



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: April 22, 2010

To: Honorable Mayor & City Council

From: Chad Lynn, Director of Parking Operations

Subject: Request by Councilmember Brucker to Review the Conduct and Services of Beverly Hills Cab Company and Discussion on Future Taxi Operations and Enforcement

Attachments:

1. Title 7, Chapter 4, Articles 1, 2 & 3 of the BHMC
2. Draft of Rules Promulgated by the Transportation Official for Taxi Operations for 2010 Permits

INTRODUCTION

The City of Beverly Hills regulates taxi companies, vehicles and drivers delivering services to residents and visitors for trips originating within the City limits.

Pursuant to a specific incident, which is currently under investigation by the Los Angeles Police Department, Beverly Hills Police Department and the Beverly Hills Public Works & Transportation Department, and a general concern for the declining level of service provided to the citizens and visitor of the City of Beverly Hills, Councilmember Brucker has requested the matter be brought forward for discussion by the City Council.

DISCUSSION

On March 19, 2010, the City became aware of an incident, which alleged the misconduct of a driver represented/employed by Beverly Hills Cab Company. A senior citizen has alleged that after a medical appointment in the City of Beverly Hills she had over \$50 worth of CityRide coupons taken from her by the driver.

This incident has been preceded and followed by other allegations, all of which are contributing the concerns related to the taxi services provided in Beverly Hills.

- February 2010 - allegations by a senior citizen that a taxi driver from the same company left the senior without service after yelling insulting remarks regarding the senior's use of both a walker and taxi coupons.
- April 8, 2010 - Parking Control Officers (PCOs) observed and issued notices to two taxi operators from Beverly Hills Cab for improper use of the taxi meter based on trips originating in Beverly Hills at the Montage Hotel and the Beverly Hilton Hotel. During one of the contacts, the driver of the taxi was unable to clearly understand the PCOs, which is a requirement of the rules and

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regulations, and is currently scheduled for a hearing related to additional action against the operator's permit.

- April 11, 2010 – PCO observed and is investigating an operator from Beverly Hills Cab for the improper use of a taxi meter
- April 12, 2010 – PCO observed and noticed an operator from United Independent Taxi for improper use of a taxi meter based on a trip that originated on Canon Drive
- April 13, 2010 – PCO observed and noticed an operator from United Independent Taxi for improper use of a taxi meter based on a trip that originated at Robertson and Wilshire

As stated, the incident specific to March 19th is currently being investigated jointly by the Los Angeles Police Department in conjunction with the Beverly Hills Police Department and the Department of Public Works & Transportation. This is currently an open investigation, which may result in civil and/or criminal action pending completion of the investigation.

From an administrative perspective regarding the regulation of taxicabs and taxicab companies, vehicles and operators, the Beverly Hills Municipal Code (BHMC) provides for the following:

Regulations Related to the Taxi Company

- Title 7, Chapter 4, Article 1 – Certificate of Public Convenience and Necessity
 - This area of the BHMC addresses the needs, terms and conditions related to the overall providing of taxi service, and the rights and responsibilities of each taxi company for providing this service.
 - This section does not address the specific rules and regulations of each vehicle and operator. Such rules and regulations are provided in Title 7, Chapter 4, Article 2 and 3 of the BHMC and by rules promulgated by the Transportation Official in the course of regulating this program.
 - Revocation, suspension, or modification of the Certificate is under the purview of the City Council
 - Such action is based on specific grounds listed in the BHMC and requires a public hearing with 10 days notice to the Certificate holder, including the furnishing of a statement of reasons for such intended action.

Regulations Related to the Vehicle and Operator

- Title 7, Chapter 4, Article 2 and 3 – Taxi Permits and Operator's Permits
 - These areas of the BHMC address the permits for the condition and operation of the taxi vehicles and the permits for the individual taxi operators.

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- Revocation, suspension imposition of sanctions of these permits may be taken at the staff level based on specific grounds listed in the BHMC and may be appealed by the permittee to the Traffic & Parking Commission.
 - The decision of the Traffic & Parking Commission is final, and the permittee may NOT appeal the decision to the City Council.

In response to concerns generated related to this specific incident and the concerns related to the general declining level of taxi services, staff is taking the following actions:

- Enhancements to the rules and regulations for the 2010/2011 operating permits issued in April/May 2010
- Request authority from the City Council to return with revisions to the BHMC, which will allow Department of Public Works & Transportation employees the authority to issue administrative violations for violations of codes, rules and regulations
 - Parking Control Officers (PCOs) currently have the authority to issue misdemeanor violations in the form of Notices to Appear, which are prosecuted through the court system. This is currently the only form of violation that PCOs are able to issue for violations, thereby making each violation a criminal process.
- The Parking Enforcement Division has also dedicated additional resources to the inspection and observation of taxi vehicles and operators in the City of Beverly Hills.

Staff is currently working to determine the most effective method of improving services to the residents and visitors to our community.

Short-Term Actions include the following:

- Additional rules and regulations specific to quality of service and the senior taxi coupon program to be implemented for the 2010/11 permit year
- Pursue amendments to the BHMC to provide for PCOs to issue Administrative Violations in addition to Notices to Appear
- Redeployment of enforcement staff to additional sweeps, stings, and general enforcement related to taxi service
- Additional outreach and education to community seniors regarding options and reporting incidents

Long-Term Actions to include the following:

- Consideration of franchise agreements and contractual service level obligations, including customer service standards and contractual remedies
- Uniformity of regional taxi rates, which reduces confusion related to trips originating/terminating in other Cities and provides for additional enforcement
- Transition of the senior coupon program to a machine readable platform to reduce fraud and to make service delivery more convenient to the coupon holders

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RECOMMENDATION

It is recommended that the City Council direct staff to return to the City Council with proposed Ordinances to provide for the authority and implementation of administrative violations and other modifications to enhance the regulatory permit process and improve the enforcement of the permitting and operating of taxis in the City of Beverly Hills.



David Gustavson
Approved By

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Article 1. Certificate Of Public Convenience And Necessity

7-4-101: CERTIFICATE REQUIRED FOR OPERATION OF TAXI BUSINESS:

No person shall operate or conduct any taxicab business within the city without a valid certificate of public convenience and necessity issued under the provisions of this article. For purposes of this chapter the following definitions shall apply:

PUBLIC TRANSPORTATION VEHICLE: Any motor propelled vehicle, not otherwise defined in this section, used in the business of transporting passengers over the streets of the city, irrespective of whether or not any fee, compensation, or consideration is paid for such transportation.

SIGHTSEEING VEHICLE: Any motor propelled vehicle used for the transportation of passengers over the streets of the city for the purpose of showing points of interest or showing or exhibiting lands, houses, property, or any other thing or object for consideration.

TAXICAB: Any motor propelled vehicle which, for compensation fixed by a taximeter, is used for the transportation of passengers and which is not operated over a fixed route.

TAXIMETER: A mechanical instrument or device by which the charge for the hire of a taxicab is registered, calculated, or indicated by figures in accordance with the distance traveled and/or the time elapsed. (1962 Code § 6-14.300 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

7-4-102: APPLICANT QUALIFICATIONS:

Any applicant for a certificate of public convenience and necessity under this article shall meet the following conditions:

- A. Provide and maintain a minimum of thirteen (13) and a maximum of sixty (60) taxi vehicles for operation in the city; provided, however, that the transportation official shall require that a minimum of three (3), and may require that a maximum of ten (10), of the taxi vehicles shall be wheelchair accessible and ADA certified.
- B. Provide and maintain a physical location for holding of vehicles and operation of the business within ten (10) miles of the city.
- C. Provide and maintain a telephone number which is toll free from any location in the city. (1962 Code § 6-14.300 et seq.; amd. Ord. 94-O-2191, eff. 2-18-1994; Ord. 99-O-2340, eff. 1-7-2000)

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7-4-103: APPLICATION FOR CERTIFICATE:

Applications for certificate of public convenience and necessity, shall be filed with the city and shall comply with the following requirements:

- A. Completion of an application on the form designated by the city, and signed by the applicant under penalty of perjury.
- B. A financial statement of applicant in the form and content designated by city.
- C. Payment of the fees as prescribed by council.
- D. Such other information as required by the city.
- E. Where the applicant is a corporation, association, partnership, or other legal entity, applicant shall mean each partner, officer, director, and each shareholder owning or controlling more than ten percent (10%) of such entity.
- F. Applications for an increase in the number of taxis authorized under an existing certificate of public convenience and necessity or a change of ownership shall comply with the provisions of this section. (1962 Code § 6-14.300 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

7-4-104: GENERAL CRITERIA FOR ISSUANCE OR DENIAL OF CERTIFICATE:

The following criteria shall be considered in determining whether to grant, conditionally grant, or deny an application for a certificate of public convenience and necessity under this article:

- A. Whether the taxi service proposed by applicant is required by the public convenience and necessity considering the number of taxis presently operating in the city;
- B. Whether the increased taxi service in the city will adversely impact on local traffic conditions;
- C. Whether the applicant has the financial capability to ensure performance of the proposed taxi service;

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D. Whether the applicant has been convicted of a felony or misdemeanor involving moral turpitude and has not demonstrated rehabilitative characteristics;

E. Whether the applicant meets requirements and conditions designated by this code. (1962 Code § 6-14.300 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

7-4-105: RECOMMENDATION ON APPLICATION BY TRAFFIC AND PARKING COMMISSION:

The traffic and parking commission, upon ten (10) days' written notice, shall hold a public hearing on the application. After considering the criteria set forth in section 7-4-104 of this article, the commission shall make a written recommendation to city council to grant, conditionally grant, or deny the certificate of public convenience and necessity. (1962 Code § 6-14.300 et seq.; amd. Ord. 94-O-2191, eff. 2-18-1994; Ord. 99-O-2340, eff. 1-7-2000)

7-4-106: COUNCIL APPROVAL OR DENIAL OF CERTIFICATE:

After receipt of the recommendation of the traffic and parking commission, the city council shall hold a public hearing on the application for the certificate of public convenience and necessity. Written notice of the hearing shall be provided at least ten (10) days prior to the hearing. The city council shall consider the recommendation of the traffic and parking commission, and based upon the criteria set forth in section 7-4-104 of this article, shall grant, conditionally grant, or deny the certificate of public convenience and necessity. If the certificate is denied, the applicant shall be notified in writing in accordance with title 1, chapter 5, article 1 of this code of the reasons for the denial. (1962 Code § 6-14.300 et seq.; amd. Ord. 94-O-2191, eff. 2-18-1994; Ord. 99-O-2340, eff. 1-7-2000)

7-4-107: TERM AND TRANSFER OF CERTIFICATE:

A certificate of public convenience and necessity issued under this article shall remain in effect until relinquished by the holder of the certificate, or until suspended, or revoked by the city. A certificate shall not be transferred to any other person or entity without prior city council approval. An application to transfer a certificate shall be processed in the same manner and in accordance with the same procedures for the grant of a new certificate as set forth in this article. Those procedures include city council approval of the transfer. (1962 Code § 6-14.300 et seq.; amd. Ord. 94-O-2191, eff. 2-18-1994; Ord. 99-O-2340, eff. 1-7-2000)

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7-4-108: GROUNDS FOR REVOCATION OR SUSPENSION OF CERTIFICATE, OR REDUCTION IN NUMBER OF VEHICLES:

- A. A certificate of public convenience and necessity issued under this article may be suspended or revoked on any of the following grounds:
1. Failure to comply with any conditions imposed by the certificate.
 2. Failure to comply with federal, state, or local laws and regulations; or
 3. Failure to operate the taxi business in accordance to applicable orders, rules, and regulations.
 4. Conduct of the taxi business in a fraudulent or disorderly manner, or in a manner which endangers the public health, welfare, or safety.
 5. The holder of the certificate has failed or ceased to operate in accordance with the certificate.
 6. Failure to obtain any public transportation vehicle permits during a one year period.
 7. Allowing the total number of taxis authorized by the certificate to be reduced to zero pursuant to section 7-4-110 of this article.
- B. The number of taxis authorized under any certificate of public convenience and necessity may be reduced where there is a finding by council that there is an excessive number of taxis in operation in the city. (1962 Code § 6-14.300 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

7-4-109: COUNCIL HEARINGS ON REVOCATION, SUSPENSION, OR MODIFICATION OF CERTIFICATE:

The city council, upon ten (10) days' public notice, may hold a public hearing on the revocation, suspension of the certificate, or modification in the number of taxis authorized under a certificate. At least ten (10) days prior to the public hearing, the certificate holder shall be notified by the city of the intended action, and shall be furnished a statement of the reasons for such intended action. At the conclusion of the public hearing, council may revoke or suspend the certificate or reduce the number of taxis authorized under the certificate. The certificate holder shall be notified in writing in accordance with title 1, chapter 5, article 1 of this code of the reasons for any decision revoking, suspending, or causing a reduction in the number of taxis authorized under the certificate. (1962 Code § 6-14.300 et seq.)

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7-4-110: REDUCTION OF NUMBER OF VEHICLES UPON FAILURE TO PROCURE PUBLIC TRANSPORTATION VEHICLE PERMITS:

Where the holder of a certificate of public convenience and necessity fails in any year to procure public transportation vehicle permits for the total number of taxis authorized under the certificate, the number of taxis authorized by the certificate of public convenience and necessity shall be automatically reduced to the number of vehicles for which public transportation vehicle permits have been issued for that year. If a taxi is out of service for forty five (45) consecutive calendar days during the term of the public transportation vehicle permit issued for such vehicle, then the total number of taxis authorized by the certificate of public convenience and necessity governing such vehicle shall be automatically reduced by one. Upon reduction of the number of taxis authorized by a certificate of public convenience and necessity pursuant to this section, the number of vehicles authorized by such certificate may be subsequently increased only by filing an application in accordance with subsection 7-4-103F of this article. (1962 Code § 6-14.300 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

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Article 2. Taxis And Other Public Transportation Vehicles

7-4-201: PUBLIC TRANSPORTATION VEHICLE PERMIT REQUIRED:

A. No person shall operate any taxi, limousine, bus, sightseeing vehicle, or other public transportation vehicle without a public transportation vehicle permit for each such vehicle issued under the provisions of this title; with the exception of those vehicles designated in subsection B of this section.

B. The provisions of subsection A of this section shall not be applicable to the following:

1. Any vehicle for which a permit or certificate has been issued by the state public utilities commission or by the federal interstate commerce commission.
2. Any school bus used by or under contract with, a public or private school.
3. Any vehicle transporting passengers from a point outside the city to a destination within the city, or proceeding through the city while en route to a destination outside the city. This exemption allows a taxi without a public transportation vehicle permit to unload and reload particular passengers with the intent to transport them to another location as long as: a) its taxi meter continues to run; b) it does not leave the city; and c) it does not provide transportation to any other persons while waiting for such passengers. This exemption shall not apply to any taxi that unloads passengers within the city, departs the city, resets its taxi meter and then returns to the city and reloads the same passengers. (1962 Code § 6-14.100 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

7-4-202: APPLICATION FOR PUBLIC TRANSPORTATION VEHICLE PERMIT:

Applications for public transportation vehicle permits shall be filed with the city and shall comply with the following requirements:

- A. Completion of an application on the form designated by the city, and signed by the applicant under penalty of perjury.
- B. New applications shall be filed a minimum of forty five (45) days prior to the date requested for issuance of the permit. Any new application that is rejected must be refiled a minimum of thirty (30) days prior to the date requested for permit issuance. An application filed less than thirty (30) days prior to the date requested for permit issuance shall not be accepted.
- C. Payment of the fee as prescribed by council resolution.

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- D. An inspection and a certificate of the mechanical condition of the vehicle issued within thirty (30) days of the filing of the application.
- E. The application shall be accompanied by a copy of the current registration issued by the state department of motor vehicles for the vehicle for which the permit is requested.
- F. Renewal permit applications shall be filed a minimum of forty five (45) days prior to expiration of any existing permit. Any renewal application that is rejected must be refiled a minimum of thirty (30) days prior to expiration of any existing permit. A renewal application that is refiled less than thirty (30) days prior to the date requested for permit renewal shall not be accepted.
- G. Where the applicant is a corporation, association, partnership, or other legal entity, applicant shall mean each partner, officer, director, and each shareholder owning or controlling more than ten percent (10%) of such entity.
- H. Applications for taxis shall be made by, and the permit issued to, the holder of the certificate of public convenience and necessity; provided further, if the holder of the certificate is an association, the public transportation vehicle permit application shall be filed by the owner of the vehicle, and permit issued under this article shall be issued to the owner of such vehicle. All correspondence shall be conducted through the holder of the certificate. If the holder of the certificate is an association, then such association shall be responsible for communicating city correspondence to the owner of the vehicle. An "association", for purposes of this article, is defined as an organization which provides taxi service, and the taxi vehicles are owned and operated by individual members of such organization.
- I. Applications for taxis shall be accompanied by a taximeter inspection permit which has been issued by the county of Los Angeles department of weights and measures within thirty (30) days of filing of the application. (1962 Code § 6-14.100 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

7-4-203: CRITERIA FOR ISSUANCE OR DENIAL OF PERMIT:

- A. The public transportation vehicle permit will be issued by the transportation official unless there is a finding that:
 - 1. The applicant has been convicted of a felony or a misdemeanor involving moral turpitude, and has not subsequently demonstrated rehabilitative characteristics;
 - 2. The applicant has made a material misrepresentation in the application;

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3. The vehicle does not comply with the rules and regulations of the city;
4. If the application is for renewal of a permit, that the applicant has violated conditions of the previous permit, or ordinances or regulations of the city in the conduct of the business or activity.

B. When one or more of the findings is negative to the applicant, a permit may be conditionally issued to the applicant, where unique circumstances exist which justify issuance of the permit, and provided that appropriate conditions are imposed on the permit to protect the public health, welfare, and safety. (1962 Code § 6-14.100 et seq.)

7-4-204: DENIAL OF PERMIT:

Where the permit is denied, the applicant shall be notified in writing in accordance with title 1, chapter 5, article 1 of this code, of the denial and reasons therefor. (1962 Code § 6-14.100 et seq.)

7-4-205: TERMS OF PERMITS:

Permits issued pursuant to this article shall be effective for a period of one year from date of issuance unless a shorter term is specified on the permit. A separate permit is required for each vehicle. (1962 Code § 6-14.100 et seq.)

7-4-206: REVOCATION OR SUSPENSION OF PERMIT OR IMPOSITION OF SANCTIONS:

A permit issued under this article may be revoked, suspended, or sanctions imposed by the transportation official for any of the following reasons:

- A. A material false statement contained in the application;
- B. Failure to comply with federal, state or local laws and regulations;
- C. Failure to comply with any conditions imposed by the city on the issuance of the permit;
- D. Failure to operate in accordance to such orders, rules and regulations as may be applicable;

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- E. Conduct of the business in a fraudulent or disorderly manner, or in a manner which endangers the public health, welfare, or safety. (1962 Code § 6-14.100 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994; Ord. 99-O-2340, eff. 1-7-2000)

7-4-207: NOTICE OF PROPOSED DISCIPLINARY ACTION AND HEARING:

Prior to suspension or revocation of a public transportation vehicle permit, or the imposition of sanctions, a hearing shall be held thereon by the transportation official. The permittee shall be notified in writing of the grounds for suspension or revocation of the permit, or imposition of sanctions at least ten (10) days prior to the scheduled hearing. (1962 Code § 6-14.100 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

7-4-208: EMERGENCY TEMPORARY SUSPENSION OF PERMIT:

Where the conduct of the permittee or the mechanical condition of the vehicle creates an imminent peril to the public health, welfare, safety, or where the permittee refuses to allow inspection of the vehicle under section 7-4-216 of this article, the permit may be summarily suspended by the transportation official upon written notice to the permittee stating the basis for the suspension and without a hearing; provided further, any temporary emergency suspension shall not exceed fifteen (15) days pending a hearing under section 7-4-207 of this article. (1962 Code § 6-14.100 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

7-4-209: DECISION ON SUSPENSION, REVOCATION, OR SANCTIONS:

The decision of the transportation official shall be rendered within five (5) days of the hearing. The decision shall be in writing, and shall set forth the findings and reasons for the decision, and the licensee shall be notified in writing in accordance with title 1, chapter 5, article 1 of this code. (1962 Code § 6-14.100 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

7-4-210: TRANSFER OF PERMITS:

- A. Public transportation vehicle permits issued to one vehicle may be transferred to replacement vehicle, provided that the transferee vehicle meets the requirements of this chapter, and the applicant complies with regulations issued pursuant to section 7-4-217 of this article, and pays the transfer fee as designated by council resolution.

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- B. A public transportation vehicle permit issued to one person for a vehicle may be transferred to another person, provided that the transferee applicant files the transfer application form designated by the city, meets the criteria of section 7-4-203 of this article, complies with any regulations issued pursuant to section 7-4-217 of this article, and pays the transfer fee as designated by council resolution. (1962 Code § 6-14.100 et seq.)

7-4-211: APPEAL TO TRAFFIC AND PARKING COMMISSION:

Any final decision of the transportation official denying a permit or imposing sanctions under this article, may be appealed to the traffic and parking commission. Any appeal shall be filed with the transportation official within fourteen (14) days of the decision by the transportation official. The traffic and parking commission shall hold a hearing on the appeal, and the appellant shall be given at least ten (10) days' notice of such hearing. The hearing shall be held under the rules of procedure adopted by the traffic and parking commission. The traffic and parking commission shall have the authority to sustain, modify, or overrule the decision of the transportation official. The decision shall be in writing, shall set forth the reasons for the decision and the appellant shall be notified in writing in accordance with title 1, chapter 5, article 1 of this code. Any decision rendered by the traffic and parking commission under this section shall be final and shall not be appealable to city council. (1962 Code § 6-14.100 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

7-4-212: INSURANCE REQUIRED:

(Rep. by Ord. 99-O-2340, eff. 1-7-2000)

7-4-213: RESTRICTIONS AND REGULATIONS APPLICABLE TO PUBLIC TRANSPORTATION VEHICLES:

In addition to other regulatory provisions of this code, the following restrictions and prohibitions shall be applicable to public transportation vehicles:

- A. The public transportation operator's permit shall be conspicuously displayed inside each vehicle at all times such vehicle is operated in the city. The holder in which the permit is displayed shall contain a statement which is visible to passengers upon removal of the permit, and which states the public transportation operator's permit is required by law to be displayed at all times the vehicle is in operation.
- B. The rates charged for taxicab service shall be conspicuously displayed in both the front and rear seating compartments of each vehicle, in clearly legible print and on a placard of a minimum size of four inches by six inches (4" x 6"); and such placard shall also state the

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name, business address, and telephone number of the holder of the certificate of public convenience and necessity.

- C. The driver shall, upon receipt of full payment of the fare, issue a written receipt to any passenger requesting a receipt.
- D. No owner, driver, or agent shall charge, collect, demand, receive, or arrange for any compensation for service in excess of the rates established by council.
- E. No owner, operator, or agent shall misrepresent by word, sign, hatband, insignia, or badge, or by any other means or device, the true identity of the vehicle in soliciting patronage for such vehicle.
- F. The operator of the vehicle shall not cruise streets for the purpose of soliciting passengers, shall not leave the vehicle for the purpose of soliciting passengers, and shall not solicit passengers in a tone of voice louder than ordinarily used in conversation.
- G. The operator of the vehicle shall be properly groomed and neatly dressed.
- H. Each public transportation vehicle shall have the current public transportation vehicle permit issued by the city affixed upon the left portion of the rear area of the vehicle.
- I. The vehicle, and all equipment therein, shall comply with all applicable requirements of the state Vehicle Code, the federal motor vehicle safety standards, safety orders of the state division of industrial safety, and any vehicle standards promulgated by the city. (1962 Code § 6-14.100 et seq.; amd. Ord. 94-O-2191, eff. 2-18-1994; Ord. 99-O-2340, eff. 1-7-2000)

7-4-214: ADDITIONAL RESTRICTIONS AND REGULATIONS APPLICABLE TO TAXIS:

In addition to the other regulatory provisions of this code, and the regulatory provisions of section 7-4-213 of this article, the following restrictions and prohibitions are specifically applicable to taxis:

- A. No taxicab shall stand in a taxicab zone unless the vehicle both: 1) is authorized by a certificate of public convenience and necessity pursuant to this code; and 2) has been issued a public transportation vehicle permit pursuant to this code. More than one taxicab from each franchisee may simultaneously stand in a queue in any designated taxicab zone unless one or more taxicabs from a franchisee or franchisees which are unrepresented in

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- the taxicab zone approach to park at the taxicab zone. In such event, the taxicab which is standing last in the queue in the taxicab zone and which is represented by the same franchisee shall relinquish its space to the taxicab which is not represented in the taxicab zone. Every driver shall remain inside their cab while waiting at a taxicab zone.
- B. Every taxicab shall be identified by marking on both sides of the vehicle the name and telephone number of the taxi company, and a number designating the specific taxicab; and with the number designating the specific taxicab also placed on the rear of the vehicle. Lettering shall be not less than two and one-fourth inches ($2\frac{1}{4}$ ") in height and not less than five-sixteenths inch ($\frac{5}{16}$ ") in stroke.
- C. No sign shall be displayed upon any taxicab; except a sign identifying the vehicle as a taxi may be displayed on the top of such vehicles, and provided that such sign does not exceed six inches (6") high and twenty four inches (24") in length.
- D. Every taxi driver while transporting any passenger to a destination shall proceed with the most direct route which will deliver the passenger safely and expeditiously to the destination.
- E. Any person engaging a taxicab shall have the full and exclusive use of such vehicle, and the taxi driver shall not solicit or carry any additional passenger without the consent of the person first engaging the taxi.
- F. Taxi passengers shall be seated in the rear seat of the taxi, except when the rear seat of the taxicab is fully occupied, or except for student drivers, supervisors, or aged, infirm, or handicapped persons who cannot readily enter the rear compartment of the taxicab.
- G. Each taxicab shall be equipped with a computer dispatch system capable of two-way voice communication and two-way data communication with the organization's base computer dispatch system, from all locations within the city limits. Every driver of a taxicab shall monitor the computer dispatch system at all times, and the computer dispatch system shall be in operation at all times that the vehicle is in service.
- H. Each taxicab shall be equipped with a taximeter which shall at all times accurately reflect the taxi service charges. Taximeters shall be of a type and design approved by the city. Taximeters shall be illuminated with charges readily discernible by any passenger in the taxicab. Where the approved taxi meter is capable of a setting to rates other than approved by the city, the taximeter shall by sign, or other device clearly indicate when the rates authorized by this chapter are being charged when operating within the city.
- I. The documents required by subsection 7-4-213A of this article shall be displayed in each

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taxicab, by placing in a holder permanently affixed to the dash of the vehicle, and in full view of passengers. A taxicab service evaluation notice, identifying the telephone number to contact in the event of passenger complaint or comment, in the form required by the city, shall be conspicuously displayed in the taxicab vehicle.

J. No vehicle shall be issued a public transportation vehicle permit for taxicab use where such vehicle is in excess of five (5) years of age from the year of its manufacture unless such vehicle undergoes a special inspection by a mechanic selected by the city and not affiliated with the taxicab operator before the end of the vehicle's fifth and sixth years, and obtains a certificate certifying that the mechanical condition of the vehicle is satisfactory. This special vehicle inspection shall be in addition to the inspections required by subsection 7-4-202D and section 7-4-216 of this article and shall be based upon standards established by the city. In no event shall the vehicle remain in operation for more than seven (7) years from the date of its manufacture.

K. Any vehicle operated as a taxi shall be equipped with air conditioning. (1962 Code § 6-14.100 et seq.; Ord. 94-O-2191, eff. 2-18-1994; Ord. 99-O-2340, eff. 1-7-2000)

7-4-215: METERED TAXICAB RATES:

A. Taxicab rates for any taxicab operating over any street in the city shall be fixed as follows:

1. Two dollars forty five cents (\$2.45) for the first one-seventh ($\frac{1}{7}$) mile or fraction thereof, or thirty (30) seconds of waiting time or fraction thereof.
2. Twenty cents (\$0.20) for each additional one-seventh ($\frac{1}{7}$) mile or fraction thereof, or forty seven and one-half (47.5) seconds waiting time or fraction thereof.
3. Thirty eight dollar (\$38.00) flat rate to the Los Angeles Airport (LAX).

B. The rates and fares set forth in subsection A of this section shall be collected only to the extent shown on the taxicab meter, plus any surcharge applicable, regardless of the number of persons occupying the taxicab. No rate other than that specified in this section shall be placed in effect, charged, demanded, or collected for taxicab service originating in the city, regardless of whether the destination of such service is within or beyond the corporate boundaries of the city.

C. Each taxicab operating within the city shall be subject to and comply with all provisions of the city's taxi coupon program as adopted by the council, and shall accept taxi coupons as provided therein. (1962 Code § 6-14.100 et seq.; amd. Ord. 00-O-2346, eff. 7-21-2000; Ord. 05-O-2490, eff. 1-6-2006; Ord. 07-O-2527, eff. 10-5-2007)

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7-4-216: INSPECTION OF VEHICLES:

The director of transportation, or the director's designee, shall have authority at all reasonable times to inspect, or cause the inspection of any public transportation vehicle and the records of any permittee regulated by this article.

- A. Refusal to permit inspection shall be the basis for emergency suspension of the permit pursuant to section 7-4-208 of this article.
- B. When an inspection reveals safety defects that in the opinion of the director or the director's designee endanger the safety of the public, or where the taximeter on any taxicab is inaccurate or has been tampered with to incorrectly reflect the rates authorized by city, the permit may be suspended pursuant to section 7-4-208 of this article.
- C. Failure to appear for a scheduled inspection shall constitute a violation of this code subject to an administrative citation pursuant to title 1, chapter 3 of this code.
- D. If a public transportation vehicle fails a scheduled inspection, the permittee shall arrange for a reinspection of the vehicle within fourteen (14) calendar days. The permittee shall be responsible for paying the reinspection fee as established by resolution of the city council. (1962 Code § 6-14.100 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994; Ord. 99-O-2340, eff. 1-7-2000; Ord. 01-O-2368, eff. 3-8-2001)

7-4-217: AUTHORITY TO PROMULGATE RULES AND REGULATIONS:

The transportation official shall have the power and authority to promulgate rules and regulations for the implementation and enforcement of provisions of this article, and when duly promulgated, such rules and regulations shall be in full force and effect. (1962 Code § 6-14.100 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

7-4-218: PUBLIC TRANSPORTATION VEHICLE INSURANCE:

Notwithstanding the provisions of section 3-4-2 of this code, every applicant for a taxicab transportation vehicle permit or permits shall obtain and maintain in full force and effect commercial automobile liability insurance meeting the following requirements for each vehicle listed on the application:

- A. The insurer must be a carrier licensed and admitted by the California department of insurance to sell commercial automobile liability insurance in the state of California and be a member of the California Insurance Guarantee Fund.

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- B. The policy shall be written with policy limits of not less than three hundred fifty thousand dollars (\$350,000.00) combined single limit per occurrence. Such insurance may include a property damage deductible not greater than two thousand five hundred dollars (\$2,500.00) per occurrence.
- C. The policy shall contain a condition that it cannot be modified or cancelled without at least thirty (30) days' prior written notice to the city.
- D. Each policy shall contain an endorsement naming the city as an additional insured and shall be primary to and not contributing with any other insurance covering or maintained by the city.
- E. A certificate of insurance shall be attached to the application for the taxicab public transportation vehicle permit or permits. Upon approval of the application, a copy of the additional insured and cancellation endorsements required by subsections C and D of this section shall be filed with the city within thirty (30) days of the date the application is approved. Certificates and endorsements shall be filed on the forms provided by the city and the endorsement shall be notarized. (Ord. 89-O-2062, eff. 6-8-1989; amd. Ord. 99-O-2340, eff. 1-7-2000)

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Article 3. Operator's Permit**7-4-301: OPERATOR'S PERMIT REQUIRED:**

No person shall drive or operate a public transportation vehicle regulated by this chapter without a valid public transportation operator's permit issued under this article. (1962 Code § 6-14.400 et seq.; amd. Ord. 94-O-2191, eff. 2-18-1994)

7-4-302: APPLICATIONS FOR OPERATOR'S PERMIT:

Application for an operator's permit shall be filed with the transportation official and shall comply with the following requirements:

- A. Completion of an application on the form designated by the transportation official and signed by the applicant under penalty of perjury.
- B. A photograph and fingerprints of the applicant shall accompany the application.
- C. Proof of a current valid California driver's license.
- D. Proof applicant is at least eighteen (18) years of age.
- E. Passing an examination which shall be developed and administered by the transportation official in which the applicant demonstrates the qualifications necessary for the operation of a public transportation vehicle. The examination shall test the ability of the applicant to perform the operator services authorized by the permit, including, but not limited to, the applicant's ability to communicate in English, to locate with the aid of a street atlas, street addresses and intersections, and the ability to communicate points of interest.
- F. Payment of the fees as prescribed by council.
- G. If the applicant will be operating a public transportation vehicle as an employee, the application shall be accompanied by a letter from the employer stating that the applicant will be employed upon issuance of the operator's permit. If the applicant will be operating a public transportation vehicle as a member of an association, then the application shall be accompanied by a letter from the association stating that the applicant will be admitted upon issuance of the operator's permit.

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- H. Evidence of compliance with a controlled substance and alcohol testing certification program. That certification program, and compliance with it, must meet the following requirements:
1. The applicant must test negative for each of the controlled substances specified in part 40 (commencing with section 40.1) of title 49 of the Code of Federal Regulations and for alcohol, before employment. For purposes of this subsection H, "employment" includes self-employment as an independent driver. As used in this section, a "negative test for alcohol" means an alcohol screening test showing a breath alcohol concentration of less than 0.02 percent.
 2. Procedures of the certification program must be substantially as in part 40 (commencing with section 40.1) of title 49 of the Code of Federal Regulations, except that the driver must show a valid California driver's license at the time and place of testing. Requirements for rehabilitation and for return to duty and follow up testing and other requirements must be substantially as in part 382 (commencing with section 382.101) of title 49 of the Code of Federal Regulations.
 3. A test conducted in another California jurisdiction will be accepted as meeting the testing requirement of the city of Beverly Hills. Any negative test result will be accepted for one year as meeting a requirement for periodic permit renewal testing in the city if the driver has not tested positive subsequent to a negative result. However, an earlier negative result will not be accepted as meeting the preemployment testing requirement for any subsequent employment, or any testing requirements under the program other than periodic testing.
 4. If the permitted owner of the taxicab or taxicabs is an employer, and the applicant for an operator's permit is an employee or prospective employee, then the following additional requirements are applicable:
 - a. The test results must be reported directly to the permitted owner that is the employer, or prospective employer, of the applicant for an operator's permit. The permitted owner is required to notify the city of positive results with regard to any employee, or prospective employee, who is an applicant for an operator's permit.
 - b. Permitted owners that employ taxicab drivers are responsible for compliance with, and must pay all costs of, this program with respect to their employees and prospective employees, except that a permitted owner may require employees who test positive to pay the costs of rehabilitation and of return to duty and follow up testing.
 - c. The permitted owner must notify the city upon termination of employment of a permitted taxicab driver. Upon termination, the operator's permit will become void, and the taxicab driver must return the permit to the city.
 5. In the case of a self-employed independent driver, the following additional requirements are applicable:
 - a. Self-employed independent drivers are responsible for compliance with, and must pay all costs of, this program with regard to themselves.

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- b. The test results must be reported directly to the city, and the city must then notify the taxicab leasing company of record, if any, of positive results.
 - c. Upon the request of a driver applying for a permit, the city will give the driver a list of the consortia certified pursuant to part 382 (commencing with section 382.101) of title 49 of the Code of Federal Regulations that are known to offer tests in or near the city.
6. All test results are confidential and may not be released without the consent of the driver, except as authorized or required by law.
7. The city council, by resolution, may levy service charges, fees, or assessments in an amount sufficient to pay for the costs of implementing and administering the procedures specified in this subsection H, which are implemented pursuant to California Government Code section 53075.5. (1962 Code § 6-14.400 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994; Ord. 99-O-2322, eff. 3-5-1999; Ord. 99-O-2340, eff. 1-7-2000)

7-4-303: CRITERIA FOR ISSUANCE OR DENIAL OF PERMIT:

The permit will be issued by the transportation official unless there is a finding that:

- A. The applicant has been convicted of a felony or a misdemeanor involving moral turpitude, and has not subsequently demonstrated rehabilitative characteristics.
- B. The applicant has made a material misrepresentation in the application.
- C. Within the preceding seven (7) years, the applicant has been convicted of or pleaded guilty to reckless driving or driving under the influence of intoxicating liquors or narcotics.
- D. Within the preceding twelve (12) month period the applicant has been convicted or pleaded guilty to two (2) or more moving violations under the state Vehicle Code or has been determined by the department of motor vehicles (or equivalent public entity) to be at fault in two (2) or more vehicular accidents in any state.
- E. The applicant possesses physical deficiencies which would render operation of a public transportation vehicle by applicant an increased risk of injury to persons or property.
- F. The applicant fails to pass the examination required by subsection 7-4-302E of this article, or fails to meet other requirements of this article.
- G. The applicant has tested positive for any of the controlled substances specified in part 40

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(commencing with section 40.1) of title 49 of the Code of Federal Regulations or for alcohol. For the purposes of this subsection, a "positive test for alcohol" means an alcohol screening test showing a breath alcohol concentration of more than 0.02 percent. (1962 Code § 6-14.400 et seq.; amd. Ord. 94-O-2191, eff. 2-18-1994; Ord. 99-O-2322, eff. 3-5-1999; Ord. 99-O-2340, eff. 1-7-2000)

7-4-304: DENIAL OF PERMIT:

Where the permit is denied, the applicant shall be notified in writing in accordance with title 1, chapter 5, article 1 of this code, of the denial and the reasons therefor. Any denial may be appealed to the transportation official by filing an appeal with the transportation official within fourteen (14) days of the denial. (1962 Code § 6-14.400 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

7-4-305: TERMS OF PERMITS:

Permits issued pursuant to this article shall be effective for a period of three (3) years from date of issuance. (1962 Code § 6-14.400 et seq.; amd. Ord. 99-O-2340, eff. 1-7-2000)

7-4-306: REVOCATION OR SUSPENSION OF PERMITS OR IMPOSITION OF SANCTIONS:

A permit issued under this article may be revoked, suspended, or sanctions imposed by the transportation official for any of the following reasons:

- A. A material false statement contained in the application.
- B. Failure of permittee to comply with federal, state, or local laws.
- C. Failure of permittee to comply with provisions of this chapter or regulations promulgated by the transportation official.
- D. The permittee has been convicted of a felony, reckless driving, pandering, the use, sale, possession, or transportation of narcotics or illicit intoxicating liquors, or for assault or battery, or for driving under the influence of alcohol or narcotics.
- E. Within the preceding twelve (12) month period, the permittee has been convicted of or

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pleaded guilty to two (2) or more moving violations under the state Vehicle Code or has been determined by the department of motor vehicles (or equivalent public entity) to be at fault in two (2) or more vehicular accidents in any state.

F. The permittee has tested positive for any of the controlled substances specified in part 40 (commencing with section 40.1) of title 49 of the Code of Federal Regulations or for alcohol. For the purposes of this subsection, a "positive test for alcohol" means an alcohol screening test showing a breath alcohol concentration of more than 0.02 percent. Procedures for random testing and requirements for rehabilitation and for return to duty and follow up testing and other requirements shall be substantially as in part 382 (commencing with section 382.101) of title 49 of the Code of Federal Regulations. (1962 Code § 6-14.400 et seq.; amd. Ord. 94-O-2191, eff. 2-18-1994, Ord. 99-O-2322, eff. 3-5-1999; Ord. 99-O-2340, eff. 1-7-2000)

7-4-307: HEARING REQUIRED FOR SUSPENSION OR REVOCATION OF PERMIT OR IMPOSITION OF SANCTIONS:

Prior to suspension or revocation of a public transportation operator's permit or the imposition of sanctions, the permittee shall be notified in writing of the grounds for suspension, revocation, or sanctions, and a hearing shall be held thereon. Notice of the hearing shall be given to the permittee at least ten (10) days prior to such hearing. (1962 Code § 6-14.400 et seq.)

7-4-308: EMERGENCY TEMPORARY SUSPENSION OF PERMIT:

Where the conduct or activity of the permittee creates an imminent peril to the public health, welfare, or safety, the permit may be summarily suspended by the transportation official upon written notice to the permittee stating the basis for the suspension, provided further, any temporary emergency suspension shall not exceed fifteen (15) days pending a hearing under section 7-4-307 of this article. (1962 Code § 6-14.400 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

7-4-309: DECISION ON SUSPENSION, REVOCATION, OR SANCTIONS:

The decision of the transportation official shall be rendered within five (5) days of the hearing. The decision shall be in writing, and shall set forth the findings and reasons for the decision, and the licensee shall be notified in writing in accordance with title 1, chapter 5, article 1 of this code. (1962 Code § 6-14.400 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

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7-4-310: APPEAL TO TRAFFIC AND PARKING COMMISSION:

Any final decision of the transportation official may be appealed to the traffic and parking commission under the procedure set forth in section 7-4-211 of this chapter. (1962 Code § 6-14.400 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

7-4-311: AUTHORITY TO PROMULGATE RULES AND REGULATIONS:

The transportation official shall have the power and authority to promulgate rules and regulations for the implementation and enforcement of provisions of this article, and when duly promulgated, such rules and regulations shall be in full force and effect. (1962 Code § 6-14.400 et seq.; amd. Ord. 93-O-2191, eff. 2-18-1994)

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CITY OF BEVERLY HILLS
TAXI OPERATOR INFORMATION

City of Beverly Hills
 Department of Transportation
 455 N. Rexford Drive
 Beverly Hills, CA 90210
 (310)285-2500
 (310)858-5965 FAX

Included in Sections 1 through 8 are references from the Beverly Hills Municipal Code as well as additional rules and regulations governing taxi operations in the City. Please refer to the Beverly Hills Municipal Code, Sections 7-4.101 to 7-4.311 for a complete reference. You are responsible for all regulations whether or not specified in this document.

RULES AND REGULATIONS

SECTION ONE –DRIVER/OPERATOR

1. Must maintain a copy of these RULES AND REGULATIONS whenever you are operating an authorized taxicab in the City of Beverly Hills, and must present it upon request to any authorized representative of the City of Beverly Hills.
2. As a professional taxi driver, you must know the area that you are serving; this shall include, but not be limited to the Rules and Regulations as set forth in this handout. Whenever you are operating a taxicab in the City of Beverly Hills, you must never forget that you are offering a service that requires you to provide professional courtesy and helpfulness to the public.
3. MUST observe all parking, traffic and safety rules and regulations as required by Federal, State, County, and City laws. The following are some examples of violations of the California Vehicle Code (CVC): stopped in a red zone, u-turns in a business district, obstructing traffic, double parked, etc.
4. Must bring with you for your work shift:
 - a) a copy of the Beverly Hills Taxi Operator Information Booklet (Rules and Regulations)
 - b) a pen or pencil for maintaining waybills and giving receipts;
 - c) an up-to-date Los Angeles County area map or GPS system;
 - d) a minimum of five dollars change;
 - e) your current and valid California Drivers License
 - f) your current and valid Beverly Hills Taxi Operator Permit Identification Card (City ID)



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5. Are to take the most direct route to the destination, unless otherwise directed by the passenger. Routing shall avoid using single family residential streets when main arterials and collectors are available.
6. Shall not take additional passengers without the express permission of the first passenger.
7. Should wear clean, comfortable clothing. You must wear a shirt with a collar, long or short sleeves; full-length trousers; closed shoes and socks. Ladies must wear a blouse or shirt, long or short sleeved; slacks or skirts; closed shoes and socks or stockings. Drivers may wear a tie if they prefer or as per their own company rules. T-shirts, jerseys, shorts, sandals, or shoes without socks, are not acceptable.
8. *Mustaches or beards are to be kept trimmed and groomed at all times. Hair should be kept neat. Bathe daily, and use good personal hygiene. Offensive body odor may be grounds to suspend the driver's permit to operate for the day.*
9. *If you smoke, understand that many people find it offensive. Smoking by the driver will not be permitted while transporting a customer or while the taxi-meter is activated.*
10. *If you are playing the radio or recorded music, understand that some people may not appreciate your selections. Check with your passenger before you turn it on. Any request by the passenger to lower or turn off the radio or recorded music must be complied with.*
11. *Drivers are to comply with the California Vehicle Code as it relates to cellular phone use. Drivers must use hands free devices while using a cellular phone. The speaker phone option should only be used in an emergency. This applies to walkie-talkie functions of the phone as well.*
12. *Must, upon receipt of full payment of the fare, issue a written receipt to any passenger requesting a receipt. Any receipt must include the taxi cab number and the full amount paid.*
13. *Passengers must be seated in the rear seat of the taxi, except when the rear seat is fully occupied, or for student drivers, supervisors, or aged, infirm, or handicapped persons who cannot readily enter the rear compartment of the taxicab.*
14. *MUST accept as payment of a taxi-metered fare City of Beverly Hills Taxi Coupons for the first \$12.00 of a fare originating in the City of Beverly Hills whether or not that fare terminates in Beverly Hills or any other city. All taxi companies in the City of Beverly Hills participate in the City's Taxi Coupon Program.*
15. *Any driver that refuses to accept the City of Beverly Hills Taxi Coupon for payment of the first \$12.00 of a fare originating in the City of Beverly Hills is subject to revocation of their taxi operator permit (City ID).*
16. Shall not cruise on any street for the purpose of soliciting passengers.

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SECTION TWO – BEVERLY HILLS TAXI OPERATOR PERMIT (CITY ID)

1. Drivers **MUST** have in their possession their current/valid California Driver License and their current/valid Beverly Hills Taxi Operator Permit Identification Card (City ID) while driving a Beverly Hills permitted taxi, and present them upon request to any authorized representative of the City of Beverly Hills. Refusal to present either the California Driver License or the City ID will subject the driver to citation and possible suspension and/or revocation of Taxi Operator Permit.
2. *The City ID must be displayed in a permit holder/frame mounted on the taxi's dashboard so as to be visible to passengers and regulatory personnel. The City ID must be right side up, clean and readable. **Only one City of Beverly Hills ID may be displayed at any given time in the permit holder.***
3. The permit holder/frame must display a statement that reads, "The Public Transportation Operator's Permit is required by law to be displayed at all times the vehicle is in operation."
4. *The City ID granted to drivers is issued without the notation of affiliation to any taxi company, and is generally issued for a period of three (3) years. When changing companies, you are required to notify the Department of Transportation in writing. State your full name, your Identification Card number, and the names of the old and new company assignments. Drivers must notify your company and this Department of any change of address and/or telephone number within 10 calendar days of the change.*
5. Any taxi operator who renews his taxi operator permit more than six months after its expiration is required to reapply as a new applicant and pay the required fees of a first time applicant. A renewal applicant is defined as a taxi operator whose current taxi operator permit card is still valid or has not been expired for more than six (6) months (180 days).
6. *All City ID's must be renewed in a timely manner. It is recommended that you begin your renewal process, which includes re-applying and taking a written test, three months prior to the expiration of your City Identification Card. Reapplying and passing the taxi exam does not qualify you as having renewed your City ID. Until you have received the three year City ID, you are subject to citation if you drive with an expired City ID.*

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SECTION THREE - PARKING**TAXI VEHICLES:**

1. Can utilize a yellow zone for stopping for 3 minutes to load or unload passengers or baggage only. If the yellow zone is posted with a sign that restricts the use to commercial vehicles only, taxicabs are not authorized as commercial vehicles to use it (BHMC 7-3.101).
2. Can utilize a white zone for stopping for 3 minutes to load or unload passengers or baggage only (BHMC 7-3.101).
3. Must not stage at any parking meters or customer loading zone, EXCEPT IF:
 - Actively loading, or
 - Waiting for a continuing fare, AND the taximeter is running, you are in possession of a way bill, AND you have deposited the appropriate money in the parking meter.
4. **Shall not park or take breaks on any residential streets**. Residential streets shall include, but not be limited to: Burton Way, Doheny Drive, Olympic Boulevard and Park Way. When not in service, taxis may take breaks and park in the City parking structures. One to two hour free parking is available at those facilities.

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SECTION FOUR – TAXI VEHICLES

1. B.H.M.C. 7-4.214(j) states, "No vehicle shall be issued a Public Transportation Vehicle Permit for taxicab use where such vehicle is in excess of five (5) years of age from the year of its manufacture unless such vehicle undergoes a special inspection by a mechanic selected by the City and not affiliated with the taxicab operator before the end of the vehicle's fifth and sixth years, and obtains a certificate of the mechanical condition of the vehicle. The vehicle must pass this inspection which shall be based upon standards established by the City. In no event shall the vehicle remain in operation for more than seven (7) years from the date of its manufacture."
2. If the Beverly Hills Vehicle Permit is damaged, or if the vehicle is replaced, the existing vehicle permit must be returned to the Department of Transportation, and the Taxi Inspector will affix a new vehicle permit.
3. *The taxi you are driving MUST display the current Beverly Hills Public Transportation Vehicle Permit and taximeter fare rate identification cards. The vehicle must have a current California vehicle registration and valid insurance certificate available at all times.*
4. *All TAXICAB RATE and INQUIRES/COMPLAINT cards must be black lettering on a solid white background. TAXICAB RATE and INQUIRES/COMPLAINT cards must be conspicuously posted and permanently affixed to the front and rear seating area of the vehicle and visible at all times, including when windows are lowered.*
5. The taxicab trunk is to have a clean carpet and must contain an inflated usable spare tire, a lug wrench that will work on the lug nuts of each tire wheel, and a workable jack. All items are to be secured so as not to be loose in the trunk area.
6. Taxicabs are to be mechanically maintained and clean, both inside and out. All lights, heating, defrost, air conditioning and windshield wiper blade features should be operating correctly. Taxicabs must be equipped with operational air conditioning, heating and window defrosting systems.
7. *Repairs must be made to any dents or scrapes incurred on the taxicab. All four hubcaps when present must match. When hubcaps are not present, all four wheels must match and all four tires must be either all black-walls or all white-walls.*
8. *Taxicabs must be identified by markings on both sides of the vehicle the name and telephone number of the taxi company, and a number designating the specific taxicab; the taxicab number must also appear facing the rear of the vehicle. Numbers placed on top of the trunk lid do not comply with this rule.*
9. No sign shall be displayed upon any taxicab; except a sign identifying the vehicle as a taxi may be displayed on the top of such vehicles. Advertisement such as hubcaps, roof boards, window ads, miscellaneous stickers, etc. will not be permitted.

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SECTION FIVE – TAXI METERS

1. Fares shall be regulated by the recordings of the taximeter. No charge shall be made in excess of the taximeter rate. The taximeter is to be sealed at all times. Companies and drivers may not offer any type of discount coupons or discount vouchers to prospective customers or passengers, nor shall any company or driver make any such offer by advertisement, except for the authorized Taxi Coupon Program.
2. *Taxicab rates operating over any street in the City shall be fixed as follows: \$2.45 for the first 1/7 mile or fraction thereof, or forty seven and one half (47.5) seconds waiting time or fraction hereof. And, thirty five (\$0.35) cents for each additional 1/7 mile or fraction thereof, or forty seven and one half (47.5) seconds waiting time or fraction thereof. All fare originating in the City of Beverly Hills to the Los Angeles International Airport (LAX) will be charged a flat rate of \$38.00 which shall be indicated on the taxi meter at the trip start.*
3. The taximeter must be in operation whenever there is a passenger in the taxi. This is also required when you have an agreement with a passenger for a pre-set flat rate. The open meter indicates that you have been hired, and that you are not available.

SECTION SIX – TAXI STANDS

1. *Taxicabs are not to be left on any taxi stand unattended. Public and/or Private Taxi stands are for City authorized working cabs only. The first taxicab in queue must accept any party who requests service. Staging/standing/queued in a taxi stand is considered operational and working, and authorized permits are required for the driver and the vehicle.*
2. **B.H.M.C. 7-4.214** (a) states, "No taxicab shall stand in a taxicab zone unless the vehicle both: 1) is authorized by a certificate of public convenience and necessity pursuant to this code; and 2) has been issued a public transportation vehicle permit pursuant to this code. More than one taxicab from each franchisee may simultaneously stand in a queue in any designated taxicab zone unless one or more taxicabs from a franchisee or franchisees which are unrepresented in the taxicab zone approach to park at the taxicab zone. In such event, the taxicab which is standing last in the queue in the taxicab zone and which is represented by the same franchisee shall relinquish its space to the taxicab which is not represented in the taxicab zone. **Every driver shall remain inside their cab while waiting at a taxicab zone.**"
3. Taxi stands are located at:
 - a) Regent Beverly Wilshire Hotel, on 100 El Camino Drive.
 - b) Lawry's Restaurant, 100 N. La Cienega Blvd., (6PM to 2AM).
 - c) Dayton Way at Rodeo Dr.

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- d) L'Ermitage Hotel, 9291 Burton Way.
- e) 1200 Park Way, (between Canon and Crescent Drives)
- f) Beverly Hills Hotel, 9641 Sunset Blvd., (Private property spaces).
- g) Beverly Hilton Hotel, 9876 Wilshire Blvd., (Private property spaces).
- h) Peninsula Hotel, 9882 Santa Monica Blvd., (Private property spaces).

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SECTION SEVEN – VEHICLE INSPECTIONS

1. The City of Beverly Hills reserves the right to inspect at anytime any vehicle bearing a current Beverly Hills Public Transportation Vehicle Permit, or where application is made for a new, renewal, or replacement permit.
2. If you fail to appear for a scheduled taxi inspection, you are subject to a penalty fee as prescribed by the City Council
3. There is no fee for a scheduled taxi inspection. However, if you do not pass the scheduled taxi inspection or are replacing a vehicle, you are subject to a re-inspection fee as prescribed by the City Council.
4. *Failure to submit to a vehicle inspection will result in the immediate suspension of the vehicle permit. Prior to the vehicle being placed in service, a reinspection fee must be paid and a complete vehicle inspection conducted by authorized City staff.*

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SECTION EIGHT –**CONTROLLED SUBSTANCES AND ALCOHOL TESTING FOR TAXI OPERATOR IDENTIFICATION CARD APPLICANTS AND PERMITEES**

New and Renewal Applicants:

All persons applying for or renewing a Taxi Operator Identification Card must comply with all of the regulations listed below:

1. All new and renewal applicants for a Taxi Operator Identification Card must undergo testing for controlled substances and alcohol set forth in the Beverly Hills Municipal Code, Sections 7-4.302, 7-4.303 & 7-4.306.
2. For new applicants, the actual test must be conducted within *seven (7) days* prior to the submittal of the application.
3. The applicant taking the test must show a valid California Driver's license at the time and place of testing.
4. Test results must be reported to the applicant's taxicab company of records.
5. The applicant's taxicab company must provide the City of Beverly Hills Department of Transportation with the test results at the time of the application submittal.
6. For renewal applicants, any negative test results will be accepted for one year prior to the time of the submittal of a renewal application provided that the applicant has not tested positive subsequent to a negative test result. A renewal applicant is defined as a taxi operator whose current taxi operator permit card is still valid or has not been expired for more than six (6) months (180 days).
7. Upon termination of employment of a permitted taxicab driver due to positive test results, the taxicab company must immediately notify the City. The Taxi Operator Identification Card will become void and must be returned to the City.

Random Alcohol and Drug Testing:

1. All taxicab drivers holding valid Taxi Operator Identification Card may be subject to an annual random Controlled Substances and Alcohol test. Each calendar year, the City will randomly select 50% of all current holders of Taxi Operator Identification Card holders for the random testing purpose.
2. Notwithstanding other testing requirements, all taxicab drivers who are randomly selected must comply with the Random Testing requirements.
3. Taxicab drivers who are randomly selected to undergo the Controlled Substances and Alcohol testing must within *seventy-two (72) hours* upon notification by the City take the Controlled Substances and Alcohol test at one of the test locations listed on the qualified facility roster sheet furnished by the City of Beverly Hills Department of Transportation.

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4. Test results must be reported to the taxicab company. The applicant's taxicab company must provide the City of Beverly Hills Department of Transportation with a copy of the test results within ten (10) business days.
5. Any randomly selected taxicab driver who misses the test as required will be placed on a subsequent pool of randomly selected taxicab drivers for the next Controlled Substances and Alcohol test.
6. Any randomly selected taxicab driver who misses the second test is subject to suspension and/or revocation of Taxi Operator Identification Card.

Test results/Resubmittal of applications:

All new applicants, renewal applicants and randomly selected taxicab drivers must test negative for each of the controlled substances specified in Part 40 of Title 49 of the Code of Federal Regulations and for alcohol. A negative test for alcohol means an alcohol screening test showing a breath alcohol concentration of less than 0.02 percent.

1. New applicants

- New applicants who test positive for controlled substances and/or alcohol shall be denied the application.
- New applicants who test positive for controlled substances and/or alcohol may reapply for a Taxicab Operator Identification Card one (1) year from the date the applicant was last tested.
- New applicants who seek to reapply for a Taxi Operator Identification Card shall comply with rules and regulations.

2. Renewal applicants

- Renewal applicants who test positive for controlled substances and/or alcohol shall be denied the renewal application.
- Renewal applicants who test positive for controlled substances and/or alcohol may reapply to renew the Taxi Operator Identification Card one (1) year from the date the applicant was last tested.
- Renewal applicants who seek to reapply for an operator's permit shall comply with rules and regulations.

3. Randomly selected taxicab drivers

- Randomly selected taxicab drivers who test positive for controlled substances and/or alcohol shall have their operator's permit suspended one (1) year from the date the driver was last tested.

Attachment 2

- Randomly selected taxicab drivers who test positive for controlled substances and/or alcohol shall undergo the controlled substances and alcohol testing within seven (7) days with successful results prior to the reinstatement of their Taxi Operator Permit after one year suspension.
- Randomly selected taxicab drivers who seek to reinstate their Taxi Operator Identification Card shall comply with rules and regulations.

LIST OF QUALIFIED TEST LOCATIONS

DMG & ASSOCIATES INC.

2511 SOUTH BERINGTON AVENUE

WEST LOS ANGELES, CA 90064

800.731.1550

310.479.7771 FAX

NORTON MEDICAL INDUSTRIES

4835 VAN NUYS BOULEVARD, SUITE 100

SHERMAN OAKS, CA 91403-2109

800.243.7669

818.986.0786 FAX

PACIFIC TOXICOLOGY LABORATORIES

6160 VARIEL AVENUE

WOODLAND HILLS, CA 91367

800.328.6942

818.598.3110

818.598.3116 FAX

Any other federally certified laboratories or medical clinics/hospitals which provide controlled substances and alcohol testing services are also acceptable.

Self-employed independent drivers and/or taxicab companies shall incur all costs associated with the testing. All test results are confidential and may not be released without the consent of the driver, except as authorized or required by law.