratransit Program service area, at rates authorized by law, if the prospective passengers present themselves for transportation in a clean, coherent, safe and orderly manner and for a lawful purpose and the Driver has sufficient time before the end of his or her shift.

(2) A Driver shall not refuse to transport a passenger's luggage, wheelchair or other mobility device, crutches or other property that can be transported within the confines of the vehicle's trunk and/or passenger areas. A Driver may refuse to convey a passenger who requests taxi service for the primary purpose of transporting goods or cargo if in the Driver's judgment the amount of goods to be carried could result in unsafe driving or damage to the vehicle.

(3) No Driver may refuse to transport a person with a physical disability in the front seat to accommodate the person's physical disability.

(4) A Driver shall not refuse to transport any service animal, or a secured, well-behaved and/or contained animal except when the Driver has documentation from a licensed physician of a medical condition that prevents contact with that type of animal on file with the SFMTA.

(5) A Driver shall, if requested, take reasonable measures to assist a passenger as necessary to get into and out of the vehicle, or to load or unload luggage, only to the extent that such assistance is within the physical capacity of the Driver. The Driver shall record the request for assistance and results. If the Driver feels that his or her personal health or safety is at risk or is otherwise unable to assist the passenger, the Driver shall request appropriate assistance capable of handling the request from the Dispatch Service. If the passenger(s) has such a large amount of baggage, luggage, packages and/or equipment to be loaded or unloaded that the Driver's departure is delayed, or when it is necessary to wait for dispatched assistance to arrive, the Driver shall inform the passenger(s) of his or her intention to activate the Taximeter.

(6) Every Driver shall, if requested, assist a person with physical disabilities or an elderly person to get into and out of the vehicle and ensure the passenger is properly secured in the vehicle prior to transport. If a Driver is unable to properly assist and/or secure the passenger, the Driver shall notify the Dispatch Service and request another Driver's assistance or other appropriate service capable of handling the request. The Driver shall record the request and results. The Driver shall remain with the passenger until assistance from another Driver or appropriate service has arrived.

(7) Every Driver must accept dispatch assignments when available from their Dispatch Service. Drivers must immediately notify their Dispatch Service if they are unable to service an accepted call.

(8) A passenger who first engages a Motor Vehicle for Hire has the exclusive right to conveyance therein to his or her destination. The Driver shall not solicit or accept any additional passenger without the prior consent of any passenger who has previously engaged the vehicle, or as authorized by SFMTA.

(9) Except as prohibited by the rules of the Paratransit Program, a Driver may transport two or more passengers who voluntarily agree to split the fare between them. The passengers may by mutual agreement split the fare according to any formula; provided, however, that regardless of any mutual agreement of the passengers, the Driver shall not collect payments that, when combined, exceed the fare shown on the Taximeter at the time that the last passenger reaches their destination.

(10) Drivers shall comply with any passenger request to turn down, turn off or change the channel of any audible device that is not required for safe operation of the vehicle or communication with a Color Scheme, Dispatch Service, law enforcement agency, health care provider, or other emergency service agency. A Driver is not required to comply with a passenger request for any particular audio selection or other passenger listening preferences.

(11) Except for emergencies, including but not limited to an emergency call to a Dispatch Service, a law enforcement agency, health care provider, or other emergency service agency, Drivers shall immediately comply with any passenger request to terminate mobile telephone conversations.

(12) Drivers may only use personal telephones in the vehicle in accordance with all applicable laws. While a passenger is in the vehicle, Drivers' personal conversations must be limited in number and short in duration, and at no time shall a Driver allow a personal communication to interfere with the Driver's full attention to the operation of the vehicle.

(13) During a shift a Driver may not monitor or listen to any Dispatch Service other than the Dispatch Service that provides service to the Color Scheme with which the vehicle is affiliated.

(14) A Driver shall not operate a Motor Vehicle for Hire in a reckless or dangerous manner.

(15) Ramp Taxi Service.

(A) Every Ramp Taxi Driver must log on the In-Taxi Equipment at the beginning of the shift.

(B) Every Ramp Taxi Driver shall meet an average response time to any request for service by a customer using a wheelchair of 20 minutes from the time that the Driver accepts the call.

(C) A Ramp Taxi Driver shall grant priority to requests for service from passengers who use wheelchairs, and once dispatched to a call from a customer using a wheelchair may not accept any other fare while en route to that dispatched call, except as otherwise instructed by the dispatcher. In the absence of a request for service to a passenger who uses a wheelchair, a Ramp Taxi Driver may transport any person.

(16) Drivers shall only receive a tip when expressly and voluntarily offered by the person paying the fare. Drivers may not demand, request, imply, assume or otherwise suggest that the Driver should receive any amount in excess of the authorized fare. A Driver may, without demanding or assuming that the passenger will pay a tip, ask the passenger whether they would like to tip the Driver when the tip is only capable of being added to a payment only by action of the Driver.

(17) The Driver must keep any audio communication device required by this Article at an audible volume, or any visual communication device visible to the Driver at all times during the shift.

(18) Drivers shall, at the beginning of a trip, inform any passenger whose destination is more than 15 miles from City limits, or if the passenger is picked up at the San Francisco International Airport, whose announced destination is more than 15 miles from the San Francisco International Airport and is not within the City limits, that the fare to be charged will be 150% of the amount registered on the Taximeter in accordance with Section 1122(b)(2).

(19) Drivers shall carry sufficient cash to be able to provide change for 20 dollars.

(20) Drivers shall, at the beginning of a trip, inform passenger(s) whose destination requires the crossing of a toll bridge, the amount of the toll charged and that the toll charge is to be paid by the passenger(s) regardless of the direction in which the toll is collected.

(21) Drivers may charge a passenger less than the fare shown on the Taximeter at the end of a trip.

(22) Drivers shall give a fare receipt upon request of the person paying the fare. Drivers shall complete fare receipts legibly with the Driver's badge number, the Vehicle Number, the Medallion number, and the amount of the fare.

(23) Drivers shall make a visual check of the interior of the vehicle at the conclusion of each trip to determine if any property has been left behind. If any of the passenger's property was loaded in the trunk, the Driver shall check the trunk area at the end of the trip to ensure that no property was left behind.

(24) Upon discovery, a Driver shall report Found Property to the Dispatch Service immediately, and shall take reasonable measures to attempt to return Found Property in the vehicle to the rightful owner during the shift in which it was discovered. If it is not possible to return the Found Property before the end of the shift, the Driver shall leave it with the Color Scheme or Dispatch Service at the end of the shift. Drivers shall record a description of the Found Property on a form provided by the Color Scheme or Dispatch Service, stating whom they have contacted about the Found Property, and whether it was returned to the owner during the shift in which it was discovered, and if not, where and with whom it was left.

(25) If during the course of the work shift, any equipment failure makes the continued operation of the Taxi or Ramp Taxi unsafe, including but not limited to a Ramp Taxi without the required number of functional tie-down securements and lap/shoulder seat belts, then the Driver shall immediately return to vehicle to the Color Scheme to be taken out of service.

(26) The Driver shall not place or allow to be placed any loose items on the dashboard or rear shelf of the vehicle.

(27) The Driver shall keep the vehicle trunk and/or baggage area clean, free of items or materials that could damage or stain passengers' baggage, and free of any container containing flammable liquids.

(28) No Driver shall leave a vehicle unattended on a public street for more than 4 hours.

(29) No Driver shall threaten, harass, or abuse another person, nor may a Driver speak in an obscene, threatening or abusive manner.

(30) Drivers shall not use or attempt to use any physical force against any person except proportional, reasonable force necessary for self-defense or defense of another.

(31) Drivers shall be clean in dress and person.

(32) Any Driver who is pulled over by a Peace Officer while the Taximeter is in operation must turn off the Taximeter from the time the vehicle is pulled over until the time that the Peace Officer authorizes the vehicle to depart.

(33) No Driver shall burn any substance in the vehicle at any time, or drink or eat while a passenger is in the vehicle.

(34) Resolution of Fare Disputes. In any case of fare dispute between the Driver and passenger(s), the Driver shall call the Police or, with the consent of the passenger, convey the passenger(s) to the nearest police station, where the officer in charge shall immediately decide the case, and if the decision is in favor of the passenger, the Driver shall convey the passenger from the Police Station to his or her original destination without additional charge.

(35) A Driver shall not demand any other form of payment from a Paratransit Debit Card holder who offers the Driver a valid Paratransit Debit Card that contains an adequate balance to pay for the requested trip that is authorized by the Paratransit Program.

(36) A Driver shall not refuse a Paratransit Debit Card on the ground that the In-Taxi Equipment is not functional, but shall offer the customer the option of paying using manual back-up paratransit forms.

(37) A Driver shall not add a tip to a fare charged to a Paratransit Debit Card without authorization from the passenger.

(38) A Driver shall not disconnect or otherwise tamper with any equipment that is required by this Article.

(f) Duties at End of Shift.

(1) Until April 30, 2013, or earlier pursuant to notice from the SFMTA that the Color Scheme for which he or she drives is affiliated

with a Dispatch Service that has implemented a system for generating Electronic Trip Data, Drivers shall turn in all completed paper waybills to the Color Scheme at the conclusion of each shift.

(2) The Driver shall remove any litter, personal items, and any other loose items that do not belong with the vehicle.

(3) Drivers shall turn any unreturned or unclaimed Found Property in the Driver's possession at the end of a shift to the Color Scheme's or Dispatch Services' place of business, and shall obtain a receipt for the item regardless of value.

(g) **Controlled Substance Testing Program.** Reserved.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-104, 6/16/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-078, Ad. 6/5/2012, Eff. 7/6/2012; SFMTA Bd. Res. No. 12-079, Ad. 6/5/2012, Eff. 7/6/2012; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 12-148, Ad. 11/20/2012, Eff. 12/21/2012; SFMTA Bd. Res. No. 13-033, Ad. 3/19/2013, Eff. 4/19/2013)

SEC. 1109. CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI MEDALLIONS.

(a) **Affiliation With Color Scheme Required; Color Scheme Change.**

(1) A Medallion Holder must affiliate with a single Color Scheme Permit Holder. A Medallion Holder shall be deemed affiliated with a particular Color Scheme when the SFMTA approves his or her application pursuant to this Article, and shall entitle the Medallion Holder to the right to the use of that Color Scheme's trade dress and place of business.

(2) Affiliation with a Color Scheme and/or the failure of a Color Scheme to comply with this Article does not relieve the Medallion Holder of his or her responsibility to comply with all requirements of this Article applicable to the Medallion Holder.

(3) A Medallion Holder may apply to the SFMTA for a change in affiliation. The applicant's choice of Color Scheme shall be subject to the prior approval of the SFMTA. A Medallion Holder's request for affiliation with a Color Scheme shall be approved unless the Color Scheme is on Administrative Probation pursuant to Section 1120(d). The SFMTA may delay or deny a change in Color Scheme affiliation by a Medallion Holder if a court of competent jurisdiction issues a temporary or permanent order to prohibit or delay the transfer.

(4) A Medallion Holder who purchases his or her Medallion in accordance with Section 1116 must affiliate with a Participating Color Scheme.

(b) **Use of Dispatch Service.** All Medallion Holders affiliated with a Color Scheme must utilize the same Dispatch Service.

(c) **Full-Time Driving Requirement.**

(1) Every Medallion Holder who acquired his or her Medallion after June 6, 1978 shall be a Full-Time Driver.

(2) **Exception for Certain Permits.** Notwithstanding any contrary provision in this Article, the requirements set forth in this Subsection 1109(c) shall not apply to any person holding a Medallion issued on or before June 6, 1978.

(3) **Declaration Required.** No permit to operate a Taxi or Ramp Taxi shall be granted unless the Medallion Holder shall declare under penalty of perjury that he or she will actively and personally continue to engage in Full-Time Driving.

(4) **Qualifying Vehicle.** All Medallion Holders must drive the Taxi or Ramp Taxi associated with their Medallion when complying with Subsection 1109(c) unless that vehicle is unavailable.

(5) **Medallion Holders Responsible for Documenting Compliance.** A Medallion Holder has the responsibility to maintain his or her own business records, including, until April 30, 2013, or earlier pursuant to notice from the SFMTA that the Color Scheme for which he or she drives is affiliated with a Dispatch Service that has implemented a system for generating Electronic Trip Data, paper waybills. Paper waybills, Electronic Trip Data, or other corroborating documentary evidence completed in compliance with all requirements may be used to demonstrate compliance with the Full-Time Driving requirement. Failure of a Color Scheme to maintain business records, including paper waybills or Electronic Trip Data, as required by this Article shall not excuse a Medallion Holder from proving that he or she has satisfied this Subsection 1109(c) or any other requirement.

(6) **Partial Years.** During the year that a Medallion is first issued or any year in which operation of the Medallion was temporarily suspended with the approval of the SFMTA in accordance with Section 1105(9)¹, the number of driving hours required to meet the Full-Time Driving Requirement shall be reduced by the same proportion as the ratio of the Permit Holder's excused driving hours to the hours remaining in the calendar year.

(7) **Exception for Color Scheme Key Personnel.**

(A) **Alternative Driving Requirement.** Medallion Holders who are designated as "Key Personnel" by a Color Scheme may satisfy the Full-Time Driving requirement by driving 120 hours per year and performing 1,500 hours of work per year as Key Personnel for the Color Scheme.

(B) **Written Designation of Key Personnel.** Each Color Scheme seeking to designate one or more of its employees for a calendar year pursuant to this Subsection 1109(c)(7) must file a written designation by December 1st of the preceding year. A Permit Holder may not be designated as Key Personnel by more than one Color Scheme during a calendar year. The SFMTA will only recognize as Key Personnel only those Medallion Holders named in a completed designation form filed by the Color Scheme as of December 1st.

(C) **Number of Key Personnel Designated at a Color Scheme.** Each Color Scheme will be entitled to designate Key Personnel in accordance with the number of Medallions affiliated with that Color Scheme. The number of Medallions affiliated with a particular Color Scheme for a calendar year shall be determined as of December 1st of the previous year, based on the records of the SFMTA. Only individuals already holding a Medallion by December 1 of that year may be considered for Key Personnel designation. The number of designated Key Personnel at a Color Scheme may not be increased or decreased during the subsequent calendar year even if the number of Medallions affiliated with that Color Scheme changes during the year.

A Color Scheme with 1 to 10 Medallions may not designate anyone as Key Personnel.

A Color Scheme with 11 to 20 Medallions may designate one person.

A Color Scheme with 21 to 40 Medallions may designate two people.

A Color Scheme with 41 to 60 Medallions may designate three people.

A Color Scheme with 61 to 80 Medallions may designate four people.

A Color Scheme with 81 to 100 Medallions may designate five people.

A Color Scheme with 101 to 150 Medallions may designate six people.

A Color Scheme with 151 to 200 Medallions may designate seven people.

A Color Scheme with 201 to 300 Medallions may designate eight people.

A Color Scheme with 301 to 400 Medallions may designate nine people.

A Color Scheme with over 400 Medallions may designate nine people, plus one additional person for every 100 Medallions over 400.

(D) **Statement of Work by Key Personnel.** No later than February 1st of each year, each Color Scheme that has designated one or more employees as Key Personnel must submit a written Statement of Work on a form provided by SFMTA, demonstrating the number of hours during the previous calendar year that each of its designated Key Personnel worked on tasks related to the business of the Color Scheme, including but not limited to, office duties, dispatching, cashiering, or performing management duties. The Statement of Work shall be signed under penalty of perjury by both the Color Scheme and the Medallion Holder designated as Key Personnel. The Color Scheme shall be responsible for submitting proof of employment with the Statement of Work, which shall consist of state or federal tax forms filed with the appropriate regulatory agency. A Medallion Holder and/or Color Scheme that submit a falsely sworn Statement of Work shall be subject to automatic revocation of his or her Permit.

(E) **Partial Completion of Requirements.** If a Medallion Holder performs at least 750 hours of work as designated Key Personnel for the a Color Scheme during the year but less than 1,500 hours, the Permit Holder shall be entitled to partial credit against the Full-Time Driving requirement on a pro rata basis. The credit shall correspond to the percentage of 1,500 hours that the designated Permit Holder worked for the company in such capacity. If a Permit Holder does not perform at least 750 hours of work as designated personnel for the Color Scheme during the year, the Permit Holder shall not be entitled to any credit against the Full-Time Driving requirement.

(F) **Ramped Taxi Permit Holders Ineligible.** Ramped Taxi Permit Holders are not eligible to be designated as Key Personnel.

(d) **Corporate Medallion Holders.**

(1) **Permits Void in Event of Transfer or Sale of Permit Holder.** Any Medallion held by a Permit Holder that is not a natural person shall be deemed null and void and revoked if any of the following circumstances has occurred since the issuance of the Medallion:

(A) If the Medallion Holder is or was sold or transferred at any time after June 6, 1978. For the purposes of this Section, a sale or transfer occurs upon a cumulative sale or transfer of either 10 percent or more of the stock or other ownership of the Medallion Holder, or 10 percent of the Permit Holder's assets since June 6, 1978, unless such sale or transfer has the prior written approval of the SFMTA.

(B) If the management or control of the Permit Holder is or has been transferred for consideration since the issuance of the permit;

(C) If the Medallion Holder's rights to receive income derived from the lease of a permit is assigned, transferred or sold.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-104, 6/16/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-029, 2/26/2010; SFMTA Bd. Res. No. 10-039, 3/30/2010; SFMTA Bd. Res. No. 10-055, 4/20/2010; SFMTA Bd. Res. No. 10-066, 5/4/2010; SFMTA Bd. Res. No. 10-103, 7/6/2010; SFMTA Bd. Res. No. 10-116, 8/3/2010; SFMTA Bd. Res. No. 10-149, 11/16/2010; SFMTA Bd. Res. No. 11-017, 2/1/2011; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-079, Ad. 6/5/2012, Eff. 7/6/2012; SFMTA Bd. Res. No. 12-148, Ad. 11/20/2012, Eff. 12/21/2012; SFMTA Bd. Res. No. 13-024, Ad. 2/19/2013, Eff. 3/22/2013; SFMTA Bd. Res. No. 13-033, Ad. 3/19/2013, Eff. 4/19/2013)

CODIFICATION NOTE

1. So in Res. No. 12-148 and previously.

SEC. 1110. CONDITIONS APPLICABLE TO RAMP TAXI MEDALLIONS.

In addition to the conditions specified in Section 1105, the following conditions are applicable to Ramp Taxi Medallion Holders:

(a) **Serving Passengers Who Use Wheelchairs.**

(1) Ramp Taxi Medallion Holders shall grant priority to requests for service from passengers who use wheelchairs, and may not accept any other service request while en route to a dispatched call from a person who uses a wheelchair. In the absence of a request for service to a passenger who uses a wheelchair, a Ramp Taxi may transport any person.

(2) A Ramp Taxi Medallion Holder must ensure that any person who is allowed to drive the Ramp Taxi holds a valid Driver Permit and satisfies the training requirement of Section 1104(d)(3).

(3) Every Ramp Taxi Medallion Holder, and every Color Scheme that operates a Ramp Taxi Medallion pursuant to a use agreement with the SFMTA, must ensure that the operation of the Ramp Taxi makes at least eight wheelchair pick-ups per month, at least six of which must be customers of the Paratransit Program as established by reports of usage of San Francisco Paratransit Debit Cards. If a Ramp Taxi Medallion Holder fails to meet this requirement three times within a six-month period, the Ramp Taxi Medallion shall be suspended for a period of 90 days, and the Lease payment from the Color Scheme shall be paid into the Drivers Fund during the term of the suspension. If a Color Scheme that operates a Ramp Taxi Medallion pursuant to a use agreement with the SFMTA fails to meet the wheelchair pick-up requirement three times within a six-month period, or fails to comply with any material term of the Ramp Taxi medallion use agreement, the SFMTA may reassign the Ramp Taxi Medallion to another Color Scheme.

(b) **Approval of Use of Ramp Taxi Medallion in Spare Taxi Vehicle.** Notwithstanding any other provisions of law or of this Article, the SFMTA may allow a Ramp Taxi Medallion to be used for the purpose of operating a Taxi upon written request from a Color Scheme. The SFMTA

may only approve such request if all of the following requirements are met:

- (1) The Taxi must be a spare vehicle approved by the SFMTA;
- (2) The Taxi must meet all requirements for operation;
- (3) The Ramp Taxi Medallion cannot be used in the Medallion Holder's Ramp Taxi because that vehicle is out of service or must be replaced;
- (4) The Ramp Taxi Medallion cannot be used in a spare Ramp Taxi because none are available at the Color Scheme with which the Ramp Taxi Medallion is affiliated;

(c) **Time Limits on Use of Ramp Taxi Medallion in Spare Taxi.** A Ramp Taxi Medallion may be used in a spare Taxi for the lesser of the time that it would take to repair the Ramp Taxi or 30 consecutive days. Upon a showing of good cause, the SFMTA may extend the time limit beyond 30 days in increments of no greater than 15 consecutive days. In no event shall the total time in which a Ramp Taxi Medallion is used in a spare Taxi exceed 90 days within a 12 month period. The authorization to use the Ramp Taxi Medallion in a spare Taxi shall expire by operation of law on the day that the applicable time limit has been reached, or upon completion of repair or replacement of the Ramp Taxi, whichever occurs first.

(d) If a Gas and Gates Ramp Taxi Medallion is returned to the SFMTA for any reason, the SFMTA shall allow the Color Scheme with which the Ramp Taxi Medallion is affiliated to operate the Ramp Taxi Medallion as a Gas and Gates Medallion for the remaining life of the Ramp Taxi vehicle, but only if the SFMTA determines, in its sole and absolute discretion, that the Color Scheme has a record of satisfactory service to passengers who use wheelchairs. If the SFMTA determines that the Color Scheme with which the vehicle is affiliated has not provided satisfactory service to passengers who use wheelchairs, if the returned Ramp Taxi was not operated as a Gas and Gates Medallion, or upon expiration of the Ramp Taxi vehicle's useful life, the SFMTA may allow a Color Scheme of its choosing to operate the Ramp Taxi Medallion upon a determination that the Color Scheme has a record of exemplary service to passengers who use wheelchairs. A Color Scheme may operate a Ramp Taxi Medallion only pursuant to a use agreement with the SFMTA that requires the Color Scheme to make a monthly payment of \$1500 to the SFMTA. The SFMTA shall deposit \$100 of any such monthly payment into the Driver Fund.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 13-024, Ad. 2/19/2013, Eff. 3/22/2013)

SEC. 1111. REPEALED.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; repealed by SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012)

SEC. 1112. REPEALED.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; repealed by SFMTA Bd. Res. No. 09-077, 5/19/2009)

SEC. 1113. TAXI AND RAMP TAXI EQUIPMENT REQUIREMENTS.

(a) Vehicle Operation.

(1) **Safe Operating Condition.** All Taxis and Ramp Taxis must be maintained in a safe operating condition. Except as otherwise specified herein, all Taxi and Ramp Taxi Medallion Holders and Color Schemes are jointly and severally responsible for ensuring that all Taxis and Ramp Taxis for which they hold permits or with which they are affiliated meet all equipment requirements listed in this Section. In addition to imposing any applicable penalty for non-compliance with equipment requirements, The SFMTA may remove any vehicle from service for any violation of this Section until the violation is corrected and the vehicle is inspected and approved by the SFMTA.

(b) **Equipment Placement.** The placement of any equipment or information required by this Section 1113 shall not interfere with the Driver's visibility or the operation of any O.E.M. equipment.

(c) **Exterior Display of Identifying Information.** Every Taxi or Ramp Taxi shall have the following information displayed on the exterior of the vehicle:

(1) Vehicle Number.

(A) The Vehicle Number in numerals of a color that contrasts with the color of the rest of the vehicle, at least four inches high and positioned directly under the windows on or within six inches of the forward-most portion of both front doors, and on the rear facing portion of the trunk lid of the vehicle.

(B) The Vehicle Number on the roof, hood or trunk of the vehicle in numbers at least 18 inches in length of a color that contrasts with the color of the rest of the vehicle. If the numbers are displayed on the roof, they shall be mounted and centered directly behind the top light.

(2) **San Francisco Taxicab.** The words "San Francisco Taxicab" with letters at least two inches high, in a color which contrasts with the color of the rest of the vehicle on both sides of the vehicle's rear quarter panels and to the trunk directly above the rear bumper.

(3) **Inspection Certificate.** A current and valid decal indicating satisfactory completion of vehicle inspection.

(4) **Trade Name.** The name of the Color Scheme with which the vehicle's Medallion is affiliated in letters at least two inches in height on the exterior of the side doors of each side of the vehicle.

(5) **Trade Dress.** The exterior of every Taxi and Ramp Taxi shall be well painted with the color(s) of the Color Scheme with which it is affiliated.

(6) **Medallion.** During all hours of operation of a Motor Vehicle for Hire the Medallion shall be placed in the front windshield in such a manner that the Medallion number shall be clearly visible from the exterior of the vehicle.

(7) **Security Camera Notice.** A notice meeting all requirements of applicable law notifying passengers of the presence of a security camera in the vehicle.

(8) **Telephone Number for Dispatch.** A telephone number enabling the public to reach the dispatch service with which the vehicle is

affiliated.

(9) **Tobacco Advertising Ban.**

(A) Color Schemes and Medallion Holders are prohibited from placing or maintaining, or causing or allowing to be placed or maintained, any advertising or promotion of cigarettes or tobacco products on any Taxi or Ramp Taxi.

(B) For the purposes of this subsection, "tobacco product" shall mean any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipes, tobacco, snuff, chewing tobacco and dipping tobacco. For the purposes of this Section, "promote" or "promotion" shall include a display of any logo, brand name, character, graphics, colors, scenes, or designs that are trademarks of a particular brand of tobacco product.

(d) **Interior Display of Information.** Every Taxi or Ramp Taxi shall have the following items in the interior of the vehicle in a place clearly visible to passengers and in a format approved by the SFMTA:

(1) **Rate Information.** Information regarding the rates and fees that a Driver is authorized to charge a passenger.

(2) **311 Information.** Information about using the 311 system for complaints and lost property, including the Vehicle Number and the name of the Color Scheme.

(3) By a date to be determined by the SFMTA, every Taxi shall be equipped with an operational rear-seat passenger information monitor (PIM) that is connected to the Taximeter. The PIM must meet any functional requirements and standards established, in writing, by the Director of Transportation. Not less than six months before the date by which the equipment must be installed, the Director of Transportation shall provide all Color Scheme Permit Holders with notice of the installation deadline, and notice of any functional requirements and standards.

(A) Any back seat PIM that is connected to the Taximeter shall:

(i) Display, at a minimum, the information required in this subsection (d), in addition to any further display specifications established, in writing, by the Director of Transportation;

(ii) Be accessible to individuals with visual impairments and compliant with standards that shall be developed by the SFMTA to ensure that the Color Schemes' interface to the visually impaired is uniform; and

(iii) Provide the Driver and the passenger the ability to completely mute the sound and dim or turn off the display by means of clearly perceptible instructions.

(B) Any PIM that is not connected to the Taximeter shall allow a passenger with visual impairments to hear the total to be charged to a payment card, and to swipe his or her own card and select his or her own tip amount from the back seat of the taxicab by means of audio cues.

(4) **Driver Identification.** A holder for a Color Scheme Identification Card.

(e) **Communication Equipment.** Every Taxi and Ramp Taxi shall be equipped with direct voice access and two-way communication with a Dispatch Service affiliated with the Taxi or Ramp Taxi.

(f) **Taximeters.**

(1) **Seal Required.** The Taximeter installed in any Taxi and Ramp Taxi must have a current and valid seal from the Department of Public Health Weights and Measures. Any Taximeter removed from a Taxi or Ramp Taxi with or without its seals intact and placed in the same or another Taxi or Ramp Taxi must be certified and resealed by the Weights and Measures. Any Taxi or Ramp Taxi found to have Taximeter seals that are broken, removed, destroyed, marred or otherwise tampered with will be taken out of service until correctly repaired.

(2) **Installation.** All Taximeter makes and models must meet the approval of the SFMTA prior to their installation and must meet all requirements of the Paratransit Program. The Taximeter shall be mounted in an area that is clearly visible at all times by any passenger in the vehicle.

(g) **Safety Partition.** Safety partitions of a design that is approved by the SFMTA may be installed in Taxi and/or Ramp Taxi vehicles at the option of the Color Scheme.

(h) **Emergency Equipment.** All Taxis and Ramp Taxis shall have at all times a functional spare tire, a working jack and wrench to replace a flat tire, and two 2 flares or 2 two freestanding reflectors.

(i) **Signage, Advertising and Displays.** Advertising or other displays on the exterior or interior of a taxi:

(1) May not impede the Driver's vision in any way.

(2) May not cover any vehicle identifiers required by law or regulation.

(3) May not cover any portion of the license plate of the vehicle.

(4) May not interfere with vehicle operation, including but not limited to the tire inflation valve or any wheel balancing dynamics. Defects in any portion of the wheel must be remedied before any advertisement or other display is affixed to the wheel.

(5) May not interfere with any safety features of the vehicle or present a safety hazard to passengers.

(6) Vehicle wrap advertising, whether partial or full, is not allowed on a Taxi or Ramp Taxi vehicle.

(j) **Lights.**

(1) **Standard Lights.** All Taxi and Ramp Taxi vehicles shall be equipped with exterior lights as required by the Vehicle Code, an inside dome light, and dashboard lights. All O.E.M. lights must be maintained in working condition as designed, and all lenses of such lights are to be reasonably intact. No O.E.M. light may be obstructed or disconnected during operation. Any additional modifications of O.E.M. lights or installation of additional lights requires prior approval by the SFMTA.

(2) **Top Lights.**

(A) All Taxis and Ramp Taxis must be equipped with a working top light containing a light or lights permanently attached to the roof of the vehicle, which may either have the name of the Color Scheme printed on it, or the words "Taxicab" or "taxi".

(B) Each Driver shall ensure that such top light is illuminated at all times except when the vehicle is engaged in the transportation of a passenger. The top light shall turn on while the Taximeter is in the non-recording position and shall turn off while the Taximeter is in the recording position.

(k) **Standard Equipment.** All Taxis and Ramp Taxi vehicles shall have all equipment required by the Vehicle Code maintained in good working order such that the equipment functions effectively for the purpose for which it was intended. All Taxi and Ramp Taxi vehicles shall also be equipped with:

- (1) Automatic door locks that can be controlled by the Driver and the passenger.
- (2) Available and easily visible seat belts in all seating positions where passengers may ride.
- (3) Speedometer and odometer.
- (4) Heater and air conditioner.
- (5) Door hinges, locks and latches.
- (6) Doors that operate easily and open and close securely from either the outside or inside of the vehicle.
- (7) Bumpers and body moldings in good condition and securely attached as the manufacturer intended.
- (8) Shock absorbers and springs.
- (9) Suspension.
- (10) Steering.

(11) A holder for the Medallion placed in such a position that the Medallion is clearly visible from the front exterior of the vehicle and that is either attached to the dashboard or to the left side of the right front support beam, on the interior of the vehicle.

(12) In-Taxi Equipment.

(13) Wheels with all lug nuts in place and secured, of matching design, and with matching hubcaps attached. Hubcaps must be of either the original manufacturer's design or of a design authorized by the SFMTA, unless wheels are of a custom design that does not use hubcaps.

(14) Tires in safe operating condition and of matching design (i.e., all whitewalls or all black walls), without tire repair plugs or cuts in the sidewall, separated treads, bumps, bubbles, or anything protruding from the tire; and with a minimum remaining tread of at least 1/32 of an inch. Any Taxi or Ramp Taxi that violates this requirement will be placed immediately out of service.

(15) Only O.E.M. size tires of the same size used at the time of the Taximeter inspection may be used on any vehicle, including spare vehicles.

(l) **Windows.** All windows and the windshields of Taxis and Ramp Taxis shall be kept clean and clear, both the outside and inside. No additional tinting or reflective material may be placed on any vehicle window except factory installed tinting. Only safety glass with the lowest factory installed tint may be used.

(m) **Security Cameras.**

- (1) All Taxis and Ramp Taxis shall be equipped with an operational security camera manufactured after December 31, 2006.

(n) **Condition of Vehicle.**

- (1) **Vehicle Integrity.** The vehicle shall be structurally sound and operate with minimum vibration and noise.
- (2) **Vehicle Body.** Vehicle bodies must be free of noticeable dents, rust and holes. A Taxi or Ramp Taxi shall not be placed in service

if:

(A) There are visible dents that exceed three square feet in any single area of the exterior surface of the vehicle and the deepest point of depression is $\frac{3}{4}$ of an inch or greater; or

(B) There are visible dents that exceed four square feet of the total exterior surface of the vehicle and the deepest point of depression is $\frac{3}{4}$ of an inch or greater; or

(C) There are visible dents that exceed six lineal feet of the total exterior surface of the vehicle and the deepest point of depression is $\frac{3}{4}$ of an inch or greater; or

(D) There is any area of the exterior surface of the vehicle that contains a hole larger than six square inches, or there is a visible dent that exceeds 144 square inches and the deepest point of depression is more than two inches.

(o) **Cleaning and Disinfection of Vehicle.**

- (1) Every Taxi or Ramp Taxi must be regularly cleaned so that the interior is clean, orderly and kept free of offensive odors and stains.
- (2) A Taxi or Ramp Taxi vehicle must be disinfected whenever required by SFMTA.

(3) **Seats.** Rear seats shall be upholstered with vinyl or leather in good repair and matching the vehicle's interior colors. Seat covers may not be stained or torn. Seat springs may not be broken nor may they protrude through the upholstery. Seats shall be firm and comfortable with the tension of the seat springs evenly distributed.

(4) **Floormats.** Rubber floormats are required on the floor of the rear seating area of the vehicle.

(p) **Vehicle Title.** The principal vehicle authorized for the operation of a Taxi or Ramp Taxi Medallion may be registered only in the name of the Medallion Holder, Color Scheme, and/or a Driver holding a valid lease for the vehicle that meets the requirements of this Article. If the vehicle is registered to the Driver, the registration must also include the name of the Medallion Holder or Color Scheme.

(q) **Vehicle Mileage.** Starting mileage may not be more than 70,000 miles when a vehicle is placed into service. No vehicle may be operated as a Taxi or Ramp Taxi after the vehicle has reached 325,000 miles.

(r) **Vehicle Age.** No vehicle older than six model years may be placed into service as a Taxi or Ramp Taxi vehicle, and no vehicle older than eight model years may remain in service as a Taxi or Ramp Taxi vehicle.

(s) Inspections.

(1) **Inspection Required.** All Taxis and Ramp Taxis shall be inspected by the SFMTA or its designee, every six months if they are used as spare vehicles or have 200,000 miles or more on the odometer, and every 12 months for regular vehicles, at a date and time designated by the SFMTA, and at any other time deemed necessary by the SFMTA. At the time of a scheduled inspection of the vehicle, the Color Scheme or Taxi or Ramp Taxi Medallion Holder must provide the following:

(A) Valid and current State of California vehicle registration.

(B) Valid and current Brake Certificate issued by an official inspection station certified by the State of California within 60 days prior to inspection.

(C) Proof of insurance meeting the requirements of all applicable laws and regulations.

(D) A Vehicle Introduction Form signed and approved by the SFMTA.

(2) **New Vehicle.** If a new vehicle is purchased for use as a Taxi or Ramp Taxi, the vehicle owner may furnish a written certificate of compliance issued by the automobile dealership in lieu of the documents required in subparagraphs 1113(s)(1)(A) through 1113(s)(1)(D) above, provided that the certificate is dated within 60 days of the annual inspection. The automobile dealership must be certified by the State of California as an official inspection station.

(3) **Salvage Vehicle.** No vehicle which has been designated as "Salvage" by the California Department of Motor Vehicles may be placed into service as a taxicab unless the vehicle has been inspected and approved by the SFMTA. The SFMTA may require documents to establish the chain of title for Salvage Vehicles.

(4) **Inspection Certification.** Upon satisfactory completion of all inspection requirements the SFMTA shall affix a decal and transponder to the Taxi or Ramp Taxi that authorizes the Taxi or Ramp Taxi to be operated for the time period specified upon the decal.

(5) **Failing Inspection.** If, on inspection the SFMTA determines that a vehicle does not meet applicable requirements, the vehicle may fail inspection and may be ordered out of service until the condition(s) are corrected. A failed vehicle must be re-inspected and approved before being returned to service and must pass another inspection in six months from the date of return to service. The decision whether to pass or fail a vehicle shall be within the sole discretion of the SFMTA.

(6) Removal of Vehicle from Service.

(A) A Color Scheme shall make any vehicle available for inspection upon SFMTA request. If a Color Scheme fails to make a vehicle available for inspection or if the SFMTA determines that a vehicle is not in compliance with all applicable laws and regulations, the SFMTA may order the vehicle to be removed from service until it passes inspection.

(B) If the SFMTA determines that additional repairs or further inspection of the mechanical condition or safety equipment of a Taxi or Ramp Taxi is necessary, the Color Scheme or Medallion Holder shall make the necessary repairs or arrangements in order to determine if repairs are necessary, and must provide a statement of findings to the SFMTA from the repair person.

(7) **Fraud in Connection with Inspection Prohibited.** Misconduct in connection with required inspection is strictly prohibited and is grounds for revocation of a permit. Misconduct may include, but is not limited to, substitution of registered owners on a temporary basis for inspection purposes, substitution of any vehicle part or equipment within 30 days before or after an inspection for the purpose of passing inspection, or knowingly making false statements to SFMTA or SFPD or their designees in connection with an inspection. This Section shall be strictly enforced to ensure the integrity of the San Francisco taxi fleet and the safety of the public.

(t) **Replacement Vehicles.** Whenever an existing Taxi or Ramp Taxi is replaced with another vehicle, the replacement vehicle must be inspected and approved prior to use.

(u) **Ramp Taxis.** Every vehicle used as a Ramp Taxi shall have a ramp at least 30 inches wide. Any new model of Ramp Taxi vehicle proposed for use as a Ramp Taxi shall be subject to the prior approval of the SFMTA and the Paratransit Coordinating Council.

(v) **Retired Vehicles.** No Permit Holder may offer any Taxi or Ramp Taxi vehicle for sale to the public until all remnants of the Color Scheme, including the top light and all exterior lettering, numbering, signage, and any other item required to be displayed on a Taxi or Ramp Taxi are completely removed.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-104, 6/16/2009; SFMTA Bd. Res. No. 11-017, 2/1/2011; SFMTA Bd. Res. No. 12-025, Ad. 2/21/2012, Eff. 3/23/2012; SFMTA Bd. Res. No. 12-080, Ad. 6/5/2012, Eff. 7/6/2012; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 12-148, Ad. 11/20/2012, Eff. 12/21/2012; SFMTA Bd. Res. No. 13-033, Ad. 3/19/2013, Eff. 4/19/2013)

SEC. 1114. RECORDS AND REPORTING REQUIREMENTS APPLICABLE TO PERMIT HOLDERS.

(a) **Requirements Applicable to All Records.** Except as otherwise specified herein, all records required to be created and/or maintained by Permit Holders by this Article shall be subject to the following requirements:

(1) When a signature is required, the record must be signed by a Permit Holder, or in the case of a corporation, by a person authorized to bind the corporation or his or her delegee if accompanied by written documentation of the delegation of signature authority.

(2) The format and content of any records required to be created or maintained, or of any reports or plans required to be filed by Permit Holders by this Article shall be subject to SFMTA approval.

(3) Except as otherwise specified in this Article, all records required to be submitted to the SFMTA may be delivered by any means authorized in this Section. The Permit Holder that is subject to the records requirement shall have the burden of proving that the required records were actually delivered in a manner consistent with this Section. Except where a particular method of delivery is required for a specific type of record, records may be submitted by any of the following means:

- (A) In person by the Permit Holder to a location or address specified by SFMTA;
- (B) By first-class U.S. Mail, postage pre-paid;
- (C) By fax; or
- (D) By email.

(4) All records required to be maintained by Permit Holders by this Article or by other law or regulation shall be made available for inspection by the SFMTA during normal business hours within three business days of request. The SFMTA may request that Permit Holders submit copies of records or original records within three business days of request. If the Chief of Police indicates that the inquiry relates to a criminal law enforcement investigation, such records shall be provided within one business day of request. In the event that SFMTA requires original records, the SFMTA shall provide the Permit Holder a receipt for any original documents that the SFMTA removes from the Permit Holders' premises, and shall protect and document the chain of custody of such original records until they are returned to the Permit Holder.

(5) All Permit Holders are responsible for creating, maintaining and preserving the documents and records that are required by as a condition of a permit or to meet permit qualification requirements.

(b) Additional Requirements Applicable to Drivers.

(1) **Receipts for Fare to be Delivered to Passenger.** All Drivers shall provide a receipt for fare paid upon the demand of any passenger.

(2) **Badge Number.** Each Driver shall provide his or her badge number to any passenger upon request.

(3) **Medical Examination Certificates.** The Driver shall retain the original report or certification completed by the examining physician or laboratory following any physical examination required by this Article, and shall file a copy of the report or certification with the SFMTA.

(4) Waybills.

(A) Until April 30, 2013, Drivers at Color Schemes that are not affiliated with a Dispatch Service that provides Electronic Trip Data shall be required to create a paper waybill for each shift, which shall include the date of the trip, the Driver's name and badge number, the medallion number and vehicle license number, the starting and ending mileage for each shift, the number of passengers on each trip, and the origin, destination and meter total for each trip. Such paper waybills shall be signed by the Driver at the conclusion of the shift and shall be mechanically or electronically time stamped at the beginning and end of each shift.

(B) After April 30, 2013, no Driver shall be required to create paper waybills. Drivers shall continue to be responsible for maintaining certain manual documentation for regulatory purposes as required elsewhere in this Article, including but not limited to, documenting non-Paratransit Debit Card wheelchair-using customers, recording any trip information that the Driver may need to substantiate his or her position with respect to any incident occurring in the Taxi, and manually entering onto the meter the medallion number at the beginning of each shift, and the number of passengers for each fare.

(c) Additional Requirements Applicable to Medallion Holders.

(1) **Annual Filings Required for Renewal.** No Taxi or Ramp Taxi Medallion shall be renewed unless the Permit Holder files a sworn statement by May 1 of every year under penalty of perjury attesting to compliance with this Article and associated state and federal laws on a form designated by the SFMTA.

(d) Additional Requirements Applicable to Corporate Medallion Holders.

(1) **Annual Filings Required for Renewal.** Any corporation holding a Medallion issued pursuant to this Article shall maintain a stock register at its principal place of business in San Francisco. No Medallion held by a corporation may be renewed unless the Permit Holder files the following documents with the SFMTA by May 1 of each year: The SFMTA may require other corporate records to be provided to the SFMTA together with other required annual filings:

- (A) Copy of current stock register;
- (B) Copy of current filed copy of Statement of Domestic Stock Corporation issued by the California Secretary of State.

(2) All corporate Permit Holders shall report to the SFMTA in writing any of the following within 30 days of occurrence:

- (A) Issuance or transfer of any shares of stock.
- (B) Change in any of the corporate officers listed pursuant to Section 312 of the California Corporations Code or successor statute.
- (C) Change of any member of its Board of Directors.
- (D) Any notice of suspension or certificate of revivorship issued to the corporation by the California Secretary of State.

(e) Additional Requirements Applicable to Color Schemes.

(1) Waybills.

(A) A Color Scheme shall retain original paper waybills for all Drivers and Medallion Holders for at least one year at its principal place of business; and shall maintain originals and/or legible copies of paper waybills and the data generated by electronic waybills for at least six years to document driving performed by Drivers affiliated with the Color Scheme. Color Schemes may store copies of original paper waybills more than 12 months old in a secure electronic format.

(B) Until such date as they may be discarded pursuant to Section 1114(e)(1)(A), above, Color Schemes shall store paper waybills either alphabetically, numerically or chronologically. If a Color Scheme's waybills are not so organized, the SFMTA may require the Color Scheme to reorganize the waybills either alphabetically, numerically or chronologically, and the Color Scheme shall order waybills in accordance with SFMTA direction within 90 days of SFMTA request. A Color Scheme may request a waiver of such requirement if the Permit Holder

demonstrates to SFMTA's satisfaction that its waybills are already organized in a different manner that allows efficient inspection and auditing by SFMTA. Any waybills presented to SFMTA for inspection in any manner other than as required or approved by SFMTA may not be counted for compliance with the Full-Time Driving requirement.

(C) If requested, Color Schemes shall provide each Driver duplicate copies of that Driver's waybills for a prior year in an electronic or paper format. If the waybills are provided in paper format, the Color Scheme may charge no more than \$0.10 per page, or a flat fee not to exceed \$50 for duplication of all waybills of a Driver for the period of one year. After April 30, 2013, Color Schemes must make available Driver Electronic Trip Data to that Driver in an electronic format upon Driver request for any date in the year 2013 and forward, including, but not limited to, any other portable storage medium or device or via electronic mail at the Color Scheme's option, and may charge no more than \$10 per year for electronic duplication of Driver records.

(2) **Medallion Holder Files.** Color Schemes must maintain files for each Medallion Holder affiliated with the Color Scheme. Such files shall at least contain written copies of all Leases or permits associated with the Motor Vehicle for Hire at the Color Scheme's principal place of business, and employment or other applications initiating affiliation with the Color Scheme. Color Schemes shall provide copies of a Lease to any party to the Lease upon request.

(3) **Receipts to Drivers.** Color Scheme Holders shall provide receipts for payments for fuel, Gate Fees, Lease fees or any other payment made by Drivers to Color Schemes.

(4) **Medical Examination Certificates.** Reserved.

(5) **Vehicle Inventory Changes.** Prior to placing a Taxi or Ramp Taxi into service for the first time, when changing one vehicle for another, or when assigning a new Vehicle Number, the Color Scheme shall submit the information required by this Section to the SFMTA on a form provided by the SFMTA.

(6) **Current Information Required to be Maintained.** All Color Schemes shall maintain at the principal place of business the following information in a place where it is easily accessible to dispatchers and for immediate inspection upon request by SFMTA:

(A) **Driver Roster.**

(B) **List of Affiliated Drivers.** A current list updated at least weekly with all affiliated Drivers, including Driver's name, home address, cellular telephone number Driver Permit number, and California driver's license number.

(C) **Vehicles.** A current list of all affiliated Taxis and Ramp Taxis including, but not limited to, the vehicle number, the vehicle license number, the vehicle identification number, the Model Year and make of the vehicle.

(7) **Weekly Reporting Requirements.** Color Schemes shall fax or email to the SFMTA the following reports. Except as otherwise provided, weekly reports shall be submitted by close of business on the first business day of each week:

(A) **Driver Roster.**

(i) Every Color Scheme Permit Holder shall maintain a Driver Roster, updated after each shift to reflect actual shift assignments, that must at a minimum include: the date of the shift assignment, Driver's name, and the hours worked for that shift, vehicle number and Medallion number, if different. This schedule shall include the schedules of all Medallion Holders affiliated with a Color Scheme. The Driver Roster shall be provided to the SFMTA as part of the weekly report, and shall be made available for inspection by the SFMTA or law enforcement agencies during business hours.

(ii) All original Driver Rosters shall be retained at the Color Scheme's principal place of business for a period of not less than six years. Color Schemes shall maintain at the principal place of business the most recent 12 months of Driver Rosters in a paper format. Color Schemes may store Driver Rosters more than 12 months old in a secure electronic format. The SFMTA may excuse a Color Scheme from retaining schedules for a particular year by certifying that a Color Scheme has submitted all 12 schedules for that year. The SFMTA may grant exceptions for submission for companies with exceptionally large schedules or which have an electronic timecard system for schedules.

(B) **List of Terminated Drivers.** Color Schemes shall list the name and A-Card number of any Driver terminated during the prior week, and the date of termination.

(C) **Mechanical Breakdown Log.** A record of all Taxis and/or Ramp Taxis which have been out of service for more than 72 hours as of the preceding week on a form approved by the SFMTA, including but not limited to the and the spare vehicle, if any, that was assigned to replace the out-of-service Taxi and/or Ramp Taxi, the reason for the breakdown and the estimated date of return to service.

(8) **Filings Required for Paratransit Compliance.**

(A) Color Schemes must notify the Paratransit Broker within three working days of making any alteration to their In-Taxi Equipment.

(B) Color Schemes must provide a monthly inventory of all SFMTA-owned In-Taxi Equipment to the Paratransit Broker.

(9) **Security Camera Data.** Color Schemes are required to provide the SFPD or SFMTA, upon demand, with any data captured by the security camera in a vehicle.

(f) **Additional Requirements Applicable to Dispatch Services.**

(1) **Electronic Trip Data.** Each Dispatch Service Permit Holder shall implement a system or enhance an existing system to generate Electronic Trip Data in a format approved by the SFMTA for all affiliated vehicles no later than April 30, 2013. Such system must, at a minimum, archive all taxi trip data for at least six years, produce data that can generate reports using commonly available database and spreadsheet software, and record the following information:

(A) Driver's identification established by authentication through Driver's license swipe or other secure system;

(B) Date of shift;

- (C) Vehicle number, vehicle license number and vehicle status (available or hired);
- (D) Medallion number (manually entered);
- (E) Number of passengers on each trip (manually entered);
- (F) GPS-generated origin, incremental, destination coordinates of each trip;
- (G) The fare for each trip including applicable fees charged;
- (H) The mileage for each trip;
- (I) The total number of trips for each shift;
- (J) The time of hire and discharge for each trip;
- (K) The starting and ending times and total hours of each shift.

(2) **Integration with Electronic Taxi Access System.**

(A) Each Dispatch Service Permit Holder shall implement a system or extend an existing system to integrate and exchange Electronic Trip Data with the Electronic Taxi Access System.

(B) Each Dispatch Service Permit Holder shall use systems to share Electronic Trip Data in real-time. As Drivers start their daily shift, systems used by Dispatch Service Permit Holders shall exchange company, Driver, vehicle and day/time data with the Electronic Taxi Access System. As Drivers begin and end trips, systems used by Dispatch Service Permit Holders must share pick-up location, real-time telemetry during the trip, destination location and fare payment data, not including personal customer information. As Drivers end their daily shift, systems used by Dispatch Service Permit Holders shall exchange company, Driver, vehicle and day/time data with the Electronic Taxi Access System.

(C) The systems used Dispatch Service Permit Holders shall transmit Electronic Trip Data to the Electronic Taxi Access System at a periodic rate. The transmission rate must be configurable with a default setting of every six seconds.

(3) **Semi-Annual Service Report.** All Dispatch Services must provide the SFMTA with dispatch service reports covering the period of January 1 through June 30 due to the SFMTA by August 1, and covering the period of July 1 through December 31 by February 1 of each year in a format approved by the SFMTA.

(4) **Reports of Found Property.**

(A) **Receipt to Drivers.** Every Dispatch Service Permit Holder shall issue a receipt to the Driver for any Found Property located in an affiliated Taxi or Ramp Taxi and provided to the Dispatch Service.

(B) **Return to Owner.** Every Dispatch Service Permit Holder shall endeavor to return Found Property to its rightful owner. If after 2 business days the owner cannot be located, the Dispatch Service Permit Holder shall give the property to SFMTA with a receipt that includes an inventory of the property, the date it was turned in, the name or badge number of the Driver who turned it in and the Vehicle Number of the vehicle in which it was found.

(C) **Property Log Book.** Every Dispatch Service Permit Holder shall maintain at the principal place of business a log book in a form approved by the SFMTA which records the date, time, vehicle number, Driver by name or badge number, Incident Report Number (if applicable), description and disposition of the property. The log book shall be retained for a minimum period of one year.

(D) **Weekly Property Report to SFMTA.** On the first business day of each week, each Dispatch Service Permit Holder shall fax or email to the SFMTA a copy of all entries made in the property log for the previous week. Those Dispatch Services having no entries for that week will fax or email a notice advising the SFMTA that no property was turned in. Dispatch Service Permit Holders shall account for all affiliated Color Schemes.

(5) **Annual Filings Required for Renewal of Permit.** No Dispatch Service Permit shall be renewed unless the Permit Holder files the following documents by May 1 of each year:

- (A) Copy of current City business license;
- (B) Completed Designated Manager Form;
- (C) List of all affiliated Color Schemes;
- (D) Copy of company drug-free workplace policy;
- (E) Insurance certificates demonstrating compliance with the insurance requirements of this Article;
- (F) Sworn statement attesting to compliance with this Article and applicable state and federal laws.

(Added by SFMTA Bd. Res. No. 09-23, 2/23/2009; amended by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 11-017, 2/1/2011; SFMTA Bd. Res. No. 11-065, Ad. 5/17/2011, Eff. 6/17/11; SFMTA Bd. Res. No. 12-079, Ad. 6/5/2012, Eff. 7/6/2012; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 12-148, Ad. 11/20/2012, Eff. 12/21/2012; SFMTA Bd. Res. No. 13-033, Ad. 3/19/2013, Eff. 4/19/2013)

SEC. 1115. DETERMINATION OF NUMBER OF PERMITS.

The SFMTA Board will from time to time but no more than once per 12-month period, hold a hearing to determine whether to limit the number of a class of permits to be issued and/or whether to issue new permits, and, if so, the limit on the number of a class of permits or the number of permits to be issued for each class of permits for the upcoming 12-month period. In making this determination, the Board will consider the availability of service provided by each class of permit compared to the demand for that service, and the public interest. Based upon the record of the hearing and any further evidence which the SFMTA Board may request, the SFMTA Board will determine the number of each class of permits to be issued, or that no new permits of a particular class will be issued. The Board shall consider any evidence offered at the hearing to establish other means of improving service that would provide the same or greater benefits to the public as increasing the number of permits. The SFMTA shall post notice at least 30 days prior to any hearing held pursuant to this Section.

(SFMTA Bd. Res. No. 09-077, 5/19/2009)

SEC. 1116. TAXI MEDALLION TRANSFER PROGRAM.

(a) Surrender for Consideration.

(1) The following natural persons are eligible to surrender their Medallions to the SFMTA for consideration in accordance with this Section:

(A) Any Medallion Holder, except a Ramp Taxi Medallion Holder or a Single Operator Part-time Taxi Medallion Holder, who has demonstrated to the satisfaction of the SFMTA that he or she has a bona fide disability that permanently prevents him or her from satisfying the Full-Time Driving requirement, whether or not he or she is subject to the Full-Time Driving Requirement, or

(B) Any Medallion Holder, except a Ramp Taxi Medallion Holder or a Single Operator Part-time Taxi Medallion Holder, who has attained the age of 60.

(2) A Medallion Holder who is subject to the Full Time Driving Requirement must demonstrate that, as of the date that the Medallion is surrendered, he or she has been a Full Time Driver for four of five consecutive calendar years within the meaning of Section 1104(c)(3).

(3) No Medallion Holder against whom the SFMTA has filed a Notice of Violation, Notice of Summary Suspension, or Notice of Nonrenewal prior to completion of the surrender is eligible to surrender his or her Medallion for consideration until any resultant administrative hearing, administrative appeal, or court proceeding is concluded and the Medallion Holder has served any term of suspension imposed and paid any administrative fine imposed. In the event that the Notice of Violation seeks revocation of the Medallion, the Medallion Holder is not eligible to surrender the Medallion for consideration unless and until the administrative hearing and any resultant administrative appeal or court proceeding is concluded upon a determination that the Medallion will not be revoked.

(4) This Section does not confer on a Medallion Holder a vested right to surrender a Medallion for consideration. The SFMTA Board of Directors may decide at any time that the Medallion Transfer Program is terminated, suspended or otherwise not operational, and that no further surrenders by Medallion Holders eligible under this Section 1116 are permitted.

(b) **Medallion Surrender Payment.** As consideration for surrender of a Medallion in accordance with this Section, the SFMTA shall make a Medallion Surrender Payment in the amount of \$200,000 to the Medallion Holder.

(c) **Qualified Medallion Transferees.** Upon surrender, the SFMTA may transfer the Surrendered Medallion under the Taxi Medallion Transfer Program to a Transferee who acknowledges and agrees that the Transferable Medallion is subject to the provisions of this Section. The SFMTA shall make offers of Initial Transfer to such Transferees in the order of seniority on the Waiting List, and then in the order of A-Card Seniority.

(d) Retransfer.

(1) A Medallion that was subject to an Initial Transfer under the Taxi Medallion Sales Pilot Program or the Medallion Transfer Program is a Transferable Medallion, and the Transferee is eligible to Retransfer the Transferable Medallion at any time in accordance with this Section, regardless of age or disability status. The Transferee may not convey the Transferable Medallion by gift, bequest or in any manner other than by a bona fide Retransfer in accordance with this Section.

(2) In all instances in which Retransfer of a Medallion is allowed under this Section, the SFMTA may elect to purchase the Medallion from the Medallion Holder instead of allowing the Medallion Holder to Retransfer the Medallion.

(3) If the SFMTA chooses at any time to prohibit the future Retransfer of Transferable Medallions, it shall, at the request of a Medallion Holder who holds a Transferable Medallion, and upon ten days' notice to a Qualified Lender who has a security interest in the Transferable Medallion, purchase the Medallion at the Medallion Transfer Price paid by the Medallion Holder. At the request of a Qualified Lender who has complied with the requirements of Section 1116(l) of this Article, the SFMTA will deduct from the payment made to any Medallion Holder under this Section 1116(d)(3) an amount sufficient to satisfy any outstanding balance on a loan made by the Qualified Lender and secured by an interest in the Medallion, and shall immediately remit that amount to the Qualified Lender. Upon receipt of this amount, the Qualified Lender shall comply with Section 1116(l)(3) and release its security interest in the Medallion. Upon purchase of the Medallion under this Section 1116(d)(3), the SFMTA shall reissue the Medallion to the Medallion Holder. The reissued Medallion shall not be a Transferable Medallion, and the Medallion Holder will be subject to all the provisions of this Article, including Section 1105(a)(4), which provides that permits issued under this Article are not transferable or assignable.

(4) Any Transferee who receives a down payment loan from a Qualified Lender under the Taxi Medallion Sales Pilot Program, or a down payment assistance loan from the SFMTA under the Medallion Transfer Program, must operate the Transferable Medallion as a Gas and Gates Medallion until the Transferee repays the entire amount of the loan.

(e) **Fixed Medallion Transfer Price.** A Surrendered Medallion may be transferred by the SFMTA, and a Transferable Medallion may be Retransferred under the supervision of the SFMTA, at a price established by the SFMTA. The initial Medallion Transfer Price shall be \$250,000. The Director of Transportation may reset the Medallion Transfer Price based upon his or her determination that commercially relevant factors, including but not limited to the commercial loan terms available to Medallion applicants, the affordability of the monthly payments under such loans, and the anticipated business revenue to be generated from a Medallion, warrant resetting the Price. The Director of Transportation shall present his or her recommendation for a new Medallion Transfer Price to the SFMTA Board for approval. The Director of Transportation may adjust the Medallion Transfer Price without SFMTA Board approval no more frequently than annually in accordance with the percentage by which the Consumer Price Index for Urban Wage Earners for the San Francisco Bay Area has increased since the Medallion Transfer Price was last set or adjusted. Any changes to the Medallion Transfer Price shall be subject to the restrictions set forth in any agreement between the SFMTA and a Qualified Lender described in Section 1116(k)(3).

(f) Medallion Transfer Allocation and Driver Fund Retransfer Contribution.

(1) The Transferor shall distribute to the SFMTA the Medallion Transfer Allocation at the time of Retransfer. The Medallion Transfer Allocation shall be twenty percent of the Medallion Transfer Price.

(2) Notwithstanding Subsection (f)(1) above, and Subsection (j), below, in the event that a Transferee is required to Retransfer a Transferable Medallion within ten years of the Initial Transfer, or most recent Retransfer, due to any of the following involuntary surrender events: (1) disability that prevents compliance with the Full-time Driving Requirement, or (2) death of the Medallion Holder, the Driver Fund Retransfer Contribution shall be waived and the Transferor shall distribute to the SFMTA the following reduced Medallion Transfer Allocation at the time of Retransfer:

Year of Involuntary Event	Percent of Medallion Transfer Allocation Due Upon Involuntary Surrender
1	0%
2	5%
3	10%
4	15%
5	20%
6	35%
7	50%
8	75%
9	90%
10	100%

(g) **Medallion Sales by City.** As part of the Medallion Transfer Program, and notwithstanding the provisions of Section 1116(e) of this Article, the SFMTA shall transfer 200 medallions that are returned to the SFMTA for any reason, with the exception of Surrendered Medallions, Ramp Taxi Medallions, and Transferable Medallions, to Transferees at the Reduced Medallion Transfer Price of \$125,000. Transfers made at the Reduced Medallion Transfer Price shall be made in the order of seniority on the Waiting List, and shall be made in accordance with and subject to the requirements of this Code. After completing the transfer of 200 Medallions at the reduced Medallion Transfer Price, the SFMTA shall transfer Medallions that are returned to the SFMTA for any reason to Transferees at the Medallion Transfer Price. Upon authorization of the SFMTA Board, the SFMTA may transfer newly-issued Medallions to Transferees at the Medallion Transfer Price, or may transfer newly-issued Medallions to Transferees at the Reduced Transfer Price in order to complete the transfer of 200 medallions at that price.

(h) Taxi Medallion Retransfer Procedures.

(1) Retransfer of a Medallion may only be accomplished by a transaction that complies with all requirements of this Article. Retransfer of a Medallion to a Transferee is not effective until the Retransfer is approved by the Director of Transportation.

(2) The Director of Transportation may require a Transferee to provide documentation in a form satisfactory to the SFMTA of the source of the funds used to transfer the Medallion.

(3) The Director of Transportation may establish such procedures as he or she deems appropriate to carry out the Medallion Transfer Program.

(i) **Transferable Medallions Subject to all Regulations.** A Medallion transferred or Retransferred pursuant to this Section remains subject to all applicable laws and regulations and may be suspended or revoked for cause.

(j) **Driver Fund and Driver Fund Retransfer Contribution.** The SFMTA shall establish a Driver Fund. The SFMTA shall make a Driver Fund Retransfer Contribution to the Driver Fund upon Retransfer of a Transferable Medallion and may, in its sole and absolute discretion, elect to deposit other monies into the Fund. The Driver Fund Retransfer Contribution shall be five percent of the Medallion Transfer Price, and is subject to change upon the recommendation by the Director of Transportation and the approval of the SFMTA Board. Monies in the Driver Fund may be expended by the SFMTA.

(k) Medallion Lender Qualification.

(1) A Transferee of a Medallion may enter into a loan agreement to finance the Initial Transfer or Retransfer of a Medallion, or to refinance such transactions, only with a Qualified Lender. A Qualified Lender shall not assign, sell or otherwise transfer the Qualified Lender's rights under the loan agreement and ancillary documents with respect to more than 90% of the original loan balance without the express, written consent of the Director of Transportation.

(2) A Qualified Lender must be a financial institution chartered by a state government or the federal government, and may not impose any penalties or otherwise constrain the payment of the balance owed on the loan prior to the expiration of the loan term. The Director of Transportation may adopt rules setting forth additional requirements for designation by the SFMTA as a Qualified Lender. If the SFMTA determines that a lender has failed to meet or maintain the requirements to be a Qualified Lender, the SFMTA shall deny the application to become a Qualified Lender or suspend or revoke the lender's current status as a Qualified Lender.

(3) All Qualified Lenders must enter into a written agreement with the SFMTA, in a form approved by the SFMTA. The agreement shall include, at a minimum, the Qualified Lender's acknowledgement of the provisions of this Section, the Qualified Lender's agreement to be

bound by these provisions, and the SFMTA's promise not to set the Medallion Transfer Price below the highest Medallion Transfer Price paid by a Medallion Holder to whom a Qualified Lender made a loan that is still outstanding to finance the Transfer or Retransfer of the Medallion.

(l) **Security Interests.**

(1) **Qualified Lender's Security Interest.** Notwithstanding any other provisions herein to the contrary, a Transferee may encumber a Transferable Medallion with a security interest only pursuant to an agreement entered into with a Qualified Lender to finance the Initial Transfer or Retransfer of the Medallion, or to refinance such a transaction.

(2) **Filing Security Interests.** A Qualified Lender wishing to evidence a security interest in a Transferable Medallion shall file a notice of the security interest with the SFMTA in a form approved by the SFMTA within ten business days of closing the relevant loan transaction, and shall provide to the SFMTA a copy of the promissory note, loan agreement, security agreement, any other underlying contracts or documents memorializing the terms and conditions of the debt that is secured by the Transferable Medallion, and any documents memorializing the perfection of the security interest. The SFMTA will not recognize any security interest in a Transferable Medallion that is not filed and reported in compliance with this rule.

(3) **Release of Secured Interest.** Upon repayment of the loan secured by an interest in a Transferable Medallion, the Qualified Lender must file notice of release of the secured interest within five business days of the release with the SFMTA along with any underlying contracts or documents memorializing the terms and conditions of the release.

(m) **Foreclosure and Retransfer of Transferable Medallions.**

(1) **Foreclosure.** If the Transferee defaults under the agreement with the Qualified Lender beyond any applicable notice and cure period, notwithstanding any other provisions herein to the contrary, the Qualified Lender may foreclose upon its security interest and possess the foreclosed, Transferable Medallion as an owner of the Transferable Medallion with full right, title, and interest thereto, except that Lender shall not be permitted to operate the Medallion. If the Qualified Lender intends to foreclose on the security interest, the qualified Lender shall notify the SFMTA without delay once the Qualified Lender determines the date on which it intends to foreclose. The notice shall include the name of the Medallion Holder, the intended date of foreclosure, and the contact information for the representative of the Qualified Lender to whom inquiries may be made.

(2) **Retransfer.** Provided that the Qualified Lender has provided notice to the SFMTA under Section 1116(m)(1), upon foreclosure in accordance with applicable law and the terms of the security agreement between the Qualified Lender and the Medallion Holder, the Qualified Lender shall Retransfer the Transferable Medallion pursuant to the provisions of this Section to the Transferee identified by the SFMTA at the Medallion Transfer Price. The proceeds of such Retransfer sale shall be distributed first to the Qualified Lender to satisfy, to the extent possible, the Medallion Holder's debt to the Qualified Lender as determined by reference to the unpaid balance under the loan agreement between the Medallion Holder and the Qualified Lender. Any remaining proceeds shall be distributed to the SFMTA. The SFMTA shall use such proceeds to satisfy the Medallion Transfer Allocation and Driver Fund Retransfer Contributions, and shall deposit any additional funds into the Drivers Fund.

(3) **Continued Operation After Foreclosure.** Upon foreclosure and until Retransfer of the Transferable Medallion, the Qualified Lender shall require the Participating Color Scheme with which the Medallion is affiliated to continue to operate the Medallion.

(n) **Expiration and Retransfer of a Transferable Medallion upon Revocation of the Medallion or Death of the Medallion Holder.**

(1) **Expiration of the Transferable Medallion.** A Transferable Medallion shall expire upon the death of the Medallion Holder, or upon revocation of the Medallion, and the SFMTA shall repossess the expired Medallion or, if the Transferable Medallion cannot be repossessed, the SFMTA shall issue a temporary Medallion to replace the Transferable Medallion until the SFMTA is able to repossess it.

(2) **Retransfer.** Upon revocation or death of the Medallion Holder, the SFMTA may proceed to Retransfer the Medallion to the next qualified applicant in accordance with the procedures set forth in this Section, and any such Retransfer shall be subject to the lien of the Qualified Lender who has complied with Section 1116(l). The proceeds of any Retransfer of a Transferable Medallion that has expired due to revocation of the Medallion or death of the Medallion Holder shall be distributed first to the Qualified Lender, if any, to satisfy, to the extent possible, the Medallion Holder's debt to the Qualified Lender as determined by reference to the unpaid balance under the loan agreement between the Medallion Holder and the Qualified Lender. The remaining proceeds shall be distributed to the SFMTA to pay the applicable Medallion Transfer Allocation and the applicable Driver Fund Retransfer Contribution. Any proceeds remaining after the required distributions to the Qualified Lender and the SFMTA shall be disbursed to the former Medallion Holder or his or her designees.

(3) **Other Disposition of the Medallion.** If the SFMTA elects not to Retransfer the Transferable Medallion, the SFMTA must nevertheless satisfy any outstanding balance on a loan secured by a Qualified Lender, and must pay to the designees of a deceased Medallion Holder the equity accrued in the Transferable Medallion. Such equity shall consist of the current Medallion Transfer Price, minus the outstanding balance on any loan made by a Qualified Lender who has complied with Section 1116(l) to finance or refinance the Transfer or Retransfer of the Medallion, and minus the applicable Medallion Transfer Allocation and applicable Driver Fund Retransfer Contribution.

(4) **Continued Operation After Revocation or Death of the Medallion Holder.** Upon revocation or death of the Medallion Holder, and until the Transferable Medallion is distributed to a new Medallion Holder, the SFMTA may require the Participating Color Scheme with which the Medallion is affiliated to continue to operate the Medallion. The SFMTA shall deposit any payments made by the Participating Color Scheme to the SFMTA during such interim into the Driver Fund.

(o) **Participating Color Schemes.** Any Color Scheme Permit Holder who wishes to act as a Participating Color Scheme through affiliation with Transferable Medallions must enter into a written agreement with the SFMTA. The agreement shall include, but need not be limited to, the agreement of the Color Scheme Permit Holder to allow any Transferable Medallion transferred under this Section to affiliate with the Color Scheme in accordance with all applicable rules and regulations, and to operate any such affiliated, Transferable Medallion during the period

commencing on the death of the Medallion Holder, revocation of the Medallion, or foreclosure upon the Medallion, and ending on the Retransfer or other disposition of the Medallion by the SFMTA. During such periods of operation, the Color Scheme shall make periodic payments to the Qualified Lender or to the SFMTA for the right to operate the Medallion in accordance with the agreement between the SFMTA and the Participating Color Scheme.

(SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 11-017, 2/1/2011; SFMTA Bd. Res. No. 11-155, Ad. 12/6/2011, Eff. 1/6/2012; SFMTA Bd. Res. No. 12-110, Ad. 8/21/2012, Eff. 9/21/2012; SFMTA Bd. Res. No. 12-146, Ad. 11/20/2012, Eff. 12/21/2012; SFMTA Bd. Res. No. 13-024, Ad. 2/19/2013, Eff. 3/22/2013; SFMTA Bd. Res. No. 13-048, Ad. 4/16/2013, Eff. 5/17/2013; SFMTA Bd. Res. No. 13-174, Ad. 6/18/2013, Eff. 7/19/2013)

SEC. 1117. PERMIT ISSUANCE; NOTICE OF INACTIVE STATUS.

(a) **Permit Issuance.** The SFMTA may issue any class of Motor Vehicle for Hire Permit only upon its determination that the permit applicant meets all requirements and qualifications for the permit.

(b) **Investigation of Applicants for Non-Medallion Permits.** Upon receipt of an application for a permit other than a Medallion permit, the SFMTA shall investigate the permit applicant. The applicant must furnish any additional material requested by the SFMTA, and if such additional material is not provided within 30 days' of request, the application shall be deemed inactive.

(c) **Hearing Challenging Decision to Deny Application for Non-Medallion Permit.** At the conclusion of the investigation of an applicant for a permit other than a Medallion, the SFMTA shall inform the applicant, in writing, of the SFMTA's decision to grant or deny the permit. If the SFMTA has decided to deny the permit, the SFMTA shall deliver the Notice of Denial, which shall include a statement of the grounds for denial, by personal service or by first-class U.S. Mail. The applicant may request a hearing before a Hearing Officer on SFMTA's decision by submitting to SFMTA a written request for hearing within 20 business days of the date that the Notice of Denial is personally delivered or mailed to the applicant.

(d) **Hearings on Determinations that Application is Inactive.** If the SFMTA determines that an application for a permit is inactive under Section 1103(b)(5) of this Article, the applicant may request, in writing, a hearing before a Hearing Officer on the Notice of Inactive Status by submitting to the SFMTA a request for hearing within 20 business days of the date that the Notice of Inactive Status is personally delivered or mailed to the applicant.

(e) **Investigation of Applications for Medallion Permits.** In addition to delivering notice to the applicant of the availability of a Medallion in accordance with Section 1104, the SFMTA shall concurrently post a notice, in accordance with Section 1123(a) of this Article, inviting members of the public to assist the SFMTA in its investigation of the applicant by supplying information relevant to whether the applicant meets the requirements for becoming a Medallion Holder. After review of the material supplied by the applicant, any information provided by members of the public, and the results of its own investigation, the SFMTA shall make a decision whether to grant or deny the application for a Medallion no sooner than 30 calendar days from the date that the notice was posted.

(f) **Hearings on Applications for Medallion Permits.** The SFMTA shall notify the applicant of its decision on the application for a Medallion, in writing, and shall provide notice to the public of the decision in the manner specified in Section 1123(a) of this Article. If the SFMTA decides to deny the permit, the SFMTA shall deliver the Notice of Denial to the applicant, which shall include a statement of the grounds for denial, by personal service or by first-class U.S. Mail. The applicant may request a hearing on the SFMTA's decision by submitting to the SFMTA a request for hearing, in writing, within 20 business days of the date that the Notice of Denial is personally delivered or sent to the applicant. If the SFMTA makes a decision to grant the application, a member of the public may request a hearing on the decision within ten calendar days of the posting of the Notice of Grant on the SFMTA's website. The SFMTA shall schedule the hearing within 30 calendar days from the date that the applicant or member of the public submitted a request for hearing. The SFMTA shall notify the member of the public who requested the hearing and/or the applicant of the hearing date and the name and contact information for the Hearing Officer at least 21 days before the hearing.

(g) **Procedures for Hearing Challenging Decision to Grant or Deny a Permit Application or Determination that Application is Inactive.**

(1) An applicant is entitled to a continuance of the hearing date, of up to 30 days in the Hearing Officer's sole discretion, if a written request is submitted to the Hearing Officer at least 14 calendar days prior to the scheduled hearing.

(2) The SFMTA must provide the complete application and/or grounds for the action taken, and may present a summary of its investigation of no more than ten double-spaced pages, excluding exhibits, unless the Hearing Officer approves the filing of a longer summary, no less than 20 calendar days prior to the hearing.

(3) No less than five calendar days prior to the hearing, the applicant and/or the member of the public who requested the hearing may file a written submission containing any information he or she deems relevant to the application or the results of the investigation. The submission shall not exceed ten double-spaced typed pages, excluding exhibits, unless the Hearing Officer approves the filing of a longer submission. If the applicant and/or member of the public who requested the hearing intends to present witnesses at the hearing, he or she shall present a list of these witnesses at least five calendar days prior to the hearing.

(4) The SFMTA and the party who requested the hearing may alter the hearing schedule specified in this Article by prior written agreement.

(5) Hearings under this Section 1117 shall be open to the public, and public comment may be permitted in the sole discretion of the Hearing Officer, but the public, including the member of the public who requested the hearing, may be excluded from all or a portion of the hearing when, in the sole and absolute discretion of the Hearing Officer, exclusion is necessary to protect the privacy of the applicant or a third party. The Hearing Officer may also determine that documents submitted for a determination whether they will be admitted into evidence will not

be disclosed to the public, whether or not they are admitted into evidence, if necessary to protect the privacy of the applicant or a third party.

(h) **Burden of Proof.** If the applicant challenges an SFMTA decision to deny a permit, the burden of proof shall be on the applicant to establish that the applicant meets all eligibility requirements. If a member of the public challenges an SFMTA decision to grant a Medallion, the burden of proof shall be on the member of the public to establish that the applicant does not meet the requirements to be a Medallion Holder.

(i) **Notice of Decision.** At the conclusion of the hearing, the Hearing Officer shall issue a written decision upholding or overturning the SFMTA's decision on the application for the permit, which shall be based upon the criteria set forth in this Article. This Notice of Decision shall include findings, shall set forth evidence in support of each finding, and shall be issued within 60 calendar days of the hearing. The Hearing Officer shall deliver the Notice of Decision to the applicant, the SFMTA, and the member of the public who requested the hearing by personal delivery or by first-class U.S. Mail.

(j) **Results of Hearing.** If the Hearing Officer determines that a permit applicant is qualified for the permit, the SFMTA shall issue the permit within 15 business days of the Notice of Decision.

(SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-149, § 5, 11/16/2010; SFMTA Bd. Res. No. 11-017, 2/1/2011; SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

SEC. 1118. REVOCATION, SUSPENSION, AND ADMINISTRATIVE FINES.

(a) **Revocation, Suspension or Administrative Fine for Cause.** The SFMTA may suspend or revoke any permit issued under this Article, and may impose an administrative fine against a Permit Holder, for good cause. "Good cause" hereunder shall include, but shall not be limited to, the following:

(1) A Permit Holder failed to pay a fine imposed by the SFMTA under Section 310 of this Code within 30 days of imposition or within such other time period as determined by the agreement of the Permit Holder and the SFMTA.

(2) A Permit Holder failed to pay a permit fee within 90 days following notice of nonpayment.

(3) A Permit Holder has been convicted of any crime that would disqualify him or her from holding a permit pursuant to Section 1103(c)(2)(F), or is otherwise ineligible for a permit under Section 1104(c) or (d) of this Article.

(4) The Permit Holder has violated any statute or ordinance, including any provision of Division I or II of this San Francisco Transportation Code, governing the operation or licensing of the vehicles and services regulated by this Code.

(b) **Suspension or Revocation of More Than One Permit.** Where a person violating this Article holds more than one permit to operate a Motor Vehicle for Hire in the City, the SFMTA may revoke, suspend, or decline to renew all such permits.

(c) **Operation During Suspension.** In the event that a Taxi or Ramp Taxi Medallion is suspended for disciplinary reasons, the Color Scheme with which it is affiliated may continue to operate the Medallion during any such period of suspension by paying a monthly fee of \$1,900 to the Driver Fund. The total of the monthly fees for the entire suspension period is due as of the 15th day following the commencement of the suspension period. If the suspended Medallion is affiliated with a Color Scheme that is on Administrative Probation upon the date that the suspension commences, the Medallion may be operated by a Color Scheme designated by the Medallion Holder from among those Color Schemes that are not on Administrative Probation and have notified the SFMTA of their willingness to operate the Medallion during the suspension period.

(d) **Administrative Fines.** Administrative fines imposed under this Section 1118 for violations of Article 1100 of Division II of the Transportation Code shall be consistent with Section 310 of Division II of the Transportation Code, and are not subject to adjustment by the Hearing Officer in the context of an administrative hearing conducted under Section 1120.

(Added as Sec. 1120 by SFMTA Bd. Res. No. 09-077, 5/19/2009; amended by SFMTA Bd. Res. No. 09-183, 10/20/2009; SFMTA Bd. Res. No. 10-116, 8/3/2010; SFMTA Bd. Res. No. 11-017, 2/1/2011; redesignated and amended by SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

Editor's Note:

Former Sec. 1118 was redesignated as Sec. 1120 by Res. No. 12-111.

SEC. 1119. ADMINISTRATIVE FINES ASSESSED AGAINST NON-PERMIT HOLDERS.

(a) Whenever the SFMTA determines that a member of the public who is not a Permit Holder has violated this Article, and it decides to pursue administrative enforcement through the imposition of an administrative fine, SFMTA may issue and serve a Citation, in person or by first-class U.S. Mail, on any person or entity responsible for the violation.

(b) **Administrative Hearing.**

(1) Any person appealing the issuance of an administrative Citation issued under subsection (a) may request a hearing in accordance with the procedure set forth in Section 1120(a).

(2) All hearings on administrative appeals filed under this Section 1119 shall be conducted in accordance with Section 1120.

(c) **Administrative Fines.**

(1) Administrative fines imposed under this Section 1119 for violations of Article 1100 of Division II of the Transportation Code shall be consistent with Section 310 of Division II of the Transportation Code, and are not subject to adjustment by the Hearing Officer in the context of an administrative hearing conducted under Section 1120.

(2) The penalties and methods of enforcement set forth in this Section are in addition to any other penalties or methods of enforcement authorized by law.

(d) **Requirement to Exhaust Administrative Remedies.** The failure of the person or entity cited to follow the procedures set forth in subsection (b) shall constitute a failure to exhaust administrative remedies and shall preclude the person or entity from asserting standing for judicial review of the validity of the Citation.

(e) **Right to Judicial Review.** A decision of a Hearing Officer made under this Section 1119 is a final administrative decision. The person or entity cited may obtain judicial review of the administrative decision by filing a petition for review in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.

(Added as Sec. 1123 by SFMTA Bd. Res. No. 09-104, 6/16/2009; amended by SFMTA Bd. Res. No. 10-056, 4/20/2010; SFMTA Bd. Res. No. 11-017, 2/1/2011; redesignated and amended by SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

Editor's Note:

Former Sec. 1119 was redesignated as Sec. 1121 by Res. No. 12-111.

SEC. 1120. ADMINISTRATIVE HEARINGS.

(a) A Permit Holder or an applicant who receives an SFMTA Citation for a violation listed in Section 1118(a), Notice of Nonrenewal under Section 1105(a)(5)(B), Notice of Inactive Status under Section 1103(b)(4), Notice of Summary Suspension under Section 1121, or a non-permit holder who receives a Citation under Section 1119 may request a hearing by submitting to SFMTA a request for hearing, in writing, within 20 business days of the date that the Citation, Notice of Nonrenewal, Notice of Inactive Status under Section 1103(b)(4), or Notice of Summary Suspension was personally delivered or sent by first-class U.S. Mail. A Notice of Nonrenewal, Inactive Status under Section 1103(b)(4), or Summary Suspension, or a Citation issued under Section 1119(a) or for a violation listed under Section 1118(a) shall include:

- (1) The name of the person or entity to whom the Notice or Citation is issued,
- (2) The disciplinary measure to be imposed, including the length of any suspension and the amount of any administrative fine, or the action taken (summary suspension) or to be taken (nonrenewal or placement on inactive status),
- (3) The date by which any administrative fine must be paid, the procedure for making payment, and the consequences of failure to pay the fine,
- (4) The provision(s) of this Article upon which the discipline or action is based, including, where applicable, the date and the address or location of the violation, the signature of the individual who issued the Citation, Notice of Nonrenewal, Notice of Inactive Status, or Notice of Summary Suspension, and
- (5) Notice of the right to request a hearing, the procedure for requesting a hearing, and notice that failure to request a hearing will result in imposition of the proposed discipline or taking of the proposed action, either of which will be a final action of the SFMTA that is not subject to further administrative or judicial review.

(b) **Complaint.** Within five business days of receipt of the request for a hearing, the SFMTA must provide any Respondent who received an SFMTA Citation for a violation listed under Section 1118(a), a Citation issued under Section 1119(a), Notice of Nonrenewal under Section 1105(a)(5)(B), Notice of Inactive Status under Section 1103(b)(4), or Notice of Summary Suspension under Section 1121, with a written Complaint consisting of a list of each alleged violation or the basis for nonrenewal, inactive status, or summary suspension, the alleged facts that establish each violation or support nonrenewal, inactive status or summary suspension, and any argument in support of requested disciplinary measure(s), administrative fine(s), or determination(s) made by the SFMTA. The Complaint shall not exceed ten double-spaced pages, excluding exhibits, unless the Hearing Officer approves the filing of a longer Complaint. In addition to the Complaint, the SFMTA may submit proposed findings to the Hearing Officer.

(c) **Scheduling an Administrative Hearing.** The administrative hearing shall be scheduled no sooner than 30 calendar days after Respondent receives the Notice of Nonrenewal, Notice of Inactive Status, Notice of Summary Suspension or Citation, unless the parties agree to a different schedule. Respondent may request a continuance of the hearing by submitting a written request to the Hearing Officer at least five business days prior to the scheduled hearing. The Hearing Officer must grant or deny the request for continuance within three business days, and must deliver the final decision on the request for continuance to the Respondent by personal deliver or first-class U.S. Mail, and must post the final decision on the SFMTA's website. No continuance of the administrative hearing may exceed 60 days. If there is a pending criminal proceeding against the Respondent, the Hearing Officer may continue the hearing pending final resolution of the criminal case; provided that such continuance of the hearing shall not affect a summary suspension under Section 1121.

(d) **Response to Complaint.** No later than ten business days prior to the hearing, the Respondent may provide the SFMTA and the Hearing Officer with a written response to the Complaint, along with any additional information that the Respondent considers relevant to the case. The response shall not exceed ten double-spaced pages, excluding exhibits, unless the Hearing Officer approves the filing of a longer response, and shall include a list of the witnesses, if any, that the Respondent will present at the hearing. In addition to the response, the Respondent may include as a part of the response any proposed findings that the Respondent proposes be adopted by the Hearing Officer.

(e) **Presentation of the Case.**

- (1) The SFMTA shall make the initial presentation of its case at the hearing, and shall have the burden of proving, by a preponderance of the evidence, the facts alleged in the Complaint. The Respondent may present evidence following the SFMTA's presentation.
- (2) Following presentation of evidence, each party shall have at least five minutes to present their rebuttal arguments, if any.
- (3) In any hearing, subject to the Hearing Officer's discretion to limit evidence to evidence that is relevant to the proceeding, either party may present its case by means of oral or documentary evidence, may submit rebuttal evidence, and may conduct cross-examination of adverse witnesses.

(f) **Notice of Decision.**

- (1) The Hearing Officer shall issue a written Notice of Decision within ten business days of the date of the hearing upholding or overturning the Citation, Notice of Nonrenewal under Section 1105(a)(5)(B), Notice of Inactive Status under Section 1103(b)(4), or Notice of Summary Suspension under Section 1121. No later than three business days following issuance of the Hearing Officer's Notice of Decision, the

SFMTA shall post the results of any disciplinary case against a Permit Holder in accordance with Section 1123, referenced by the date of hearing, the name of the Respondent, the type of permit, and the action taken. The Hearing Officer shall send the full text of the Notice of Decision to Respondent by first-class U.S. Mail or shall deliver it to Respondent by personal service no later than the business day following the issuance of the Notice of Decision. The deadline for the issuance of a decision may be extended if the Hearing Officer requests additional evidence from the parties subsequent to the hearing. If additional evidence is submitted, then the decision will be issued within ten business days of the last submittal.

(2) The Hearing Officer's decision shall take effect on the date that the Notice of Decision is delivered to the Respondent by personal service or is sent to the Respondent by first-class U.S. Mail.

(g) **Ex Parte Communications.**

(1) No person or agency may communicate directly or indirectly with a Hearing Officer at any time while a case is pending unless there is notice and an opportunity for the other party to participate.

(2) Any correspondence regarding the substance of a case directed to or received by any Hearing Officer shall become part of the case record file and shall be copied to both parties within 48 hours of the communication. If the communication received is oral, the Hearing Officer shall prepare a memorandum for the record stating the substance and the date of the communication, any response made, and the identity of the person from whom the communication was received. If a communication is received within 48 hours of a scheduled hearing, the Hearing Officer must immediately provide copies of the communication to the parties.

(3) Except as permitted by these procedures and any applicable laws and regulations, there shall be no contact between the SFMTA and the Hearing Officer with respect to any pending case. This prohibition does not preclude communications about administrative or procedural matters, or policy matters that do not involve any pending case regarding any individual permit or permit application.

(h) **Hearings Open to Public.** Hearings under this Section 1120 shall be open to the public, and public comment may be permitted in the sole discretion of the Hearing Officer, but the public may be excluded from all or a portion of the hearing when, in the sole and absolute discretion of the Hearing Officer, exclusion is necessary to protect the privacy of the applicant or a third party. The Hearing Officer may also determine that documents submitted to the Hearing Officer will not be disclosed to the public in order to protect the privacy of the applicant or a third party.

(i) **Settlement.**

(1) After issuance of an SFMTA Complaint, Notice of Nonrenewal, Inactive Status under Section 1103(b)(4), or Summary Suspension, or a Citation issued under Section 1119(a) or for a violation listed under Section 1118(a), the SFMTA may enter into a settlement with the Respondent or person cited. The parties may reach a settlement before, during, or after the hearing, but may not enter into a settlement after the Hearing Officer issues the Notice of Decision in accordance with subsection (f)(2).

(2) A settlement need not be read into the record of the hearing, or approved by the Hearing Officer, but must be reduced to writing, and signed and dated by the SFMTA and Respondent or his or her legal counsel or other authorized representative.

(3) By entering into a settlement agreement, Respondent waives any right to appeal to the City's Board of Appeals, and Respondent waives any right to seek judicial review with respect to the subject of the settlement agreement.

(4) No evidence of an offer of settlement or of any statement made during settlement negotiations is admissible in a future proceeding under this Article.

(j) **Notices.**

(1) Any notice, filing or other communication required to be provided to any person or entity by Sections 1117, 1118, 1119, 1120, 1121 or 1122 shall be delivered by personal delivery or first-class U.S. Mail to the last known address of the intended recipient that is on file with the SFMTA.

(2) If the SFMTA is unable to determine the intended recipient's mailing address, the local agency shall post the notice in accordance with Section 1123(a), and shall maintain the posting on its website for at least 10 calendar days.

(3)¹ The date of any notice, filing or other communication directed to the SFMTA or a Hearing Officer shall be the date that it is received.

(k) **Failure to Appear.** Respondent's failure to appear at a scheduled administrative hearing in person, through a representative, or by written submission, except upon twenty-four (24) hours' prior notice to the SFMTA, will result in imposition of the proposed discipline or taking of the proposed action, either of which will be a final action of the SFMTA that is not subject to further administrative or judicial review; provided, however, that the Hearing Officer shall have the discretion, upon Respondent's showing of good cause, to excuse such failure to appear.

(Added as Sec. 1118 by SFMTA Bd. Res. No. 09-077, 5/19/2009; SFMTA Bd. Res. No. 10-149, 11/16/2010; SFMTA Bd. Res. No. 11-017, 2/1/2011; redesignated and amended by SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

CODIFICATION NOTE

1. The designation of this division (j)(3) was corrected by the codifier.

Editor's Note:

Former Sec. 1120 was redesignated as Sec. 1118 by Res. No. 12-111.

SEC. 1121. SUMMARY SUSPENSION OF PERMIT FOR HEALTH OR SAFETY REASONS.

(a) **Summary Suspension.** When the SFMTA determines that an alleged permit violation poses an ongoing risk to public health or safety, the SFMTA may summarily suspend the permit pending the outcome of a hearing conducted pursuant to Section 1120. Any affected Permit Holder shall be given a Notice of Summary Suspension, in writing, delivered to said Permit Holder in person or by first-class U.S. Mail.

(b) **Summary Suspension Hearing; Decision Following Hearing.** Any Permit Holder who wishes to challenge the summary suspension of his or her permit may request, in writing, a hearing before a Hearing Officer. A summary suspension hearing shall be conducted pursuant to

Section 1120, except that upon receipt of a Permit Holder's request for a summary suspension hearing, SFMTA shall promptly set the time and place for said hearing to occur within ten business days of receipt of the Permit Holder's request for a hearing. SFMTA shall cause notice of such hearing to be delivered to the Permit Holder in person or by first-class U.S. Mail. In addition, SFMTA must provide the Respondent with the written complaint within two business days of receipt of the request for a hearing, Respondent must provide the written response, if any, no later than two business days prior to the hearing, and the Hearing Officer shall issue a written decision, which shall take effect in accordance with Section 1120(f)(2) no later than the next business day following the summary suspension hearing.

(c) **Appeal.** If the Permittee appeals a Hearing Officer's decision upholding a summary suspension to the Board of Appeals, the summary suspension shall remain in effect until a final decision is issued by the Board of Appeals. Where a permit is revoked after a summary suspension, the revocation shall be effective immediately and, if the Permittee appeals to the Board of Appeals, shall remain in effect until a final decision is issued by the Board of Appeals.

(d) While a Taxi or Ramp Taxi Medallion is suspended pursuant to this Section 1121, the SFMTA may allow continued operation of the Medallion with the SFMTA's prior written approval, subject to any conditions specified in such approval.

(Added as Sec. 1119 by SFMTA Bd. Res. No. 09-077, 5/19/2009; amended by SFMTA Bd. Res. No. 11-017, 2/1/2011; redesignated and amended by SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

Editor's Note:

Former Sec. 1121 was redesignated as Sec. 1123 by Res. No. 12-111.

SEC. 1122. ADMINISTRATIVE PROBATION.

(a) The SFMTA shall develop uniform criteria for making a determination that either a Color Scheme or a Dispatch Service Permit Holder is on Administrative Probation based on the number and degree of violations of this Article. In addition to any other applicable disciplinary measures, the SFMTA may declare the Permit Holder to be on Administrative Probation based on such criteria.

(b) A Color Scheme on Administrative Probation may not execute new affiliations with Drivers or Medallion Holders, and a Dispatch Service on Administrative Probation may not execute new affiliations with Color Schemes, until the SFMTA makes a written determination that the violations are cured or the conditions stated in the notice of Administrative Probation are met.

(Added by SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

Editor's Note:

Former Sec. 1122 was redesignated as Sec. 1124 by Res. No. 12-111.

SEC. 1123. NOTICES.

(a) **Posting Notice.** Except as otherwise provided herein, all public notices required to be given by the SFMTA pursuant to this Article shall be posted on the SFMTA's official website, and the SFMTA shall concurrently deliver the notice for posting to the San Francisco International Airport taxi holding area and to the business office of every Dispatch Service.

(b) **Notice of Permit Hearing.** When a permit becomes available for issuance the SFMTA shall publish notice in accordance with subparagraph (a).

(c) **Notice of SFMTA Permit Application Actions.** If the SFMTA determines that a taxi medallion permit application is inactive, it shall post notice on the SFMTA's official website for a period of at least 180 days, but need not meet the other posting requirements of subparagraph (a).

(Added as Sec. 1121 by SFMTA Bd. Res. No. 09-077, 5/19/2009; amended by SFMTA Bd. Res. No. 09-183, 10/20/2009; redesignated and amended by SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

Editor's Note:

Former Sec. 1123 was redesignated as Sec. 1119 by Res. No. 12-111.

SEC. 1124. FEES, RATES AND CHARGES.

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

(b) **Taxi Fares.**

(1) The fare for Taxis and Ramp Taxis shall be as follows: \$3.10 for the first fifth of a mile or "flag"; \$0.55 for each additional fifth of a mile or fraction thereof; and \$0.55 for each one minute of waiting or traffic delay time.

(2) **Out-of-Town Trips.** Drivers are authorized to collect 150 percent of the metered rate for out-of-town trips exceeding 15 miles beyond City limits. For trips exceeding 15 miles from San Francisco International Airport and not terminating within the City limits of San Francisco, the fare will be 150 percent of the metered rate except for those trips originating at the San Francisco International Airport with a destination across the Golden Gate or Bay Bridges the 15-mile limit will apply from the City limits of San Francisco as set forth above. For taxicab trips originating at San Francisco International Airport that incur an airport trip fee, the taxicab driver may collect \$2.00 of that trip fee from the passenger upon receipt of cab fare from the passenger.

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

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

(5) **Credit Card Processing Fees.** A Driver may elect to establish his or her own account for credit card payment processing with any merchant account service that conforms to PCI DSS standards and provides an electronic or paper receipt clearly indicating that the payment was

made for San Francisco taxicab fare, the date, the fare amount and a toll-free number for passenger and Driver payment inquiries to the merchant account holder or its customer service representative; provided, however, that a Driver must allow a passenger to choose to pay the fare using any available payment system, at the passenger's option. No Color Scheme may retaliate against a Driver for electing, or not electing, to establish his or her own credit card processing account.

(c) **Gate Fees.**

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

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

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

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

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

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

(Added as Sec. 1122 by SFMTA Bd. Res. No. 09-077, 5/19/2009; amended by SFMTA Bd. Res. No. 09-104, 6/16/2009; SFMTA Bd. Res. No. 10-056, 4/20/2010; SFMTA Bd. Res. No. 10-103, 7/6/2010; SFMTA Bd. Res. No. 11-064, Ad. 5/17/2011, Oper. 6/21/2011; SFMTA Bd. Res. No. 12-078, Ad. 6/5/2012, Eff. 7/6/2012; redesignated and amended by SFMTA Bd. Res. No. 12-111, Ad. 8/21/2012, Eff. 9/21/2012)

References to Legislation

Ordinances Affecting the Transportation Code

Publisher's Note: The following table lists all ordinances affecting the Transportation Code passed by the Board of Supervisors beginning in 2011. The table includes links to the ordinances themselves (as maintained in PDF format on the Board of Supervisors' web site) and to the code sections affected. For SFMTA Resolutions affecting the Transportation Code, see the table below. For other legislation, including older ordinances and those affecting other codes, please refer to the Comprehensive Ordinance Table or the Board's "Legislation Passed" web site.

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New Legislation

2011 Ordinances

			Transportation Code, Police Code - Motor Vehicles for Hire and Enforcing Parking Laws
45-11	101422	04/09/11	
			<i>Sections Affected:</i>
			7.3.5 to 7.3.10, 7.4 (Added); 3.1, 3.3 (Amended)
			Transportation Code - Limits for Parking at Inoperable/Broken Meters
104-11	110334	07/20/11	

			<i>Sections Affected:</i> 7.2.65 (Added); 7.2.30 (Amended) Transportation Code - Car Share Vehicle Parking Restrictions
169-11	110769	09/02/11	<i>Sections Affected:</i> 7.2.52 (Added); 8.1 (Amended) Transportation Code - Residential Parking Permit Application Penalties
225-11	110984	12/15/11	<i>Sections Affected:</i> 7.3.11 (Added); 7.2.50 (Amended)

2012 Ordinances

			Transportation Code - Clipper Card Regulations
5-12	110994	02/11/12	<i>Sections Affected:</i> 7.2.104 (Added) Transportation Code - Fare Evasion and Clipper Card Regulations
96-12	120317	06/23/12	<i>Sections Affected:</i> 7.2.101, 7.2.104 (Amended) Transportation Code - Tour Bus Parking and Loading
99-12	110716	07/07/12	<i>Sections Affected:</i> 7.2.27, 7.2.38, 7.2.80 (Amended) Transportation Code - Large Vehicle Parking Restrictions
211-12	120142	11/08/12	<i>Sections Affected:</i> 7.2.54 (Added)

2013 Ordinances

			Health, Transportation Codes - Prohibiting Smoking at Certain Outdoor Events
6-13	120772	03/06/13	<i>Sections Affected:</i> 6.2, 6.7 (Amended)
101-13	130318	07/10/13 [Oper. 06/01/13]	Transportation Code - Extension of Abandoned Vehicle Abatement Fee <i>Sections Affected:</i> 4.4 (Amended)

SFMTA Board of Directors Resolutions

Publisher's Note: The following table lists all resolutions affecting the Transportation Code passed by the San Francisco Municipal Transportation Agency Board of Directors from April 5, 2011. The table includes links to the resolutions themselves (in PDF format) and to the code sections affected. For ordinances passed by the Board of Supervisors affecting the Transportation Code, see the table above. For other legislation, including older ordinances and those affecting other codes, please refer to the Comprehensive Ordinance Table or the Board of Supervisors' "Legislation Passed" web site.

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2011 Resolutions

11-041	04/05/11	05/06/11	Transportation Code - Parking Meter Use Fees
			<i>Sections Affected:</i> 312, 902 (Amended)
11-060	05/03/11	06/03/11	Transportation Code - Various Increases to Fees, Fines, Rates, and Charges
	[Oper. 07/01/11]		<i>Sections Affected:</i> 301, 302, 303, 304, 305, 412, 902, 910, 1009 (Amended)
11-064	05/17/11	06/17/11	Taxi Fare Increase
	[Oper. 06/21/11]		<i>Sections Affected:</i> 1122 (Amended)
11-065	05/17/11	06/17/11	Electronic waybills
			<i>Sections Affected:</i> 1114 (Amended)
11-074	06/07/11	07/08/11	Transportation Code - Disabled Parking Penalties; Childcare Provider Permits
			<i>Sections Affected:</i> 303, 905 (Amended)
11-108	08/02/11	09/02/11	Transportation Code - Car Share Vehicle Parking Restrictions
			<i>Sections Affected:</i> 911 (Added); 201, 302, 901, 902 (Amended)
11-109	08/02/11	09/02/11	Transportation Code - Penalties for Off-Street Parking Meter Time Limit and Clipper Card Fare Evasion or Fraudulent Use Violations
			<i>Sections Affected:</i> 302 (Amended)
11-134	10/18/11	11/18/11	Transportation Code - Commercial Passenger Vehicle Street Restrictions
			<i>Sections Affected:</i> 503 (Amended)
11-155	12/06/11	01/06/12	Wheelchair Pickups, Taxi Medallion Sales Pilot Program
			<i>Sections Affected:</i> 310, 1102, 1103, 1104, 1105, 1108, 1109, 1110, 1116 (Amended); 1111 (Repealed)

2012 Resolutions

12-010	01/17/12	02/17/12	Transportation Code - Administrative Penalties for False, Misleading, or Fraudulent Information on Residential Parking Permit Applications
			<i>Sections Affected:</i> 314, 315 (Added)
12-024	02/21/12	03/23/12	Transportation Code - Increasing Penalties for Obstructing Traffic, Double Parking, and Riding Bicycles on Sidewalks
			<i>Sections Affected:</i> 302, 303 (Amended)
12-025	02/21/12	03/23/12	Advertising and Displays on Taxicabs
			<i>Sections Affected:</i>

12-037	03/20/12	04/20/12	1113 (Amended) Transportation Code- Adding Penalty for Large Vehicle Parking <i>Sections Affected:</i> 302 (Amended) Transportation Code - Adding Penalty for Large Vehicle Parking
12-056	04/17/12	Oper. 07/01/12	<i>Sections Affected:</i> 313 (Added); 301, 302, 303, 304, 305, 310, 311, 312, 902 (Amended) Credit and Debit Card Processing Fees for Taxi Fare Payments
12-078	06/05/12	07/06/12	<i>Sections Affected:</i> 1106, 1108, 1122 (Amended) Electronic Waybills
12-079	06/05/12	07/06/12	<i>Sections Affected:</i> 1104, 1108, 1109, 1114 (Amended) Rear-seat Passenger Information Monitors
12-080	06/05/12	07/06/12	<i>Sections Affected:</i> 1113 (Amended) Amending Division II of the San Francisco Transportation Code to extend the expiration date for the SFpark Pilot Program Areas to June 30, 2014
12-085	06/19/12	07/20/12	<i>Sections Affected:</i> 412 (Amended) Transportation Code - RPP and Contractor Permits
12-090	06/19/12	07/20/12	<i>Sections Affected:</i> 905, 906 (Amended) Amending Division II of the San Francisco Transportation Code to extend the expiration date for Motorcycle Parking Meter Rates for the SFpark Pilot Program Areas to June 30, 2014
12-100	07/17/12	08/17/12	<i>Sections Affected:</i> 410 (Amended) Taxi Medallion Transfer Program
12-110	08/21/12	09/21/12	<i>Sections Affected:</i> 1102, 1116 (Amended) Motor Vehicles for Hire
12-111	08/21/12	09/21/12	<i>Sections Affected:</i> 1124 (Added); 1102, 1103, 1105, 1106, 1108, 1110, 1113, 1114, 1117, 1118, 1119, 1120, 1121, 1122, 1123 (Amended) New Fines
12-112	08/21/12	09/21/12	<i>Sections Affected:</i> 310 (Amended) Transportation Code - Temporary No-Parking Sign Posting Fee
12-127	10/16/12	11/16/12	<i>Sections Affected:</i> 316 (Added) Transportation Code - Vehicle Press Permits
12-128	10/16/12	11/16/12	<i>Sections Affected:</i> 912 (Added); 902 (Amended) Transportation Code – Vehicle Weight Restrictions, Speed Limits, Special Parking Restrictions
12-144	11/20/12	12/21/12	

12-146	11/20/12	12/21/12	<i>Sections Affected:</i> 501, 702, 801 (Amended) Taxi Medallion Waiting List
			<i>Sections Affected:</i> 1102, 1116 (Amended) Electronic Trip Data; Backseat Monitors
12-148	11/20/12	12/21/12	<i>Sections Affected:</i> 1108, 1109, 1113, 1114 (Amended)

2013 Resolutions

13-004	01/15/13	02/15/13	Transportation Code – Mobile Food Facility Permit Parking Exemptions
			<i>Sections Affected:</i> 913 (Added) Transportation Code – Large Vehicle Parking Restrictions
13-005	01/15/13	02/15/13	<i>Sections Affected:</i> 201, 302 (Amended) Ramp Taxi Medallions
13-024	02/19/13	03/22/13	<i>Sections Affected:</i> 1109, 1110, 1116 (Amended) Transportation Code – Parking Meter Zone Rates and Parking Restriction Signs
13-030	03/19/13	04/19/13	<i>Sections Affected:</i> 408, 410, 1001 (Amended) Electronic Taxi Access System, Electronic Waybills, Passenger Information Monitors
13-033	03/19/13	04/19/13	<i>Sections Affected:</i> 1102, 1105, 1108, 1109, 1113, 1114 (Amended) Medallion Transfer Price
13-048	04/16/13	05/17/13	<i>Sections Affected:</i> 1102, 1116 (Amended) Transportation Code – California Vehicle Code Penalty Schedule
13-060	05/21/13	06/20/13	<i>Sections Affected:</i> 303 (Amended) Transportation Code – Medallion Transfer Program
13-174	06/18/13	07/19/13	<i>Sections Affected:</i> 1102, 1103, 1116 (Amended)

New Legislation

Publisher's Note: The following table lists all legislation affecting the Transportation Code that has been passed by the Board of Supervisors or the Municipal Transportation Agency Board of Directors but that is not yet effective. The table includes links to the legislation itself (in PDF format) and to the code sections affected. For other legislation, including older ordinances and those affecting other codes, please refer to the Comprehensive Ordinance Table or the Board of Supervisors' "Legislation Passed" web site.

[None]